

PREFACE

It is interesting to note the historical background and modifications made to the Rules of Procedure and Conduct of Business of the Legislative Assembly from time to time. Since inception of the Legislative Assembly of Goa, Daman and Diu, the Legislative Assembly followed the Rules of Procedure and Conduct of Business of the Legislative Assembly of Uttar Pradesh, 1958 as modified and adapted. These rules came into force with effect from 20-12-1963. Thereafter the rules were modified again on the recommendations of Rules Committee constituted in pursuance of the Rules 248 (present Rule No. 219) of the Rules of Procedure and Conduct of Business of the Goa, Daman and Diu Legislative Assembly. The Committee after studying the Assembly rules of various other States and Union Territories recommended certain modifications which were presented to the House on 4th October, 1973 and were adopted. This set of Rules came into force from 6th October, 1973 and were in force till formation of Goa State i.e. 30th May, 1987.

After formation of the Goa State, it has become imperative to modify and adapt the rules of Procedure and Conduct of Business of the Legislative Assembly of the Union Territory as in force prior to becoming the State until separate Rules are framed under clause 1 of the Article 206 of Constitution of India. Section 16 of the Goa, Daman and Diu Reorganisation Act, 1967 empowers the Speaker to modify and adopt the rules in force till then. Accordingly, the rules in force were suitably modified and adopted by the Speaker on 18-12-92. A Chapter on Financial Business was included. These rules were put into operation with effect from 19-6-1987. Subsequently, the Rules Committee 1982-93 went through the exercise of comparative Study of Rules of Procedure and Conduct of Business of Lok Sabha and State Legislatures like Maharashtra, Kerala, West Bengal, Tamil Nadu, Assam, etc.; and recommended some important changes and the changes were adopted by the Legislative Assembly as recommended by the Rules Committee Report on 18-12-92. The present publication incorporates the changes suggested by the Rules Committee 1992-93, 1995-96, (1997-98), 2000-01, 2003-04, 2007-08 and 2014-15.

The present edition incorporates all the changes referred to above and the rules have been renumbered serially.

ASSEMBLY HALL.
Porvorim-Goa.
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Secretary to the Legislative Assembly

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Chapter I — Short Title and Definitions

1. *Short Title*— (1) These rules may be called “The Rules of Procedure and Conduct of Business of the Goa Legislative Assembly, 1992”.

(2) They shall come into force at once.

2. *Definitions*— (1) In these rules unless the context otherwise requires—

“Assembly” means the Legislative Assembly of Goa.

“Bulletin” means the Bulletin of the House Containing (i) a brief record of the proceedings of the House at each of its sittings; (ii) information on any matter relating to or concerned with the business of the House or other matter which in the opinion of the Speaker may be included therein; (iii) information regarding Committees.

“Chamber” means the hall where the Assembly meets.

“Committee” means any committee constituted by the House or nominated by the Speaker for any specific or general purpose and which works under the direction of the Speaker and presents its report to the House, or to the Speaker.

“Constitution” means the Constitutions of India.

“Deputy Speaker” means the person holding the Office of the Deputy Speaker Under Article.—178 of the Constitution.

“Division” means taking of votes by sending the members to lobbies or by adopting any other method under which preparation of lists of members voting on either side is provided or the number of such members is ascertained.

“Financial Year” means a period of 12 months commencing from April 1 and ending on March 31, next.

“Gazette” means the Government Gazette, Goa.

“Government” means the Government of Goa.

“Governor” means the Governor of State of Goa.

“House” means the Assembly.

“Leader of the House” means the Chief Minister, if he is a member of the House or a Minister who is a member of the House and is nominated by the Chief Minister to perform the Functions as the Leader of the House.

“Leader of Opposition” means the leader of the largest single party and recognised by the Speaker as such.

“Lobby” means the covered corridor immediately adjoining the Chamber and coterminous with it.

“Member” means a member of the Assembly and includes a Minister.

“Member in charge of the Bill” means as respect a Government Bill, any Minister, and as respects other Bill, the members who has introduced the Bill or a member authorised in writing by such member to act in his behalf.

“Member in charge” means, as respects a resolution or motion, the member who has moved or made such a resolution or motion.

“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.

“Motion” means a proposal made by a member for the consideration of the assembly and includes a Resolution and an amendment to a Motion.

“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.

“Precincts of the House” means and includes the Chamber, the Lobbies, the Galleries and approaches leading thereto and all other accommodation in possession of the Speaker or the officers of the Assembly Secretariat in the building in which the Assembly meets and such other places as the Speaker may from time to time specify.

“Prorogue” and its derivative “Prorogation” means the ending of a session by an order of the Governor under Article 174(2) (b) of Constitution of India.

“Resolution” means a motion for the purpose of discussing a matter of general public interest.

“Secretary” means the Secretary to the Assembly and includes any other person, for the time being performing the duties of the Secretary.

“Select Committee” means a Committee of Members to which a Bill is referred by the Assembly for consideration and report.

“Session” means the period of time between the first meeting of the Assembly upon the summons of the Governor under Article 174(1) and its prorogation or dissolution under Article 174(2) (a) and (b) thereof.

“Sitting” means the sitting together of the Members of the House for transacting business on any day from its commencement till the House rises for the day.

“Speaker” means the person holding the office of the Speaker under Article-178 of the Constitution of India.

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

CHAPTER II—Summons to Members and Seating Arrangement.

3. *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.

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

Provided that when the Session is called at short notice or emergently, summons may not be issued to such member separately but an announcement of the date and place of the Session shall be published in the Gazette and made in the Press and members informed telegraphically.

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

5. *Seating of Members*— The Members shall sit in such order as the Speaker may determine.

6. *Contravention of the provisions of Art. 193*—(1) No person other than a member shall sit on the seats meant exclusively for the members in the Chamber.

(ii) Any person violating the provisions of Art. 193 when so determined by the Speaker, shall be liable to the penalty provided thereof. The decision of the Speaker in this behalf shall be final.

7. *Roll of Members*—The Secretary shall maintain a Register or Roll of Members and every member shall sign it before taking his seat in the House after oath or affirmation.

Chapter III—Election of Speaker, Deputy Speaker and Nomination of Panel of Presiding Members

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 not beyond 15 days from—

- (a) the date of the Occurrence of the vacancy if the Assembly is at the moment 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 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 shall be accompanied by a statement by the member whose name is proposed that he is willing to serve as Speaker, if selected.

(3)(a) On the date fixed for election, in the case of a new Assembly, the member appointed by the Governor to preside and in any other case the Deputy Speaker or 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 the members so appointed, the Deputy Speaker, or the member presiding, as the case may be orally or in writing about it. If after the withdrawals, if any, only one member remains nominated, shall be declared elected, and it shall not be necessary to make a formal motion in that behalf.

(b) If more than one member remain 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 himself 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 member of the Assembly.

“(5) The motion which have been moved and duly seconded shall be put one by one in the order in which they have been moved and decided, if necessary by division if any motion is carried the person presiding shall without putting latter motions declare that the Member proposed in the motion which has been carried has been chosen as the Speaker of the House”.

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

Provided that the date so fixed shall in the case of a vacancy occurring during the term of an Assembly be not beyond thirty days from:—

- (a) the date of occurrence of the vacancy if the Assembly is at the moment 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 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 shall be accompanied by a statement by the member whose name is proposed that he is willing to serve as Deputy Speaker, if elected.

(3) On the date fixed for election the Speaker, 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. 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. If more than one member remains

nominated the Speaker shall call the members in whose names the motion stand, one by one, to move the motions and the mover shall confine himself 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 reading out of name under that sub-rule, made the oath or affirmation as member of the Assembly.

“(5) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved and decided, if necessary by division. If any motion is carried the person presiding shall without putting latter motions declare that the Member proposed in the motion which has been carried has been chosen as the Deputy Speaker of the House”.

10. *Power of other person to perform the duties of the office of, or to act as, Speaker*— While the offices of both the Speaker and the Deputy Speaker are vacant, the duties of the office shall be performed by such member of the Assembly as the Governor may appoint for the purpose.

11. *Panel of Presiding Members*— (1) As soon as may be after the commencement of the first session each year the Speaker shall nominate from amongst the Members of the Assembly a panel of not more than four members, 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:

Provided that no such request to any of the members of the panel of Presiding Members shall be made by the Speaker when the Deputy Speaker is present in the House and by the Deputy Speaker when he himself is present in the House.

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

12. *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 authorised to preside over the sitting of the Assembly, the Assembly shall proceed to elect a Chairman for the meeting in the following way:

“A member, addressing himself to the 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 rules

arrives, and such a motion is seconded by another member, then the Secretary shall put the motion or motions to the vote of the House. The member so elected shall occupy the Chair”.

13. *Powers of Deputy Speaker and Presiding Members*—The Deputy Speaker or any member of the Assembly, When presiding over the Assembly shall have the same powers as the Speaker when so presiding and all reference to the Speaker in these Rules shall be deemed to be references to the Deputy Speaker or to the Member so presiding, as the case may be.

14. *Delegation of Powers to Deputy Speaker*—The Speaker may, at any time, by order in writing delegate to the Deputy Speaker all or any of his powers under these rules and may likewise revoke any such delegation.

Chapter IV— Sitting of Assembly

15. *Sitting of the Assembly*—(1) 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 Leader of the House, determine.

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

16. *Hours of sitting*— (1) The Assembly shall have the following timing for its sittings—

- (i) Commencement: 11.30 a.m.
- (ii) Adjournment for the day or sine die: 6 00 PM or at the conclusion of the business for the day, whichever is earlier.
- (iii) Lunch break: 1 00 PM to 2.30 p.m.
- (iv) Tea break: 4 00 PM to 4.30 p.m.

