

RULES

OF

**Procedure and Conduct of
Business**

OF THE

Uttar Pradesh Legislative Council

(SEAL)

(As corrected up to May, 2004)

1-RULES OF PROCEDURE AND CONDUCT OF BUSINESS OF THE
UTTAR PRADESH LEGISLATIVE COUNCIL

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**RULES OF PROCEDURE AND CONDUCT OF BUSINESS
OF THE UTTAR PRADESH LEGISLATIVE COUNCIL**
(These rules have been framed by the Legislative Council under
Article 208 (1) of the Constitution of India. They shall
come into force from July 1, 1956)

1- PRELIMINARY

*1- These rules may be called the 'Rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Council, 1956.'

Short title

2(1) In these rules unless the context otherwise requires---

Definitions

(a) "Article" means an Article of the Constitution;

(b) "Private member" means a member other than a Minister;

(c) "Deputy Chairman" means the Deputy Chairman of the Council;

(d) "Gazette" means the Uttar Pradesh Government *Gazette*;

(e) "Rules" means the Rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Council, 1956;

(f) "Leader of the House" means Chief Minister or any other member of the Council of Ministers nominated by the Chief Minister;

(g) "Calendar year" means a period of twelve months commencing on January 1 and ending on December 31;

(h) "Council" means the Uttar Pradesh Legislative Council;

(i) "Council Hall(Lobby)" means the room adjoining the Council Hall and coterminus with it;

(j) "Clear days" mean days exclusive of the first and the last days;

(k) "Select Committee" means a committee of members to which a Bill is referred by the Council for consideration after it has been introduced;

(l) "Motion" means a proposal made by a member which is moved for the consideration of the Council and includes an amendment to a resolution or a motion;

*Rule 1 to 74 excluding Rule 12,15,31,34,35,38,45 amended vide notification no. 409/U.P.Sansadiya 28(S)/9 dated February 16,1991, published in U.P. *Gazette* dated May[29, 2003.

(m) "Sitting" means the sitting together of the members of the House on any day for the transaction of business from the commencement of such transaction till the House rises for the day;

(n) "Member incharge" in relation to a resolution or motion, means the member who has moved such a resolution or motion;

(o) "Minister" means any member of the Council of Ministers under the Constitution and includes a Minister of State, a Deputy Minister and any member who has been authorised by such Minister to act on his behalf in the Council;

(p) "Table" means the table of the house;

(q) "Governor" means the Governor of Uttar Pradesh;

(r) "Finance Minister" include any such Minister who, for the time being performs the duties and functions of Finance Minister in the House;

(s) "Financial year" means a period of twelve months commencing on April 1 and ending on March 31, next following;

(t) "Legislature" means the Uttar Pradesh Legislature;

(u) "Member in-charge of the Bill" means as respects a Government Bill, any Minister, and, as respects a non-official Bill, the member who has introduced the Bill or a member authorised by such member to act on his behalf or, where the Bill has been transmitted from the Assembly, the Minister or the member who has given notice of his intention to move that the Bill be taken into consideration;

(v) "Division" means the recording of votes by sending the members to lobbies or by adopting other method;

(w) "Government" means the Government of Uttar Pradesh;

(x) "Resolution" means a proposal for the purpose of obtaining the decision of the Council on a matter of general public interest;

(y) "Joint Select Committee" means a Committee of member of the Council and the Assembly to which a Bill, introduced in either House, is referred for consideration;

(z) "Constitution" means the Constitution of India;

(aa) "Secretary" means the Secretary to the Legislative Council and includes such other person, as is for the time being, empowered to perform the function of the Secretary;

(ab) "House" means the Uttar Pradesh Legislative Council;

(ac) "Precincts of the House" means the Council Hall SITUATE in the main Vidhan Bhawan, the Lobbies, the Galleries, the Chairman's room, the Deputy Chairman's room, the Leader of Opposition's room, the Committee room, the rooms in the occupation of the Legislative Council Secretariat, party rooms, rooms for the Chairman of the Committees, all accommodation in the Vidhan Bhawan in the charge of officers of the Council Secretariat and approaches leading thereto, and also such other places and approaches as the Chairman may from time to time specify;

(ad) "Houses" means the Houses of Legislature;

(ae) "Member" means a member of the Council and also include for the purpose of Article 177, a minister and the Advocate General of the State;

(af) "Assembly" means the Uttar Pradesh Legislative Assembly;

(ag) "Chairman" means the member holding the office of the Chairman of the Council and includes any member performing for the time being the functions of the Chairman;

(ah) "Committees" means any Committee elected or constituted by the Council or nominated by the Chairman for any specific or general purpose;

(ai) "Session" means the period of time commencing from the first sitting of the Council upon the summons of the Governor under clause(1) of Article 174 until its prorogation under clause (2) thereof;

(aj) "Prorogation" means the termination of a session by an order of the Governor under sub-clause (a) of clause (2) of Article 174.

(2) The words and ezpressions used in the constitution and not defined in these rules shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

II-MEETING OF THE COUNCIL

Summoning
of members

3. (1) After the date, time and place for a session of the Council is appointed by the Governor, the Secretary shall issue summons to each member informing him of the date, time and place so appointed.

