

RULES COMMITTEE

(EIGHTH LOK SABHA)

FOURTH REPORT

[Laid on the Table on the **25 JUL 1989**]



LOK SABHA SECRETARIAT
NEW DELHI

July, 1989/Asadha, 1911 (Saka)

Price: Rs. 4.00

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PERSONNEL OF THE RULES COMMITTEE
(1988-89)

1. Dr. Bal Ram Jakhar—*Chairman*
2. Shri Deep Narain Ban Mahanth
3. Shrimati Basavarajeswari
4. Shri H. K. L. Bhagat
5. Shri Somnath Chatterjee
6. Shrimati Vidyavati Chaturvedi
7. Shrimati Premalabai Chavan
8. Shrimati Sheila Dikshit
9. Shri Madan Pandey
10. Dr. G. S. Rajhans
11. Prof. N. G. Ranga
12. Shri D. N. Reddy
13. Shri Shivendra Bahadur Singh
14. Dr. V. Venkatesh*
15. Shri R. N. Yadav

SECRETARIAT

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

Shri K. C. Rastogi—*Joint Secretary*

Shri G. S. Bhasin—*Deputy Secretary*

Shri O. P. Chopra—*Under Secretary*

*Nominated w.e.f. 26-8-1988 vice Shri Syed Shahabuddin resigned from the Committee.

FOURTH REPORT OF THE RULES COMMITTEE
(Eighth Lok Sabha)

The Rules Committee at their sitting held on 2 March, 1989 considered *inter alia* suggestions to amend certain rules of Rules of Procedure and Conduct of Business in Lok Sabha (6th edition). At their sitting held on 9 May, 1989, the Committee considered proposal for constitution of a Committee on Environment and Forests. Minutes of sitting of the Committee held on 2 March, 1989 have been appended to their Third Report laid on the Table of the House on 3 May, 1989. Minutes of sitting of the Committee held on 9 May, 1989 are appended to this Report.

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

3. The Committee's observations with regard to the amendments proposed in Appendix to this report are as follows:—

4. Rule 198 (S. No. 1 of Appendix)

The Committee note that the time by which the notice of motion of no confidence in the Council of Ministers etc. for a sitting can be given is laid down in direction 113B of the Directions by the Speaker. It is proposed that necessary provisions in this regard may be made in the rule itself.

Rule 198 is proposed to be amended accordingly.

5. Rule 200 (S. No. 2 of Appendix)

The Committee note that at present members wishing to give notice of a resolution regarding removal of Speaker/Deputy Speaker give notice only of their intention to move such a resolution without giving the text of the resolution alongwith the notice. In order to make the rule self-contained, it may be amended to provide that the members giving notice of resolution for removal of Speaker/Deputy Speaker should also give text of the resolution alongwith the notice.

Rule 200 is proposed to be amended accordingly.

6. New rules 200A and 202A (S. Nos. 3 and 4 of Appendix)

The Committee note that at present neither the condition of admissibility of the resolution under rule 200 nor scope of discussion thereon has been provided in the rules. It is proposed that these may be provided in the rules so as to make the rules self-contained.

New rules 200A and 202A are proposed to be inserted accordingly.

7. New rules 331G and 331H (S. No. 5 of Appendix)

The Committee had recommended in their Second Report which was laid on the Table of the House on 2 May, 1989 that two Committees, namely, Committee on Agriculture and Committee on Science and Technology, may be set up immediately, with a view to bringing the activities of these two important segments of the Indian economy under closer and constant scrutiny of Parliament.

With rapid industrialisation and growth of population in the country and consequent degradation of environment all round, it has become imperative to devise an effective mean of Parliamentary surveillance over the activities of the Ministry of Environment and Forests. The Committee, therefore, recommend that a separate Committee on Environment and Forests may be set up on the lines of the Committees on Agriculture and Science and Technology. The proposed Committee should examine all aspects of the problem, oversee the implementation of various plan programmes under the purview of the Ministry of Environment and Forests and allied Ministries and make suitable recommendations to the Government.

New rules 331G and 331H regarding functions and constitution of the Committee on Environment and Forests, are proposed to be added accordingly.

8. The Committee also approves the suggestion to incorporate rules relating to Committees on Agriculture and Science and Technology, being set up in pursuance of the recommendations contained in their Second Report, in the rules book, so that the revised edition of the Rules of Procedure and Conduct of Business in Lok Sabha to be brought out for the Ninth Lok Sabha, is complete and up-to-date.

9. The Committee also recommend that after the rules relating to the Committee on Environment and Forests are approved by the House, the three new Committees, viz. Committee on Agriculture (rules 331C and 331D), Committee on Science and Technology (rules 331E and 331F) and Committee on Environment and Forests (rules 331G and 331H) may be shown in alphabetical order in the rules book and the respective rules numbered accordingly.

