

## CHAPTER I

### LOK SABHA—COMPOSITION, BUSINESS AND PROCEDURE

**1. Composition.**—(1) According to the Constitution, Lok Sabha, shall consist of—

- (a) not more than five hundred and thirty members chosen by direct election from territorial constituencies in the States;
- (b) not more than twenty members to represent the Union territories, chosen in such manner as Parliament may by law provide; and
- (c) not more than two members of the Anglo-Indian Community nominated by the President, if he is of opinion that the community is not adequately represented in Lok Sabha.

[Articles 81 & 331]

(2) The Representation of the People Act, 1950, as amended and article 331 of the Constitution provide the following composition of Lok Sabha :

- (i) From States ..... 530 members (all elected)
- (ii) From Union Territories ..... 13 members (all elected)
- (iii) Anglo-Indians ..... 2 members (if nominated  
by the President under  
Article 331 of the  
Constitution)

Total ..... 545 members

**2. Duration of Lok Sabha.**—(1) Lok Sabha, unless sooner dissolved, continues for five years from the date appointed for its first meeting, and the expiration of the said period of five years operates as dissolution of the House.

(2) The said period may, if a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

[Article 83]

**3. Sessions of Lok Sabha.**—(1) Normally three sessions of Lok Sabha are held in a year as follows :—

- (1) Budget Session ..... February, March, April and May.
- (2) Autumn or Monsoon Session ..... July, August and September.
- (3) Winter Session ..... November and December.

(2) Summons for each session alongwith a provisional calendar of sittings, chart showing grouping of ministries, dates of sittings, dates of ballots and last dates of receipt of notices of questions and a Bulletin Part-II giving information in respect of various matters connected with the business for the session are issued to members before the commencement of the session.

When the House, after being adjourned *sine die*, is not prorogued and its sittings are re-convened by the Speaker, the duration of the re-convened period is distinguished as next part of the same session. No fresh summons are issued to members, but they are informed about the date of reconvening of the sitting by a D.O. letter issued under the signatures of Secretary-General alongwith other Parliamentary papers as mentioned above, stating the date, time and place of commencement and duration of the next part of the Session.

**4. Address by the President.**—(1) At the commencement of the first session after each general election to Lok Sabha and at the commencement of the first session of each year, the President addresses both Houses of Parliament assembled together and informs Parliament of the causes of its summons.

[Article 87]

(2) The President arrives in the Central Hall in a procession alongwith the Chairman, Rajya Sabha, the Speaker, Lok Sabha, the Prime Minister, the Minister of Parliamentary Affairs and the Secretaries-General of the two Houses. Members take their seats in the Central Hall at least five minutes before the President arrives.

(3) As soon as the Presidential procession enters the Central Hall, the Marshal announces his arrival and almost simultaneously two trumpeters positioned in the Gallery above the dais give a fanfare till the President reaches the dais. The Members rise in their places and remain standing until the President reaches dais and takes his seat. Immediately, thereafter, the National Anthem is played by the band of Rashtrapati Bhavan which is suitably positioned in a Lobby of the Central Hall. The National Anthem is again played on the conclusion of the Address. Immediately, thereafter the President leaves

in procession and members remain standing in their places till the procession leaves the Central Hall.

(4) Seats in the two or three front rows in the Central Hall are reserved for the Prime Minister, Ministers, Deputy Chairman, Rajya Sabha, Deputy Speaker, Lok Sabha and Leaders of Opposition Parties and Groups in Rajya Sabha and Lok Sabha. In the second row in sectors 1 to 8, seats are reserved for the members of Panel of Chairmen and Chairmen of Parly. Committees on both the sides of gangway in the Central Hall.

(5) The President's Address is the most solemn and formal act under the Constitution. Utmost dignity and decorum befitting the occasion is to be maintained. Any act or disturbance on the part of Member which mars the dignity of the occasion is punishable by the House to which he belongs.

(6) No member leaves the Central Hall when the President is addressing.

(7) Members who have not already made and subscribed the oath or affirmation are admitted to the Central Hall on the occasion of the Address on production of the certificate of election granted to them by the Returning Officer or on introduction by a sitting member or on production of the summons.

(8) Half-an-hour after the conclusion of the Address, Lok Sabha meets in its own Chamber when a copy of the Address duly authenticated by the President is laid on the Table of the House by the Secretary-General. Thereafter copies of the Address are distributed to members in the Lobby through specially set up booths. Members who do not collect the copies from the Lobby can obtain them from the Publications Counter later on.

(9) Discussion on matters referred to in the President's Address takes place on a Motion of Thanks moved by a member and seconded by another member.

[Rule 17]

(10) According to the established practice the two members—the mover and the seconder of the Motion of Thanks—are selected by the Prime Minister. Notice of such a motion is, therefore, received through the Minister of Parliamentary Affairs.

(11) The scope of discussion on the President's Address is very wide and the functioning of the entire administration is open for discussion. The limitations *inter-alia* are that members should not refer to matters which are not the direct responsibility of the Government of India, and the name of the President should not be brought in during the debate since the Government and not the President is responsible for the contents of the Address.

(12) Members can move amendments to the Motion of Thanks. For this purpose, members can consult Lok Sabha debates containing the amendments that were moved and discussed in the previous years. A few copies of the relevant debates are kept in the Parliamentary Notice Office for ready reference.

(13) The discussion on the Motion of Thanks is concluded by the reply of the Prime Minister or any other Minister. The mover or the seconder does not have any right of reply at the end unlike other motions.

**5. Oath or Affirmation by Members.**—(1) Before taking his seat in the House every member is required under article 99 of the Constitution to make and subscribe an oath or affirmation in the following form:—

“I, A.B., having been elected (or nominated) a member of the House of the People do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter.”

(2) Members may make oath or affirmation in Hindi or English or in any of the languages specified in the Eighth Schedule to the Constitution.

(3) A member should, when he comes to make the oath or affirmation, bring with him the certificate of election granted to him by the Returning Officer under Rule 66 of the Conduct of Elections Rules, 1961 and contact an officer of the House or Table Office (Room No. 46-A) at least one hour before the commencement of the sitting and indicate the language in which he wishes to make the oath or affirmation so that arrangements could be made accordingly.

(4) Members returned at a general election make the oath or affirmation at the first sitting of a newly constituted House. A member

who has not made and subscribed an oath or affirmation at the first sitting may do so at the commencement of a sitting of the House on any subsequent day after giving previous intimation in writing to the Secretary-General.

(5) If a member returned at a bye-election has not been a member of the previous Lok Sabha, he should when he comes to make the oath or affirmation, in addition to following the procedure aforesaid, be accompanied by a sitting member who could introduce him to the Speaker.

(6) In the House, on the name of a member being called by the Secretary-General the member has to proceed from the place he is occupying to the right-hand side of the Secretary-General's table and hand over his certificate of election to the Officer at the Table. A copy of the form of oath or affirmation in the language in which the member desires to make the oath or affirmation is then handed over to him. The member faces the Chair while making the oath or affirmation. He then goes up to and shakes hands with or wishes the Chair who gives him permission to take his seat in the House. The member then passes behind the Chair to the other side of the Table and signs the Roll of members. Thereafter, he takes his seat in the House.

**6. Time and Duration of Sittings.**—(1) Unless the Speaker otherwise directs, or the House itself decides otherwise, the House ordinarily sits from 11.00 hours to 13.00 hours and from 14.00 hours to 18.00 hours.

(2) The House normally adjourns for lunch break for one hour from 13.00 hours to 14.00 hours. When the House is adjourned for lunch and no time for re-assembly of the House is specified by the Chair, it is to be assumed that the House will meet after one hour. Similarly, if the House rises for the day and no date and time is specified by the Chair for re-assembly of the House, it is to be assumed that the House will meet on the next working day at 11.00 hours according to the calendar of sittings for the session.

**7. Government Business.**—A few days before the commencement of each session, a tentative list of Government legislative and other business expected to be taken up during the session, is published in Bulletin-Part II. In case there is to be an Address by the President at the commencement of the Session, the tentative list is published in Bulletin-Part II after the President's Address on the same day.

**8. Private Members' Business.**—(1) The last two and a half hours of a sitting on every Friday are allotted for transaction of private members' business.

(2) Alternate Fridays are allotted for the disposal of private members' Bills and private members' resolutions.

The Speaker may allot different Fridays for the disposal of different classes of such business and on Fridays so allotted for any particular class of business, business of that class has precedence.

[Rule 26]

(3) The Speaker may, in consultation with the Leader of the House, allot any day other than a Friday for the transaction of private members' business.

(4) If there is no sitting of the House on a Friday, the Speaker, may direct that two and a half hours on any other day in the week may be allotted for private members' business.

[Rule 26]

**9. Quorum.**—(1) The quorum to constitute a sitting of the House is 55 members including the Speaker or the person acting as such.

[Article 100(3)]

(2) Before the Speaker takes the Chair in the morning and the House commences its sitting, and when it meets again after Lunch break or after short adjournment, the Marshal ascertains that there is quorum, and after he has reported to the Speaker that there is quorum, the Speaker takes the Chair. Thereafter, the Speaker presumes that there is quorum at all times but his attention may be invited to lack of quorum or he may himself notice the lack of quorum. In either case the bell is rung and if the House is made within the first ringing of the bell, or, if necessary, within the second or third ringing of the bell, as the Speaker may direct, the business of the House proceeds. Otherwise the Speaker may adjourn the sitting for lack of quorum.

If at the hour appointed for commencement of the sitting of the House, there is no quorum even after ringing of the bell thrice, the hour for commencement of the sitting may be postponed under orders of the Presiding Officer and members present in the House informed of it suitably by the Secretary-General.

**10. Procedure regarding Questions.—(1) Question Hour.—**

(i) Unless the Speaker otherwise directs, the first hour of every sitting is available for the asking and answering of questions.

[Rule 32]

(ii) For the purpose of answering questions in the House, the Ministries/Departments of the Government of India have been divided into five groups and the Ministers concerned answer questions by rotation.

[Rule 38]

(iii) Fixed days have been allotted to the various groups of Ministries for answering questions in Lok Sabha. Accordingly, questions relating to groups A, B, C, D and E always come up for answer on Monday, Tuesday, Wednesday, Thursday and Friday respectively. If, however, there is no sitting of the House on any of the above five days on account of a holiday, the questions pertaining to the group of Ministries are not put down for answer during that week.

(iv) If a sitting of Lok Sabha is fixed for any day other than allotted days or if the Session is extended beyond the scheduled date of its adjournment *sine die*, no Question Hour is provided for such sittings, unless the condition of ten clear days for giving notices of the question is satisfied.

(2) *Notices of Questions.*—(i) Notice of a Question should be given in writing addressed to the Secretary-General and should specify:—

- (a) the text of the question;
- (b) the official designation of the Minister to whom the question is addressed;
- (c) the date on which answer to the question is desired; and
- (d) the order of preference, if any, for its being placed on the list of questions, where a member tables more than one notice of questions for the same day.

[Rule 34(1)]

(ii) In case the date of answer is not mentioned in the notice it is returned to the member.

(iii) Notices of Starred and Unstarred Questions should be given separately and separate notices are required for different dates. When

notices of more than one question are given at the same time, such questions and their parts should be clearly distinguished and numbered.

(iv) Notice of each question is required to be signed separately with the name of the member written in block letters below the signature. The member's division number should also be indicated.

Where a notice is signed by more than one member, it is deemed to have been given by the first signatory only. Each notice of a question should, therefore, be signed by only one member.

[Rule 34(2)]

(v) Unsigned notices of questions are not accepted and they are returned to the members concerned.

(vi) Notices of questions bearing stamped/carbon signatures of the members or sent through fax are treated as unsigned notices.

(vii) Such notices tabled by members after signature are treated as fresh notices for the next available date(s).

(viii) Notices of questions tabled by members bearing signature which do not tally with their specimen signatures and their genuineness is in doubt, are treated as invalid and are returned to the members concerned requesting them to put their signatures which may tally with the specimen provided by them.

(ix) Notices of questions—whether Starred or Unstarred—received from a member under detention for unspecified period are treated as Unstarred Question only and dealt with accordingly.

(x) A notice with the text of the question pasted thereon is not treated as a valid notice and is returned to the member.

(xi) In order to enable members to indicate the official designation of the Minister to whom the question is addressed, a publication entitled "Demarcation of Responsibilities in Government of India" brought out by Lok Sabha Secretariat is supplied to every member for ready reference.

(xii) Notices of questions should be clear, self-contained and complete. Questions which are illegible are liable to be returned to members. Proper names wherever occurring in the text of questions may be written in block letters.

(xiii) Unless the Speaker otherwise directs the minimum period of notice required for a question is ten clear days. Notices of questions



can be given from the day following the date of issue of summons. For a session called with usual notice, notices of questions received before the twenty-first day from the day for which they are intended to be included in the lists of questions are deemed to have been received at 10.00 hours on the twenty-first day. In calculating the period of notice, both the date on which the notice is received and the date on which the answer is desired, is to be excluded.

[Rule 33]

(xiv) Along with the summons for a session, members are supplied with a Bulletin Part-II containing a paragraph showing the allotment of days for answering questions and a Chart showing dates of ballots and last dates of receipt of notices of questions. Notices of questions are accepted with reference to the dates indicated in the Chart.