Provided that the House may alter the above timings by a motion therefor.

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

17. *Quorum*— The quorum to constitute a meeting of the Assembly shall be one fifth of the total number of members of the House.

18. *Adjournment of meetings*— The Speaker may adjourn meeting of the Assembly either on his own motion or on a resolution of the House in that behalf.

Where however, the House is adjourned sine die, fifteen 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 meeting of the Assembly for an earlier or later date than the date to which it stands adjourned.

19. *The effect of Prorogation.*—When the Assembly is prorogued—

(a) All pending notices shall lapse and fresh notices shall be given for the next session:

Provided that the questions which have been entered in the list of business but were postponed and remained pending for answer at the close of the proceeding sessions 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

20. *Address by the Governor and its discussion in Assembly.*— (1) At the commencement of the First Session after each general election to the Legislative Assembly and at the commencement of the first session of each year, the Governor, shall Address the Assembly as required by Article — 176 (1) of the Constitution:

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

(2) After the Address by the Governor, the Secretary shall lay a copy of the Address on the Table of the House.

21. *Allotment of time for discussion.* — The Speaker, in consultation with the Leader of the House, Shall allot not less than three days for discussion of the matters referred to in the Governors Address.

22. *Scope of discussion.* — On such day or days or part of any day, 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.

23. *Amendment to Motion of Thanks.* — Amendments may be moved to such motion in such form as may be considered appropriate by the Speaker.

24. *Presentation of Motion of Thanks to Governor.*— The Motion of Thanks, if adopted, with or without amendment shall be forthwith communicated to the Governor by the Speaker.

25. *Other Business that may be taken up.*— (1) Notwithstanding that a day has been allotted for discussion on the Governor's Address—

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

(b) other business of a House commences or continues the discussion on the Address.

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

(3) The discussion on the Address shall be interrupted in the course of a sitting by an adjournment under Rule 68.

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

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

28. *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) of the Constitution.

29. *Message of Governor under Article 175 (2) of the Constitution.*— Where a message from the Governor for the House under Article 175 (2) of Constitution 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.

Chapter VI — Arrangement of Business

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

(2) Save as otherwise provided in these rules, no business not included in the list of business for the day shall be transacted at any meeting without the leave of the Speaker.

(3) No business requiring notice shall ordinarily be set down for a day before the period of the Necessary notice has expired unless the Speaker otherwise directs.

31. *Allotment of time from Private Member's business.*— Private Members Business shall be taken up on every Friday and shall have precedence over official business unless the Speaker otherwise directs:

Provided that if there is no sitting of the House on any such Friday, the Speaker in consultation with the Leader of the House may direct that any other day in the same week or an additional day in other week may be allotted for transaction of Private-Member's Business.

32. *Precedence of Private Member's Bills.*— On a day allotted for the disposal of Private Member's Bills, such Bills shall have relative precedence in the Following order namely:—

- (a) Bills in respect of which the motion is that leave be granted to introduce the Bill;
- (b) Bills returned by the Governor with a message under Article-200 or Article-201 of the Constitution;
- (c) Bills in respect of which a motion has been carried that the Bill be taken into consideration.

33. *Arrangement of Government Business.* — (1) On days other than days allotted for Private Member's Business no Business except Government business shall be transacted without the consent of the Speaker. The 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 business.

(2) On the first working day at the commencement of the session and thereafter on the last working day of every week, the Leader of the House or any member of the Council of Ministers shall after question, inform the House of the business to be transacted during the week.

34. *Private Member's Business outstanding at the end of the day.*— Private Members Business set down for the day allotted for that class of business and not taken up on that day shall not be set down for any subsequent day, unless 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 to business of that class, and shall have precedence, over all other business set down for that day.

Chapter VII — Questions

35. *Classification of Questions.*— shall be classified as follows:—

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

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

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

Explanation III— An 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.

36. *Subject Matters of Question.*— A question must relate to a matter of administration for which the Government is responsible. Its purpose shall

be the eliciting of information or suggesting action on a matter of public importance.

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

- (1) It must not bring in any name or statement not strictly necessary to make the question intelligible.
- (2) If it contains a statement the member shall make himself responsible for the accuracy of the statement.
- (3) It must not be of excessive length nor contain arguments, inferences, ironical or offensive expressions or defamatory statements.
- (4) It must not ask for an expression of opinion or the solution of a hypothetical proposition.
- (5) It must not refer to the character or conduct of any person nor relate to individual cases except in his official or public capacity or when 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 require information set forth 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 the exercise of his or its judicial function.
- (10) It shall not make or imply a charge of a personal character.
- (11) It shall not ask for information on trivial, 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 from the relation of such bodies with the Government or refer to breaches of law or rules or relate to important matters involving general welfare.

- (13) It shall not refer to debates in the current session.
- (14) It shall not criticize decisions of the house.
- (15) It shall not seek information about matters, which in their nature are secret, such as, decisions or proceedings of the Cabinet, advice given to the Governor by Law Officers and other 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 by 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 ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission of Court or Enquiry appointed to enquire into or investigate any matter but may refer to matters concerned with procedure, subject or state of inquiry, if it is not likely to prejudice the consideration of the matter by the Tribunal or Commission or Court of Enquiry.
- (21) It shall not ordinarily ask information on matters of past history.
- (22) It shall not relate to a matter with which a Minister is not officially connected.

38. *Questions regarding correspondence with Government of India.*—

(1) In matters which are or have been the subject or correspondence between the Government and Government of India no question shall be asked except as to matters of fact and the answer shall be confined to the statement of facts.

(2) Questions which ask for statement of views expressed by the Government of India, on a particular reference made by the Government shall not be ordinarily admitted.

39. *Short Notice Questions.* — (1) Whenever a member desires to ask a short notice question he shall give three clear days notice of such a

question in writing to the Secretary wherein he shall briefly state the reasons for asking the question at short notice. The Secretary will ordinarily obtain the orders of the Speaker regarding the admissibility of the question as a short notice question 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 agrees to answer the question as short notice question.

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

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

(5) Where two or more members give short notice questions on the same subject and the questions 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 question 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:

40. *Notice of starred and unstarred questions.* — (1) Not less than twenty five clear days notice of starred and unstarred questions shall be given in writing by the member to the Secretary.

(2) Such questions shall ordinarily be forwarded by Secretary to the Government within seven days.

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

Provided further that if the Speaker is of opinion that a longer period is necessary to decide about the admissibility or otherwise 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 foregoing provision.

(3) The provisions of sub-rule (5) of rule 39 shall also apply in the case of notices of starred and unstarred questions.

41. *Time for Questions.*— Unless the Speaker otherwise directs, the first hour of every sitting shall be available for asking and answering of question, short notice questions having precedence over others.

42. *Copies of answers to Starred Questions to be made available to the member concerned.*— A copy of answer to Starred Question shall be made available to the member concerned two days before the sitting for the day fixed for the answer of the said question.

43. *Limit on number of questions.*— (1) A member cannot table more than 3 Starred and 15 Unstarred questions for a sitting and each question shall relate to one single subject.

(2) The order in which the Starred Questions are to be placed in the List of question on any one day shall be indicated by the member giving notices and, if no such order is indicated, the questions shall be placed in the List of Questions in the order in which notices are received in point of time.

44. *Placing of Starred Questions in the List of Questions in rounds.*— Starred Questions in the name of a member in the List of Starred Questions on a day shall be printed in three rounds, or less according to the number questions admitted in his name for that day. Thus all members who have questions in the List on any day shall have one question each entered in the first round and their second and third Question, if any, shall be appropriately placed in the second and third rounds. Priority of questions inter se in each round shall be determined by drawing of lots and the detailed procedure for drawing of lots will be determined in such a manner as the Speaker may direct.

45. *Allotment of Days for Oral Answers to Questions.*— The time available for answering questions shall be allotted on different days in rotation for answering of questions relating to such Minister or Ministers as the Speaker may, from time to time, provide. On each such days, 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.

46. *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.

47. *Mode of asking Questions*— (1) 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 and such member when so called shall stand in his seat and unless he states that it is not his intention to ask the question he shall ask it by reference to its number on the list of Questions. If the member called is absent, the Speaker shall, pass on to the next question.

(2) Any Member when called by the Speaker to call a question, other than consolidated question, appearing in his name on the list of question may with the permission of Speaker call another question appearing in his name on the list of questions of that category and for that day.

48. *Mode of giving Notice of Questions*— Questions shall be asked by means of a notice in the prescribed form in writing to the Secretary specifying the official designation of the Minister to whose department the question relates, and the date on which the questions are intended to be placed on the List of Questions for answer.

49. *Manner of answering Questions*— (1) Answers to questions shall be relevant to the subject-matter of questions and may take the form of laying statements on the Table of the House if so desired 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 not beyond the sittings of the House, provided that the question listed for reply on the last day may be allowed to be postponed to the first day of the next Session.

(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 an adjournment of the House be brought on this ground.

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

51. *Withdrawal or Postponement of Questions*— A member may, with the consent of the Speaker, by notice, given at any time before the meeting 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 on such later day the question shall, subject to the provisions of rule 45 be placed on the list after the questions tabled for day.

52. *Written Answers to Questions not replied orally*— If a short notice or starred question included in the list of questions on any day is not answered because of the absence of the member or because it could not be taken up during the hours fixed for answering question it shall be deemed to have been answered and the written reply to such questions shall be published as part of the proceedings of the day.

53. *Supplementary Questions*— (1) discussion shall be permitted during the time for questions under rule 41 in respect of any question or of any answer given to as question.

“(2) Any member in whose name the question stands shall be entitled to put maximum three supplementaries at the first instance for elucidating any matter or fact regarding which the answer has been given. Thereafter other Members may be permitted to put the supplementary questions.”