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

Provided that when a session is called at short notice or in emergency would not be necessary to issue it summons to each member and an announcement of the date, time and place of the commencement of the session shall be published in the *Gazette* and in the press and members informed telegraphically or through telex or radiogram or any other quick mode of communication.

(3) Subject to Article 174 in every year the Council shall ordinarily have, three meetings namely the Budget meeting, the monsoon meeting and the winter meeting and except in extraordinary circumstances, at least sitting of 90 days.

Sittings of the
Council

4. After the commencement of a session, the sittings of the Council shall be held on such days as the Chairman, having regard to the state of business of the Council, may, from time to time, direct.

Lapse of
pending notices
on prorogation

5. On the prorogation of the Council-----

(a) all pending notices, statements and discussions shall lapse and fresh notices shall be given for the next session:

Provided that questions which have been entered in the list of business, but were postponed and remained pending for answer at the closure of the proceeding session shall not lapse;

(b) a Bill pending in the House shall not lapse by reason of the prorogation of the House;

(c) any business pending before a Committee shall not lapse;

(d) any motion, resolution, or amendment which has been moved and is pending in the House shall not lapse;

When a sitting of the Council is duly constituted 6.A sitting of the Council is duly constituted only when it is presided over by the Chairman or any other member competent to preside over a sitting of the Council under the Constitution or these rules

Roll of members 7. There shall be a roll of members of the Council which shall be signed by every member in the presence of the Secretary after making and subscribing an oath or affirmation and before taking his seat for the first time in the Council.

Ordinary sittings of the Council 8. Unless otherwise directed by the Chairman, the sitting of the Council shall ordinarily---
(1) commence from 11 a.m. and conclude at 5 p.m. with lunch break, and
(2) not be held on Saturdays, Sundays and other public holidays.

III- GOVERNOR'S ADDRESS AND MESSAGES TO THE COUNCIL

Report of address 9. The address delivered by the Governor under clause(1) of Article 176 of the Constitution, shall be reported to the Council by the Chairman as soon as possible.

Allotment of time for discussion on Governor's special address 10. The Chairman in consultation with the Leader of the House, shall allot time for discussion on the matters referred to in the Governor's address.

Scope of discussion 11. (1) On the day or days, so allotted or part of a day or days, so allotted or part of a day, the Council shall be at liberty to discuss such address on a motion of thanks moved by a member which shall be seconded by another member.
(2) The rules relating to resolutions shall, mutates

mutandis, apply to the discussion of such motion:

Provided that no notice shall be necessary for the moving of such motion or amendments thereto.

Amendments	<p>12. Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Chairman:</p> <p>Provided that such amendments shall be in the nature of additions at the end of the motion.</p>
Government's right of reply	<p>13. The Chief Minister or any other Minister whether or not he has previously taken part in the discussion, shall generally, at the end of the discussion, have a right on behalf of the Government of explaining the position of the Government. The Chairman may enquire as to how much time shall be required for such speech so that he may determine the time by which the discussion shall conclude.</p>
Other business of a formal character during the course of discussion on Governor's address	<p>14.(1) Notwithstanding that any day has been allotted for discussion on the Governor's address--</p> <p>(a) a motion or motions for leave to introduce a Bill or Bills may, with the leave of the Council, be made and a Bill or Bills may be introduced on such day, and,</p> <p>(b) other business of a formal nature may be transacted on such date before the Council commences or continues the discussion on the address.</p> <p>(2) The discussion on the address may be postponed in favour of a Government bill or other Government business on a motion being made that the discussion on the address be postponed to any other day to be appointed by the Chairman. The Chairman shall forthwith put the question and no amendment or debate thereon shall be allowed.</p>
Further action on motion of thanks	<p>14.A(1) Upon the motion of thanks being adopted, with or without amendments, the Chairman shall present it to the Governor.</p> <p>(2) The Chairman shall read out to the Council the reply of the Governor to the motion.</p>
Messages by Governor	<p>15. Where a message from the Governor for the Council under clause(2) of Article 175 of the Constitution</p>

is received by the Chairman, he shall read the message to the Council and give necessary direction in regard to the procedure that in the message. In giving these directions the Chairman shall be empowered to suspend or vary the rules to such extent, as he may deem necessary.

IV- ADDRESS TO GOVERNOR

Address to
Governor

16.(1) An address from the Council to the Governor shall be presented through the Chairman.

(2) Such an address shall not be presented otherwise than on a motion made and carried in accordance with the rules relating to resolutions.

V-ELECTION OF CHAIRMAN AND DEPUTY CHAIRMAN AND NOMINATION OF PANEL OF PRESIDING MEMBERS

Election of
Chairman

17. (1) The election of the Chairman shall be held on such date as the Governor may fix and the Secretary shall send to every member a notice thereof.

(2) At any time before noon on the day preceding the date so fixed under sub-rule(1), any member may give notice of a motion nominating another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating the name of the member, nominated and accompanied by a statement by the member whose name is proposed that he is willing to serve as Chairman, if elected.

(3) (a) On the date fixed for election, the person presiding shall read out to the Council the names of the members who have been duly nominated together with those of their proposers and seconders. At any time before the election any candidate so nominated may withdraw his name from the election by informing the person, presiding, orally or in writing, about it. If after the withdrawals, if any, only one member remains nominated, he shall be declared elected, and it shall not be necessary to make a formal motion in that behalf.