(xv) *Inter-se* priority of notices of questions received or deemed to have been received at 10.00 hours on the twenty-first day before the date of answer, is determined by ballots on that day. Separate ballots are held for notices of Starred and Unstarred Questions. The priority of notices of questions received thereafter is determined according to time and date of their receipt.\* In case the notices of questions are received simultaneously on any day their *inter-se* priority is determined by ballot. This is subject to the minimum period of notice of ten clear days.

(xvi) Where identical notices of the same question, whether original or carbon copies, are given notice of by different members at the same time, names of all such members are balloted for the purpose of inclusion of name of one member in a day's lists of questions. Notices from members who do not gain priority in the preliminary

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\* There were requests from members in the past that instead of 21st day, the ballot should be held on the last day of the receipt of notices of questions. This has not been found feasible. Though rules provide for a maximum period of twenty-one clear days of notice, but in order to facilitate the members, who are out of station, so that they can also send their notices in time for inclusion in the ballot, Lok Sabha Secretariat continue to receive the notices of questions even before twenty-first day.

Normally a gap of seven days is provided between date of issue of summons and holding of first ballot and members have been permitted to give notice from the day following the day of issue of summons. Notices of questions which were given before twenty-first day, are treated to have been received on the twenty-first day at 10.00 hours only. *Inter-se* priority of such notices is, therefore, decided by a ballot alongwith those given at 10.00 hours on the twenty-first day. *Inter-se* priority of notices received thereafter and not received simultaneously is decided in accordance with the date and time of receipt. This is applicable for both starred as well as unstarred notices of questions.

ballot are treated as disallowed. Identical notices of a question received after holding of the main ballot are also treated as disallowed.

(xvii) The ballot is held in the Lobby of the Central Hall, Parliament House (between the First Aid Post and Lounge No. 5-B) on each working day at 13.30 hours through computerised auto-ballot systems. The presence of a sitting member of Lok Sabha is desirable for holding the ballot. In case, no sitting member is available, the ballot is held in the presence of a senior officer (not below the rank of Joint Secretary) from the Lok Sabha Secretariat in Parliament House Annexe.

A Copy of the ballot sheet of questions is displayed on the Notice Boards for the information of members.

(xviii) For the purpose of holding a ballot, all the Starred/Unstarred Questions are entered in the computer showing individually the date of receipt, the time of receipt, whether Starred or Unstarred, the order of preference indicated by the member, whether the notices were given in English or Hindi and the answer date to which the notices have been allotted. After the data entry of all the questions is over, the ballot chart is generated for the date for which the ballot is to be held. The ballot is held through 'Auto Balloting System' by selecting the answer date and name of the sitting member of Lok Sabha. After pressing the 'enter' the member can see the ballot position of all the questions on the screen of the computer for a particular date. Posting/Ranking of questions is carried out after the ballot is over.

(3) *Starred Questions.*—(i) An asterisk(\*) should be placed at the beginning of a question to which a member wishes to have an oral answer. Members are advised to put a star against those questions only in respect of which supplementary questions are likely to arise and not against those which merely ask for statistics or for the laying of statements on the Table of the House.

[Rule 36]

(ii) A question given notice of as Starred Question may be admitted as an Unstarred Question, where it is considered by the Speaker that the Question is of such a nature that a written reply would be more appropriate.

[Rule 44]

(iii) There is no restriction on the number of notices of Starred and Unstarred Questions, which a member can give under the Rules.

But not more than one question by the same member can be placed on the list of Starred Questions for a day. Starred Questions in excess of one, admitted in the name of a member, are placed on the list of Unstarred Questions, subject to the overall limit of not more than five questions being included in the name of any one member in the Starred and Unstarred Lists together for a day. \*However, where a question included in the list of Starred Questions in the name of a member is transferred and included again in the list of Starred Questions for a subsequent day, in addition to such transferred question, one more question can be included in the list of Starred Questions in the name of the same member.

[Rule 37(1)]

(iv) In the list of Starred Questions for a day, not more than twenty questions, excluding questions\* transferred/postponed from another day, can be included. Questions in excess of twenty are transferred to the list of Unstarred Questions for that day.

(v) Names of not more than two members are shown against any question in the list of Starred Questions for a day. The names are shown in the order of receipt of notices at a point of time and date. Where notices are received at the same point of time and date, priority is determined by ballot. Member whose name appears first on a question in the list can ask two supplementary questions. Other member whose name has been clubbed can ask only one supplementary. A supplementary question should be precise and pointed. It should not have any parts.

(vi) Order of preference should be indicated by each member on his notices of questions. A member who has secured one of the twenty places in the ballot for Starred Questions for a day is eligible to have one of his admitted questions in the list of Starred Questions. Such questions for inclusion in the Starred List are considered according to the order of preference indicated by the member. In case no order of preference is indicated by the member, any one of his admitted questions may be included in his name in the list of Starred Questions. His other admitted questions may be put down as Unstarred Questions, subject to overall limit of not more than five questions being included in both the lists in the name of any one member.

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\*Transfer of Starred/Unstarred Question from one printed list of question to another is not normally allowed from 3.8.92 as per the orders of Speaker.

(4) *Unstarred Questions*—

(i) Written answers to Unstarred Questions are deemed to have been laid on the Table at the end of the Question Hour by the Ministers to whom the Questions are addressed. As these are not called for oral answers in the House, no supplementary question can be asked thereon.

(ii) The following types\* of questions, if admitted, are put down as unstarred questions:—

- (a) questions asking for information of statistical nature;
- (b) questions going into details; where it is obvious that the reply will be long, *e.g.* questions about resolutions of a conference or recommendations of an expert committee, and action taken thereon etc.;
- (c) questions which raise matters of local interest;
- (d) questions relating to representation in the services of communities protected under the Constitution, such as, Scheduled Castes, Scheduled Tribes and OBCs in which no question of policy is involved;
- (e) questions relating to administrative details, *e.g.* the strength of staff in a Government Office or Department;
- (f) questions on which *prima facie* there could be no scope for supplementaries, such as, matters under correspondence, diplomatic negotiations, or those which are *sub-judice*;
- (g) questions asking for statements to be laid on the Table; and
- (h) questions of interest only to a limited section of people.

(iii) Not more than five questions in all, by one member whether original or name[s] clubbed, and whether starred or unstarred, can be placed on the lists of questions for any one day. Questions in excess of five in the name of a member for any one sitting are not included in the list of Questions.

(iv) The maximum number of questions to be included in unstarred list for a day is 230. However, where questions relating to States

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\* This list is only illustrative and not exhaustive. The Speaker can in his discretion admit a question as Unstarred Question for any other reason.

under President's rule are admitted, the total number of questions in the list of unstarred questions for that day may exceed to the extent of the number of such questions subject to an overall maximum limit of 255 in the list.

[Rule 45(2)]

However, this maximum limit as well as the limit of 5 questions for a member for a day may exceed by the number of \*transferred (and included in the printed list) and/or postponed questions from one date to another.

Questions found in excess of 230 questions in the list of unstarred questions for a day may be considered for inclusion in the list of unstarred questions on subsequent available relevant dates without asking the members to give fresh notices for the same. No communication is, however, sent to the members in respect thereof.

Notices of questions which, being in excess of 230, cannot be included in any of the lists for subsequent dates, lapse at the end of the session.

(v) Questions not included in the list of questions, being in excess of five for any one sitting, may be reconsidered for admission for subsequent dates if member gives in writing his option to revive his notice.

(vi) Questions in the name of each member in the list of Unstarred Questions for a day are included in rounds according to the number of questions admitted in his name subject to the limit of 5 questions in all, whether original or names clubbed and whether starred or unstarred. Members in whose names questions have been admitted for a day can have one question each in the first round and after completing all the members in the list, the rest of the questions if any, will be appropriately included in the subsequent round(s). Priority of questions *inter se* in each round is decided in accordance with priority secured in the ballot.

(5) *Admissibility of Questions* : The following are the main criteria governing the admissibility of questions:—

(i) Questions should be clearly and precisely expressed and should not be too general incapable of any specific answer or in the nature of a leading question.

[Rule 41(2) (i)]

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\*Transfer of Starred/Unstarred Question from one printed list of question to another is not normally allowed from 3.8.92 as per the orders of Speaker.

(ii) Question containing references to previous questions and answers in Lok Sabha, should be made self-contained by quoting the number and giving very briefly the purport of the previous question and answer and the date when the question was answered.

(iii) Questions asking for information as regards the correctness, or otherwise, of statements in newspapers should contain the specific points in the statements in respect of which information is desired.

(iv) Questions referring to newspaper articles, should be accompanied by the relevant newspaper cutting or the name of the paper and date.

(v) Questions containing statements by the member presuppose that he/she makes himself/herself responsible for the accuracy of such statements.

[Rule 41(2) (iii)]

(vi) Question should not contain allegations against Ministers or Members, without verifying the authenticity thereof and without giving previous intimation to the Speaker to that effect. Notices relating to any allegations based on newspaper reports are not considered for admission unless the member tabling the notice gives substantial proof to the Speaker in support of the allegations made in the question.

(vii) Questions of excessive length are not admissible. Members, while framing questions, should bear in mind that a question should not ordinarily exceed 150 words.

[Rule 41(2) (vii)]

(viii) Questions seeking information for a period beyond three years are not admissible. A question should not ordinarily ask for information on matters of past history.

[Rule 41(2) (xv)]

(ix) Questions relating to legislation should be addressed to the Minister responsible for the subject-matter of the legislation, and not to the Minister of Law and Justice.

(x) Questions relating to CBI investigations on specific matters should be addressed to the Minister responsible for the subject-matter under investigation.

(xi) Questions relating to statutory corporations and limited companies in which Government have financial or controlling interests

are examined on merits and their admissibility is regulated generally in the following manner:—

- (a) Where a question relates to a matter of policy, or refers to an act of commission or omission on the part of a Minister, or raises a matter of wide public importance although seemingly it may pertain to a matter of day-to-day administration or an individual case, is ordinarily admitted as Starred;
- (b) A question which calls for information of statistical or descriptive nature is ordinarily admitted as Unstarred;
- (c) A question which clearly relates to day-to-day administration and asks for collection of facts pertaining to the Ministries and entailing prolonged labour and time not commensurate with the results achieved is ordinarily disallowed;
- (d) Statutory Corporations which are set up under enactments of Parliament, the extent of ministerial responsibility in the affairs of the Corporation, is generally set out in the relevant statute. The admissibility of questions relating to such Corporations largely depends on the interpretation and application of the provisions of the statute. A question relating to administrative aspects of such a Corporation is admitted in case it raises a matter of principle or an issue of wide public importance;
- (e) A question which seeks information about functioning of Financial Corporations and nationalised banks is ordinarily admitted. Such questions are, however, examined keeping in view the confidentiality of, the relationship between the financial institutions, banks etc. and the customers.
- (f) A question seeking information relating to profits and loss in various Corporations, Banks etc., which is available in the Annual Report is not ordinarily admitted. However, a question seeking information for the period for which the Annual Report has not been laid before Parliament or comparative figures for various years are asked for, is ordinarily admitted as unstarred.
- (g) A question seeking information on matters which can be obtained directly from the Corporation etc., is ordinarily disallowed.

[Note:—In this connection, it may be noted that information in respect of working of the statutory corporations and limited companies

in which Government have financial or controlling interests may be obtained by members direct from the corporations or the companies concerned. For this purpose, Ministries have issued directions to the statutory bodies and limited companies functioning under them to supply the requisite information to the members directly. However, in view of public security considerations, members may address their requests for information in respect of Bharat Electronics Limited, Bangalore, Hindustan Aeronautics Limited, Bangalore and other undertakings of the Ministry of Defence to the Ministry of Defence, who would arrange to supply to the members the requisite information as far as possible.

Where members ask for information from a statutory corporation or government company, the matters on which such information is asked for should normally be those on which a question in Lok Sabha would be permissible, but for the autonomy of the organisation or the body to which the matter relates. In case the statutory corporation or government company does not choose to give reply to any request from a member for any reason, no representation or appeal shall lie from the member either to the Government or to the Speaker. In such cases, the member may avail of the normal Parliamentary opportunities available to him under the Rules.

A compilation entitled "Statutory Corporations, companies and other bodies in which Central Government have financial or controlling interest" is brought out by the Lok Sabha Secretariat and copies thereof are made available to members.]

(xii) Questions seeking information regarding assessment of income-tax, wealth tax and estate duty of individuals and companies are not ordinarily admissible. Under section 138 of the Income-Tax Act, 1961, any person can make an application to the Commissioner of Income-tax in the prescribed form for any information relating to an assessee in respect of any assessment, and the Commissioner may, if he is satisfied that it is in the public interest so to do, furnish or cause to be furnished the information asked for in respect of that assessment only. The Act provides that the Commissioner's decision in this behalf shall be final and shall not be called in question in any Court of Law. Thus, the information and documents, which could not be obtained through an application to the Commissioner of Income-tax under the provisions of law, cannot be thrown open to the public through the medium of a reply by Government to a question in Lok Sabha.



(xiii) Questions on a subject on which the Minister proposes to make a statement are kept pending until the statement is made. After the statement has been made, such of the questions, which are covered by the statement, are disallowed. The admissibility of other questions is decided on merits.

(xiv) Questions regarding statistics of production of industries under the Ministry of Industry should seek information on calendar year basis and not on financial year basis, as statistics in that regard are maintained on calendar year basis only.