Provided that the Speaker shall disallow any Supplementary question if in his opinion it infringes the requirement.

54. *Lapse of pending Questions referred to members*— When a reference is made to a member in connection with the notice of a question and no reply is received or a reply received from him is too late for the consideration of the Speaker and the placing of the question, if admitted, on the List of Questions for an appropriate date, such notice shall be deemed to have lapsed.

55. *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.

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

57. *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 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.

58. *Power of the Speaker to change Class of Questions*— The Speaker may convert a short notice question into a starred or unstarred question and 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 treated.

59. *List of questions for the Day*— (1) Questions which have been admitted by the Speaker shall be entered in the list of question for the day as balloted and shall be called, if the time made available for Questions permits, in the order in which they stand in the list before any other business is entered upon.

(2) The Secretary shall prepare a provisional list of questions fixed for a particular day and shall ordinarily send 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, lay them on the tables of the members.

60. *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.

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

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

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

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

Provided further that the 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 notice 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 off 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 short statement. The Minister concerned will reply shortly. The Speaker may then permit other members to put question 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.

62. *Prohibition of Publicity of Questions and Answers in advance*— Questions of which notice has been given by members and answers to questions which Minister proposes 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 thereof.

Chapter VIII – Calling Attention to Minister of Urgent Public Importance

63. *Calling Attention to Minister of Urgent Public Importance*—(1) A member desiring to call the attention of a Minister to any matter of urgent public importance shall give notice in duplicate of such a matter by 10.00 a.m. to the Secretary on the day of the sitting on which the matter is proposed to be raised.

The Secretary shall send one copy of the notice to the Minister concerned.

(2) If the Speaker gives his consent to the said matter being raised, it shall be so done after the questions and before the list of business is entered upon.

(3) The Minister may make a brief statement or ask for time to make a statement at a later hour or date.

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

Provided that the Speaker may if he deems fit, permit questions for purposes of clarification:

“Provided further that in no case the matter be discussed beyond 20 minutes, and the computation of time for discussion will start from the time when the Minister completes his statement”.

(5) Not more than two such matters shall be raised at the same sitting.

(6) In the event of more than two matters being presented for the same day, priority shall be given to the two matters which in the opinion of the Speaker, are more urgent and important.

Chapter IX - Discussion on Matter of Urgent Public Importance for Short Duration

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

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

Provided further that the notice shall be supported by the signature of at least two other members.

65. *Speaker to decide Admissibility*— If the Speaker is 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 on which such matter may 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 hour 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.

66. *No Formal Motion*— There shall be no formal motion before the House nor voting. The member who has given notice may make a short statement and the Minister shall reply shortly. Any other member may be permitted to take part in the discussion.

67. *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

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

69. *Speaker's Consent necessary to made 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.

70. *Restriction to Right to make Motion*— The right to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely-

- (1) not more than one such 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 be not anticipate a matter which has been previously fixed for consideration. In determining whether a discussion is out of order on the ground of anticipation, the Speaker shall take into consideration the probability of the matter anticipated being brought before the Assembly within a reasonable time; and
- (7) the motion must deal with a matter on which resolution could not be moved.

71. *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 Enquiry appointed to enquire 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 subject or stage of enquiry 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 Enquiry.

72. *Mode of asking for leave to move Adjournment Motion*— (1) The Speaker shall take up the motion after the questions and before the list of business is entered upon and if he holds that the matter proposed is in order and gives his consent under rule 69, he shall call the member concerned who shall rise in his place and ask for leave to move the adjournment of the House.

(2) If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than one sixth of the total number of members of the House for 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 granted the leave of the House.

73. *Time for taking up Motion*— If leave to make such a motion is granted, the motion that the House do now adjourn shall be taken up an hour before the time fixed for the usual termination of the business of the day may terminate.

74. *Limitation of Time of Discussion*— (1) The debate, on a motion to discuss a matter of urgent public importance, if not earlier concluded, shall automatically terminated on the expiration of two hours from the time when the discussion began or at 7.00 p.m. whichever is earlier and thereafter no question shall be put.

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

Chapter XI-Questions involving Breach of Privileges and Contempts

75. *Breach of privilege and contempt how brought to the notice of the House*— A question involving a breach of privilege either of a member or of the House or of a Committee thereof may, with the consent of the Speaker, be brought to the notice of the House by—

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

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

Provided further that if the complaint is against a member the Speaker may hear before giving consent.

76. *Complaint by Member*— A member wishing to raise a question of breach of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the complaint is founded upon a document, the original or a copy thereof, shall accompany the notice.

77. *Conditions for the admissibility of Questions of Privilege*— The right to raise a question of privilege shall be governed by the following conditions, namely:—

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

78. *Presentation of Complaint*— If the Speaker gives his consent under rule 75, he may refer the matter to the Committee on Privileges, and acquaint the House thereof, or he may ask the member making the complaint after the question but before entering upon the list of business for further elucidation. Thereupon the member shall read his complaint as well as documents, if any, before the House and may make a short statement. The Speaker, after hearing any other member if necessary, shall decide if the complaint is in order:

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

Provided further that where the Speaker has refused his consent under rule 75 or is of opinion that the matter proposed to be discussed is not in order, he may read the complaint in the House and state that he refuses his consent or holds that the same is not in order.

79. *Complaint against a Member*— (1) If the complaint is against a member and the matter is brought before the House, the said member shall be given a notice if he has not already been heard by the Speaker under second proviso to rule 75.

(2) A copy of the complaint shall be supplied to the member alongwith a copy of the document upon which the complaint is found and the member with the permission of the Speaker shall have a right of inspecting all the documents. He shall also be given an opportunity to be heard in explanation or exculpation.

(3) The member complained against shall attend the House in his place on the day so fixed and if he is unable to attend, he shall intimate the Speaker his reasons for non-attendance and the House in view of the reasons given postpone the consideration of the matter. If however, the House is of opinion that there are no good reasons for absence or the

member has wilfully absented, it may proceed with the matter in his absence, In case a 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.

(4) The member complained against after attending the House as aforesaid shall withdraw from the House after his explanations on under sub-rule (2) and shall not enter as long as the matter is under consideration of the House. The House may, however, allow him to the proceedings or recall him for purposes of given a further explanation or for tendering an apology.

80. *Speaker to refer the matter to the Committee on Privileges*— When the Speaker asks for further elucidation as contemplated by the first part of rule 78 and holds the complaint in order under the latter part of the said rule, he may refer it to the Committee on Privileges for examination, investigation and report or he may, if he is opinion that the matter is such as may be disposed off by the House, ask the member making the complaint to make motion that the matter be taken into consideration forthwith or at some future date.

[Note – For rules relating to the Committee on Privileges, Chapter XV of these rules]

81. *Motion after presentation of the report*— The Chairman of the Committee 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.

82. *Complaint by Secretary or Petition*— (1) Whenever a question of breach of privilege has been raised on the report of the Secretary or by a petition as given under rules 75(iii), the Speaker may, if he gives his consent thereto, refer the matter to the Committee on Privileges and acquaint the House or he may, after reading the complaint and hearing any member, decide whether the complaint is in order and if it is held to be so, may refer the matter to the Committee on privilege.

(2) If the Speaker is of the opinion that the matter is such which should be placed for consideration before the House, he shall ask the Secretary to read the complaint before the House. The House may take the report into consideration at once or at some future time.

Provided that the complaint shall be printed and copies of it shall be supplied to the members before consideration of the matter in the House.

83. *Complaint by a Committee*— Whenever a breach of privilege of a Committee has been committed, the Chairman of the Committee shall make a report thereof to the Speaker. The Speaker shall bring the matter to the notice of the House and the Chairman or, in his absence, any other member of the Committee may make a motion that the question of breach of privilege be taken into consideration forthwith or at some future time. Thereafter the procedure laid down in rules 78 and 79 so far as it is not inconsistent shall be followed.

84. *Substantive Motion*— After any one of the following motion is agreed to by the House.—

- (1) Motion under rule 80 that the matter be taken into consideration; or
- (2) motion under rule 81 that the report of the Privilege committee be taken into consideration; or
- (3) motion under rule 82 that the complaint or petition be taken into consideration; or
- (4) motion under rule 83 that the question of breach of privilege, as contained in the report of the Committee, be taken into consideration;

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

85. *Opportunity to Person Charged*— Except where the breach of privilege is committed in the actual view of the House, the House shall give an opportunity to the person charge to be heard in explanation or exculpation of the offence against him, before the sentence is passed:

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

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

87. *Punishment* — If the Committee on Privileges is of the opinion that a breach of privilege has been committed, the Committee may recommend and the House shall have power to inflict the following punishments.

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

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

89. *Execution of Orders of the House* — The Speaker or any other person authorized by him in this behalf shall have the power to execute all the orders passed and sentence inflicted by the House.

90. *Brevity of Debate* — The debate of all the stages on questions involving breach of privilege shall be brief.

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

92. *Application of the Rules to contempt* — The above rules, so far as they are not inconsistent, shall apply to all cases of contempt.

93. *Power of Speaker to refer Question of Privilege to Committee* — Notwithstanding anything contained in these rules the Speaker may refer any question of privilege the Committee on Privileges for examination, investigation or report, and acquaint the House thereof.

94. *Procedure on Question of Breach of Privilege or Contempt of the House by a Member, Officer or Servant of another Legislature* — If a

member, officer or servant of another Legislature in India is involved in a case of contempt or as alleged breach of privilege of the House, the Speaker shall refer the matter to the Presiding Officer of that Legislature, unless on hearing the member who raised the question or perusing any documents, 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 against another Legislature in India, in which a member, officer or servant of the House is involved, is referred to the House by the Presiding Officer of the Legislature concerned; the Speaker shall deal with the matter in the same way as if it were a case of breach of privilege of the House and communicate to the Presiding Officer who made the reference, a report about the enquiry and the action taken on the reference received.