Procedure for tabling notices under rules 184 and 193

10. The Committee note that at present, notices of motions under rule 184 or Short Duration Discussions under rule 193 are entertained from the day following the date of issue of summons. However, Shri C. Madhav Reddy, M.P. had pointed out that the extent practice was not fair and just as notices tabled by members who were in Delhi at the time of issue of summons, had an edge over those who were outside Delhi. He has, therefore, suggested that the notices on the same subject received within a specified period from the date following the date of issue of summons for a session should be balloted for determining their *inter se* priority so that all the members had equal opportunity to initiate discussions.

11. The Committee agree to the suggestion and recommend that if the time gap between the issue of summons and the commencement of the session is more than 21 days, notices under rule 184 and 193, on the same subject received within seven days after issue of summons for a session may be deemed to have been received on the seventh day after the date of issue of summons for that session and their respective *inter se* priority may be determined on the basis of ballot. In case the time gap is 21 days or less, *inter se* priority may continue to be determined with reference to the date and time of receipt of the notices.

Raising of matters under rule 377

12. The Committee note that presently, matters under the rule 377 are not raised on a day (usually Fridays) when the Minister of Parliamentary Affairs makes a statement in the House regarding the Government business for the following week. Members are allowed to make submission on that day so as to bring to the notice of the House, particularly the Minister of Parliamentary Affairs, the need to provide time for discussion of a matter of general public interest which might otherwise not get priority on account of

constraints of time. A member is allowed to make two 'Submissions' on a day not exceeding fifty words each. However, experience of past few years has shown that 'Submissions' are not in any way different from matters sought to be raised under rule 377. The Minister of Parliamentary Affairs gives a routine reply that he would place them before the Business Advisory Committee and there the matter ends. The Committee, approve the suggestion to dispense with the procedure of allowing members to make 'Submissions' on the Minister's statement regarding Government business for the following week and that they may be allowed to raise matters under rule 377 on all days of the week on which House sits.

13. The Committee also agree to the request of the Minister of Parliamentary Affairs to allow one month's time to the Ministers/ Ministries concerned to send replies to the members in respect of matters raised under rule 377.

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

NEW DELHI;

Dated the 21 JUL 1989 1989.

BAL RAM JAKHAR.

Chairman.

Rules Committee.

APPENDIX

(See para 14 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 198

1. (i) In clause (b) of sub-rule (1) of rule 198 for the words "before the commencement of the sitting for", the words and figures "by 10.00 hours on" shall be substituted.

(ii) To clause (b) of sub-rule (1) of rule 198, so amended, the following proviso shall be added, namely:—

"Provided that notices, received after 10.00 hours, shall be deemed to have been received at 10.00 hours on the next day on which the House sits."

Rule 200

2. In sub-rule (1) of rule 200, the following words shall be added at the end, namely:—

"and shall furnish the full text of such resolution."

New Rule 200A

3. After rule 200, so amended, the following new rule shall be inserted, namely:—

"Admissibility of Resolution.

200A. In order that such a resolution may be admissible, it shall satisfy the following conditions, namely:—

(i) It shall be specific with respect to charges;

(ii) it shall be clearly and precisely expressed; and"

(iii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements”.

New rule 202A

4. After rule 202, the following new rule shall be inserted, namely:—

“Scope of
discussion

202A. The discussion on the resolution shall be strictly confined to the charges preferred in the resolution.”

New rules 331G and 331H

5. After rule 331F, the following new rules shall be inserted, namely:—

“COMMITTEE ON ENVIRONMENT AND FORESTS

Functions.

331G. There shall be a Committee on Environment and Forests to examine all matters connected with Environment and Forests as are dealt with by the Ministry of Environment and Forests and allied Ministries and to report thereon from time to time. The functions of the Committee shall be—

- (a) to examine such of the activities of the Ministry of Environment and Forests and allied Ministries as may seem fit to the Committee;
- (b) to report what economies, improvements in organisation, efficiency or administrative reform consistent with the policy approved by Parliament, may be effected;
- (c) to examine the Annual Reports of the Ministry of Environment and Forests and allied Ministries with a view to finding out whether the expenditure incurred was commensurate with the results achieved;
- (d) to examine such of the plan projects/activities of the Ministry of Environment and Forests and allied Ministries as may seem fit to the Committee or specially referred to it by the House or the Speaker; and

- (e) to evaluate and suggest measures for the survey and conservation of flora, fauna, forests and wildlife prevention and control of pollution, afforestation and regeneration of the degraded parts of the environment.

**“Constitu- 331H (1) The Committee shall consist of not more than
tion. 22 members comprising 15 members to be nominated by
the Speaker every year from amongst the members of Lok
Sabha and not more than 7 members of Rajya Sabha to
be nominated by the Chairman, Rajya Sabha for being
associated with the Committee:**

Provided that a Minister shall not be nominated as a member of the Committee, and that if a member, after his nomination to the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

(2) The term of office of the members of the Committee shall not exceed one year.”