(xv) Questions seeking information about implementation at block or district levels of various programmes like 20-Point Programme, Integrated Rural Development Programme, Jawahar Rozgar Yojana, P.M. Rozgar Yojana and MPLADS, Training of Rural Youth for Self Employment etc. are not ordinarily admitted, as the information about block or district-wise outlays/expenditure/physical targets/achievements is primarily the concern of State Governments and such information is not normally reported to or monitored by the Government of India. Members while giving notices of questions about the implementation etc. of such programmes should restrict the information sought to State level only.

(xvi) Questions on matters which are, or have been the subjects, of correspondence between the Government of India and the Government of a State, are not admitted except to a matter of fact and the answer to such a question is confined to a statement of facts.

[Rule 42]

(xvii) Questions are also inadmissible on the following grounds if :—

- (i) it seeks information on matters which tend to encourage fissiparous and divisive tendencies and weaken the unity and integrity of the country;
- (ii) it relates to a matter of day-to-day administration or tends to further the interest of an individual or a few individuals;
- (iii) it relates to a matter falling primarily within the jurisdiction of the Chief Election Commissioner, Comptroller and Auditor General, Courts and other such functionaries;
- (iv) it relates to petitions and memoranda received by Ministers which are not of public importance;

(v) it relates to a matter under negotiation with a Government of other country and its disclosure may affect the course of negotiations to the detriment of the national interest; and

(vi) it relates to a matter within the jurisdiction of the Speaker.

[Direction 10A]

(6) *Amendment of Questions.* — (i) A question which is amended by a member as a result of correspondence, is ordinarily treated as a fresh notice, if intimation of such an amendment is not received by the Lok Sabha Secretariat within a period of ten clear days before the date on which the question was proposed to be asked, and the member should in such a case suggest a new date for answer.

(ii) If in the case of a question or part thereof, which has been disallowed, the member makes a representation for reconsideration of the decision, such representation, if it is not made within ten clear days before the date on which the question was proposed to be asked, is treated as fresh notice and the member should suggest a new date for answer.

(iii) When a reference is made to a member for clarification with respect to his notice and no reply is received or a reply is received too late for inclusion in the list of questions for the day, such notice will be treated as lapsed.

[Rule 52]

(7) *Splitting up of Questions.* — A question which is admissible appears in the list of questions in the form, as framed by the member with slight editing wherever necessary but without any substantial change. If, however, a question as framed relates to two or more different matters which have no direct connection with one another, is split up into separate questions.

(8) *Questions put down for wrong dates.* — Questions addressed to the appropriate Minister, but proposed to be asked on a date not allotted to him are, subject to the provisions of the rules, put down on the next available day allotted for answering questions by that Minister.

(9) *Questions addressed to wrong Ministers.* — (i) When a question is addressed to a Minister not responsible for the subject-

matter of the question and where both the appropriate Minister and the Minister addressed answer questions on the same day, the question is put down for answer by the appropriate Minister on the same day. In case the two Ministers answer questions on different days, the question is put down for answer on a subsequent day by the appropriate Minister.

\*(ii) When a question addressed to a wrong Minister has been printed in the list of questions accordingly and that fact is brought to the notice of the Lok Sabha Secretariat in time, it is normally deleted from the list in which it appears by means of a corrigendum and included in the list of subsequent day in the name of the appropriate Minister. Members concerned are informed of the changes made.

(10) *Clubbing of names of Members on a question.* — (i) When several notices of question are received on the same or allied subject, they are either consolidated or one of the questions is admitted according to the priority secured at the ballot. The names of other members are clubbed thereon. However, only two names can appear on a Starred question. Although there is no limit to the number of names of members, which might be clubbed on an unstarred question, the name of a member cannot be shown on more than five questions (Starred and Unstarred) on a day.

(ii) Similarly, when a question has been admitted and subsequently more questions are received on the same subject, such questions are disallowed and the names of members clubbed to the admitted question.

(iii) However, after the list of questions has been printed and circulated to members, if any question on the same subject is received, it is kept pending for review in the light of the answer to be given to the printed question. After the question has been answered, the question kept pending is suitably disposed of.

(iv) Printed lists of admitted questions are circulated to members five days in advance of the dates on which they are due for answer: In case a member has any objection to his name being added to another member's question, or to the contents and form of question he should inform the Secretary-General, Lok Sabha **immediately** on receipt of the printed list so that necessary action including issue of corrigendum etc. might be taken in time.

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\* Transfer of Starred/Unstarred Question from one printed lists of questions to another is not normally allowed from 3.8.92 as per the orders of Speaker.

(11) *Answering of Starred Questions of absent Members.*—

(i) After all the Starred Questions have been called once and the Question Hour is not yet over, an absent member's Starred Question on the list may be asked by another member in the second round provided the latter has been authorised by him in writing under Rule 49. Such authority should be for a definite date or dates. An absent member is not permitted to authorise more than one member for this purpose for any one sitting.

(ii) A member who has been authorised by another member to ask question on his behalf under rule 49, should send the letter to the Lok Sabha Secretariat at least a day in advance of the date on which the question is put down for answer. If, however, the authorisation is made on the same day on which the question is due for answer, the member who has the letter of authority in his favour should pass it on to the Officer at the Table not later than 10.50 hours.

(iii) In exceptional cases, the Speaker may at the request of a member, direct the Minister to reply to a particular question of the member who is absent.

[Rule 48(3)]

A question of an absent member, which is answered in the House is printed in the Debates with a bracketed remark indicating that it was asked by so-and-so on behalf of so-and-so.

(12) *Answering of Starred Questions not reached for answer.*—

A Starred question not reached for answer during the Question Hour may be answered after the end of the Question Hour with the permission of the Speaker, if the Minister concerned represents to the Speaker that the question is one of special public interest to which he desires to give an answer.

If a question placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day, or if called for answer, and the member in whose name it stands is absent, a written answer to such question is deemed to have been laid on the Table at the end of the Question Hour by the Minister to whom the question is addressed.

(13) *Withdrawal and Postponement of Questions.* — (i) A member

may, by giving notice not later than 10.00 hours on the day for which

his question has been placed on the list of questions for answer, withdraw his question or postpone it to a later date to be specified in the notice and on such later date, the postponed question, subject to the provisions of Rule 38, be placed at the end of the list for that day.

(ii) In case a question is printed in the Starred list, but the requisite information is not readily available with the Government, the Minister concerned may request the Speaker for postponement of the question to a subsequent date during the same session and such a postponed question will have the same priority in the list of Starred Questions for the subsequent date, as it had obtained on the previous date.

(iii) If a member, on being called by the Speaker, states that it is not his intention to ask the Question standing in his name, the Question shall be treated as having been withdrawn and not printed in the Debates.

[Rule 39(1)]

(14) *Intimation regarding disallowed Questions.* — In respect of a disallowed Question, the member concerned is informed as soon as possible and in any case within a day or two of the orders of disallowance in the standard letter forms. A disallowed Question may be reconsidered for admission on representation from the Member or on other relevant grounds. Questions which have been disallowed or the reasons for their disallowance should not be released by Members, etc. to the press for publication.

(15) *Disposal of Questions when sitting is cancelled or Question Hour is dispensed with.* — (i) When a sitting of the House is cancelled, or the House is adjourned for the day/before taking up questions, all the questions, both Starred and Unstarred entered in the lists of questions for that day, are ordinarily treated as Unstarred Questions for the next sitting, and are printed along with the answers in the Debates of the latter day. No fresh lists of such questions are printed, but at the next sitting a few copies of the lists marked unstarred are placed in the Library along with the sets of agenda papers for the sitting. However, if the House is adjourned *sine die* before taking up questions listed for day, those questions, both starred and unstarred, are treated as not answered.

(ii) When the Question Hour of a sitting is dispensed with, but the sitting itself is not cancelled, all Starred Questions for the day are treated as Unstarred and their answers together with the answers to

the Unstarred Questions, if any, are printed in the Debates of that day.

(iii) When the House does not continue with its sitting, after dispensing with or suspending the Question Hour, the answers to questions included in the lists of questions for oral as well as written answer for that day are deemed to have been laid on the Table after the Question Hour at the next sitting of the House and form part of the proceedings of that day.

(iv) When the Question Hour is interrupted after having taken up the list of questions for oral answers and list is partly disposed of and the sitting continues, answers to remaining questions in the list of questions for oral answers and answers to questions in the list of questions for written answers shall be deemed to have been laid on the Table after 12 O'clock and form part of the proceedings of the day.

[Rule 39(3)]

(v) When the Question Hour is dispensed with from a particular date for the rest of the session, all the questions, at whatever stage they may be, are treated as lapsed from that date.

However, during that period there is no bar to Short Notice Questions being admitted at the Speaker's discretion and answered.

(vi) When the last one or more sittings of a session are cancelled, the questions listed for those days are treated as lapsed.

[Rule 39(4)]

(16) *Printed Lists of Questions.* — Printed lists of admitted questions are circulated to members normally five days in advance of the dates on which they are due for answer. Lists of Starred Questions are printed on green paper and Unstarred Questions on white paper.

Any cases of patent errors in the questions such as wrong spelling of proper names etc., can be brought to the notice of the Joint Secretary/Director/Deputy Secretary (Questions), Lok Sabha Secretariat by the members on receipt of the printed lists so as to enable the Secretariat to issue necessary corrigenda in this regard.

(17) *Placing of copies of answers to Starred and Short Notice Questions in the Parliamentary Notice Office/Outer Lobby.* — It is the established practice in Lok Sabha not to supply copies of answers in

advance to Members. However, half an hour before the commencement of the Question Hour, thirty five sets (twenty five in English and ten in Hindi versions) of answers to Starred and Short Notice Questions are placed in the Parliamentary Notice Office of the Lok Sabha Secretariat. Thirty sets (twenty five in English and five in Hindi versions) are also placed in Outer Lobby of the Lok Sabha Chamber for reference by members.

The contents of answers (including statements, if any to be laid in reply) should be treated as confidential and not released for publication until the questions are actually asked and answered in the House. In the case of Starred Questions not reached for answer, the answers should not be released till the Question Hour is over. Moreover, answers to questions should not be taken as final as the Minister concerned has the right to make corrections therein till the question is actually answered. The answer should, therefore, be considered as provisional when made available in advance and taken as final in the form in which the question is actually answered in the House with such corrections as may have been made by the Minister.

(18) *Supply of copies of answers to Members.* — After the questions are answered, copies thereof are supplied to members on request. Such requests should be addressed to the Parliamentary Notice Office.

(19) *Statements to be laid on the Table of the House in answer to Questions and replies to previous Questions (whether Starred, Unstarred or Short Notice) referred to in replies to Questions.* — A member in whose name a question stands in the starred list, or the member who has been authorised by him to ask the question on his behalf, or any person who has been authorised by him in writing may obtain a copy of the statement to be laid on the Table in answer to the question and replies to previous Starred/Unstarred or Short Notice Questions referred to therein from the Parliamentary Notice Office half an hour before the commencement of the sitting.

Other members may refer to the statement etc. in the Parliamentary Notice Office. For this purpose, a few sets of the statement and one set of answers to previous questions are placed in the Parliamentary Notice Office.

(20) *Statements by Ministers correcting answers to Starred and Short Notice Questions.* — When a Minister wishes to correct any inaccuracy in the information which was given by him in answer to a Starred or Short Notice or Supplementary Question, he gives notice

of his intention to the Secretary-General and the notice is accompanied by a copy of the Statement duly authenticated by him which he proposes to make to correct his earlier reply. A few copies of statements to be made by Minister correcting such replies are placed in the Parliamentary Notice Office half an hour before the commencement of the sitting of the House. Members may either obtain copies on request or refer these statements in the Parliamentary Notice Office.

The contents of the statements should be treated as confidential and not released for publication until the statements are actually made by the Minister in the House.

After the statement has been made, in special cases, the Speaker may, in his discretion, permit a few clarificatory questions which are strictly relevant to the correction made by the Minister.

**11. Short Notice Questions.—** (1) With the approval of the Speaker and the consent of the Minister concerned, a question relating to a matter of urgent public importance may be asked with notice **shorter than ten clear days**. Brief reasons for asking the question with short notice should be stated in the notice. Where no reasons have been stated in the notice of the question, the question will be returned to the member concerned. Members should indicate in the appropriate column of notice form, the reason why the question is being asked at short notice. A general statement that the matter is of “wide public importance” or “public interest” would not be adequate for this purpose, as this basic criterion has to be satisfied by all questions admitted in the ordinary course also. Members should send notice of Short Notice Question on the prescribed form, copies of which are available in the Parliamentary Notice Office.

(2) Where a notice of Short Notice Question is signed by more than one member, it is deemed to have been given by the first signatory only.

[Rule 54(3)A]

(3) Where identical notices of a Short Notice Question are received from different members at the same point of time, a ballot may be held to determine the name of only one member in whose name the question, if admitted, may appear. The other notices which fail to secure priority in the ballot are treated as disallowed. Similarly, any other identical notice, which is received subsequently, is treated as disallowed.



(4) Names of not more than five members can appear on a Short Notice Question. The names of members may be clubbed in the order of receipt of notices.

(5) Copies of admitted Short Notice Questions are printed on light pink paper and circulated to members not more than two days in advance.

(6) When before the commencement of the Session, a Short Notice Question is received so much in advance that its earliest date of admission would be more than 10 days ahead, such a question would be treated as an ordinary question for all purposes.

(7) Normally, not more than one Short Notice Question is put down for answer on any one day being a day on which there is no Calling Attention.