(b) If more than one member remains nominated, the person presiding shall call the members in whose names the motions stand, one by one, to move the motions, and the movers shall confine themselves to a mere statement to that effect.

(4) For the purpose of sub-rule(3) a member shall not be deemed to have been duly nominated if either he or his proposer or seconder has not, before the names are read out under that sub-rule made the oath or affirmation as a member of the Council.

(5) The voting on each motion shall be by ballot. Where more than two candidates have been nominated and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and fresh ballot shall take place, the candidate obtaining the smallest number of votes at each ballot being excluded, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(6) Where at any ballot two or more candidates obtain equal number of votes, the candidate to be excluded from the election under sub-rule(5) shall be determined by drawing lots.

Election of
Deputy
Chairman

18.(1) The Election of Deputy Chairman shall be held on such date as the Chairman may fix and the secretary shall send to every member notice of that date.

(2) At any time before noon on the day preceding the date so fixed under sub-rule(1), any member may give notice of a motion nominating another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating the name of the member nominated and accompanied by a statement by the member whose name is proposed that he is willing to serve as Deputy Chairman, if elected.

(3) For the purpose of sub-rule(2), a member shall not be deemed to have been duly nominated if either he or his proposer or seconder has not, before the names are

read out under that sub-rule, made the oath or affirmation as member of the Council.

(4) On the date so fixed for election, the Chairman shall read out to the Council the names of the members who have been duly nominated together with those of their proposers and seconders. At any time before the election, any candidate so nominated may withdraw his name from the election by informing the person presiding, orally or in writing, about it. If after the withdrawals, if any, only one member remains nominated he shall be declared elected and it shall not be necessary to make a formal motion in that behalf. If more than one member remains nominated, the Chairman shall call the members in whose names the motions stand, one by one, to move the motions, and the movers shall confine themselves to a mere statement to that effect.

(5) In case of election, the procedure laid down in sub-rules(5) and(6)or rule 17 for the election of the Chairman shall be followed.

Panel of
presiding
members

19.(1)At the commencement of the first session of every calender year, or when necessary, the Chairman shall nominate from amongst the members of the Council, a panel of not more than four members, any one of whom may preside over the Council in the absence of the Chairman and the Deputy Chairman when so requested by the Chairman or in his absence, by the Deputy Chairman, or in the absence of the Deputy Chairman also by the Presiding member.

(2) The panel of Presiding members nominated under sub-rule(1)shall continue until a new panel of Presiding members is nominated.

Powers of the
Deputy Chair-
man of Presi-
ding member

20. The Deputy Chairman or any member competent to preside over sitting of the Council under the Constitution or these rules shall, when so presiding, have the same powers as the Chairman, when so presiding and all references to the Chairman in these rules shall in such a case, be deemed to be references to the person so presiding.

VI- ARRANGEMENT OF BUSINESS

- Non-official business and precedence of the same
21. Non-official business of which prerequisite notice has been given, shall have precedence on every Thursday in the week, unless the Chairman otherwise directs. On other precedence;
Provided that the Chairman may, in consultation with the Leader of the House, appoint any other day in any week for the transaction of non-official business.
- Arrangement of business
22. On days other than those allotted for non-official business, no business other than Government business shall be transacted without the consent of the Chairman. The secretary shall arrange the business in such order as the Chairman may, in consultation with the Leader of the House decide:
Provided that the Chairman may, in consultation with the Leader of the House, alter or amend the order of the business.
- Relative precedence of non-official resolutions and Bills
23. The Relative precedence of Bills and resolutions, the notice whereof has been given by non-official members, shall be determined by ballot in such manners as the Chairman may direct.
- Precedence of non-official Bills
24. (1) The Non-official Bills shall be arranged in the following manner in such order as to give priority to the Bills most advanced:
- (a) Bills to be introduced;
 - (b) Bills returned by the Governor with a message;
 - (c) Bills returned by the Assembly with amendments;
 - (d) Bills transmitted by the Assembly;
 - (e) Bills which have reached a stage at which the next motion is a motion that the Bill be passed;
 - (f) Bills the next stage of which is a motion that the Bill be taken into consideration;
 - (g) Bills the next stage of which is the presentation of the report of a Select or a Joint Select Committee;
 - (h) Bills the next stage of which is a motion that the Bill be referred to a Select Committee;
 - (i) Bills in respect of which no motion has been made or carried after introduction.

(2) The relative precedence of non-official Bills at various stages, shall under sub-rule(1)be determined according to the date of their introduction and, in case of Bills introduced on the same date, according to the order of their introduction unless the Chairman direct otherwise:

Provided that the Chairman may, with the leave of the Council, vary the relative precedence of Bills laid down under sub-rule(1).

List of Business

25.(1) A list of business for the day shall be prepared by the Secretary and shall be circulated to all members present.

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

(3) No business requiring notice shall be set down for a day before the period of the necessary notice has expired, unless otherwise directed by the Chairman.

(4) Unless the Chairman otherwise directs not more than four resolutions shall be set down in the list of business for any day allotted for the disposal of non-official business.

