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RULES COMMITTEE

(EIGHTH LOK SABHA)

FIRST REPORT

[Laid on the Table on the 23rd April, 1987]



LOK SABHA SECRETARIAT
NEW DELHI

April, 1987/Vaisakha, 1909 (Saka)

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PERSONNEL OF THE RULES COMMITTEE
(1986-87)

1. Dr. Bal Ram Jakhar—*Chairman*
2. Dr. Rajendra Kumari Bajpai
3. Shri H. K. L. Bhagat
4. Shri Somnath Chatterjee
5. Shri Digvijay Singh
6. Shrimati Sheila Dikshit
7. Shri Vijay N. Patil
8. Shri R. Prabhu
9. Dr. Sankta Prasad
10. Shri Aziz Qureshi
11. Prof. N. G. Ranga
12. Shri C. Sambu
13. Shri Asoke Kumar Sen
14. Shri Laliteshwar Prasad Shahi
15. Shri Thampan Thomas

SECRETARIAT

Dr. Subhash C. Kashyap—*Secretary-General.*

Shri N. N. Mehra—*Joint Secretary.*

FIRST REPORT OF THE RULES COMMITTEE (EIGHTH LOK SABHA)

The Rules Committee, at their sitting held on 26 March, 1987, considered certain amendments to the Rules of Procedure and Conduct of Business in Lok Sabha (Sixth Edition). The minutes of sitting of the Committee are appended to the Report.

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

3. *Rule 194(2)*.—The Committee note that under rule 194(2), the Speaker could allot two sittings in a week for Short Duration Discussions admitted under rule 193 and allow such time for discussion not exceeding one hour at or before the end of the sitting, as he may consider appropriate in the circumstances. It has been brought to the notice of the Committee that this rule is not being followed in practice and the time taken is invariably more than one hour in such discussions. The time is, however, allotted by the House on the recommendation of the Business Advisory Committee and where there is no time for the Business Advisory Committee to meet, the time is allotted by the Speaker after taking the sense of the House or in consultation with the Leaders of Parties and Groups in the House. The Committee also note that the time allotted for the discussions was distributed amongst various Parties and Groups but the initiator of the discussion takes nearly half-an-hour with the result that other Parties/Groups do not get sufficient time. Therefore, some time-limit for the initiator and others should be observed. The Committee are of the opinion that the rule may be amended to conform to the actual practice and the time-limit of one hour may be increased to two hours. The Committee, therefore, recommend that the time-limit of "not exceeding one hour" for Short Duration Discussions under rule 194(2) may be amended to provide "not exceeding two hours."

Sub-rule (2) of rule 194 is proposed to be amended accordingly (See Appendix I).

4. *Rule 197*.—The Committee note that on suggestions received from some members from time to time for streamlining the procedure set out in this rule, they had made the following recom-

mendations at their various sittings, announcement about which was made by the Chair in the House on several occasions:—

- “(i) All Calling Attention Notices received in a week would be kept alive and placed before the **Speaker** from day-to-day along with notices received upto 10.00 hours on the day on which the notices were put up to the **Speaker**.
- (ii) On the last day of the week the notices received upto 10.00 hours on that day would be considered by the **Speaker** and all the notices which were not selected shall be deemed to have lapsed and no intimation about this would be given to the members concerned.
- (iii) Notices received after 10.00 hours on the last day of the week on which the House sits would be deemed to have been received for the day on which the next sitting of the House was to be held and these would be valid for the following week.
- (iv) All the five members whose names were listed on the Calling Attention might ask clarificatory questions one after another after the Minister had made the statement and the Minister might give his reply at the end.”

These changes, though in vogue for a pretty long time, have not been formally incorporated in the rules.

On the suggestion of some members, the Committee, while approving amendments to the rule 197, further recommend that suitable provisions may also be made in the rules incorporating the following decisions:—

- (a) In case the number of members giving notices on a subject that was admitted by the **Speaker**, was less than five, their inter-se priority might be determined with reference to the date and time of receipt of the notices; and
- (b) Members need not revive such of the notices as had been referred by the **Speaker** to the Minister concerned for facts in order to consider their admissibility and such notices should not lapse till these were finally disposed of by the **Speaker**.

The Committee recommend that these changes might be incorporated in the rules.