(8) When a Short Notice Question is admitted and placed on the agenda, it is called immediately after the Question Hour; and if the Question Hour has either been dispensed with or has not been provided for, it is called for answer as the first item of business.

(9) In the case of a Short Notice Question appearing in the list in the names of five members, when the question is called, if, the first member does not ask the question or is absent, the second, third, fourth and fifth member will be called successively to ask the question. If any of these members does not ask the question or all the members are absent, the other member, if any, authorised by the first member will be called to ask the question. If no such member has been so authorised, the written answer to the question is treated as laid on the Table of the House.

**12. Questions addressed to Private Members.—** (1) A question may be addressed 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.

[Rule 40]

(2) The procedure in regard to such questions is the same as followed in the case of questions addressed to Ministers. Questions addressed to members, if admitted, are printed on yellow paper and copies thereof are circulated to members normally five days in advance.

(3) Supplementary question on such questions are permitted. But Short Notice Questions cannot be addressed to private members.

**13. Half-an-Hour Discussions on matters arising out of answers to questions.—** (1) Half-an-Hour discussions on matters arising out of answers to questions may be held on three days in a week, namely, Monday, Wednesday and Friday in sessions other than Budget Sessions. During Budget Session normally not more than one Half-an-Hour Discussion is put down in a week till the disposal of Financial Business. Also no Half-an-Hour Discussion is normally put down on the day on which any discussion under Rule 193 has been fixed. However no Half-an-Hour Discussion is fixed for the first day of the session. The subject matter of such discussion should be of sufficient public importance which has been the subject of recent question, starred, unstarred or short notice, and answer to which needs elucidation on a matter of fact.

(2) While specifying the date of discussion, members may ensure that the date of discussion falls on any of the above three days. In case, a wrong date is given by a member, the notice is deemed to have been given for the next available date.

Where no date has been specified by the member, the notice is returned to the member for specifying the date of discussion.

(3) Members should normally give notice for raising Half-an-Hour Discussion within three days of the date on which the question in respect of which facts are sought to be elucidated, has been answered.

(4) Notice for raising an Half-an-Hour Discussion should be given in writing addressed to the Secretary-General on the prescribed form available in the Parliamentary Notice Office at least three days in advance of the day on which the matter is desired to be raised. If a notice falls short of this requirement, it is deemed to have been given for the next available date. The point or points, which are desired to be raised should be briefly specified in the notice. Where a notice is signed by more than one member, it is deemed to have been given by the first signatory only.

[Rule 55(2)]

(5) The notice should be accompanied by an explanatory note stating the reasons for raising the discussion. In cases where such explanatory note is not furnished by the member, the notice is returned to him.

(6) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion, and may not admit a notice which, in his opinion, seeks to revise the policy of Government.

(7) Only one notice of Half-an-Hour Discussion is put down for a sitting. Further, not more than one such discussion is put down in the name of any one member in a week subject to the condition that not more than two Half-an-Hour Discussions can be raised by a member in the same session.

(8) All notices admitted for a particular sitting are balloted irrespective of their subject matters and the notice securing priority in the ballot is included in the List of Business for that sitting. As regards other notices for that sitting, members are required to revive their notices for fresh dates, if they so desire.

(9) If one Half-an-Hour Discussion in the name of a member is held on a sitting, another notice from him is not balloted for the remaining sitting(s) of the week. Further, where a member has already raised two Half-an-Hour Discussions in the same session, further notices from him will not be balloted for the remaining sittings of the session.

(10) If any matter put down for discussion on a particular sitting is not disposed of at that sitting, it is not set down for any further sitting unless the member so desires and in the latter case, it has to go through the ballot along with other admitted notice, if more than one notice is admitted for the latter sitting.

(11) Notice of an Half-an-Hour Discussion, which is admitted and put down in the List of Business during the last week of a session and cannot be taken up for want of time or other reasons, can be revived by the member in the next session provided the fresh notice of such discussion is given within one week of the commencement of the next session. It is subject to the ballot along with other admitted notices in case other notices are admitted for that sitting.

(12) Only four members who have previously intimated to the Secretary-General are permitted to ask a question each for the purpose of further elucidating any matter of fact. A member wishing to ask a question should make such request in writing before the commencement of the sitting at which the discussion is to take place. If such requests are received from more than four members, a ballot is held to determine the names of first four members who may be permitted to ask a question each.

(13) There shall be no formal motion before the House nor voting. The member who has given notice may make a short statement and the members who have previously intimated to the Speaker may ask a question for the purpose of further elucidating any matter of fact. Thereafter, the Minister shall reply shortly.

[Rule 55(5)]

**14. Adjournment Motion.—** (1) The primary object of an Adjournment Motion is to draw the attention of the House to a recent matter of urgent public importance having serious consequences and in regard to which a motion or a resolution with proper notice will be too late.

Adjournment Motion is an extraordinary procedure which, if admitted, leads to setting aside the normal business of the House for discussing a definite matter of urgent public importance.

Subject matter of the motion must have a direct or indirect relation to the conduct or default on the part of the Union Government and must precisely pin-point the failure of the Government of India in the performance of its duties in accordance with the provisions of the Constitution or any law.

An Adjournment Motion involves an element of censure against the Government. In the event of an adjournment motion being adopted, the House automatically stands adjourned.

(2) Before the commencement of a session, notices of adjournment motion can at the earliest be given with effect from a day (which is usually the third working day before the commencement of the session) fixed in advance and notified in Bulletin—Part-II. Notices received prior to that date are not considered and may be returned to the members.

Telegraphic notice is not valid in view of provisions of Rule 332.

(3) Notice of an adjournment motion should be addressed to the Secretary-General and given by 10.00 hours on the day on which the motion is proposed to be made. Notices received after 10.00 hours are treated as notices given for the next sitting.

(4) Copies of the notice should be endorsed separately to the (i) Speaker, (ii) Minister concerned, and (iii) Minister of Parliamentary Affairs and left in the Parliamentary Notice Office. Printed forms of notices are available in the Parliamentary Notice Office.

(5) A member can give not more than one notice for any one sitting. If a notice is signed by more than one member, it shall be deemed to have been given by the first signatory only.

A ballot is held to determine the relative priority of all notices received on the same subject for the sitting for which they are valid.

(6) As a convention, notices of adjournment motion are not taken up on the day of the President's Address. Notices received for that day are treated as notices for the next sitting.

(7) Notices for a day on which the House is adjourned without transacting any business are considered for the next sitting.

(8) The procedure for disposal of notices of adjournment motion is as follows :—

- (i) Where the Speaker is satisfied *prima facie* that the matter proposed to be discussed is in order under the rules, he may give his consent to the moving of the motion and at the appropriate time (*see* Direction 2) call upon the member concerned to ask for leave of the House to move the adjournment motion. If no objection to leave being granted is taken, the Speaker will declare that the leave is granted by the House. However, if objection to leave being granted is taken, the Speaker will request those members who are in favour of leave being granted to rise in their places and if not less than fifty members rise, he will declare that leave is granted. If less than fifty members rise the Speaker will inform the member that he has not granted the leave of the House.
- (ii) If leave of the House is granted, the motion that the 'House do now adjourn' shall be taken up at 16.00 hours or at an earlier hour if the Speaker after considering the state of business in the House so directs.
- (iii) Where the Speaker is satisfied *prima facie* that the notice of an adjournment motion is inadmissible, he will refuse his consent without bringing the matter before the House and the member concerned will be informed of the Speaker's decision.
- (iv) Once a member is informed of the Speaker's decision withholding his consent, no discussion or point shall be permitted to be raised in the House either on the subject

matter of the notice or the reasons for disallowance thereof. It is not obligatory for the Speaker to read out the notice of motion to the House or to give the reasons for refusing his consent.

- (v) If, however, the member desires to make a submission to the Speaker to reconsider his decision the Speaker would be glad to see the member concerned in his Chamber later during the day or consider any written representation that the member may make. In case the Speaker is satisfied on the submission of the member that there are adequate grounds to bring up the motion before the House, he would either mention it or permit the member to raise it on the following day, irrespective of the fact that the notice had been given on the previous day.
- (vi) Where the Speaker is not in possession of full facts to decide the admissibility of notice, he may before giving or refusing his consent read the notice of the motion and hear from the Minister and/or members concerned a brief statement on facts and then give his decision on the admissibility of the motion.

(9) Grounds (not to be taken as exhaustive) on which the Speaker may withhold his consent on a notice of an adjournment motion are given in Appendix.

**15. Matters under Rule 377.** — (1) A member who wishes to bring to the notice of the House any matter which is not a point of order or which cannot be raised under the rules relating to Questions, Short Notice Questions, Calling Attention etc. may do so under Rule 377, by giving a notice in writing addressed to the Secretary-General. The notice duly signed by the member should be accompanied by the text of the Statement proposed to be made by the Member, in the House in case the Speaker permits him to raise the matter under Rule 377.

(2) Notices under Rule 377 can at the earliest be given on the date notified for the purpose in Bulletin-Part II circulated alongwith the summons for the Session. Notices received prior to that date are not considered. A telegraphic notice is not valid in view of provisions of Rule 332.

(3) Standard printed forms for tabling notices under Rule 377 are available in the Parliamentary Notice Office. Each notice should deal with one matter only.

(4) Notices received during a week commencing from its first sitting till 10.00 hrs. on the last day of the week on which the House sits are valid for that week. Notices should be given by 10.00 hrs. Notices received after 10.00 hours on a day are deemed to have been given for the next sitting of the House. It is, however, not necessary that notices given for a particular day will be allowed on that very day. Notices received at the same point of time on a day are balloted to determine their *inter-se* priority. Notices received upto 10.00 hours on the last day of the week on which the House sits and not selected automatically lapse. However, a notice referred for facts under orders of the Speaker does not lapse till it is finally disposed of. It is open to the members concerned to revive their notices for the following week.

(5) Notices received after 10.00 hours on the last day of the week on which the House sits, will be deemed to have been received for the day on which the next sitting of the House is to be held and these remain valid for the following week.

In order to obviate inconvenience to Members, all notices given after 10.00 hours and upto 10.30 hours on the last day of the week on which the House sits, are deemed to have been received at the same point of time and these are balloted together to determine the *inter-se* priority of Members. Notices received subsequently are arranged in accordance with the date and time of their receipt.

Presently, 20# members are permitted to raise matters under Rule 377 per day. Their names are selected on the basis of the strength of parties. The members are permitted to read the text of the matter and the item is taken up after Question Hour and other formal items listed in the agenda paper as per Direction 2 of the Directions by the Speaker regarding relative precedence of different classes of business.

(6) A general entry regarding matters to be raised by members on a day is included in the List of Business *w.e.f.* 7 August, 1990.

(7) Where the Speaker gives his consent to a matter being raised under Rule 377, the Member concerned is provided with a copy of text of the statement to be read, as approved by the Speaker. Any

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#As per the decision taken at a meeting of the Speaker with Leaders of Parties, the number of matters to be raised under Rule 377 has been increased from 15 per day to 20 per day.

(Please see Para No. 1143, Bulletin-Part II, dated 21 April, 2005.)

words, phrases or expressions which do not appear in the text approved by the Speaker are not allowed to form part of the proceedings of the House.

(8) No Member may raise more than one matter under this Rule during a week.

(9) A Member who does not avail himself of the opportunity to raise a matter on a day on which it is allowed, cannot claim as a matter of right that he should be allowed to raise it on a subsequent day unless the Speaker permits him to do so.

(10) The statement proposed to be made by the Member should not ordinarily exceed 250 words\*. It should be specific and confined to one matter and should raise an issue which falls within the Union Government's jurisdiction. The statement should not contain any allegations of a defamatory or incriminatory nature. It should not relate to a matter which has been discussed in the same session or which is substantially identical to the matter already raised by a member during the session. It should also not refer to proceedings of a parliamentary/consultative committee. It should not raise purely local issue or be of concern to some individual(s) only. It should not refer to a matter which is *sub judice* or to the correspondence between the Centre and the State or between the States.

(11) Normally Ministers do not make statements on matters raised under Rule 377. However, if a Minister so desires, he may make a statement on the subject with the permission of the Speaker.

(12) Relevant extracts from the proceedings of the House containing a matter raised under Rule 377 are sent to the concerned Minister by the Lok Sabha Secretariat on the next working day for replying to the member concerned and a copy of the communication is also endorsed to the Minister of Parliamentary Affairs.

(13) The Ministers reply directly to the Members concerned with regard to matters raised by them under Rule 377 informing them of the Government's views or action taken. Further clarifications, if any, may be obtained by Members directly from the Minister/Ministry concerned.

(14) On the day (usually Fridays) when the Minister of Parliamentary Affairs makes a statement regarding Government

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\* As per the decision taken at a meeting of the Speaker with Leaders of Parties the permissible size of the text has been reduced from 250 words to 150 words. (Please see Para No. 1405, Bulletin-Part II, dated 24 November, 2000).



Business for the following week, matters under Rule 377 are not allowed by the Speaker.

**16. Submissions on Statement by Minister of Parliamentary Affairs regarding Government Business.—**(1) The Minister of Parliamentary Affairs or in his absence any other Minister on his behalf normally makes a statement on the last working day of the week regarding the Government business which is likely to be taken up during the following week. A member who wishes to seek clarification on the statement or suggest an additional subject for discussion in the House during the following week, may do so by giving notice in writing to the Secretary-General. The notice, duly signed by the Member, should be accompanied by the text of the submission proposed to be made, as notices not accompanied by the text of the submission are not considered.

