

# **RULES COMMITTEE**

**(SIXTEENTH LOK SABHA)**

**THIRD REPORT**

**(Laid on the Table on 26 July, 2017)**



**LOK SABHA SECRETARIAT**

**NEW DELHI**

**July, 2017/ Shravana, 1939 (Saka)**

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## COMPOSITION OF THE RULES COMMITTEE

- Smt. Sumitra Mahajan, Hon'ble Speaker - Chairperson
2. Shri Ranjit Singh Brahmura
  3. Shri Nishikant Dubey
  4. Shri Dilipkumar Mansukhlal Gandhi
  5. Shri Ramesh Chander Kaushik
  6. Shri Bhartruhari Mahtab
  7. Dr. Udit Raj
  8. Shri Muthamsetti Srinivasa Rao
  9. Shri Vinayak Bhaurao Raut
  10. Prof. Saugata Roy
  11. Shri P.R. Senthilnathan
  12. Shri Ganesh Singh
  13. Dr. Nepal Singh
  14. Dr. Shashi Tharoor
  15. Vacant\*

### SECRETARIAT

- |    |                          |   |                      |
|----|--------------------------|---|----------------------|
| 1. | Shri Anoop Mishra        | - | Secretary-General    |
| 2. | Smt. Sudesh Luthra       | - | Additional Secretary |
| 3. | Shri J.V.G. Reddy        | - | Director             |
| 4. | Ms. Amita Walia          | - | Additional Director  |
| 5. | Shri Anil Kumar Sanwaria | - | Committee Officer    |

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\*Vice Shri Jasvantsinh Bhabhor resigned from the Committee w.e.f. 15<sup>th</sup> July, 2016 on his appointment as Union Minister.

## **Third Report of the Rules Committee (Sixteenth Lok Sabha)**

The Rules Committee at their sitting held on 10<sup>th</sup> April, 2017 considered inter-alia proposals regarding insertion of a new Rule 307A to enable the Committee on Petitions to seek public opinion to make report in connection with examination of petitions and representations and amendment of Rules 162 and 164 to provide for submission of petitions by the members through e-portal.

2. The recommendations of the Committee are contained in this Third Report which the Committee authorized to be laid on the Table of the House.

3. The observations of the Committee with regard to the amendments proposed in the Report are given in the succeeding paras.

4. **New Rule 307A:** The Committee note that as per the extant practice the Committee on Petitions take evidence of selected non-official organizations / petitioners/ individuals under the provisions of Direction 57 in connection with examination of petitions and representations. The Committee on Petitions has suggested to incorporate a new Rule 307A in the Rules of Procedure and Conduct of Business in Lok Sabha on the lines of Rule 331L under which the Departmentally Related Standing Committees are inviting public opinion through advertisement in print and electronic media to make report on Bills and important subjects. The Committee after some deliberation have decided to agree to the suggestion of the Committee on Petitions and recommended for incorporation of a new Rule 307A after Rule 307 to enable the Committee on Petitions to avail of the public opinion to make the report on the petitions / representatives as under:

“307A(1) The Committee may take evidence of experts or interested parties on the petitions / representations on their own initiative or on requests made.

(2) The Committee may also avail of the public opinion to make the report on the petitions / representations.

The witnesses who express their desire to appear before the Committee shall supply sufficient number of copies of written memoranda for circulation to the members of the Committee who may consider the same at their sitting and then decide whether such witnesses may be called to appear before the Committee.”

5. **Rules 162(2) and 164(1):** The Committee note that to minimize the use of paper in the Secretariat, members e-portal has been launched. In this regard to facilitate online submission of petitions by members through members e-portal, the Committee recommend following amendments to Rules 162(2) and 164(1):

(i) In Rule 162, for sub-rule (2) the following shall be substituted namely:-

“162(2) Where there is more than one signatory to a petition, at least one person shall sign, or affix thumb impression if such person is illiterate, 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 shall be repeated at the head of each sheet. Where the petition is made

online through Members' Portal, it may reflect the signature or thumb impression of the petitioner, as the case may be".

(ii) In Rule 164, for sub-rule (1) the following shall be substituted namely:-

"164(1) Every petition shall be countersigned by a member presenting it. If a petition is made in any Indian language other than Hindi or English, its translation in Hindi or English shall also be countersigned by the member presenting it.

Provided that the petition submitted online through Members' Portal shall be deemed to be countersigned by the member.

Provided further that the member may have the option to countersign the petition and upload a scanned copy thereof."