Government business outstanding at the end of the day

26.All business fixed for any day and not disposed of on that day, shall stand over until the next day of the session available for the business of the class to which it belongs and which may be determined by the Chairman in consultation with the Leader of the House.

Private Members' business outstanding at the end of the day

26-A. Private member's business set down for the day allotted therefor and not taken up on that day shall not be set down for any subsequent day unless fresh notice thereof is received and it has gained priority at the ballot held with reference to that day:

Provided that any business which is under discussion at the end of that day shall be set down for the next day allotted for non-official business, and shall have precedence over all other business set down for that day.

Reference to the Business Advisory Committee

27. The Chairman may, in consultation with the Leader of the House, refer any item of business at any stage for consideration by the Business Advisory Committee and may also direct the Committee to give its report thereon before a specified date.

Allocation of time

28. After the presentation of the report of the Business Advisory Committee, if no notice of any motion is given at once, the report shall be deemed to have been accepted by the House and shall take effect as if it were an order of the House.

Amendments to the motion for allocation of time

29.(1)After the presentation of the said report any member may move that time allotted for any item of business reported by the Committee may be changed or full or partial report of the Committee may be referred for reconsideration by the Committee.

(2) Discussion on such motion or motions on a report may be held for half an hour only and no speech shall exceed five minutes. On the expiry of the time allocated for discussion, the Chairman shall put the motions alongwith proposed amendments thereto to the vote of the Council.

Variation in the allocation of time

30.The time-table reported by the Committee shall not be varied without the leave of the Council and the Chairman shall, on the completion of the allotted time, put necessary questions in respect of any item for disposal of that item:

Provided that on an oral request made to the House by the Leader of the House and on his informing with reference to the variation proposed by him that there is consensus on such variation, the Chairman shall enforce such variation with the approval of the House.

VII-RULES TO BE OBSERVED BY MEMBERS

Members places	31. The members shall sit in such order as the Chairman may determine.
Rules to be observed by members while present in the Council	<p>32. (1)Every member-----</p> <ul style="list-style-type: none">(a) shall bow to the Chair while taking or leaving his seat;(b) shall, if he wants to make any observation, stand up to catch the eye of the Chairman, and speak only when called by the Chairman to do so;(c) shall speak standing unless permitted by the Chairman to speak sitting because of sickness or infirmity;(d) shall ordinarily speak from his place or opposite a microphone;(e) shall always address the Chair;(f) shall not interrupt by any disorderly expression or noises any member who is speaking;(g) shall not read any book or newspaper not connected with the business of the Council;(h) shall not pass between the Chair and any member who may be speaking;(i) shall not talk to any member so as to disturb the proceedings of the Council;(j) shall not interrupt the proceedings of the Council in any other manner not provided for the these rules;(k) shall not leave the Chamber when the Chairman is addressing the Council. <p>(2) If the Chairman rises at any time, the member then speaking shall resume his seat.</p>
Questions to be asked through the Chairman	33. When for the purpose of eliciting information during a discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Council, he shall ask the question through the Chairman.
Personal explanation	34. A member may with the permission of the Chairman make a personal explanation although there is no motion before the Council, but in this case no debatable

matter may be brought forward and no debate shall arise.

VII-GENERAL RULES PROCEDURE

Matters that can be brought before Council

35. No matter which is not primarily the concern of the Government of the State shall be brought forward before the Council, in any form, except with the leave of the Council.

Giving of notice by members

36.(1) Every notice required to be given under these rules shall be given in writing addressed to the Secretary and shall be left at his office during working hours.

(2) Notices left at the office after working hours shall be treated as given on the next working day;

Provided that any member may, with the permission of the Chairman, give notice of a motion in the Council after questions or before the adjournment of the Council and no notice under sub-rule(1) shall in such cases be necessary.

Despatch of notice to members

37. Every notice or other paper which is required by these rules to be given or sent to members shall be deemed to have been duly given or sent if a copy thereof is despatched to every member at his address registered in the Council office:

Provided that when the Council is holding its sittings, then such notice or paper shall be deemed to have been despatched to each member if three days before commencement of a sitting it is deposited in such place in the Council buildings as may be appointed in this behalf by the Chairman and is also notified to the members.

Language of the Council

*38. Subject to the provisions of Article 210 of the Constitution, the business of the Council shall be transacted in the Hindi language and in the Devanagari script.

Decision on point of order

39.(1) Any member may, at any time, submit a point of order for the decision of the Chairman, but in doing so, he shall confine himself to stating the point.

(2) When a point of order is raised before the Chairman, any member speaking shall immediately resume his seat.

*As amended vide notification no. 3981AVP-204C-1959 dated May 17, 1961 published in the U.P. Gazette, dated June 17, 1961.

(3) The Chairman shall decide all points of order which may arise and his decision shall be final.

(4) No discussion on any point of order shall be allowed but the Chairman may take the opinion of the members thereon.

39.A(1) A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution as regulate the business of the House and shall raise a question which is within the cognizance of the Chairman.

(2) A point of order may be raised in relation to the business before the House at the moment:

Provided that the Chairman may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to the maintenance of order in or the arrangement of business before the House.