(2) Notices for making submissions should be given in the Parliamentary Notice Office by 10.00 hours on the day on which the item regarding statement by the Minister of Parliamentary Affairs for the following week is included in the list of business. Notices received after 10.00 hours are not considered.

(3) As only ten Members are permitted to make submissions on a particular day, all valid notices are balloted to select the names of ten such Members and to determine their *inter-se* priority. No other Member is allowed to make submission even if anyone from the ten Members whose names have come in the ballot is absent.

(4) A member is permitted to suggest two topics for discussion in the House during the following week. The submission proposed to be made by the Member should not exceed 50 words for each subject and should be within the parameters of Rule 352 of the Rules of Procedure and Conduct of Business in Lok Sabha.

(5) Members of the Business Advisory Committee are not allowed to make submissions.

(6) On the day submissions are made by the Members, matters under Rule 377 are not allowed.

**17. Calling Attention.—**(1) A member may, with the previous permission of the Speaker, call attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement immediately or ask for time to make a statement at a later time.

(2) No debate is permitted on such a statement at the time it is made but each member in whose name the item stands in the List of Business may, with the permission of the Speaker, ask a specific and brief clarificatory question relevant to the subject. The Member who calls attention should not take more than ten minutes and the other members not more than five minutes each. The Minister replies at the end to all the clarificatory questions asked by members and the total time taken on a Calling Attention on a day is restricted to half-an-hour to forty-five minutes.

(3) Before the commencement of session notices of Calling Attention can at the earliest be given on and after the date notified for the purpose in Bulletin-Part II issued before the session which is normally three working days before the commencement of the session. Notices received prior to that date are not considered valid and are returned to the members.

Telegraphic notice is not valid in view of provisions of Rule 332.

(4) Notice of a Calling Attention should be given in the prescribed form and addressed to the Secretary-General. Copies of the notice should be endorsed separately to (i) the Speaker, and (ii) the Minister concerned and left in the Parliamentary Notice Office. Printed forms of notices are available in the Parliamentary Notice Office.

(5) A member can give not more than two such notices for any one sitting. If a notice is signed by more than one member it will be deemed to have been given by the first signatory only.

(6) All Calling Attention notices received in a week are kept alive during the week in which those are tabled and placed before the Speaker on the day these are received, who may select one of them for a statement by the concerned Minister at the next or any subsequent sitting of the House.

On the last day of the week on which the House sits, the notices received upto 10.00 hours on that day are considered by the Speaker and all the notices which are not selected are deemed to have lapsed and no intimation about that is given to the Members.

However, a notice on a subject which has been referred to the Government for furnishing the facts does not lapse till the same is finally disposed of by the Speaker.

Notices received after 10.00 hours on the last day of the week on which the House sits are deemed to have been received for the

day on which the next sitting of the House is to be held and these are treated as valid for the following week.

(7) If notices of more than one matter are received for the same day, the Speaker selects one matter which in his opinion is more urgent and important.

The Speaker may select the second matter for the same sitting if, in his opinion, the matter proposed to be raised is important and the House is required to pay its attention immediately. However, the second matter cannot be raised by the same members who raised the first matter.

The time for taking up the second matter is decided by the Speaker after taking into consideration the business of the House.

If the Prime Minister is to make a statement in response to one of the two calling attention matters on a day, that matter may be given priority.

(8) The Calling Attention item is taken up after Question Hour. When the item is reached, the Speaker calls the member in whose name the item stands to stand in his seat and call the attention of the Minister concerned to the matter as listed in the Agenda.

(9) Names of not more than five members are shown in the List of Business.

(10) Where the number of members who have given notices on a subject selected by the Speaker is more than five, a ballot is held to determine the *inter-se* priority of five members in whose names the item is to be included in the List of Business.

If the number of members giving notices on subject selected by the Speaker is five or less, their *inter-se* priority is determined with reference to the date and time of receipt of the notices. However, if more than one notice is received at the same point of time, a ballot is held to determine their *inter-se* priority.

In the ballot, the names of all members whose notices on the subject selected by the Speaker have been received upto 10.00 hours on the day are included. However, in case a Calling Attention is selected for the following week on the last/or any sitting day of the week, names of all the members whose notices have been received upto the time of selection, are included in the ballot.

(11) After the ballot, five members who have secured priority in the ballot are informed about the text of the Calling Attention as admitted by the Speaker.

If a member has any objection to his name being added to the Calling Attention in the form in which it has been admitted by the Speaker, he may inform the officer at the Table, immediately (but not later than the time the House rises for the day) in writing that his name may not be added to the Calling Attention in the List of Business.

**18. Statement by Minister.**—Ministers make statements in the House with prior notice to and with the consent of the Speaker, in order to keep the House informed of matters of public importance or to apprise the House about Government policy in regard to a matter of topical interest at the earliest opportunity. In Parliamentary parlance, such statements are called *suo motu* statements.

No questions are permissible at the time statement is made in the House. However, the Speaker may permit a discussion on the statement if notices under appropriate rules are tabled by members.

**19. Short Duration Discussions under Rule 193.**—(1) Any member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary-General specifying clearly and precisely the matter to be raised. The notice should be accompanied by an explanatory note stating reasons for raising the discussion and should be supported by the signatures of at least two other members.

(2) Notices of Short Duration Discussions are accepted from the date following the date of issue of summons for a session. *Inter-se* priority of notices on the same subject received within seven days from the date following the date of the issue of summons for a session is determined by ballot if the time gap between the issue of summons and commencement of the session is more than twenty-one days. Priority of notices received thereafter is determined according to the date and time of receipt.

In case the time gap between the issue of summons and the commencement of the session is twenty-one days or less, *inter-se* priority of notices is determined according to the date and time of their receipt.

(3) Notices regarding statements to be made in the House by Ministers or statements, reports or papers to be laid on the Table are accepted from 10.00 hours on the days the List of Business wherein the item has been included, is circulated to members.

(4) In a case where a supplementary List of Business is circulated in the House in regard to a statement, notices in respect of that

statement, received within fifteen minutes of circulation of the supplementary List of Business, are deemed to have been received at the same point of time and their *inter se* priority determined by ballot.

(5) In a case where an announcement is made by the Chair about a statement to be made by a Minister in the House, notices in respect of that statement are accepted from the time the announcement is made by the Chair in the House.

(6) In a case where a statement is made without being included in the List of Business or supplementary List of Business, or an announcement being made by the chair in regard thereto, notices in respect of such statement are accepted from the time the statement is actually made in the House.

(7) All notices, received within fifteen minutes of announcement by the Chair, or statement by the Minister under items (5) and (6) above are deemed to have been received at the same point of time and their *inter se* priority determined by ballot.

*Explanation.*—The period of fifteen minutes referred to in items (4) and (7) above is computed from the time of completion of circulation of List of Business or the announcement by the Chair or the statement of the Minister, as the case may be.

(8) All such notices are to be delivered in the Parliamentary Notice Office only and these are not to be passed on to any officer at the Table of the House. In any case the time of receipt of the notice in the Parliamentary Notice Office alone is taken into account for determining the *inter se* priority of notices.

(9) In a case where notices of Short Duration Discussion on a subject matter are received in general form as well as on the statement made by a Minister on the same subject in the House and it is decided to have a discussion on the subject, the notices in general form are not taken into account and only those seeking discussion on Minister's statement are considered.

(10) The Speaker decides the admissibility of a notice of Short Duration Discussion. If an early opportunity is otherwise available for the discussion of the matter, the Speaker may refuse to admit the notice.

(11) There is no formal motion before the House in respect of such a discussion and as such there is no question of voting on it.

(12) The member who has given notice may make a short statement and any other member who has previously intimated to

the Speaker may be permitted to take part in the discussion subject to the time limit for the speeches, if any, prescribed by the Speaker.

(13) The member who raises the discussion has no right of reply.

(14) Unless the Speaker otherwise directs, No-Day-Yet-Named Motions and Short Duration Discussion are arranged in such a way that no member moves or raises more than two of these during a session. (*See Direction 113C*)

**20. No-Day-Yet-Named Motions under Rule 184.—**(1) Save in so far as otherwise provided in the Constitution or in the Rules of Procedure and Conduct of Business in Lok Sabha, no discussion on a matter of general public interest can take place except on a motion made with the consent of the Speaker. Notice of such a motion is to be given in writing addressed to the Secretary-General. Alongwith the notice, the member concerned should specify the points for discussion on the motion and also furnish an explanatory note in order to enable the Speaker to decide the admissibility of the notice.

(2) With regard to tabling of notices of motions under this rule and the date and time of their receipt, the procedure outlined in sub-paras (2) to (8) of para 19 would *mutatis mutandis* apply.

(3) In a case where notices of motion on a subject matter are received in general form as well as on the statement made by a Minister on the same subject in the House and it is decided to have a discussion on the subject, the notices in general form are not taken into account and only those seeking discussion on Minister's statement are considered.

(4) The Speaker decides the admissibility of a motion or a part thereof.

(5) The admitted motions are published in Bulletin—Part II from time to time. These are placed before the Business Advisory Committee. The Committee selects the motions for discussion in the House according to the urgency and importance of the subject and allots time for the same. The selected motion is included in the List of Business.

(6) When notices of Government motion, and a private member's motion are received on the same subject, only the Government motion is admitted.

(7) Whenever necessary, the Speaker prescribes time limit for speeches.

(8) The mover of a motion has a right of reply.

(9) A motion which is in the form that a policy or situation be taken into consideration is disposed of under rule 342 and not put to vote. Only substitute motions moved to such a motion are put to vote.

(10) Motions other than motions which are disposed of under Rule 342 are, however, put to vote. Amendments can be moved to such motions.

(11) Unless the Speaker otherwise directs, No-Day-Yet-Named Motions and Short Duration Discussions are arranged in such a way that no member moves or raises more than two of these during a session. (*See Direction 113C*)

**21. Motions for modification of regulations, rules etc. laid on the Table.**—(1) A regulation, rule, sub-rule, bye-law etc. framed in pursuance of the Constitution or of the legislative functions delegated by Parliament to a subordinate authority is laid before the House and the period specified in the Constitution or the relevant Act has to be completed before the House is adjourned *sine die* and later prorogued, unless otherwise provided in the Constitution or the relevant Act. If the period is not so completed, the regulations, rules etc., are relaid in the following session or sessions until the said period is completed in one session.

[Rule 234]

(2) Before completion of the above period, any member may give notice of a motion for modification by way of an amendment to such regulation, rule, sub-rule, bye-law etc. The Speaker decides the admissibility of the motion.

(3) The Speaker, in consultation with the Leader of the House fixes a day or days or part of a day for consideration and disposal of the motion.

[Rule 235]

(4) The mover of the motion has a right of reply before it is put to vote.

**22. Bills.**—(1) *Definition.*—A Bill is a draft of a legislative proposal which when passed by both the Houses of Parliament and assented to by the President becomes an Act. It has to pass through various stages before it becomes an Act.

(2) *Stages of a Bill.*—(i) *First Reading i.e. Introduction.*—The legislative process starts with the introduction of a Bill in either House of Parliament. A Bill can be introduced either by a Minister or by a Private Member. In the former case it is known as a Government Bill and in the latter case it is known as a Private Member's Bill. It is necessary to ask for leave of the House to introduce a Bill. If leave is granted, the Bill may be introduced. After a Bill has been introduced, it is published in the Gazette. But before introduction, a Bill may, with the permission of the Speaker, be published in the Gazette. In such cases, no leave to introduce the Bill in the House is asked for and it is straightaway introduced. If the motion for leave to introduce a Bill is sought to be opposed, advance intimation to the effect specifying clearly and precisely the objections to be raised should be given to the Secretary-General by 10.00 hours on the day on which the motion is included in the List of Business. The Speaker may allow a brief explanatory statement to be made by the member who opposes and the member who moves the motion. Thereafter, without further debate, he may put the question to the vote of the House. Where, however, leave to introduce a Bill is sought to be opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon.

The motion for introduction of a Finance Bill or an Appropriation Bill is not opposed. A Money Bill cannot be introduced in Rajya Sabha nor can it be referred to a Joint Committee of the Houses.

[Rules 64, 72 and 73]

*Reference of the Bill to the Standing Committee:*

After the introduction of the Bill in either House, it is generally referred by the Chairman, Rajya Sabha or the Speaker, Lok Sabha, as the case may be, to the concerned Standing Committee for examination and report. The Committee shall make report on the Bill in the given time. The reports of the Standing Committees shall have persuasive value and are treated as considered advice given by the Committees. In case the Government accepts any of the recommendations of the Committee(s), it may bring forward official amendments at the consideration stage of the Bill.

[Rules 331H, 331N]

(ii) *Second reading i.e., Consideration.*—The Second reading of the Bill can be divided into two stages. The first stage consists of a general discussion on the Bill when the principles underlying the Bill are discussed. It is open, at this stage, to the House to refer the Bill



to a Select Committee of the House or to a Joint Committee of the two Houses or to circulate it for the purpose of eliciting opinion or straightaway take it into consideration. Generally, at this stage, only those Bills which have not already been referred to the concerned Standing Committee, are referred to Select/Joint Committee. However, a Bill which has already been referred to concerned Standing Committee may also be referred to a Select Committee of the House or to a Joint Committee of the two Houses.