95. *Application of this chapter to persons entitled to take part in the Proceedings of the Assembly*— The foregoing provisions of this Chapter shall apply in relation to persons who, virtue of the Act, have the right to speak in, and otherwise take part in the proceedings of the Assembly or any Committee or any Committee thereof, as they apply in relation to members of the Assembly.

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

96. *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 committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction as the case may be, as also place of detention or imprisonment of the member in the appropriate set out in the schedule.

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

98. *Treatment of communications received from Magistrate*— As soon as may be, Speaker shall after he has received a communication

referred to in rule 96 or rule 97, read if out in the House if in Session or if the House is not in session, direct that it may be published in the Bulletin for information of the members:

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

Procedure regarding service of a legal process and arrest
within the precincts of the House.

99. *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.

100. *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 – Resolution

101. *Notice of Resolution by private Member*— (1) A private member who wishes to move a resolution shall give not less than *fifteen days*' notice to the Secretary of his intention and shall together with the notice, submit a copy of the resolution which he wishes to move.

(2) A copy of the resolution, if it has obtained a place in the ballot and has been admitted by the Speaker, shall be sent to Government ordinarily twelve days before the date fixed for its discussion.

102. *Notice of Resolution by Government* — If the Government desire to move a resolution they shall give seven days notice and shall along with it supply a copy of the resolution to the Secretary, who shall have its copies sent to members within forty-eight hours of its receipt.

Provided that the Speaker may allow a shorter notice.

103. *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 commend 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.

104. *Subject matter of Resolution* — Subject to the provisions of these rules, any member or minister may move a resolution relating to a matter of general public interest.

105. *Conditions of Admissibility of Resolution*— In order that resolution may be admissible, it shall satisfy the following conditions, namely:-

- (1) it shall be clearly and precisely expressed;
- (2) it shall raise substantially one definite issue;
- (3) it shall not contain arguments, inferences, ironical expressions, imputations, or defamatory statement;
- (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.

106. *Admissibility of Resolution* — The Speaker shall decide on the admissibility of a resolution and may, at 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 if in his opinion it does not comply with the rules or is otherwise calculated to obstruct or prejudicially effect the procedure of the House.

107. *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 Enquiry appointed to enquire into or investigate any matter ordinarily be permitted to be moved:

Provided that the Speaker may in his discretion allow such matter being raised in the House as is concerned with the procedure or subject or stage of 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 Enquiry.

108. *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 on —

- (a) 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.

- (b) or decline to move the resolution in which case shall be 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 as required under sub-rule (1), the resolution standing in his name shall lapse.

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

Provided that no amendment be moved which if carried would have merely the effect of a negative vote.

110. *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 object to 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.

111. *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 may speak for twenty-five minutes or for such longer times, as the Speaker may permit.

112. *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.

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

114. *Splitting of Resolution*— When any resolution involving several points has been discussed, it shall be in the discretion of the Speaker to split the resolution and put such or any point separately to the vote as he may think fit.

115. *Repetition of Resolution* — When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within six months from the date of the moving of the earlier resolution.

116. *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.

117. *Precedence of Private Members resolution*— (1) The relative precedence of notices of resolutions 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 direct, not more than five resolutions in addition to any resolution which is outstanding under the proviso to rule (34) shall be set down in the list of business for any day allotted for the disposal of private members' resolutions.

Chapter XIII—Motions

118. *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 general public interest shall take place except on a motion with the consent of the Speaker.

119. *Notice of a Motion*— Save as provided under rule 125, notice of a motion shall be given in writing addressed to the Secretary and be accompanied by list of points for discussion along with a brief explanatory note stating reasons for raising the discussion on the matter in question.

120. *Conditions 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 one definite issue;
- (ii) it shall not contain arguments, inference, ironical expressions, imputations or defamatory statements.
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;

- (iv) it shall not raise a question of privilege;
- (v) it shall not revive discussion of a matter which has been discussed in the same session or within the last six months, whichever is earlier;
- (vi) it shall not anticipate discussion of a matter which is to be discussed in the same session; and
- (vii) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

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

122. *Motion for raising 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 any judicial or quasi-judicial functions or any Commission or Court of Enquiry appointed to enquire into or investigate any matter shall ordinarily be permitted to be moved.

Provided that the Speaker, may, in his discussion, show such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the Tribunal or Commission of Court of Enquiry.

123. *Allotment of time and discussion*— 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 any motion.

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

125. *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 meeting.
- (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.

126. *A motion must not raise a question already decided*— A motion must not raise question identical with one on which the Assembly has given its decision in the same session or within the last six months, whichever is earlier:

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 of a Bill where an amendment has been carried to a previous motion of the same kind to the effect that the Bill circulated or re-circulated for obtaining opinion thereon;
- (b) a motion made after return of Bill by the Governor for consideration of the Assembly, for an amendment relevant to the point or points referred for reconsideration;
- (c) a motion for the amendment of a Bill which is consequential on or designed merely to alter the drafting of another amendment which has been carried.

127. *Motion for Postponement of Business*— (1) A motion that consideration of a Bill, other than an Appropriation Bill under Article 204 of Constitution which has been introduced or a motion other than a motion for adjournment, or of a resolution, be adjourned to any future day in the same session available for such business 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 than 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 adjournment of Private Members' Business to a specified day is carried the adjourned business shall have priority over the Private Members Business fixed for that day.

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

128. *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 or 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 rules.

Chapter XIV – Legislation

(A) Introduction and Publication of Bills

129. *Speaker's power of Publication of Bills before introduction*— The Speaker may, on a request being made in this behalf order the publication of any 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.

129-A. *Notice of motion for leave to introduce Government Bills*:— (1) Minister desiring to move for leave to introduce a Bill shall give notice in writing of his intention to do so.

(2) The period of notice of a Motion for leave to introduce a Bill under this Rule shall be seven days unless the Speaker allows the motion to be made at shorter notice.

130. *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 of a motion to introduce a Bill or to move any amendment which, in the opinion of the Speaker, cannot be introduced or moved, save with the previous sanction of the President or the previous sanction or the recommendation of the Governor, the Speaker shall, as soon as may be after the receipt of the notice, refer the Bill or the amendment 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.

131. *Introduction of a Bill dependent on another Bill pending before the House*— A Bill if 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 the second Bill shall be taken up for consideration and passing in the House only after the first Bill has been passed by the House and assented to by the President.

132. *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.

133. *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 to clause 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) Clause or provisions in Bills involving expenditure from the consolidated fund of the State of Goa, shall be printed in bolder type or in italics.

134. *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 such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character.

135. *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, not being less than fifteen days before the day with reference to which the ballot is held, as the Speaker may appoint.

(2) The relative precedence of the said Bills already introduced and pending in the House shall be determined in the following order.

- (a) Bills returned by the Governor with a message 1st proviso to Art. 200 of Constitution;
- (b) Bills in respect of which motions have been made that they be passed;
- (c) Bills in respect of which motions have been carried that they be taken into consideration;
- (d) Bills in respect of which reports of Select Committees have been present;
- (e) Bills which have been circulated for the purpose of eliciting opinion;
- (f) Bills introduced and in respect of which no further motions have been made or carried.

(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.

136. *Motion for leave to introduce*— If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion may, without further debate, put the question.

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.

137. *Introduction of a Bill*— Subject to the procedure given in rule 129 or after leave to introduced a Bill is granted the Bill shall be introduced by the “Member in charge” of the Bill.

138. *Publication of Bills*— As soon as may be after a Bill has been introduced, the Bill, unless it has already published, shall be published in the Gazette.

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

140. *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, the Secretary shall, as soon as possible, send a copy thereof together with the Statement of Objects and Reasons, to the Minister concerned, if it has obtained a place in the ballot.

(B) Motions after introduction

141. *Motions after introduction*— After a Bill is introduced or on more 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 considered necessary; or
- (c) that it be circulated for the purpose of eliciting opinion thereon:

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

142. *Power to ask 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.

143. *Discussion of principles of Bills*— (1) On the day on which any motion referred to in rule 141 is made, or on 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.

- (2) (i) At this stage no amendments to the Bill may be moved but if the member in charge moves that the Bill —
 - (a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon by a date to be mentioned in the motion, or.
 - (b) be referred to a Select Committee or any member may move as an amendment, or that Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.
- (ii) Where opinion upon circulation of a Bill for eliciting opinion under the foregoing rules have been received, a statement containing a list of opinion shall be laid down upon the Table by the Secretary as soon as possible following the date of the receipt of such opinion.
- (iii) Thereupon the Member in charge of the Bill, if the wishes to proceed with it, shall move that the Bill be referred to a Select Committee unless the Speaker allows a motion to be made that the Bill be taken into consideration forthwith or at some future date.

144. *Persons 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 be circulated or re-circulated for the purpose of eliciting opinion thereon, shall be made by any member other than 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 authorize another member to move that particular motion with the approval of the Speaker.

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

[Note- For the rules relating to Select Committee, see Chapter XV of these rules].

(C) Procedure after presentation of Report of a Select Committee

145. *Motion that may be moved after presentation of report of Select Committee*— (1) After the presentation of the final report of the Select Committee of the House on the Bill, the member in charge may move:—

- (a) that the Bill as reported by the Select Committee of the House, 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 the members for 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, be recommitted to the same Select Committee or to a new Select Committee, either:—

- (i) Without limitation, or
(ii) with respect to particular clauses of amendments only; or
(iii) with instruction to the Committee to make some particular or additional provisions in the Bill, or

- (c) that the Bill as reported by the Select Committee of the House, 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, be taken into, consideration, any member may move as an amendment that the Bill be recommitted or be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.