6. The amendments to the rules as recommended by the Committee are given in the Appendix-I. The Minutes of the sitting of the Committee held on 10<sup>th</sup> April, 2017 are given at Appendix-II.

7. The Committee recommend that the amendments to the Rules of Procedure and Conduct of Business in Lok Sabha (15<sup>th</sup> Edition) as shown in Appendix-I may be made.

**New Delhi**

**25 July, 2017**

**Shravana 03,1939 (Saka)**

**SUMITRA MAHAJAN  
HON'BLE SPEAKER & CHAIRPERSON  
RULES COMMITTEE**

**APPENDIX I**

Amendments to the Rules of Procedure and Conduct of Business in Lok Sabha  
(15<sup>th</sup> Edition) as recommended by the Rules Committee

***New Rule 307A***

1. After rule 307, the following rule shall be inserted, namely:

**Evidence of experts, interested parties and availing of public opinion.**

*307A. (1) The Committee may take evidence of experts or interested parties on the petitions / representations on their own initiative or on requests made.*

*(2) The Committee may also avail of the public opinion to make the report on the petitions / representations.*

*The witnesses who express their desire to appear before the Committee shall supply sufficient number of copies of written memoranda for circulation to the members of the Committee who may consider the same at their sitting and then decide whether such witnesses may be called to appear before the Committee.”*

***RULE 162***

2. In rule 162, for sub-rule (2), the following shall be substituted, namely :

*“(2) Where there is more than one signatory to a petition, at least one person shall sign, or affix thumb impression if such person is illiterate, 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 shall be repeated at the head of each sheet. Where the petition is made online through Members’ Portal, it may reflect the signature or thumb impression of the petitioner, as the case may be”.*

***RULE 164***

3. In rule 164, for sub-rule (1), the following shall be substituted, namely :

*“(1) Every petition shall be countersigned by a member presenting it. If a petition is made in any Indian language other than Hindi or English, its translation in Hindi or English shall also be countersigned by the member presenting it.*

*Provided that the petition submitted online through Members’ Portal shall be deemed to be countersigned by the member.*

*Provided further that the member may have the option to countersign the petition and upload a scanned copy thereof.”*

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**APPENDIX II**  
(See para 1 of the Report)

**MINUTES OF THE THIRD SITTING OF THE RULES COMMITTEE HELD ON  
MONDAY THE 10<sup>th</sup> APRIL, 2017 IN SPEAKER'S COMMITTEE ROOM,  
PARLIAMENT HOUSE, NEW DELHI.**

The Committee sat from 1600 hours to 1645 hours.

**PRESENT**

**Smt. Sumitra Mahajan, Hon'ble Speaker** - **Chairperson**

2. Shri Ranjit Singh Brahmura
3. Shri Dilipkumar Mansukhlal Gandhi
4. Shri Ramesh Chander Kaushik
5. Dr. Udit Raj
6. Prof. Saugata Roy
7. Shri Ganesh Singh
8. Dr. Nepal Singh
9. Dr. Shashi Tharoor

**SPECIAL INVITEES**

1. Shri Ananth Kumar - Hon'ble Minister of Parliamentary Affairs
2. Shri S.S. Ahluwalia - Hon'ble Minister of State in the Ministry of Parliamentary Affairs

**SECRETARIAT**

1. Shri Anoop Mishra - Secretary-General
2. Shri R. S. Kambo - Additional Secretary
3. Smt. Sudesh Luthra - Additional Secretary
4. Shri Ravinder Garimalla - Joint Secretary
5. Shri Shiv Kumar - Joint Secretary
6. Shri J.V.G. Reddy - Director
7. Ms. Amita Walia - Additional Director

2. At the outset, the Hon'ble Speaker welcomed the members to the sitting of the Committee and drew their attention to the ongoing review of rules being undertaken by the Committee. The Chairperson apprised that the suggestions given by some of the members regarding amendments to Rules and Directions are being examined and would be placed before the Committee. The Hon'ble Speaker then informed about the agenda listed for the sitting.