[Rules 74 and 75]

If a Bill is referred to Select/Joint Committee, the Committee Considers the Bill clause by clause just as the House does, Amendments can be moved to various clauses by members of the Committee. The Committee can also take evidence of associations, public bodies or experts who are interested in the measures. After the Bill has thus been considered, the Committee submits its report together with the Bill as amended by the Committee to the House. If a Bill is circulated for the purpose of eliciting opinion thereon, such opinions are obtained through State/Union Territory Governments. Opinions so received are laid on the Table of the House. Thereafter the next motion in regard to the Bill should be a motion for reference to a Select/Joint Committee.

The Second stage of the second reading comes after the motion that the Bill (or the Bill as reported by the Select/Joint Committee, as the case may be) be taken into consideration, is adopted. This stage consists of consideration of the Bill clause-by-clause.

Discussion takes place on each clause of the Bill and amendments to clauses are moved at this stage. The amendments moved to a clause are disposed of first and then the clause is put to the vote of the House. The amendments form part of the Bill if they are accepted by the House. The second reading is over after all the clauses, schedules, if any, Enacting formula, Preamble, if any, and the Long Title of the Bill have been put to vote and disposed of.

[Rules 88 and 92]

(iii) *Third Reading i.e., passing.*—Thereafter the member-in-charge can move a motion that the Bill (or the Bill, as amended, as the case may be) be passed. This is known as the Third reading of the Bill. At this stage debate is confined to arguments either in support or rejection of the Bill without referring to the details further than it is

absolutely necessary. Only formal, verbal or consequential amendments are allowed at this stage.

[Rules 93 and 94]

For passing an ordinary Bill a simple majority of members present and voting is necessary. But in the case of a Bill to amend the Constitution a majority of the total membership of the House and a majority of not less than two-thirds of the members present and voting is required.

[Arts. 100 and 368]

(iv) *Assent*.—After the Bill is passed, it is sent to the other House and there also it passes through the three stages of Reading, the first stage being laying of the Bill in the other House. When a Bill is passed by both Houses, it is presented to the President for his assent. Only after the assent is given, the Bill becomes an Act. The President can give or withhold his assent to the Bill or he can return the Bill if it is not a money Bill for reconsideration of the Houses. If the Houses Pass the Bill again with or without the amendments recommended by the President, the President shall not withhold his assent.

[Art. 111]

(v) *Joint Sitting*.—If a Bill passed by one House is not agreed to by the other House or the Houses have finally disagreed as to the amendments to be made in the Bill, or more than six months elapse from the date of receipt of the Bill by the other House without the Bill being passed by it, the President may summon a joint sitting of both Houses for the purpose of deliberating and voting on the Bill. If at the joint sitting of the Houses the Bill is passed by a majority of the total number of members of both the Houses present and voting, with the amendments, if any, accepted by them, the Bill is deemed to have been passed by both the Houses. This provision, however, does not apply to Money Bills and Constitution Amendment Bills.

[Art. 108]

### **23. Other procedural requirements in respect of Bills.—**

(1) Notice for introduction of a Bill should be accompanied by the text of the Bill together with its Statement of Objects and Reasons signed by the member giving notice.

[Rule 65(1)]

(2) In addition to the Statement of Objects and Reasons, a Bill involving expenditure from the Consolidated Fund of India should be accompanied by a Financial Memorandum inviting particular attention to the clauses involving expenditure and also giving an estimate of recurring and non-recurring expenditure involved in case the Bill is passed into law.

[Rule 69]

(3) A Bill involving proposals for delegation of legislative power should be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating whether they are of normal or exceptional character.

[Rule 70]

(4) A Bill seeking to amend a principal Act should be accompanied by an annexure giving a verbatim extract of all those sections of the principal Act sought to be amended.

(5) If the Bill is one which cannot be introduced under the Constitution without the recommendation of the President, the member should obtain and annex to the notice, a copy of such recommendation.

(6) A Bill, which if enacted, would involve expenditure from the Consolidated Fund of India, cannot be taken into consideration or referred to a Select/Joint Committee unless the member-in-charge obtains requisite recommendation of the President for consideration of the Bill under article 117(3) of the Constitution. The recommendation of the President should be obtained before and either directly or through the Lok Sabha Secretariat.

[Rule 65(2)]

(7) The notice of a motion for reference of a Bill to Select/Joint Committee should contain the date or day by which Select/Joint Committee is to report to the House and the names of the members to serve on the Select/Joint Committee. The member giving notice should also specifically state in the notice whether the members proposed to be appointed on the Committee have given their consent to serve on the Committee.

[Rule 75(2)]

**24. Special requirements in respect of Private Members' Bills.—**(1) The period of notice of motion for leave to introduce a Private Member's Bill is one month unless the Speaker allows the motion to be made at a shorter notice.

[Rule 65]

(2) Bills in respect of which notices of motion for leave to introduce have been given by private members are entered in the List of Business for the day allotted for Private Members' Bills provided these are found, on scrutiny, to be admissible.

(3) All Bills seeking to amend the Constitution, notices of which have been given by private members, are examined by the Committee on Private Members' Bills and Resolutions before their introduction in Lok Sabha. After the Committee has recommended that the members concerned may be permitted to move for leave to introduce such Bills, motions in that regard are included in the List of Business of Private Members' Bills.

[Rule 194]

(4) Private Members' Bills which have already been introduced and are pending before the House are classified by the Committee on Private Members' Bills and Resolutions into two categories, namely, category A and category B according to their nature, urgency and importance. Bills classified as category A have precedence over Bills classified as category B and the relative precedence of Bills falling under each of these categories is determined by ballot held separately. However, if the number of Bills in category A is twenty or more, ballot of category B Bills is not held. Where Bills have not been so classified by the Committee, the relative precedence of such Bills is determined by ballot in accordance with such directions as the Speaker may give therefor.

[Rules 27 and 294]

(5) A ballot of Bills is held in respect of two consecutive days allotted for Private Members' Bills in a session. The ballot is held on such day not being less than seven days before the first day allotted for Private Members' Bills during a month and in such manner as the Speaker may direct. Particulars in connection with these ballots are intimated to members in advance through Bulletin—Part II.

[Direction 3]

(6) Notices of next motions in regard to Bills as have secured a place among the first twenty Bills in the ballot should be given by the members by the dates specified in Bulletin-Part II, so as to enable their Bills being included in the list of business. While giving the notice of next motion, members should also specifically intimate

whether they would be present in the House for the day allotted for Private Members' Bills.

[Direction 8]

(7) Apart from Bills for introduction and part-discussed Bill(s), if any, only four Bills—for consideration are included in the List of Business.

**25. Amendments to clauses etc. of Bills.—**(1) The notice period for tabling amendments to Bills under the Rules of Procedure and Conduct of Business in Lok Sabha is one day.

As amendments are circulated to members both in English and Hindi simultaneously, the Rules Committee (Fourth Lok Sabha) considered the question of inadequacy of period of notice for tabling amendments to Bills. The Committee decided that members might be requested to table such notices at least two days before the day the Bills are to be taken up in the House.

The notices of amendments to Bills tabled upto 15.15 hours on a day are printed and circulated the same day. The notices tabled after 15.15 hours are deemed to have been tabled on the next working day. These notices are printed and circulated on the next open day if the Bill to which they relate has not been disposed of in the House.

[Rule 79]

(2) Notices of amendments to a Bill are entertained only after the introduction of the Bill in Lok Sabha, or after a Bill has been laid on the Table of Lok Sabha, in the case of a Bill passed by Rajya Sabha.

(3) The time for moving amendments is immediately after the clause to which they relate is taken up for consideration. In the case of a voluminous and controversial Bill, however, as soon as a clause or group of clauses is taken up for consideration, the Chair with a view to saving the time of the House, may call upon the members to hand over at the Table within fifteen minutes slips indicating the serial numbers of the amendments in their names which they wish to move.

Mere intimation from member that he would move amendment to a particular clause is not enough for treating it as moved. He should be present in the House when clause to which amendment relates is taken up. Moving of identical amendments is not permissible but members who have tabled similar amendment can speak in support of amendment moved earlier, if permitted by the chair.

(4) If a member gives notice of an amendment which under the Constitution cannot be moved without the recommendation of the President, he should either annex to the notice such recommendation conveyed through a Minister or write to the Secretariat to obtain the same on his behalf. Such letters are forwarded to the concerned Ministries for obtaining the recommendation of the President.

[Rules 81 and 82]

**26. Statutory Resolutions.**—(1) A resolution given notice of by a member in pursuance of a provision in the Constitution or in an Act of Parliament, is called a 'Statutory Resolution'. Such a resolution is not balloted under rule 28, even if given notice of by a private member. However, if several notices on the same subject are received at the same point of time, their *inter se* priority is determined by ballot.

(2) If the Speaker admits notice of such a resolution, it is notified in the Bulletin—Part II under the heading 'Statutory Resolutions'.

(3) The Speaker, after considering the state of business in the House and in consultation with the Leader of the House, allots a day or days or part of a day for the discussion on any such resolution.

[Direction 9B]

(4) The mover of Statutory Resolution has a right of reply, before the resolution is put to vote.

**27. Private Members' Resolutions.**—(1) Before the commencement of a session, a para is issued in Bulletin—Part II regarding the dates on which ballot shall be held for all the days allotted for Private Members' Resolutions during that session.

(2) Members who desire to give notices of resolutions may in the first instance give written intimation to that effect.

The intimation should be addressed to the Secretary-General and sent to the Parliamentary Notice Office at least two days before the date of ballot.

(3) The names of members from whom such intimation is received are balloted and those securing the first three places in the ballot for any particular day allotted for Private Members' Resolutions are intimated accordingly and are requested to give notice of one resolution each within two days after the date of the ballot. Those resolutions, if admitted, are put down in the List of Business.

[Rule 170]

**28. Budget.**—(1) The Annual Financial Statement of Estimated Receipts and Expenditure of the Government of India in respect of each financial year (popularly known as 'Budget') is presented to Lok Sabha in two parts *viz.*, the General Budget and the Railway Budget. The General Budget is presented to Lok Sabha on such \*day as the President may direct. However, during the year General Election to Lok Sabha is held, there is a change in the programme of dates for the presentation of the Budgets. In an election year, Budget may be presented twice—first to secure Vote on Account for a few months and later in full.

(2) Sets of General Budget papers are made available to members in the Lobby, after it has been presented to the House from several booths arranged State-wise or according to the Division Numbers of members. Members who do not take their Budget sets from the Lobby on the day of presentation of the Budget can obtain the same from the Publications Counter on subsequent days. Sets of Railway Budget papers are made available to members from the Publications Counter after the Railway Budget has been presented to the House.

(3) The Budget papers are supplied to a member either in English or in Hindi version, according to the preference given by him for the supply of Parliamentary papers.

(4) On a day subsequent to the presentation of the Budget, the House takes up the General Discussion of the Budget which is called the first stage followed by second stage *i.e.* discussion and voting on Demands for Grants.

(5) According to Rule 207(1), during the General Discussion on the Budget, the House is at liberty to discuss the Budget as a whole or any question of principle involved therein. The scope of discussion at this stage is confined to the general examination of the Budget *i.e.* the proper distribution of the items of expenditure according to the importance of a particular subject or service, the policy of taxation as is expressed in the Budget and the speech of the Finance Minister. Details of expenditure may be discussed when the Demands for Grants come up before the House.

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\* By convention, the Railway Budget is presented sometime in the third week of February at 1200 hours after the Question Hour. The General Budget was presented by convention till 1998, on the last working day of February at 5 P.M. This convention was however, changed in 1999 when the General Budget was presented at 11 A.M. Since then the General Budget is presented at 11 A.M. on the last working day of February (except in 2000 when it was presented at 2 P.M.).

(6) *Scrutiny of Demands for Grants by the Standing Committees.*— After the General Discussion on Budget in both the Houses is over and Vote on Account is passed, the House is adjourned for a specified period. The Demands for Grants of each Ministry/Department will be examined by the concerned Standing Committee having jurisdiction over it during the said recess period. The Committee shall give separate report for each Ministry. The Demands for Grants shall be discussed/considered in the House in the light of the reports of the Standing Committee. The reports of the Standing Committees which are of persuasive value are nevertheless treated as considered advice given by the Committee.

[Rules 331E(1) (a), 331G, 331N]

(7) The Speaker in consultation with the leader of the House allots as many days as may be compatible with the public interest for discussion and voting of Demands for Grants. The Business Advisory Committee allots time and also recommends the order in which the Demands might be discussed. Accordingly a time-table showing the date and order in which Demands for Grants of various Ministries/ Departments would be taken up is published in Bulletin—Part II for the information of members.

(8) Before the discussion on the Demands for Grants is taken up copies of the Annual Reports on the working of the Ministries and Outcome Budgets if any, as and when received from the Ministries are placed at the Publications Counter for supply to members. Members can obtain the same from the Publications Counter on request. Copies of the reports of the Standing Committees pertaining to Demands for Grants are also made available to members from the Publications Counter after these are presented/laid on the Table of the House.

(9) *Guillotine*—On the last of the allotted days at the appointed time, the Speaker puts every question necessary to dispose of all the outstanding matters in connection with the Demands for Grants. The Guillotine concludes the discussion on Demands for Grants.