146. *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 principle of the Bill.

(D) Amendments to clauses, etc. and consideration of Bills

147. *Notice of Amendments*— (1) If notice of an amendment to the clauses 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, 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 amendment of a purely verbal character or of amendment consequential upon or moved in respect of amendment which have been carried.

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

148. *Conditions of Admissibility of Amendments*— The following conditions shall govern the admissibility of amendments 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 intelligible as a whole.
(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 moved to an amendment which has already been allowed by the Speaker.

149. *Sanction of the President or the sanction or recommendation of the Governor to be annexed to notice of amendment*— (1) If Government

desire to move an amendment which under the Constitution or the Act cannot be moved without the previous sanction of the President or the previous sanction 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.

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

150. *Order of Amendment*— (1) Amendments shall ordinarily be considered in the order clause of the Bill to which they respectively relate, and in respect of any such clause a motion shall be deemed to have been made.

“That this clause stand part of the Bill.”

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

Provided that, if a member requests that an amendment be 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.

151. *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 off.

152. *Submission of Bills Clause by Clause*— (1) Notwithstanding anything in these rules it shall be in the discretion of the Speaker, when a motion that a Bill be taken into consideration has been carried, to submit the Bill or any part of the Bill, to the Assembly clause by clause. The Speaker shall call each clause separately and when the amendments relating to it have been dealt with shall put the question “that this clause or, as the case may be, this clause as amended, stand part of the Bill”.

(2) The Speaker may if he thinks fit, put as one question groups 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.

153. *Postponement of Clause*— The Speaker may, if he thinks fit, postpone the consideration of a clause.

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

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

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

(E) Passing and Authentication of Bills

156. *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 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) To such a motion no amendment shall be moved.

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

158. *Formula amendment to Bills*— When a 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.

(F) General

159. *Power of Speaker to bring the year of the Bill in conformity with the year of Assent*— In cases of Bill 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 in conformity to the year of its passing or likely assent by the Governor or the President as the case may be.

160. *Assent to Bill*— (1) After the Secretary has made verbal or consequential amendments under rule 158, the Bill shall be submitted to the Speaker for his signature and it shall, if approved as correct, be signed by him.

(2) After the Speaker has signed a Bill, it shall be submitted to the Governor who shall declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for consideration of the President. If the assent of the Governor or the President has been given, the Bill shall be published in the Gazette as an Act of the Legislature assented to by the Governor or the President, as the case may be.

161. *Note of verbal amendment*— Along with the signed copy under rule 160 a note showing the verbal and consequential amendments or rectification of errors made in the Bill, as required by rules 158 and 160 shall also be submitted to the Governor. A copy of these alterations shall be placed on the Table of the Assembly prior to the Announcement of the Governor or the President, as the case may be.

(G) Reconsideration of Bills returned by the Governor

162. *Reconsideration of Bills returned by the Governor*— (1) When a Bill which has been passed is returned by the Governor to the Assembly for reconsideration, the point or points referred for reconsideration or the amendments recommended in his message shall be put before the Assembly by the Speaker, and shall be discussed and voted upon in the same manner as amendments to a Bill or in such other manner as the Speaker may deem proper for their consideration by the Assembly.

(2) Thereafter the same procedure as laid down for disposing off the bills in the Assembly shall be followed.

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

163. *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 Parliament or Legislature to a subordinate authority is laid before the House, the period specified in the relevant Constitution for which it is required to be laid shall be completed before the House is adjourned sine die and later prorogued, unless otherwise provided in the relevant Constitution.

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

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

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

(I) Withdrawal of Bills and Dropped Bills

165. *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.

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

- (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.

167. *Explanatory Statement by Member who moves or opposes withdrawal of Motion*— 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.

168. *Removal of Bills from the Register of Bills*— (1) Where any of the following motions made by a member in charge of a Bill 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 the leave be granted to introduce the Bill;
- (ii) that the Bill be referred to a Select Committee;
- (iii) that the Bill be taken into consideration;
- (iv) that the Bill as reported by 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.

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 169; and
- (ii) a Bill returned by the Governor with a message under final proviso to Article 200, as the case may be.

169. *Special provisions for removal of Private Member's Bill from the Register of Bills*— A Private Member's Bill pending before the House shall also be removed from the Register of Bills pending in the House in case—

- (a) the member in charge of the Bill ceases to be a member of the House;
- (b) the member in charge of the Bill is appointed as a Minister.

170. *Dropped Bill*— 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.

Chapter XV – Procedure for Committee

(A) General

171. *Appointment of Committee 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 Committee for specific or general purposes shall be constituted by the House or nominated by the Speaker:

Provided that no member shall be appointed to a Committee if he is not willing to serve on the Committee.

(2) Each of such Committees shall consist of such number of members as is provided for each committee in the Rules.

(3) Casual vacancies in the Committees shall be filled by nomination, as the case may be, and any member nominated to fill such vacancies shall hold office for the unexpired portion of the term for which the member in whose place he is nominated would have held office.

Provided that the proceedings of the Committee shall not be held upon the ground that casual vacancies have not been filled.

172. *Chairman of the Committee*— (1) The Chairman of each of these Committees 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, the Speaker may appoint another Chairman in his place.

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

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

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

(3) When the Committee has been adjourned in pursuance of sub-rule (2) on two successive dates fixed for meeting 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.

174. *Discharge of members absent from meeting of Committee*— If a member is absent from two or more consecutive meetings of the Committee without the permission of the Chairman, motion may be moved in the House for the discharge of such member from the Committee.

Provided that where the members of the Committee are nominated by the Speaker, a member may be discharged by the Speaker after giving him an opportunity to explain.

175. *Resignation of member*— A member may resign his seat from the Committee by writing under his hand addressed to the Speaker.

176. *Term of a Committee*— The term of office of members of each of these Committee shall be a financial year:

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

177. *Voting in the Committee*— All questions at any meeting 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.

178. *Power to appoint sub-committees*— (1) Any of these Committees under the 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 as a sitting of the whole Committee.

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

179. *Meetings 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, the Secretary may fix the date and time of a meeting.

180. *Committee may sit whilst 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.

181. *Venue of meetings*— The meeting of the Committee shall be held in the precincts of the House, and if it becomes necessary to change the place of meeting outside the said precinct, the matter shall be referred to the Speaker whose decision shall be final.

182. *Power to take evidence or call for papers, records on 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 the Committee.

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

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

(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 till the presentation in 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.

183. *Oath or affirmation by witness*— (1) A Committee may administer oath or affirmation to a witness examined before it.

(2) The form of the oath or affirmation shall be as follows: I, *A.B., do swear in the same of God/solemnly affirm that the evidence which I shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false.

184. *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.

185. *Procedure for examining Witnesses*— The examination of witnesses before the committee shall be conducted as 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 under consideration or any connected subject thereto according to the mode of 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) A verbatim record of proceedings of the Committee, when a witness is summoned to give evidence shall be kept.

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

186. *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 of the Committee.

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

188. *Presentation of report*— (1) The report of the Committee shall be presented to the House by the Chairman of the Committee or the person who has signed the report or any member thereof so authorised by the Chairman or in his absence 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 remarks, confine himself to a brief statement of fact, or draw the attention of the House to the recommendation made by it, but there shall be no debate on that statement.

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

189. *Printing, publication or circulation of report prior to its presentation to the House*— The Speaker may, on a request being made to him and when the House is not in session, order the printing, 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.

190. *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 the Committees may, with the approval of the Speaker, make detailed rules of procedure to implement the provision contained in these rules.

191. *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.

192. *Unfinished work of Committees*— A Committee which is unable to complete its work before expiration of its term or 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.

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

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

(B) Business Advisory Committee

195. *Constitution of the Committee*— (1) There shall be a Committee called the Business Advisory Committee nominated by the Speaker. It shall consist of not more than 7 members including the Speaker and the Deputy Speaker. The Speaker shall be the ex-officio Chairman of the Committee.

196. *Functions of the Committee*— (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills or 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 different 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.

197. *Report of the Committee*.— The time-table in regard to the Bill or group of Bills and 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.

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

“that this House agrees with the allocation 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.

199. *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 off all the outstanding matters in connection with that stage of Bill or business.

200. *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 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

201. *Constitution of the Committee*— (1) There shall be a Committee on Public Accounts for the examination of the reports of the Comptroller and Auditor-General of India relating to the appropriation account of the State, the annual financial accounts of the State or such other account 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 7 members who shall be nominated by the Speaker after every two years from amongst the members of the House keeping in view the proportional strength of the respective political parties.

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

(3) The Chairman shall be nominated by the Speaker from amongst the Members from largest Opposition Party.

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

- (a) that the money shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged;
- (b) that the expenditure conforms to the authority which governs it; and
- (c) that every reappropriation 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 Public Accounts Committee—

- (a) to examine the statement of accounts showing the income and expenditure of State Corporations, trading and manufacturing schemes and projects 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 provision of the statutory rules regulating the finances of a particular corporation trading concern or project and 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 case where the Governor may have required him to conduct and audit of any receipts or to examine the accounts of stores and stock.

(D) Committee on Estimates

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

(2) The Committee shall consist of not more than 7 members who shall be nominated by the Speaker every year from amongst the Members of the House keeping in view the proportional strength of the respective political parties.

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.

204. *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 implied in the estimates and
- (d) 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 any one year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.