Sub-rules (2) and (5) of rule 197 are proposed to be amended accordingly (See Appendix I).

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

NEW DELHI;
22 April, 1987.

2, Vaisakha, 1909 (Saka).

BALRAM JAKHAR,
Chairman,
Rules Committee.

APPENDIX I

(See para 5 of the Report)

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

RULE 194

1. In sub-rule (2) of rule 194, for the words "not exceeding one hour" the words "not exceeding two hours" shall be substituted.

RULE 197

2. In rule 197, for the first paragraph of sub-rule (2) and proviso thereto, the following shall be substituted, namely:—

"(2) There shall be no debate on such 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 clarificatory question and the Minister shall reply at the end to all such questions:

Provided that names of not more than five members shall be shown in the list of business."

3. In rule 197, sub-rule (2), after Explanation (ii), the following Explanations shall be added, namely:

"(iii) Notices received during a week commencing from its first sitting till 10.00 hours on the last day of the week on which the House sits, shall be valid for that week. Notices received after 10.00 hours on the last day of the week on which the House sits, shall be valid for the following week.

(iv) In case the number of members giving notices on a subject that is admitted by the Speaker, is less than five, their *inter-se* priority shall be determined with reference to the date and time of receipt of the notices."

4. In rule 197, for sub-rule (5), the following rub-rule shall be substituted, namely:

“(5) All the notices which have not been taken up during the week for which they have been given, shall lapse at the end of the week unless the Speaker has admitted any of them for a subsequent sitting:

Provided that a notice referred for facts to a Minister shall not lapse till it is finally disposed of by the Speaker.”

APPENDIX II

(See para I of the Report)

*Minutes of the Sitting of the Rules Committee held on Thursday,
26 March, 1967*

Seventh Sitting

The Committee sat from 16.00 to 16.30 hours.

PRESENT

Dr. Bal Ram Jakhar—*Chairman*

MEMBERS

2. Shri Digvijay Sinh
3. Shrimati Sheila Dikshit
4. Dr. Sankta Prasad
5. Prof. N. G. Ranga
6. Shri Asoke Kumar Sen
7. Shri Thampan Thomas

SPECIAL INVITEES

Shri Braja Mohan Mohanty

Shri Amal Datta

SECRETARIAT

Dr. Subhash C. Kashyap—*Secretary-General.*

Shri N. N. Mehra—*Joint Secretary.*

Shri K. C. Rastogi—*Chief Examiner of Bills and Resolutions.*

Shri R. D. Sharma—*Chief Legislative Committee Officer.*

2. At the outset, the Committee heard the views of Shri Braja Mohan Mohanty and Shri Amal Datta on the suggestions made by them at the sitting of Business Advisory Committee held on 4 December, 1966 for amendments to the Rules of Procedure and Conduct of Business in Lok Sabha relating to Short Duration Discussions (vide Memorandum No. 9).

3. Shri Mohanty stated that under rule 194(2), the Speaker could allot two sittings in a week for Short Duration Discussions admitted under rule 193 and allow such time for discussion not exceeding one hour at or before the end of the sitting, as he may consider appropriate in the circumstances. In actual practice, this rule was not being followed and each time more than one hour was allotted. If more time was to be allotted, the rule should be suspended first and then allocation of time made. He submitted that either the rule should be amended to conform to the actual practice or this practice should conform to the rule. He also suggested that name of the member who was to raise discussion should be decided by ballot and not on first come first served basis as that gave advantage to members living in Delhi.

4. Shri Amal Datta submitted that time allotted to Short Duration Discussion was distributed amongst Parties and Groups on that basis. However, the mover invariably took nearly half an hour as a result of which opposition Groups did not get sufficient time.

[Shri Braja Mohan Mohanty and Shri Amal Datta then withdrew].

5. After some discussion, the Committee decided that the time-limit of "not exceeding one hour" for Short Duration Discussions under rule 194(2) of Rules of Procedure and Conduct of Business in Lok Sabha might be amended to provide "not exceeding two hours".

The Committee also decided that as was done about Calling Attention, a time-limit on speeches should be laid down. The Committee decided that member raising the discussion might be given maximum of 20 minutes and others not more than 10 minutes.

6. The Committee then considered memorandum No. 10 regarding amendments to rule 197 of Rules of Procedure relating to Calling Attention.