[Rule 208(2)]

**29. Cut Motions to Demands for Grants.**—Members may give notice of Cut Motions for the reduction of the votable heads of expenditure of the Demands for Grants immediately after the Finance Minister or the Railway Minister as the case may be, has presented



the Budget in the House. Cut Motions are divided into following three categories:—

(i) *Disapproval of Policy cut i.e.*, a motion “that the amount of the demand be reduced to Re. 1” representing disapproval of policy underlying the Demand. A member giving notice of such a Cut Motion should indicate in precise terms, the particulars of the policy which he proposes to discuss. If the Cut Motion is admitted, the member should confine the discussion to the specific point or points mentioned in the notice and it is open to the member to advocate an alternative Policy;

(ii) *Economy cut i.e.*, a motion “that the amount of the Demand be reduced by a specific amount” representing the economy that can be effected. Such specified amount may either be a lump sum reduction in the Demand or reduction of an item in the Demand. The member giving notice of such a cut motion should indicate briefly and precisely the particular matter on which discussion is sought to be raised and if the notice is admitted speeches should be confined to the discussion as to how economy can be effected; and

(iii) *Token cut i.e.*, a motion “that the amount of the Demand be reduced by Rs. 100” in order to ventilate a specific grievance, which is within the sphere of responsibility of the Government of India. The discussion on such a cut motion, if admitted, should be confined to the particular grievance specified in the motion.

[Rule 209]

(2) For the convenience of members printed forms of each of the above categories of cut motions are kept in the Parliamentary Notice Office. Members, may make use of these forms while giving notices of cut motions. The period of notice of a cut motion is one day before the day on which the Demand to which it relates is taken up for consideration. However, the Rules Committee (Fourth Lok Sabha) considered the question of inadequacy of the period of notice for tabling cut motions and decided that members might be requested to table such notices at least two days before the day the relevant Demands are to be taken up in the House. Members should, therefore, table the notices of cut motions at least two days before the day the relevant Demands are to be taken up in the House, but in any case not later than 15.15 hours on the previous day.

(3) Under each Demand motions for Disapproval of Policy cut are entered before other categories of cut motions in the list and the

policy sought to be discussed by the member is also indicated in the notice. Then follow the motions for Economy cuts. They are arranged *inter se* according to the amount of the cut proposed and the particular sub-head in respect of which economy is proposed is also indicated. Thereafter comes the Token cuts. In this case also the question proposed to be raised by the member on each cut motion is indicated.

(4) As soon as the Demands of a particular Ministry are taken up in the House, the Chair calls upon the members present in the House to hand over at the Table within fifteen minutes slips indicating the serial numbers of cut motions under the respective Demands which they would like to move and states that only those cut motions will be treated as moved.

(5) The above procedure is also followed in the case of cut motions relating to Demands for Supplementary and Excess Grants subject to the following conditions:—

- (i) a cut motion must be restricted to the items of expenditure contained in the Supplementary Grants;
- (ii) a question of policy cannot be raised on demands for Supplementary Grants in so far as such Demands refer to schemes which have already been sanctioned by the House; and
- (iii) with respect to a 'new service' for which previously no sanction had been obtained, question of policy may be raised but it must be confined to the item on which the vote of the House is sought.

**30. Vote on Account.**—(1) As it is not possible to vote the Demands for Grants before the 31st March when the financial year ends, in order to keep the Government functioning pending the voting of the final supply and providing the House to have a fuller opportunity to discuss the Demands in detail, in March every year, the House is asked to vote usually two months' supply, *i.e.* approximately one-sixth of the total estimated expenditure under various grants. This is called Vote on Account and is taken separately for Demands for Grants General and Railways. Vote on Account is passed after general discussion on the Budget. Usually it is treated as a formal matter and is passed without discussion.

(2) When the House is to be dissolved or a new House is constituted, Vote on Account may be taken for a longer period (for about 3 to 5 months).

[Rule 214]

**31. Budget of a State/Union Territory under President's Rule.**—Budget of a State/Union Territory under President's Rule is presented to Lok Sabha. The procedure followed in regard to the Budget of the Union Government is followed in the case of State Budget also with such variations or modifications, as the Speaker may make.

[Rule 387B]

**32. Division.**—(1) At the conclusion of a debate, the Chair puts the question to the House. Those in favour of the motion are invited to say 'Aye' and those against the motion to say 'No'; and then the Chair says 'I think the Ayes (or the Noes, as the case may be) have it'. If the opinion of the Chair as to the decision goes unchallenged, he says twice 'The Ayes (or the Noes, as the case may be) have it'; and the question before the House is determined accordingly. But if the opinion of the Chair is challenged by member or members exclaiming 'The Noes (or Ayes) have it', the Chair except when he holds that the challenge is frivolous directs that the Lobbies be cleared. Then Division Bells are rung. A point of order cannot be raised that Division Bells did not ring or were not heard. When bells ring continuously it indicates that a Division is to take place in Lok Sabha. When bells ring intermittently it indicates that a Division is to take place in Rajya Sabha. Immediately after the bells stop ringing all the outer doors of the Members' Inner Lobby are closed and the Security Staff are posted at each door to prevent entry or exit through the doors until the Division is concluded. Then the Chair puts the question to the House for a second time. If the opinion of the Chair is again challenged, the Chair orders a division to be held.

(2) With a view to save time of the House in recording votes in the case of Division, an Automatic Vote Recording system has been installed in the Lok Sabha Chamber. Divisions are held with the aid of this system. In the event of any mechanical failure of the system or otherwise if the Chair so directs, Division may be held by members being asked to indicate their votes on Ayes/Noes slips distributed to them in the House or to record their votes in the Division Lobbies or to rise in their places for 'Ayes and Noes' as the case may be.

(3) If, in a Division the number of Ayes and Noes is equal, the question is decided by the casting vote of the Chair.

(4) Whenever, a motion has to be carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting, voting thereon shall be by Division.

(5) In the case of a Division, before the result is announced by the Chair, the vote of a member can be challenged on the ground of personal, pecuniary or direct interest in the matter to be decided by the House. In such a case, the Chair may, if he considers necessary, call upon the member making the challenge to state precisely the grounds of his objection and the member whose vote has been challenged to state his case and then decide whether the vote of the member should be disallowed or not. The decision of the Chair in this regard is final.

### **33. Automatic Vote Recording System.—**

This system can be used for:

- (i) *Open Voting*: wherein the names of members who vote 'for' or 'against' a question or 'abstain' in the voting are recorded;
- (ii) *Secret Voting*: wherein only the final number of votes 'for' or 'against' a question or 'abstention' are recorded without revealing the names of members and the nature of vote cast by them; and
- (iii) *Quorum*: i.e. for automatic counting of members present in the Chamber.

### **Push-Button-Set for Members**

A push-button-set containing Light Emitting Diode (LED) and four push buttons—a *green* button for 'AYES', a *red* button for 'NOES', a *yellow* button for 'ABSTAIN' and an *amber* button for 'PRESENT' together with a Vote Initiation Switch mounted on the Language Selector Switch Assembly has been provided on the seat of each member. In the case of seats with desks, the push-button-set is fixed on the top of the desk. In the case of seats without desks the push-button-set is fixed on the railing of the seat in front of the member.

### **Recording of Votes**

A Division requested for by a member is announced within the Parliament House, Parliament Library Building and Parliament House Annexe by ringing the Division Bells for 3½ minutes. Thereafter, the entrances to the Chamber are closed and members are not admitted. The Speaker puts the question. If the opinion of the Chair as to the decision is challenged, the Chair directs that a Division be held and the votes be recorded.

A Voting Console for operating the Automatic Vote Recording System has been installed at the Secretary-General's table in the Chamber. On the direction of the Speaker, the Secretary-General initiates the voting process.

With the pressing of a button by the Secretary-General on his table an audio-alarm sounds and the vote now LED on the push-button-set of each member glows, thus giving a signal to members for casting their votes.

For casting a vote, each member in the House has to press the Vote Initiation Switch and at the same time operate one of three push buttons, *viz. green* for 'AYES' or *red* for 'NOES' or *yellow* for 'ABSTAIN' according to his choice. Both the Vote Initiation Switch and one of the push buttons (as per choice) must be kept pressed simultaneously till the audio-alarm sounds for the second time after 10 seconds.

The passage of the time of 10 seconds is also depicted in a descending order, (*i.e.* count down) from 10, 9, 8 and so on up to zero on the Total Result Display Board.

In case of any error in voting, a member can correct it by pressing the desired push button simultaneously with the Vote Initiation Switch, before the Second audio-alarm is sounded.

The LED corresponding to the vote cast on the push-button-set of member's seat will glow simultaneously with the pressing of the button. The glowing of this LED will indicate that the vote is being recorded by the System.

There are two Total Result Display Board installed on the pillars in the Galleries of the Chamber, in addition, there are two individual Result Display Panels on the left and right sides of the Speaker's seat in the Chamber. For each seat in the Chamber, there is a corresponding set of LED, fixed on these Panels which have been numbered according to their seat numbers. When a member presses the 'AYES' button, the LED glows in *green* colour forming the letter 'A'; on pressing 'NOES' button, the LED glows in *red* colour forming the letter 'N'; on pressing the 'ABSTAIN' button, the LED glows in *yellow* colour forming the letter 'O' and on pressing the 'PRESENT' button the LED glows in *amber* colour forming the letter 'P'.

### **Result of Voting**

Immediately after the sounding of the second audio-alarm, the System starts totalling up the affirmative and negative votes besides

abstentions and the total numbers of 'AYES', 'NOES' and 'ABSTAIN' are flashed on the Total Result Display Boards. It also indicates the total number of members who have exercised their vote.

The result of the Division also appears on the monitors provided in the Sound Control Room as well. As soon as the result is flashed, a print out of the voting result is taken for permanent record.

### **Secret Voting**

The Secret Voting, if any, is on similar lines *except* that the LED on Individual Result Display Panel flashes *only* the *amber* light to show that the vote has been recorded.

During an 'OPEN' voting period, the individual results are shown by the three characters 'A', 'N' and 'O' on the Individual Result Display Panel, but during a 'SECRET' voting, only the votes cast are shown by 'P' sign in *amber* light.

### **Quorum (To record the presence of members)**

For ascertaining 'Quorum', members have to press simultaneously the Vote Initiation Switch and the *amber* colour push-button marked 'P'.

### **General**

Each member has been allotted a fixed seat in the House and at the time of voting he is required to occupy that particular seat. Otherwise the print out of the voting Result will not reflect the correct position.

For recording corrections in the votes recorded by operating the Automatic Vote Recording System, the following correction slips are available:—

- (i) SLIP FOR CORRECTING VOTE RECORDED FROM A WRONG SEAT—This slip is printed on white paper and is to be used by a member who has recorded his vote from a wrong seat (*i.e.* seat allotted to another member).
- (ii) SLIP FOR RECORDING VOTE FOR 'AYE'—This slip is printed on green paper and is to be used by members for recording vote for 'Aye' in case the vote has not been recorded by the machine or for correcting the vote from 'No' or 'Abstain' to 'Aye', as the case may be.

- (iii) SLIP FOR RECORDING VOTE FOR 'NO'—This slip is printed on pink paper and is to be used by members for recording vote for 'No' in case the vote has not been recorded by the machine or for correcting the vote from 'Aye' or 'Abstain' to 'No', as the case may be.
- (iv) SLIP FOR RECORDING ABSTENTION—This slip is printed on yellow paper and is to be used by members for recording Abstention in case the vote has not been recorded by the machine or for correcting the vote from 'Aye' or 'No' to 'Abstention', as the case may be.

The slips have been printed in English on one side and Hindi on the reverse.

Immediately after votes have been recorded by the machine and flashed on the Individual Result Display Panel a member who has voted from a wrong seat or whose vote has not been recorded by the machine or who has by mistake voted wrongly and desires correction to be made in the result as flashed on the Individual Result Display Panel should rise in his seat whereupon a Division Clerk will hand over to him one of the four slips as the member may ask for.

The member concerned should make sure as to whether the mistake in recording vote of his choice has actually occurred by referring to Individual Result Display Panel. In case of doubt, the member should consult the Officer at the Table.

The member desiring a correction to be made should fill in the requisite correction slip precisely and completely in all respects and then hand it over without delay to the Division Clerk. While filling in the correction slip, the portions of the correction slip which are not applicable should be struck off clearly.

The corrections so recorded by members are added to or subtracted from the result before it is announced by the Chair only in cases where the voting figures are very close. In other cases, the Chair announces the result subject to corrections, as it appears on the Total Result Display Board and the corrections intimated by members are in due course incorporated in the Debates.

[Rule 367A]

#### **34. Division by distribution of slips in the House.—**

- (1) Members are supplied at their seats with 'Aye'/'No' printed slips

for recording their votes. 'Aye' slip is printed in green both in English and Hindi on one side and 'No' in red on its reverse. On these slips members are required to record votes of their choice by signing and writing their names, Division numbers and date legibly at the appropriate places.

(2) Members who desire to record Abstention may fill in the 'Abstention' slip printed separately in yellow both in English and Hindi. These slips may be obtained from the Division Clerks.

(3) In case a member has not been allotted a seat/Division Number, he may write his name, constituency, State and date legibly below his signatures.

(4) Immediately after recording his vote, each member should hand over his slip to the Division Clerk.

(5) The Officer at the Table then scrutinises the 'Aye'/'No' and 'Abstention' slips and counts the votes recorded thereon and compiles the result. The Chair thereafter announces the result.

(6) The slips bearing signatures of members are utilised for recording the names of members participating in the Division in the printed Debates.