(E) Committee on Government Assurances

205. *Constitution and Functions of the Committee*— There shall be a Committee on Government Assurances consisting of not more than 7 members nominated by the Speaker in order to scrutinize the assurances, promises, undertaking, 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

206. *Constitution of the Committee*— There shall be a Committee on Petitions consisting of not more than 7 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.

207. *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.

208. *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 138 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 a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority of a quasi-Judicial or a commission;
 - (b) which can be raised on a substantive motion or resolution; or
 - (c) for which remedy is available under the law, including rules, regulations, bye-laws made by the Central Government or the State Government an authority to whom power to make such rules, regulation, etc., is delegated.

209. *General form of petition*— Every petition shall be in the language in which the Assembly transacts its business under article 210 of Constitution and if it is made in any other language, it shall be accompanied by a translation in the language used for the transaction of the business in the Assembly, and shall be signed by the petitioner.

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

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

212. *Countersignature*— (1) Every petition shall be presented and countersigned by member.

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

213. *Notice of presentation*— A member shall give at least two days advance intimation to the Secretary of his intention to present a petition.

214. *Form of presentation of petitions*— 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 this statement.

215. *Procedure after presentation of a petition*— (1) Every petition after its presentation under these rules shall be referred to the Committee for examination.

(2) The Committee may—

- (a) recommend to the Speaker the rejection of the petition, if it is not in conformity with the rules and in that case the Speaker shall reject it, and
- (b) direct circulation of the petition in extenso or in a summary thereof

(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 their suggestions for remedial measures for the particular case or to prevent such cases in future.

(G) Committee on Delegated Legislation

216. *Constitution and functions of the Committee*— There shall be a Committee on delegated legislation consisting of not more than 7 members nominated by the Speaker in order to scrutinize and report to the House whether the powers to make regulations, rules, sub-laws, etc., conferred by the Act or delegated by any 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.

217. *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 in the opinion of the Committee shall more properly be dealt within 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 State Government or the Act pursuant to which it is made 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 State Government or the Act pursuant to which it is made;
- (viii) whether it appears to have been unjustifiable delay in the publication or laying it before Legislature;
- (ix) whether for any reason its form or purport call for any elucidation.

218. *Report of the Committee*— If the Committee is of opinion that any such Legislation should be annulled wholly or in part or should be amended in respect, it shall report that opinion and the grounds thereof to the House. If the Committee is of opinion that any other matter relating to any order should be brought to the notice of the House, it may report that opinion and matter to the House.

(H) Rules Committee

219. *Constitution of the Committee*— There shall be a Committee on Rules of Procedure and conduct of business of the Goa Legislative Assembly consisting of not more than 7 members including the Speaker and the Deputy Speaker. The rest of the members shall be nominated by the Speaker.

220. *Functions of the Committee*.— The functions of the Committee shall be to consider matters of procedure and conduct of business in the

House and to recommend any amendment or additions considered necessary to these rules.

221. *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 any meeting of the Committee the Deputy Speaker shall be the Chairman for the meeting. If both are unable to preside for any reason the Speaker shall nominate a Chairman for that meeting from amongst the members of the Committee.

222. *Procedure for the amendment to Rules*— (a) The recommendations of the Committee shall be laid on the Table of the House and any member may give notice of any amendment to such recommendations within a period of seven days.

(b) upon such notice, the amendments shall stand referred to the Committee who shall consider it and may make such change in their recommendations as considered necessary. The final report shall again be laid on the Table of the House. Thereafter on a motion made by a member of the Committee the House may adopt the report and the amendment to the Rules as approved by the House shall be incorporated in the Rules.

(c) If no notice of amendment to the recommendations of the Rules Committee is given as stated under sub-rule (b) the recommendations shall be deemed to have been approved by the House and the recommendations shall be incorporate in the Rules after the expiry of seven days.

(d) The amended rules shall come into force as soon as adopted by the House, according to the foregoing provisions.

(I) Select Committee

223. *Constitution of Select Committee*— (1) The members of a Select Committee on a Bill shall be appointed by the House when a motion that the Bill be referred to a Select Committee is made and agreed to.

(2) The Select Committee shall consist of 8 members as follows:

- (i) Minister in charge of the Bill,
- (ii) Member in charge of the Bill, any,
- (iii) Six or seven members, as the case may be, of the Assembly to be elected by the method of proportional representation by means of the single transferable vote.

224. *Procedure in 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 adaptations, whether by way of modification, addition or omission as the Speaker may consider necessary or convenient for the proper working of the Committee.

225. *Notice of amendments by members other than members of Select Committee*— When a Bill has been referred to a Select Committee, any 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.

226. *Power of Committee to take evidence*— A Select Committee may hear expert evidence and representatives of special interest affected by the measure before them.

227. *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 in the meeting nor shall any reference to such discussions 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.

228. *Record of Decision 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.

229. *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 their report state whether the publication of the Bill directed by these rules has taken place, and the date on which the publication has taken place.

(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 a motion for circulation, or, where the Bill has already been circulated, for where the Bill has already been circulated, for recirculation.

230. *Minute of dissent recorded by a member*— (1) Any member of a Select Committee may record a minute of dissent on any 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 aspersion 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.

231. *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 the Bill, if amended, and 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) Committee on Privileges

232. *Constitution of the Committee*— The Committee on Privileges consisting of 7 members including the Deputy Speaker shall be nominated by the Speaker. The Deputy Speaker shall be the Chairman of that Committee.

233. *Quorum*— The quorum to constitute a meeting of the Committee shall be four.

234. *Procedure and examination of the question by the Committee on Privileges*— (1) On a reference being made to the Committee on Privileges a notice along with a copy of complaint shall be issued by the Secretary to the person complained against to appear on a specified date, time and place.

(2) Such person shall attend on every date of hearing unless the Committee exempts him from personal attendance, on his request.

Provided that subject to the above sub-rule he shall have a right to be defended by a counsel.

(3) If the said person is for any reason not able to attend on the date of hearing he shall inform the Committee of the reasons thereof. The Committee may on the consideration of the reasons postpone the date of hearing to enable the person complained against to appear. If, however, the Committee considers that there are no good reasons for the absence or the members has wilfully absented, the Committee may proceed with the matter in his absence and submit the report.

(4) If the said person admits his guilt or tenders apology the Committee may make a report forthwith with such recommendation as it may deem fit.

235. *Examination of the Question by the Committee*— The Committee shall examine the question referred to it in the light of the evidence and the circumstances of the case and determine whether any breach of privilege has been committed, the nature of breach, the circumstances leading to it and make such recommendations as it may deem proper.

236. *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.

237. *Sittings of Committee on privileges*— The Committee on Privileges shall meet, as soon as may be, after a question of privilege 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.

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

(K) Library Committee

239. *Constitution of Committee*— There shall be a Library Committee consisting of 4 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 as Minister, he shall cease to be a Member of the Committee from the date of such appointment.

240. *Duties of the Committee*.—

- (i) To consider and advise upon matters connected with the Library of the Assembly;
- (ii) To consider the suggestions for the improvement of the Library and;
- (iii) To assist members in fully utilising the services provided by the Library.

(L) Public Undertaking Committee

241. *Constitution of the Committee*— There shall be a Committee on Public Undertaking consisting of not more than seven 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 as Minister he shall cease to be a member of the Committee from the date of such appointment.

Provided further that no Member who has a pecuniary interest in any Public Undertakings shall be eligible to be nominated or continued to be a Member of the Committee.

242. Duties of the Committee.—

- (i) To examine the reports and accounts of the Public Undertakings as may be decided by the House from time to time.
- (ii) To examine the reports, if any, of the Comptroller and Auditor General of India on the Public Undertakings.
- (iii) To examine in the context of autonomy and efficiency of the Public Undertakings whether the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices and;
- (iv) To exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates as are not covered by clause (i), (ii) and (iii) above, and as may be allotted to the Committee by the Speaker from time to time.

Provided that the Committee shall not examine and investigate any of the following, namely:

- (i) Matters of major Government policy as distinct from business or commercial functions of the Public Undertakings.
- (ii) Matters of day to day administration.
- (iii) Matters for the consideration of which machinery is established by any special statute under which a particular Public Undertaking is established.

(M) Budget Committee

242(A). *Constitution of the Committee*— There shall be a Committee on Budget consisting of not more than twelve members nominated by the Speaker, which shall be divided into three sub-Committees, each sub-Committee shall consist of not more than 4 members. The Chairman of each sub-committee shall be appointed by the Chairman of the Budget Committee. Provided that no Minister shall be appointed a Member of the Committee and if a Member of the Committee is appointed as Minister he shall cease to be a Member of the Committee from the date of such appointment.”

242 – (B):- Functions of the Committee.—

- “(i) To have a post scrutiny of the annual Budget.
- (ii) The subject/Departments to be taken up for examination by the Sub-Committee classified into three categories viz (a) Social (b) Economic & (c) others.
- (iii) The Subjects/Departments to be taken up by these Sub-Committees shall be proposed by the Chairman of the Budget Committee.

- (iv) Scrutiny of the Budget pertaining to the identified Government Departments shall be under the jurisdiction of the respective Sub-Committee.
- (v) Each Sub-Committee shall make its report after scrutiny of the Government Department under its jurisdiction and shall present it to the Speaker. The Speaker then, shall cause the report to be sent to the Secretaries of the Departments concerned for calling Action Taken Replies on the recommendations of the Sub-Committees within sixty days.”

Chapter XVI-Motion for Removal of Speaker and Deputy Speaker and No-Confidence Motions against Ministers

243. *Motion for Removal of Speaker or Deputy Speaker*— A member wishing to give a notice of a resolution under clause (c) of Article 179 of the Constitution for the removal of the Speaker or the Deputy Speaker from his office shall do so in writing.