3. The Committee then took up for consideration Memorandum no. 4 regarding amendment to rule 218(1) which deals with the procedure regarding Appropriation Bill. The Committee noted that by convention, Bills are not put down for consideration and passing on the same day on which they are introduced in the House to facilitate members to give notices of amendments to the Bill, after its introduction, the time for giving notice being one day. However, the Appropriation Bill is introduced, considered and passed on the same day for which the Minister concerned has to make a request to the Speaker in this regard. The Committee also noted that the primary reason for this practice is that since the demands are discussed at full length, it leaves little scope for discussion on an Appropriation Bill. Further as per Article 114 of the Constitution, as soon as may be after the grants have been made by the House of the People, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of India, which also leaves no scope for making amendment to an Appropriation Bill. The Committee after deliberations decided to recommend to amend Rule 218(1) so as to incorporate in the Rule the present practice of including in the List of Business an Appropriation Bill for introduction, consideration and passing on the same day without the request of the Minister to this effect, as under:-

*“218(1) Subject to the provisions of the Constitution the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with the modification that motions for consideration and passing of an Appropriation Bill may be made on the same day the Bill is introduced and with such other modifications as the Speaker may consider necessary.”*

The Committee also discussed Rule 218(3), which provides for advance intimation to be given by members on the specific points they intend to raise on an Appropriation Bill. A suggestion was made to omit rule 218(3) as it was felt that the Speaker has been vested with the powers to regulate the debate on Appropriation Bill. After some deliberations, the Committee decided that the issue of omission of Rule 218(3) be examined in detail and thereafter a proposal in this regard be placed before the Committee for consideration.

4. Memorandum no. 5 regarding incorporation of a new Rule 307A with regard to the Committee on Petitions was then taken up by the Committee. The Committee noted that as per the extant practice, the Committee on Petitions take oral evidence of selected non-official organizations / petitioners / individuals under Direction 57 in connection with examination of petitions and representations. The Committee on Petitions has suggested to incorporate a new Rule 307A on the lines of Rule 331L under which Departmentally Related Standing Committees are inviting public opinion through advertisement in print and electronic media on Bills and some important subjects. After some deliberations, the Committee decided to agree to the aforesaid suggestion of the Committee on Petitions and recommended to provide for a new Rule 307A to enable the Committee on Petitions to avail of the public opinion to make the report on the petitions / representations, as under:-

*“307A (1) The Committee may take evidence of experts or interested parties on the petitions / representations or on their own initiative or on requests made.*



*(2) The Committee may also avail of the public opinion to make the report on the petitions / representations.*

*The witnesses who express their desire to appear before the Committee shall supply sufficient number of copies of written memoranda for circulation to the members of the Committee who may consider the same at their sitting and then decide whether such witnesses may be called to appear before the Committee.”*

5. Thereafter, the Committee took up for consideration Memorandum no.6 regarding amendments to Rules 162(2) and 164(1) to provide for online submission of petitions by the members of Lok Sabha. The Committee noted that to minimize the use of paper in the Secretariat, Members’ Portal has been launched. The Committee in this regard decided to recommend to amend Rule 162(2) and 164(1) to facilitate online submission of petitions by members through members e-portal, as under:-

*“162(2) Where there is more than one signatory to a petition, at least one person shall sign, or affix thumb impression if such person is illiterate, 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 shall be repeated at the head of each sheet. Where the petition is made online through Members’ Portal, it may reflect the signature or thumb impression of the petitioner, as the case may be”.*

*“164(1) Every petition shall be countersigned by a member presenting it. If a petition is made in any Indian language other than Hindi or English, its translation in Hindi or English shall also be countersigned by the member presenting it.*

*Provided that the petition submitted online through Members’ Portal shall be deemed to be countersigned by the member.*

*Provided further that the member may have the option to countersign the petition and upload a scanned copy thereof.”*

6. The Committee then took up for consideration Memorandum no.7 regarding amendment to Direction 124A which deals with maintenance of order within Parliament House Estate. The Committee noted that the Direction 124A (1) *inter-alia* provides that the Director, Security of Lok Sabha shall be responsible for maintaining order within the compound of the Parliament House Estate. Since the Parliamentary Security Service is now being headed by an officer of the rank of Additional Secretary or Joint Secretary in Lok Sabha Secretariat, the words ‘Director, Security’ in Direction 124A(1) need to be substituted by the words ‘Additional Secretary/Joint Secretary, Security’ to reflect the actual position as on today in the said Direction. The Committee agreed to the proposed amendment.

7. The Committee thereafter deliberated on the need to streamline the Zero Hour, a mechanism for raising matters of urgent public importance in the House. The related issues like number of questions, nature of questions, balloting in the context of Zero Hour were raised and discussed. The Committee also held some discussion on the procedure with regard to other parliamentary devices/ mechanisms like Adjournment Motion, Rule 377 etc. The need to streamline the procedure and to make the Private Members' Business effective was further deliberated by the Committee. The Committee then felt that there was a need to examine the Rules and Directions in this regard comprehensively so as to strengthen these parliamentary devices/mechanisms. It was decided to hold the sitting of the Committee during inter-Session period in this regard.

The Committee then adjourned.