### **35. Division by recording votes in Division Lobbies.—**

(1) Another alternative procedure for Division is that members may be asked to record their votes by going into the Lobbies. Under this procedure when the Chair orders a Division, he directs the 'Ayes' to go into the Right Lobby and the 'Noes' into the Left Lobby. Members proceed to the 'Ayes' or 'Noes' lobbies as they wish to vote and pass in a single file before the Division Clerk. On reaching the desk of the Division Clerk each member in turn calls out the Division number allotted to him which is the same as his seat number and which he is requested to commit to memory. The Division Clerk then marks off this number on the Division List simultaneously calling out the name of the member. In order to ensure that his vote has been properly recorded, the member should not move off until he has clearly heard the Division Clerk thus call out his name.

(2) When the voting process as described above is completed in the Division Lobbies, the Division Clerks present their Division Lists to the Officer at the Table who counts the votes recorded thereon. The Chair then announces the result.

(3) A member who is unable to go to the Division Lobby owing to sickness or infirmity may, with the permission of the Chair, have



his vote recorded either at his seat in the House or in the Members' Lobby before the result of the Division is announced.

(4) A member who has not recorded his vote in the Lobby or a member who finds that he has voted by mistake in the wrong Lobby, may be allowed to have his vote recorded or corrected, as the case may be, provided he brings it to the notice of the Chair before the result of the Division is announced.

**36. Decision of the House determined by means of members rising in their places.**—If in the opinion of the Chair, a Division is unnecessarily claimed (for example, when he is satisfied in any particular case that there is a clear preponderance of opinion in support of his declaration and against the challengers), he may not follow the methods of having votes recorded by any of the methods mentioned in paras 33, 34 and 35 above but may ask the members who are for 'Ayes' and for 'Noes' respectively to rise in their places. After counting their numbers the Chair may either declare the decision of the House immediately or may order a Division to be held by any of the aforesaid methods. Where the Chair declares the decision of the House on the basis of number of members for 'Ayes' and 'Noes' rising in their places, the settled practice is not to record the names of members. Where, however, a specific request is made by any section of the House, the Chair may direct that the names of members for and against who have risen in their places may be taken down for inclusion in the Debates.

**37. Petitions and Representations.**—(1) A member may present a petition to the House with the consent of the Speaker. The petition should be signed by the petitioner(s) and countersigned by the member. A member himself cannot be a petitioner. A member shall give advance intimation to the Secretary-General of his intention to present a petition. The member should indicate the tentative date on which he would like to present the petition to the House. The petition should be written either in Hindi or in English. If it is in any other Indian language, it should be accompanied by translation thereof in Hindi or English and signed by the petitioner. When a member presents a petition to the Lok Sabha, no debate is permitted in the House on presentation of the petition. Every petition shall, after presentation by a member stand referred to the Committee on Petitions.

[Rules 161(3), 164, 166 to 169]

(2) In order to ensure admissibility of a petition for presentation under the Rules, the petition should pertain to—

- (i) a Bill which has been published under rule 64 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 or a *quasi-judicial* body or a commission;
  - (b) which should ordinarily be raised in a State Legislature;
  - (c) which can be raised on a substantive motion or resolution;
  - (d) for which remedy is available under the law, including rules, regulations, by-laws made by the Government of India or an authority to whom power to make such rules, regulations etc. is delegated;
  - (e) which is on a Bill pending before the Select or Joint Committee; and
  - (f) Which relates to personal or individual grievance.
- (iv) If the petition deals with any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 of the Constitution or contains suggestions involving expenditure from the Consolidated Fund of India, it has been recommended by the President for presentation to the House.

[Rules 160 and 160A; Directions 38 and 40]

(3) Besides, a petition should also comply with the following requirements:—

- (i) The petition is in proper form as set out in the First Schedule of the Rules of Procedure and Conduct of Business in Lok Sabha, with such variations as the circumstances of each case may require.
- (ii) The petition should not seek amendment of the Constitution.

- (iii) The petition is couched in respectful, decorous and temperate language.
- (iv) The full name and address of every signatory to the petition are given and are authenticated by his signature and, if illiterate, by his thumb impression.
- (v) In case there is more than one signatory to the petition, at least one person signs or if illiterate, affixes his thumb impression, on the sheet on which the petition is inscribed. If signatures or thumb impressions are affixed to more than one sheet, the prayer of the petition should be repeated at the head of each sheet.
- (vi) Letters, affidavits, or other documents are not attached. In other words, the petitions should be self-contained or self-explanatory. Extracts of news reports or press cuttings cited by the petitioner can be quoted in the body of the petition itself.
- (vii) The petition concludes with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

[Rules 161, 162, 163 and 165]

(4) Under Direction 95, the Committee on Petitions consider representations, letters and telegrams from various individuals, associations etc., ventilating grievances, which are not covered by the rules relating to petitions. Representations of the following categories are, however, excluded from the purview of the Committee:—

- (i) Representations regarding service grievances of employees of Governmental and semi-Governmental bodies, corporations, public undertakings etc.
- (ii) Representations seeking employment.
- (iii) Representations requesting monetary or financial assistance in some form.
- (iv) Representations regarding grievances on matters under control of State Governments.
- (v) Representations on matters which are *sub judice*.

- (vi) Representations from anonymous persons or which have illegible signatures or which do not contain full names and/or addresses.
- (vii) Representations which are mere endorsement copies of letters to other authorities and do not contain a specific request in the endorsement for relief.
- (viii) Representations seeking amendment of the Constitution.
- (ix) Representations of a frivolous nature of those not couched in respectful, decorous or temperate language, or on matters beyond the jurisdiction of India's Parliament to provide relief; or which contain complaints against members of Lok Sabha in relation to their conduct as private persons and not as Members of Parliament.
- (x) Representations on pending Bills or other pending business which are forwarded on receipt to the Ministry concerned for disposal under intimation to the petitioners direct.

Members who desire that the petitions, countersigned by them, which are inadmissible for presentation to the House, might be considered by the Committee on Petitions as representations should before forwarding them to the Secretariat ensure that the representations do not fall in any of the categories mentioned above.

**38. Sale of Lok Sabha Secretariat Publications and Souvenirs.**—50 per cent rebate is allowed to Members of Parliament on first copy on all priced publications brought out by Lok Sabha Secretariat and thereafter discount is not allowed on the same copy.

A discount of 25% is given on 'Constituent Assembly Debates' and 'Unparliamentary Expressions'.

In addition to the publications, souvenirs displayed in Reception Office, Parliament House are also available to the Members of Parliament on cash payment.

**39. Supply of Parliamentary Papers to Members.—**

(1) The following Parliamentary Papers are circulated to members at their residences and copies thereof are not again supplied to them in the House:—

- (i) List of Business.
- (ii) Lists of Questions.
- (iii) Bulletins Part I and II.

- (iv) Bills to be introduced in the House.
- (v) Bills introduced in Rajya Sabha.
- (vi) Bills passed by Rajya Sabha and laid on the Table of the House which are to be considered by the House.
- (vii) Lists of Amendments to Bills, Resolutions and Motions.
- (viii) Lists of Cut Motions.
- (ix) Ordinances.
- (x) Reports of certain Parliamentary Committees after their presentation in the House *viz.* Business Advisory Committee, Committee on Private Members' Bills and Resolutions, Committee on Absence of Members from the sittings of the House etc.

(2) Reports of certain Parliamentary Committees such as Reports of Select/Joint Committees on Bills presented to Lok Sabha or Rajya Sabha, Reports of Financial Committees, etc., which because of their volume cannot be circulated at the residences of members are supplied to members through Publications Counter on request.

(3) Members are required to preserve these papers and to bring them for their use in the House on the day or days when the relevant business is to be taken up in the House.

However, a few copies each of various Parliamentary papers pertaining to the business of the House for the day and printed forms for tabling various notices are kept, in a rack placed in the Inner Lobby.

(4) After papers are laid on the Table a few copies thereof are placed in the Parliament Library for reference by members there. Where the concerned Ministry desires that a paper laid on the Table should be circulated to members and furnishes sufficient number of copies to the Lok Sabha Secretariat, copies thereof are made available to members usually through the Publications Counter.

#### **40. General Procedure in regard to the giving of Notices.—**

(1) Every notice required by the rules should be given in writing addressed to the Secretary-General signed by the member giving the notice, and left at or sent to the Parliamentary Notice Office. No notice should be addressed to or sent to the Speaker. All communications in regard to notices should be addressed to the

Secretary-General. No communication should be addressed to the Speaker regarding any notice unless there is a specific point which requires the personal attention of the Speaker. Even in such a case communications to the Speaker should be addressed to 'The Speaker of Lok Sabha' or 'Dear Mr. Speaker'. They should in no case be addressed to the Speaker by name since they get mixed up with the Speaker's personal correspondence and get delayed.

(2) The hours specified under rule 332 for notices (except notices on matters of urgent public importance raised after 'Question Hour' which are required to be tabled by 9.30 hrs. on the same day) being received by Parliamentary Notice Office are between 10.00 hours and 15.15 hours on working days. Notices left at the Notice Office after 15.15 hours are treated as given at 10.00 hours on the next working day. A notice box is placed outside Parliamentary Notice Office to enable members to deposit notices during the hours when Notice Office is closed. For the convenience of members who send their notices through their messengers or representatives not holding passes to enter the Parliament House, a Notice box has also been placed in the Reception Office in which notices can be deposited on working days between 9.15 hours and 17.00 hours. All notices deposited at the Notice Office or in the Notice boxes after 15.15 hours on a day and before 10.00 hours (except notices on matters of urgent public importance) on the next open day are treated as notices received at 10.00 hours on the latter day. Notices that are required to be given before the commencement of the sitting such as adjournment motion, calling attention, motion of no-confidence in the Council of Ministers, question of privilege, etc. may be deposited in these boxes before 10.00 hours. The boxes are opened at 10.00 hours and the notices found deposited therein are treated as having been received at 10.00 hours. In the case of such notices received on the same subject, ballot is held to determine their *inter se* priority except notices of calling attention, ballot for which is held only after notice on a subject is admitted.

(3) Notices of adjournment motion, calling attention, motion of no-confidence in the Council of Ministers, question of privilege, or any other notice required to be given before the commencement of the sitting on the day on which the matter is proposed to be raised in the House should be given by 10.00 hours on that day. Such notices, if received after 10.00 hours, shall be treated as notices given for the next sitting.

(4) Communications in respect of any other notice or any other matter which a member desires to be taken up on a particular day should be deposited in the Parliamentary Notice Office or Notice boxes by 10.00 hours on that day. Notices or communications received later are treated as notices or communications for the next working day.

(5) Each notice or communication should deal with one matter only. 'One letter-one subject' rule will enable members to get quicker replies and more efficient service.

(6) Racks containing forms for various notices etc. are kept in Parliamentary Notice Office and Inner Lobby.

(7) On the prorogation of a session, all pending notices, other than notices of intention to move for leave to introduce a Bill lapse and fresh notices are required to be given for the next session. A fresh notice shall, however, be necessary of intention to move for leave to introduce a Bill in respect of which recommendation previously obtained has ceased to be operative. A motion, resolution or an amendment which has been moved and is pending in the House does not lapse by reason only of the prorogation of the House and no fresh notice is necessary for further consideration thereof.

(8) Notices excepting those mentioned in sub-paras (9) and (10) below can be given from 10.00 hours on the day following the day on which summons to members are issued.

(9) Before the commencement of a session, notices of adjournment motion, calling attention and motion of no-confidence in the Council of Ministers etc. can at the earliest be given on the date notified for the purpose in Bulletin—Part II.

(10) Notices of amendments to a Bill which has been introduced or a Resolution or a Motion which has been admitted and published in Bulletin—Part II may be given in advance of the inclusion of the relevant item in the list of business. Such amendments, if admissible, are circulated to members on the day on which the relevant item is included in the list of business or in the statement of the Minister of Parliamentary Affairs relating to the Government business for the next week.

(11) In respect of some of the notices which are frequently given by members, the notice periods are as under:—

- (i) Questions—Not less than ten and not more than twenty-one clear days. Notices can be given from the day

following the date of issue of Summons but notices received before the 21st day from the day for which they are intended to be included in lists of questions are deemed to have been received at 10.00 hours on the 21st day, for a session, called with adequate notice.

- (ii) Private Members' Bills—one month.
- (iii) Amendments to Bills, Motions and Resolutions—two days.
- (iv) Cut Motions—two days.
- (v) Half-an-Hour Discussion under rule 55—three days.
- (vi) Matters of urgent public importance raised after Question Hour—same day by 0930 hours.
- (vii) Other notices—as prescribed under the relevant rules.

(12) It is open to a member to give notices before making the oath or affirmation and taking his seat in the House. But he cannot exercise any of his functions as a member in the House, that is to say, he cannot take part in the debate or ask a question or move a resolution etc. unless he has made the oath or affirmation and taken his seat in the House.

(13) Notices tabled earlier by a member who is suspended from the service of the House under rule 374 or 374A are not included in the list of business or lists of questions or lists of amendments, or lists of cut motions etc. during the period of his suspension. Any notice tabled by him during that period is not acceptable.

(14) Members who have given notices of Bills, Resolutions, Motions etc. and who are unable to attend the sittings of the House on days when those items of business are likely to come up before the House should give sufficient advance intimation to that effect to the Secretary-General together with instructions regarding treatment of their notices during that period. Necessary action thereon will be taken according to rules.