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

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

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

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

(a) to ask for information; or

(b) to explain his position; or

- (c) while a question on any motion is being put to the House; or
- (d) which is hypothetical ; or
- (e) that division bells did not ring or were not heard.

Power of Chairman to direct any member to discontinue his speech

40. The Chairman, after having drawn the attention of the Council to the conduct of a member who persists in irrelevance or tedious repetition either of his own arguments or of the arguments raised by other members in debate, may direct him to discontinue his speech.

Peace and order in the House

41.(1) The Chairman shall, for preserving peace and order in the House, have all powers necessary for the purpose of enforcing his decisions during the sittings of the Council.

(2) The Chairman may direct any member, whose conduct in his opinion, is grossly disorderly, to withdraw immediately from the Council Hall and the member so ordered shall forthwith withdraw from the Council Hall and shall absent himself during the remainder of the day's sitting. If any member is ordered so, for the second time in the same session the Chairman may direct him to absent himself from the sittings of the Council for two days and the member so directed for the second time, shall absent himself accordingly. The member so directed to be absent shall not be deemed to be absent for the purpose of clause(A) of Article 190 of the Constitution.

(3) The Chairman may, in the case of grave disorder arising in the Council, suspend the sitting for a certain time.

Adjournment of sittings

42. The Chairman may adjourn a sitting of the Council either in his discretion or on a vote of the Council in that behalf:

Provided that a motion for the adjournment of the sitting of the Council may be made without any previous notice but no member shall make such a motion while another member is making a speech.

Restriction on motion without Notice

43. No motion shall be moved without notice unless otherwise provided in these rules.

Conditions of admissibility of a motion

44. In order that motion may be admissible, it shall satisfy the following conditions, namely:-

(1) it shall relate to a matter within the competence of the Government of the State under the Constitution;

(2) it shall raise substantially one definite issue;

(3) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;

(4) it shall not refer to the conduct or character of persons except in their public capacity;

(5) it shall be restricted to a matter of recent occurrence;

(6) it shall not raise a question of privilege;

(7) it shall not substantially revive discussion of a matter which has been discussed in the same session;

(8) it shall not anticipate discussion of a matter which has been put down on the list of business of the Council:

Provided that a motion shall not be deemed to anticipate discussion if it involves discussion of the subject matter in a more substantive manner:

Provided further that in determining whether a discussion is out of order on grounds of anticipation regard shall be had by the Chairman to the probability of the matter anticipated being brought before the Council within a reasonable time.

(9) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

Chairman to decide admiss-

45.A(1) the Chairman shall decide on the admissibility of a motion and may disallow a motion on part thereof.

ibility of a motion

(2) The Chairman may also amend a motion to bring it in conformity with the rules.

Moving and withdrawal of a motion

46.(1) A member in whose name a motion appears on the list of business or any other member whom he may have authorised to the satisfaction of the Chairman to act in his behalf when called upon shall either--

(a) commence his speech by making a formal motion in this terms appearing on the list of business, or

(b) not make the motion and in that case he shall confine himself to a mere statement to that effect:

Provided that the Chairman, in his discretion, may allow the member to make a brief statement as to why he does not purpose to make the motion.

(2) In case any member in whose name the motion stands, is for any reason unable to make the motion himself, then on his request with the permission of the Chairman the same may be made by any other member.

(3) If the motion has not been made as required by sub-rules(1) and (2)[it shall be deemed to have lapsed.

(4) A member who has been authorised by another member to make or withdraw a motion shall have all the rights of the member in the debate on the motion.

Limits of discussion

47. The discussion on a motion shall be confined to the subject matter of the motion.

Amendments to a motion

48. Amendments to a motion may be moved subject to these rules.

Limitationin debates

49 .(1) Every speech must be relevant to the subject matter before the Council.

(2) Member, while speaking must not---

(1) refer to any matter which is under adjudication by a Court of law having jurisdiction, in any part of India;

- (2) make a personal charge against a member;
- (3) use offensive expression about the conduct of proceedings of Parliament or Legislature of a state;
- (4) reflect upon the following---
 - (a) the conduct of the President as distinct from the Government of India; or
 - (b) The conduct of any Governor as distinct from the Government of the State;
 - (c) Judicial functions of any Judge or of a Court of law having jurisdiction in any part of India;
- (5) misuse his right of speech for the purpose of obstructing the business of the Council;
- (6) reflect upon any decision of the Council unless a motion for rescinding it is presented;
- (7) use the President's or Governor's name for influencing the debate;
- (8) utter seditious or defamatory words.

Time limit on speeches

50. The Chairman may---
- (a) in his discretion, fix time limit on speeches for the timely disposal of a part or whole of an item on the list of business of the Council;
 - (b) On a vote of the Council, allocate time for the disposal of part or whole of an item on the list of the business of the Council.

Order of speeches and right of reply

51(1) After the member moving a motion has spoken, other members may also speak on the motion in such order, as the Chairman may determine. If any member, when called upon by the Chairman, does not speak, he shall not be entitled except by the permission of the Chairman to speak on the motion at any later stage of the debate.

(2) Except as hereinafter otherwise provided, no member shall speak more than once on any motion except for the purpose of making a personal explanation for which permission shall be given by the Chairman and in such situation no debatable matter shall be brought up.