7. The Committee were informed that various suggestions had been received from members from time to time for streamlining the procedure set out in rule 197. These were duly considered by the Rules Committee and based on their recommendations, the Chair had announced the following changes which, though not formally incorporated in rule 197, were in vogue since December, 1977:—

"(i) All Calling Attention Notices received in a week would be kept alive and placed before the Speaker from day-to-day along with notices received upto 10.00 hours on the day on which the notices were put up to the Speaker.

- (ii) On the last day of the week the notices received upto 10.00 hours on that day would be considered by the Speaker and all the notices which were not selected shall be deemed to have lapsed and no intimation about this would be given to the members concerned.
- (iii) Notices received after 10.00 hours on the last day of the week on which the House sits would be deemed to have been received for the day on which the next sitting of the House was to be held and these would be valid for the following week."

Accordingly, all notices received during a week (upto 10.00 hours on the last day of the week on which the House sits) were being treated as valid for that week. However, no corresponding amendment to the sub-rule (5) of rule 197 had been made as yet. The Committee felt that this change in the procedure might be incorporated in the rules with the added proviso that members need not revive such of the notices as had been referred by the Speaker to the Minister concerned for facts in order to consider their admissibility. Such notices should not lapse till these were finally disposed of by the Speaker.

8. The Committee were also informed of the following announcement made by the Speaker in the House on 18 November, 1985:—

"On the suggestion of some members that too much time was being devoted to Calling Attention, the Committee (at its sitting on 28 August, 1985) desired that the time taken on Calling Attention should be restricted to about half-an-hour to forty-five minutes. It was also suggested that all the five members whose names were listed on the Calling Attention might ask clarificatory questions one after another after the Minister had made the statement and the Minister might give his reply at the end. The Committee agreed that the initiator of the Calling Attention might be given about ten minutes and other members not more than five minutes each and that the Minister might if he so likes reply at the end."

9. The Committee were further informed that members had verbally represented from time to time that in case the number of members giving notices on a subject that was admitted by the Speaker was less than five, their *inter-se* priority might be determined with reference to the date and time of receipt of the notices.

10. The Committee after some discussion, decided that rule 197 might be amended on the lines of amendment placed before them subject to the change that in the proposed sub-rule (2) for the words "all the points raised" the words "all such questions" might be substituted. The Committee then approved the amendments to rule 197 of the Rules of Procedure and Conduct of Business in Lok Sabha as per annexure.

The Committee then adjourned.

ANNEXURE

(See para 10 of Minutes dated 26-3-1987)

[Statement showing the amendments to Rule 197 of the Rules of Procedure and Conduct of Business in Lok Sabha relating to Calling Attention—as approved by the Rules Committee]

Sl. No.	Existing Rule	Modification proposed
1.	<p><i>Sub-rule (2)</i>—There shall be no debate on such 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 question :</p> <p>Provided that names of not more than five members shall be shown in the list of business.</p>	<p><i>Sub-rule (2)</i>—There shall be no debate on such 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 clarificatory question and the Minister shall reply at the end to all such questions :</p> <p>Provided that names of not more than five members shall be shown in the list of business.</p>
2.	<p><i>Sub-rule (2)</i>.....(contd.)</p>	<p>After Explanation (ii), add the following :—</p> <p>“(iii) Notices received during a week commencing from its first sitting till 10.00 hours on the last day of the week on which the House sits, shall be valid for that week. Notices received after 10.00 hours on the last day of the week on which the House sits, shall be valid for the following week.</p> <p>(iv) In case the number of Members giving notices on a subject that is admitted by the Speaker, is less than five, their <i>inter-se</i> priority shall be determined with reference to the date and time of receipt of the notices.”</p>
3.	<p><i>Sub-rule (5)</i>—All the notices which have not been taken up at the sitting for which they have been given shall lapse at the end of the sitting, unless the Speaker has admitted any of them for a subsequent sitting.</p>	<p><i>Sub-rule (5)</i>— All the notices which have not been taken up during the week for which they have been given, shall lapse at the end of the week unless the Speaker has admitted any of them for a subsequent sitting:</p> <p>Provided that a notice referred for facts to a Minister shall not lapse till it is finally disposed of by the Speaker.</p>