MINUTES OF THE SITTING OF THE RULES
COMMITTEE HELD ON TUESDAY, 9TH MAY, 1969.

Fifteenth Sitting

The Committee met from 16.30 to 16.50 hours.

PRESENT

Dr. Bal Ram Jakhari—*Chairman*

MEMBERS

2. Shri Deep Narain Ban Mahanth
3. Shrimati Basavarajeswari
4. Shri H. K. L. Bhatnagar
5. Shrimati Premalabai Chavan
6. Dr. K. S. Rajhans
7. Prof. N. G. Ranga

SECRETARIAT

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

Shri K. C. Rastogi—*Joint Secretary (A)*

Shri T. S. Ahluwalia—*Deputy Secretary (L)*

Shri G. S. Bhasin—*Deputy Secretary (C)*

Shri O. P. Chopra—*Under Secretary (CI)*

2. At the outset, the Committee took up for consideration Memo-
No. 66 regarding proposal for constitution of a Committee on En-
vironment and Forests. The Committee recalled that as recommen-
ded by them in their Second Report which was laid on the Table
of the House on 2 May 1969, two Committees, namely, Committee on
Agriculture and Committee on Science and Technology, were
to be set up immediately, with a view to bringing the activities of
these two important segments of the Indian economy under closer
and constant scrutiny of Parliament.

The Committee approved the suggestion that with a view to have
a closer and constant watch on the activities of the Government
in the field of Environment and Forests and allied matters, a sepa-
rate Committee on the lines of the Committees on Agriculture and

Science and Technology might be set up. The proposed Committee should examine all aspects of the problem, oversee the implementation of various plan programmes under the purview of the Ministry of Environment and Forests and make suitable recommendations to the Government.

The Committee also approved the draft rules relating to the constitution and functions of the proposed Committee (*See Annexure*).

3. The Committee then took up for consideration Memorandum No. 67 re: incorporation of rules relating to Committees on Agriculture and Science and Technology and Environment and Forests in the Rules of Procedure and Conduct of Business in Lok Sabha.

The Committee noted that in their 2nd Report which was laid on the Table of the House on 2nd May 1989, it had been recommended that rules relating to constitution and functions of the two newly set up Committees, namely Committees on Agriculture and Science and Technology, might be included in the Rules of Procedure and Conduct of Business. The Committee were informed that a thorough review of the Rules of Procedure and Conduct of Business, had since been completed and a revised edition of the rules incorporating all the amendments/changes made therein would be brought out for the 9th Lok Sabha. It was suggested that the rules relating to these Committees might also be incorporated in the rules so that the revised edition was complete and up-to-date.

The Committee approved the suggestion.

The Committee also decided to recommend that after the rules relating to the Committee on Environment and Forests were approved by the House, the three new Committees might be shown in alphabetical order in the rule book and the respective rules numbered accordingly.

The Committee then adjourned.

ANNEXURE

(See para 2 of Minutes)

After rule 331F, the following new rules shall be inserted namely:—

“COMMITTEE ON ENVIRONMENT AND FORESTS

Functions. 331G. There shall be a Committee on Environment and Forests to examine all matters connected with Environment and Forests as are dealt with by the Ministry of Environment and Forests and allied Ministries and to report thereon from time to time. The functions of the Committee shall be:—

- (a) to examine such of the activities of the Ministry of Environment and Forests and allied Ministries as may seem fit to the Committee;
- (b) to report what economies, improvements in organisation, efficiency or administrative reform consistent with the policy approved by Parliament, may be effected;
- (c) to examine the Annual Reports of the Ministry of Environment and Forests and allied Ministries with a view to finding out whether the expenditure incurred was commensurate with the results achieved;
- (d) to examine such of the plan projects activities of the Ministry of Environment and Forests and allied Ministries as may seem fit to the Committee or are specially referred to it by the House or the Speaker; and
- (e) to evaluate and suggest measures for the survey and conservation of flora, fauna, forests and wildlife, prevention and control of pollution, afforestation and regeneration of the degraded parts of the environment.

Constitu- 331H. (1) The Committee shall consist of not more than
tion. 22 members comprising 15 members to be nominated by
the Speaker every year from amongst the members of Lok
Sabha and not more than 7 members of Rajya Sabha to
be nominated by the Chairman, Rajya Sabha for being
associated with the Committee:

Provided that a Minister shall not be nominated as a
member of the Committee, and that if a member, after
his nomination to the Committee is appointed a Minister,
he shall cease to be a member of the Committee from the
date of such appointment.

(2) The term of office of the members of the Commit-
tee shall not exceed one year."