(3) A member who has moved a substantive motion or an amendment to a clause of a bill, may speak again by way of reply and, if the motion or the amendment is moved by a non-official member the Minister, to whose department the motion or the Bill relates or any other Minister, shall have the right of speaking after the motion, whether he has previously spoken in the debate or not.

Right of Chairman to address the Council before obtaining the decision of the Council on a motion

52. The Chairman shall have the right to address the Council at any stage before obtaining the decision of the Council on a motion.

Putting of question

53. When a motion has been made and debated upon, the Chairman shall put the question for the decision of the Council. If a motion embodies two or more separate propositions, those propositions may be put by the Chairman as separate questions.

Power of Chairman to adjourn business

54. Chairman may in any special circumstance adjourn any item enlisted in the agenda to any part of the same day without discussion or vote.

Residuary powers

55. All such questions not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Chairman may from time to time direct.

Suspension of rules

56. Any member may with the leave of the Chairman move that any rule in its application to a particular item on the list of business of the Council may wholly or

partially be suspended and, if the motion is carried, such rule shall be suspended for the time being. In such situation the procedure determined by the Chairman shall be followed.

Decision of
the Council

57.(1) The decision of the Council on any matter requiring decision of the Council shall be taken by means of a question put by the Chairman on a motion presented by a member.

Provided that the Chairman may refuse to put a question on a motion, the mover of which is absent from the Council at the time of taking the decision of the Council thereon, unless requested to do so in such situation by another member.

(2) Votes shall ordinarily be taken by voices and the Chairman shall invite those who are in favour of the motion to say "Ayes" and those against the motion to say "Noes". On the request of any member votes may be taken by show of hands also. The Chairman shall thereafter announce the decision of the Council.

(3) On a request made by any member to this effect, the Chairman may also get the vote recorded by division:

Provided that if in the opinion of the Chairman the division is unnecessarily claimed, he may ask the members in favour of "Ayes" and "Noes" respectively to rise in their places and, on the receipt of report of Secretary after counting he shall declare the decision of the Council. In this procedure the names of the members voting shall not be recorded.

(4) On the acceptance of the demand for taking votes by division the division bell shall be rung for two minutes. Thereafter all the outer doors of the Council Hall shall be closed and no member shall be allowed to enter in the Council Hall till the procedure of division is complete.

(5) After the closure of all the outer doors; for division the Chairman shall again put the question. Thereafter he shall ask the members who are in favour of "Ayes" to

go to the "Ayes Lobby" and those who are opposed to the motion to go to the "Noes Lobby" to record their vote by signing division list available there.

(6) If a member enters the wrong lobby by mistake, he may be allowed to correct his mistake, provided he brings it to the notice of the Chairman before the result of the division is announced.

(7) If a member is unable to go to the Division Lobby for recording his vote owing to sickness or infirmity, the Chairman may, on a request made in this behalf before the result is announced, permit such member to record his vote at his seat and the Secretary shall make necessary arrangements for the purpose.

(8) After recording of votes by the members wishing to have their vote recorded, the Secretary shall cause the votes recorded in both the lists counted and after scrutiny, shall submit its report to the Chairman.

(9) The result of a division shall atonce be announced by the Chairman and it shall not be challenged.

Motion for postponement of business

58.(1) A motion for postponement of consideration of Bill, or of consideration of a motion other than motion for adjournment to any other day available for such purpose or sine die, may be made at any time and such motion shall take precedence on any other business then under consideration of the House.

(2) The Chairman may, after affording an opportunity to the mover of the motion and to the member opposing it, if any, to give brief explanatory statement, put the question on the motion.

(3) The Chairman may disallow a motion for the postponement of business, if it has, in his opinion, been made for the purpose of obstructing the business of the Council or for securing the adjournment of the meeting.

Motions without notice

59. With the consent of the Chairman, the following motions may be made without notice:-

(1) Motion for adjournment of the meeting.

- (2) Motion for the withdrawal of any stranger.
- (3) Motion for election of members to standing or other committees.
- (4) Motion for the withdrawal of a Bill, motion or resolution or amendment thereto.
- (5) Motion for congratulating or expressing condolence.
- (6) Motion for postponement of any business.
- (7) Motion for closure of debate.
- (8) Motion for address to the Governor.
- (9) Motion for such statements in respect of which there is no provisions of giving notice in these rules.
- (10) Motion of thanks to the Governor.

Repetition of
a motion

60.(1) When a motion has been made in the Council and thereafter has either been submitted to the vote of the Council or withdrawn with the leave of the Council after discussion, no motion raising substantially the same question shall be made in the same session:

Provided that unless the Chairman, otherwise directs the following motions may be made:-

- (a) a motion on the consideration of any Bill to refer to a Select or a Joint Select Committee though an amendment has been carried to a previous motion of the same kind in the same session to the effect that the Bill be circulated or recirculated for obtaining opinion thereon;
- (a) a motion for such an amendment in any bill, returned by the Governor for reconsideration of the Council which are relevant to the point or points referred for reconsideration;

(c) such motion which is consequential to an amendment carried previously, the purpose whereof is only to alter the wordings without changing the intention of such amendment.