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

244. *Leave of House to take up Resolution*— (1) Subject to the provisions of Article 181 of the Constitution the Speaker or the Deputy Speaker or such other person, as is referred to in Clause (2) of Article 180 of the Constitution shall preside when a motion for removal under the foregoing rule is taken up for consideration.

(2) The member in whose name the motion stands may withdraw the motion, but if he does not do so he shall ask for the leave of the House to move the motion, no speech shall be permitted at his stage, but the mover may briefly state the reasons for bringing the motion.

(3) 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 then member 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.

245. *Resolution including 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 foregoing rule, the resolution shall be including in the list of business to be taken up on some appointed day.

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

246. *Time limit for Speeches*— The speeches on the resolution shall not exceed 15 minutes in duration:

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

247. *Motion of no-confidence in the Council of Ministers*— (1) A 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 shall before the commencement of the sitting for that 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, 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 day, forthwith put every question necessary to determine the decision of the House on the motion.

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

248. *Statement by a Minister who has resigned*— (1) A member who 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 to 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 XVII-Communications between the Governor and the Assembly

249. *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.

250. *Communication 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 XVIII - Resignation and Vacation of Seats in the House and Absentee Members

251. *Resignation of seats in the House*— (1) A member wishing to resign his seat in the House shall do so in the form prescribed.

FORM OF RESIGNATION

To,

THE SPEAKER,
LEGISLATIVE ASSEMBLY,
GOA.

I hereby tender my resignation of my seat in the House with effect from..... (date) forenoon/afternoon.

Your faithfully,

Place.....date.....(Signature of Member of the House).

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) As soon as may be, the Speaker shall on receipt of the letter of resignation, if he is satisfied above the genuineness and voluntary nature thereof, inform the House that such and such a member has resigned his seat in the House.

Provided that when the House is not in session the Speaker shall inform the House of it immediately after it reassembles.

(3) The resignation shall take effect from the date and time specified in the letter of resignation.

(4) The Secretary shall, as soon as may be, after receipt of resignation by the Speaker, cause the said fact of resignation published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

(5) If any dispute arises as regards the genuineness or voluntary nature of the resignation, the same shall be determined by the Speaker before action is taken under sub-rule (2) or sub-rule (4).

(6) If any letter of resignation is not in the form prescribed, it shall be returned to the Member concerned for the purpose of being submitted in the prescribed form.

252. Permission to remain absent from meetings of the House— (1) A member wishing to obtain permission of the House for remaining absent from meetings thereof under Article 190(4) shall make an application in writing to the Speaker, stating the period for which he may be permitted to be absent from the meetings 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 be considered by the House 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 the House during the period of his 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 meetings of the Assembly for a period of 60 days or more, computed in the manner provided under Article 190(4) of Constitution the Leader of the House or any other member may move that such member's seat be declared vacant.

(7) Three days' notice of such a motion shall be necessary and a complete statement of the dates 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.

253. Attendance Register— A record of attendance of members in the meetings 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 meeting and the members, other than the Speaker, the Deputy Speaker, Ministers, Ministers of State, Deputy Ministers and Parliamentary Secretaries, shall sign it before the meeting 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 a absent may satisfy the Speaker within 15 days thereof that he attended the meeting, but failed to sign. And the Speaker, if so satisfied, may order that he be marked present.

CHAPTER XIX-Procedure in Financial Matters

254. 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 (hereinafter referred to as the Budget) shall be presented to the Assembly on such day as the Governor may appoint.

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

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

(2) Subject to the provisions of rules made under Articles 77(3)-

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

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

- (b) 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.

257. *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 of demands for grants.

258. *General Discussion*— (1) On a day to be appointed by the Speaker in consultation with the Leader of the House which shall not be earlier than two days subsequent the day on which the Budget is presented and as the Speaker may allot not less than three days for this purpose. The House shall be at liberty to discuss the budget as a whole or in question or principle involved therein, but no motion shall be moved at this stage nor shall the Budget be submitted to the vote of the Assembly.

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

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

259. *Voting on Demands*— (1) The voting on demands for grants shall take place on such days (not less than 15 days) as the Speaker may, after consultation with the Leader of the House allot for the purpose.

(2) The demands for grants shall be presented in such order and discussion shall continue for such time within the period allotted under sub-rule (1) 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) Motions may be moved at this state to reduce or omit any grant but not to increase or alter the destination of a grant.

(5) No amendment to motions to reduce any 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) On the last day of the days allocated under sub-rule (1), half an hour or so before the close of the usual sitting of the day, the Speaker shall forthwith put every question necessary to dispose off all 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.

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

- (a) “that the amount of the demand be reduced to Re. 1” as representing disapproval of the policy underlying the demand. Such a motion shall be known as “Disapproval of Policy cut”. A member giving notice of such 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 affected. Such specified amount may be either a lump sum reduction in the demand or omission or reduction of an item in the demand. The motion shall be known as “Economy Cut”. The notice shall indicate briefly and precisely the particular matters on which discussion is sought to be raised and speeches shall be confined to the discussion as to how economy can be effected;
- (c) “that the amount of the demand be reduced by Rs. 100” in order to ventilate a specific grievance, which is within the sphere of the responsibility of the Government. Such a motion shall be known as “Token Cut” and the discussion thereon shall be confined to the particular grievance specified in the motion.

261. *Conditions of Admissibility of Cut Motions*— In order that a notice of motion for reduction of the amount of demand may be admissible, it shall satisfy the following conditions, namely:—

- (i) it shall relate to one demand only;
- (ii) it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;

- (iii) it shall be confined to one specific matter which shall be stated in precise terms;
- (iv) it shall not reflect the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (v) it shall not make suggestion for the amendments or repeal of existing laws;
- (vi) it shall not refer to a matter which is not primarily the concern of the Government;
- (vii) it shall not relate to expenditure charged on the Consolidated Fund of the State;
- (viii) it shall not relate to matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (ix) it shall not raise a question of privilege;
- (x) it shall not revive discussion on a matter which has been discussed in the same session and on which a decision has been taken;
- (xi) it shall not anticipate a matter which has been previously appointed for consideration in the same session;
- (xii) it shall not ordinarily seek to raise a discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter:

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

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

262. *Notice of a Motion to omit or reduce Grant*— Notice of a motion to omit or reduce any grant shall be given not less than two days before the day appointed for the discussion of such grant unless otherwise directed by the Speaker;

Provided that the Speaker shall decide whether or not a cut motion is admissible under these rules and may disallow any cut motion which,

in his opinion, amounts to an abuse of the right of moving such a motion, or is in contravention of these rules or is otherwise inadmissible.

263. *Vote on Account*— 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 which shall be stated in a schedule appended to the motion.

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

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

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

264. *Supplementary or Additional Grants or Grants for Excess Expenditure*— (1) The Speaker in consultation with Leader of the House may allot one or more days for presentation of a statement of demands for grants in respect of supplementary or additional or excess expenditure under Article 205.

(2) The Speaker in consultation with Leader of the House may 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 256 to 262 subject to such modifications as the Speaker may deem necessary.

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

266. *Token Grant*— When funds to meet proposed expenditure on a new service or scheme 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 demand, funds may be so made available.

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

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 for the timely passing of such Bills.

268. *Time limit for Disposal of Financial Business*— In addition to the powers exercisable by the Speaker under these rules, he may exercise all 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 off all the outstanding matters in connection with the stages for which the time has been allotted.

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

269. *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 Table of the Assembly, the Secretary shall issue a notification declaring them to be published for general information.

CHAPTER XX-General Rules of Procedure

(A) Notices

270. *Mode of giving Notices.*— (1) A member may give notice under these Rules to the Secretary in writing in the format prescribed or in a brief narrative form in case where format is not prescribed, either on paper or online.

(2) Notices on pager or online to the email addresses specified for this purpose by the Secretary must be sent to the Secretary on or before the time prescribed for receipt of such notices under these Rules.

271. *Speaker to amend Notices of Questions and Motions etc.*— If in the opinion of the Speaker, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose, or otherwise inappropriate, he may, in his discretion, amend such notices before it is circulated.

272. *Circulation of Papers to members*— All papers, communications correspondence etc., from the Speaker, Secretary or any other officer of the Assembly Secretariat to the members or to any other person or body or authority may be circulated in paper form or deposited on the official website of the Assembly in downloadable form or sent to the email addresses of the addressee concerned.

(B) Amendments

273. *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 may at any stage, disallow an amendment or refuse to put an amendment which in his opinion is frivolous.

274. *Amendment how put*— (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 terms of 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.

(c) Rules to be observed by Members

275. *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 letter, nor shall he do anything except in connection 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 the 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 ordinarily keep to his usual seat while addressing the House;
- (viii) shall maintain silence when not speaking in the House;
- (ix) shall not obstruct proceedings 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 any Gallery.

276. *Member to speak when called by the Speaker*— When a member rises to speak, his name shall be called by the Speaker. If more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

277. *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.

278. *Rules to be observed while speaking and answering question*— (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—
 - (i) give any evasive reply to any question;
 - (ii) express any opinion or make any comment on any matter of fact on which a judicial decision is pending;
 - (iii) make a personal charge against a member;
 - (iv) use offensive expression about the conduct or proceedings of the Parliament or the Legislature of any State or any Union territory;
 - (v) reflect on any decision of the House except on a motion for rescinding it;
 - (vi) reflect upon the conduct of the President or any Governor or any Administrator or the conduct of any Court of Justice sitting as such;
 - (vii) utter reasonable or defamatory words but he may, with the permission of the Speaker, quote them for the purpose of

his argument.

279. *Questions to be asked through the Speaker*— When for the purpose of explanation during discussion or for any other sufficient reason any member has occasion to ask a question from another member on any matter, then under the consideration of the Assembly he shall ask the question through the Speaker.