(2) Where a motion has been disallowed under the rules, no motion raising substantially the same question shall be moved in the same session.

Provisions as to amendments

61.(1) An amendment must be relevant to the subject matter of the motion to which it is proposed.

(2) An amendment may not be moved which, if carried, would have merely negative affect:

Provided that an amendment may be moved for the deletion of a clause or schedule of a Bill.

(3) An amendment may not be moved which is inconsistent with any previous decision on any Bill or motion on the same matter at the same stage.

(4) The Chairman may refuse to allow an amendment to be moved which is, in his opinion, frivolous.

Notice of amendment

62.(1) If the notice of a proposed amendment has not been delivered to the Secretary one clear day before, the date fixed for consideration of the motion, any member may object to the moving of the amendment and such objection shall prevail unless the Chairman allows the amendment to be moved:

Provided that previous notice shall not be necessary in the case of amendments of a purely verbal character or of amendments consequent upon, or moved in respect of, amendment which have been carried.

(2) If time permits, the Secretary shall cause every notice of amendment to be printed and a copy to be made available for the use of every member.

Moving of amendments

63. Unless otherwise directed by the Chairman, amendments to a motion shall ordinarily be moved immediately after the motion to which they relate have been moved.

Amendments how to put	<p>64.(1) When on a motion, one or more than one amendments are moved, the chairman, shall before taking the sense of the Council thereon, read to the Council the original motion and the amendment or amendments proposed.</p> <p>(2) It shall be the discretion of the Chairman to put first to the vote either the original motion or; any of the amendments.</p>
Restriction on moving of amendments	<p>65. The Chairman may, at any time before a motion is moved, disallow moving of the motion or any part thereof on the ground that it relates to a matter which is not primarily the concern of the Government of the State.</p>
Orders disallow- ing motion not to be discussed	<p>66. No discussion in the Council shall be permitted in respect of any order of the Chairman disallowing a motion.</p>
Withdrawal of motions	<p>67.(1) A motion, after it is moved, shall not be withdrawn without the leave of the House.</p> <p>(2) Except with the permission of the Chairman, leave to withdraw a motion shall not be discussed.</p> <p>(3) All the amendments moved to a motion shall be deemed to have been withdrawn after leave to withdraw a motion has been granted.</p> <p>(4) If any member objects to leave being granted to withdraw a motion, the Chairman may forthwith put the question on the motion and the amendments, if any, move thereto.</p>
Closure	<p>68(1) At any time after a motion has been made, any member may move that the question be now put and, unless it appears to the Chairman, that the motion to present the question is an abuse of the rules or it infringes the right of reasonable debate, the Chairman shall present the question that "the question be now put."</p> <p>(2) Where a motion is made under sub rule (1) and is carried, the question, its consequential question or questions shall be put at once without amendment or debate.</p>

Provided that the Chairman may allow any member any such right of reply as may be available to him under the rules.

The admission of strangers to the Council Hall during sitting of the Council.

69. During the sitting of the council, the admission of representatives of the press and government officials shall be subject to the directions issued by Chairman.

Power to order withdrawal of strangers.

70. The Chairman, either in his discretion or on a motion of any member may, at any time during a sitting of the Council, order the withdrawal of strangers from the Council Hall.

Brief record of proceedings of Council

71.(1)the Secretary shall keep a journal in which a brief record of the proceedings of the Council for each day shall be entered.

(2)After each meeting the journal shall be submitted to the Chairman for his confirmation and signature and when so signed, it shall become an authorised record of the record of the proceedings of the Council.

Report of proceedings of Council

72.(1)The Secretary shall also cause to be prepared a full and correct report of the proceedings of the Council at each of the meetings and shall, as soon as possible, cause it to be published in such form and manner as the Chairman may, from time to time direct.

(2)A copy of such report shall be despatched by the Secretary to each member of the council and the Governor within three months.

Expunging of words from the proceedings of Council.

73. If the Chairman is of opinion that word or words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such word or words be expunged from the proceedings of the Council.

Indication of expunged portion from the proceedings of the

74.The portions so expunged from the proceedings of the Council shall not be printed but shall be indicated by asterisks and for explanation a foot note in the following form shall be inserted in the proceedings.

"Expunged as ordered by the Chair."

IX. COMMITTEES OF THE COUNCIL

Annual Committees.

75(1)At the commencement of the first session of every calendar year, the Chairman shall nominate-

(a) A Rule Revision Committee, with the Chairman as its Chairman, to consider amendments to these rules proposed by a member and referred to it under Rule 221 or by the Chairman in his discretion.

(b) A Committee of Privileges, with the Chairman as its Chairman to examine a complaint about breach of privilege referred to it and to recommend remedies or punishments for the breach, if any.

(c) A Business Advisory Committee, with the Deputy Chairman as its Chairman, to recommend the time that should be allocated for the completion of a stage or stages of Bills, motions or other business which may be referred to it by the chairman in consultation with the Leader of the House.

(d) A committee on Petitions, with the Deputy Chairman as its Chairman, to examine petitions referred to it and to suggest measures for the remedy of complaints contained in such petitions.

(e) A Committee of Assurance to see that the assurances given by the Ministers on the floor of the House are implemented expeditiously.