280. *Irrelevance or repetition*— The Speaker, after having called the attention of the Assembly to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

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

(D) order of Speeches and Right of Reply

282. *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 except for the purpose of making a personal explanation and then only with the permission of the Speaker, and in such case no debatable matter may be brought forward.

(3) A member who has moved a substantive 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 relate shall have right of speaking after the mover whether he has previously spoken in the debate or not.

283. *Address by Speaker*— The Speaker may himself, or on a 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 aid members in their deliberation, and such expression of views shall not be taken to be in the nature of a decision.

(E) Procedure when Speaker Rises

284. *Speaker to be heard in silence*— (1) Whenever the Speaker addresses the House 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.

(F) Decision

285. *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.

286. *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, these propositions may be proposed by the Speaker as separate questions.

287. *No speech after voice collected*— A member shall not speak on a question after the Speaker has collected the voice both of the ayes and of noes on that question.

288. *Decision*— (1) Votes may be taken by voices or by division and shall be taken by division, if any member so desires.

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

(G) Speaker's Power to order withdrawal of a Member or to adjourn the House or suspend a sitting.

289. *Power to Order withdrawal of member*— (1) The Speaker shall preserve order; and may direct any member whose conduct, in his opinion, is disorderly, to withdraw immediately from the House and the member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's sitting.

(2) If a member, when ordered by the Speaker to withdraw under sub-rule (1) above, does not obey or if a member is ordered to withdraw a second time in the same session the Speaker may name him. As soon as a member is named, the Leader of the House shall forthwith make a motion to the effect that the member so named be suspended from the service of the House for the period to be mentioned in the motion; but there shall be no discussion on such a motion:

Provided that the period shall not in any case be longer than the last day of the sitting of the Session.

Provided further that the House may at any time, on a motion being made, resolve that such suspension be terminated.

(3) The Speaker shall have full authority to carry out his order or the decision of the House and may employ, or authorize the employment of necessary force, at any stage of the proceedings.

(4) In the case of a grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House or suspend any sitting for a time to be named by him.

(H) Points of order

290. *Points of Order and Decisions thereon*— (1) A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution or such sections 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 maintenance of order in or arrangement of business before the House.

(3) Subject to the conditions referred to in sub-rules (1) and (2) a member may formulate a point of order and the Speaker shall decide whether the point raised is a point of order and if so, give his decision thereon, which shall be final.

(4) No debate shall be allowed on a point of order, but the Speaker, may if he thinks fit, hear members before giving his decision.

(5) A point of order is not a point of privilege.

(6) A member shall not raise a point of order—

(a) to ask for information, or

(b) to explain his position, or

(c) when a question on any motion is being put to the House, or

(d) which may be hypothetical, or

(e) that division bells did not ring or were not heard.

291. *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.

(I) Record and Report of Proceedings

292. *Record of Proceedings of the Assembly*— (1) The 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 meeting of the House, shall be signed by the Speaker; and when so signed it shall form an authentic record of the House.

(3) The journal shall be printed and copies of it supplied to members within ten days.

293. *Report of Proceedings of the Assembly*— (1) The Secretary shall also cause to be prepared a full and accurate report of the proceedings of the Assembly at each of its meetings and shall publish it in such form and manner as the Speaker may from time.

(2) A copy of such report shall be sent by the Secretary to each member of the Assembly and to the Governor within six weeks.

294. *Supply of certified copies of the Assembly proceedings or any other papers connected with the Assembly*— The Speaker may, if deemed necessary on application received from a Member or any other person for a certified copy of any particular speech, statement, reply to question or other part of a day's proceedings or any other paper or papers laid on the Table of the House or an extract thereof, for production in any Court of law, permit such copy to be given to the application on payment of the copying charges to be prescribed by the Speaker in this behalf:

Provided that if the Speaker considers that specific approval of the House is necessary he may refer the application to the House for such approval. However, when the House is not in Session, the Speaker may, in emergent cases allow the production of the relevant document in Court of Law in order to prevent delays in the administration of justice and inform the House accordingly of the fact when it re-assembles or through a Bulletin Part-II.

Provided further that no copy of any part of the proceedings of any Committee or any document produced before it in evidence shall be given until such proceedings or documents are presented to the House.

No such copy shall be used for publication until the proceedings are published under Rules 293.

295. *Expunging of words from debates*— (1) If the Speaker is of opinion that a word or words has or have been used in debate 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 portion of the proceedings of the House so expunged shall be marked by asterisks and an explanatory footnote shall be inserted in the proceedings as follows:

“Expunged as ordered by the Chair, on such and such date”.

296. *Custody of Papers*— The Secretary shall have custody of all records, documents and papers belonging to the House or any of its committee or Legislature secretariat and he shall not permit any such records, documents or papers to be taken from the precincts of the House without the permission of the Speaker.

(J) Admission of Strangers

297. *Speaker to regulate admission of strangers*— The admission of strangers during the sitting of the House to those portions of the House, which are not re-served for the exclusive use of members, shall be regulated in accordance with orders or rules made by the Speaker.

298. *Power to order withdrawal of strangers*— The Speaker may, at any time during a sitting of the Assembly, order the withdrawal of strangers from any precincts of the House.

299. *Steps for expulsion of strangers*— The Speaker may take such steps as may be necessary or such action as the circumstances of the case may in his discretion require, for the expulsion of any stranger from any portion of the House.

(K) Power of Speaker to make regulations for Ballot

300. *Method of election by voice vote*— The method of election for Members on Committee or a public body may be decided by way of voice vote only.

(L) Holding of Election by the Assembly

301. *Holding of election by the Assembly*— When in pursuance of any Act or otherwise, the members of the Assembly or a section thereof has to elect 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 under the directions of and regulations, if any, made by the Speaker.

(M) Laying of paper or document on the Table of the House

302. 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 permission of the Chair.

(N) Amendment of Rules

303. *Notice*— Unless the Speaker directs otherwise, not less than fifteen days notice of the motion for leave to amend these Rules shall be given and the notice shall be accompanied by a draft of the proposed amendments.

304. *Leave of the House*— The motion shall be set down for such day as the Speaker may direct. When the motion is reached, the Speaker shall read draft amendments and ask whether the member has the leave of the House. If objection is taken, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who objects, shall request those members to support the motion to rise in their places and if not less than one-fifth of the total number of members rise accordingly the Speaker shall intimate that the member has the leave of the House. If less than one-fifth of the members rise, the Speaker shall inform the member that he has not the leave of the House.

305. *Draft amendment to be referred to the Rules Committee*— Where a member has the leave of the House to proceed, the draft amendments shall be referred to the Rules Committee of the House.

(O) Miscellaneous

306. *Suspension of rules*— 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.

307. *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.

308. *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.

309. *Speaker's decision not to be questioned*— No decision of the Speaker in respect of disallowance of any resolution or question or in respect of any other matter shall be questioned.

(P) Relative Precedence

310. *Relative precedence of different classes of business before the House*— Unless the Speaker otherwise directs the relative precedence of the different classes of business, before the House specified below shall be in the following order, namely:

- (i) Oath or affirmation.
- (ii) Questions (including short notice question).
- (iii) Obituary references.
- (iv) Papers to be laid on the Table.
- (v) Communication of messages from the Governor.
- (vi) Intimation regarding President's assent to Bill.
- (vii) Communications from Magistrate or other authorities regarding arrest or detention or release of members of the House.
- (viii) Presentation of reports of Committees.
- (ix) Laying of evidence before Select Committees in respect of Bills.
- (x) Presentation of Petitions.
- (xi) Questions involving a breach of privilege.
- (xii) Leave to move motions for adjournment of the Business of the House.
- (xiii) Calling attention notices.
- (xiv) Announcement by the Speaker regarding leave of absence of members from the sitting of the House.

- (xv) Announcement by the Speaker regarding various matters, e. g. resignations of members of the House, nomination to panel of Presiding Members, Committees, etc.
- (xvi) Rulings or announcements by the Speaker.
- (xvii) Miscellaneous statements by Ministers.
- (xviii) Personal statement by ex-Minister in explanation of his resignation.
- (xix) Motion for election to Committee.
- (xx) Motion for extension of time for presentation of report of Select Committees on a Bill.
- (xxi) Bill to be withdrawn.
- (xxii) Bill to be introduced.
- (xxiii) Laying of explanatory statement giving reasons for immediate legislation by Ordinances.
- (xxiv) Motion for adoption for Report of Business Advisory Committee.
- (xxv) Motion for leave to move Resolution for removal of Speaker/ Deputy Speaker.
- (xxvi) Motion for leave to make a motion of no-confidence in the Council of Ministers.
- (xxvii) Consideration of report of Committee on Privileges.

SCHEDULE

Form of Communication regarding arrest, detention, conviction or releases, as the case may be, of a member.

Place

Date

To,

THE SPEAKER,
LEGISLATIVE ASSEMBLY,
GOA.

A

Dear Shri Speaker,

I have the honour to inform you that I have found it my duty, in the exercise of my powers under section of the (Act), to direct that Shri Member of the Legislative Assembly be arrested/detained for (reasons for the arrest or detention, as the case may be).

Shri,M.L.A., was accordingly arrested/taken into custody at (time) on(date) and is at present lodged in the a Jail(plan).

B

I have the honour to inform you that Shri M.L.A., 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 for and sentenced him to imprisonment for (period).

(His application for leave to appeal to *is pending consideration).

* Name of the Court.

C

I have the honour to inform you that Shri M. L. A., who was convicted on (dated) 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)

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RULES

OF

**PROCEDURE AND CONDUCT
OF BUSINESS**

OF THE

GOA LEGISLATIVE ASSEMBLY

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