(2) The Chairman may, in his discretion or on a vote of the Council in this behalf, assign additional functions to any of the committee of the Council.

(3) These Committees shall continue till new Committees are constituted in their places.

Power to
appoint other
Committees

76. The Chairman may, in his discretion, or on a vote of the Council in his behalf, refer any other matter before the Council to a Committee to be appointed for the purpose and give such other necessary directions to the committee as may be deemed necessary.

Rules for
Committees

77. The rules laid down hereinafter in this chapter shall govern the constitution and functioning of all the Committees of the Council with necessary modifications, if any.

Appointment
of a Committee

78(i) the members of a Committee shall be appointed by the Council on a motion carried by the Council or nominated by the Chairman, as the case may be:

(ii) No member shall be appointed to a Committee if he is not willing to serve on a Committee. The proposer shall ascertain whether a member to be proposed by him is willing to serve on the Committee.

(iii) Casual vacancies in a Committee, shall be filled by election or nomination, as the case may be, and any

member elected or nominated to fill such vacancy shall hold office for the period of which the member in whose place he is elected or nominated would have normally held office.

Resignation of member from Committee
Chairman of the Committee

79. A member may resign his seat from a Committee by writing under his hand, addressed to the Chairman.

80. Unless otherwise provided in these rules-

(1) The Chairman of a Committee shall be appointed by the Chairman from amongst the Members of Committee.

Provided that if the Deputy Chairman is a member of a Committee he shall be appointed Chairman of the committee.

(2) If the Chairman of a Committee is for any reason unable to act, the Chairman may appoint another Chairman of the Committee in his place.

(3) If the Chairman of a Committee is absent from any sitting, the Committee shall choose another member to act as Chairman for that sitting.

Quorum

81. (1) The quorum to constitute a sitting of a Committee shall be, as near as may be, one third of the total number of members of the Committee.

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

(3) When a Committee has been adjourned in pursuance of sub rule(2) on two successive dates fixed for sitting of the Committee the chairman of the committee shall report the fact to the Council:

Provided that where a committee has been appointed by the Chairman, the Chairman of the Committee shall report the fact of such adjournment to the Chairman.

Discharge of members absent

82. If a member is absent from two or more consecutive sittings of a committee without permission of the Chairman of the committee a motion may be moved in the Council for the discharge of such member from committee:

Provided that where the members of a committee are nominated by the Chairman a member may be discharged by the Chairman.

Voting in committee	83. All questions at any sitting of a committee shall be determined by a majority of votes of the members present and voting.
Casting vote of Chairman	84. In the case of an equality of votes on any matter, the Chairman of committee shall have a second or casting vote.
Power to appoint sub committee	85(1)A Committee may appoint one or more sub committee each having the powers of the undivided committee, to examine any matters that may be referred to them and the reports of such Sub committee shall be deemed to be the reports of the whole committee, if they are approved at a sitting of the whole committee (2) The order of reference to a sub committee shall clearly state the point or points for investigation. The report of the sub committees shall be considered by the whole committee.
Sitting of committee	86. The sitting of a committee shall be held on such days and at such hour as the Chairman of the Committee may fix. Provided that if the Chairman of a Committee is not readily available, the Secretary may fix the date and time of the sittings.
Committee may sit whilst Council is sitting	87. A committee may sit whilst the council is sitting provided that on a division being called in the Council, the chairman of the committee shall suspend the proceedings in the committee for such time as will, in his opinion, enable the members to vote in a division.
Sitting of committee in private.	88. the sitting of a committee shall be held in private.
Venue of of sittings	89. The sittings of a committee shall ordinarily be held within the precincts of the Council House, and if it becomes necessary to change the place of sitting outside the Council House, the matter shall be referred to the chairman whose decision shall be final.
All strangers to withdraw when committee is deliberating.	90. All persons other than members of the Committee and officers of the Legislative Council Secretariat shall withdraw whenever the committee is deliberating.
Power to tale	90(1) A witness may be summoned by an order signed

evidence or call by the Secretary. The witness shall produce such documents as are required for the use of the Committee.
for papers record
or documents.

(2) It shall be in the discretion of a committee to treat any evidence rendered before it as secret or confidential

(3) No document submitted to a committee shall be withdrawn or altered without knowledge and approval of the committee.

Powers of Committee to send for persons, papers and records.
92. A committee shall have power to send for persons, papers and records.

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purpose of a committee, the question shall be referred to the Chairman whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

Special Report
93. A committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the Course of its work which it may consider necessary to bring to the notice of the Chairman or the Council, notwithstanding that such matter is not directly connected with or does not fall within or is not incidental to its terms or reference.

Evidence, reports and proceedings treated as confidential.
94(1) A Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table.

(2) No part of the evidence, oral or written, report or proceedings of a committee which has not been laid on the Table shall be open to inspection by any one except under the authority of the Chairman.

(3) The evidence given before a committee shall not be published by any member of the Committee or by any other person until it has been laid on the table:

Provided that the Chairman may, in his discretion, direct that such evidence be confidentially

made available to members before it is formally laid on the Table.

Procedure for examination of witness

95. The examination of witness before a Committee shall be conducted as follows:

(1) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of question that may be put to the witness.

(2) The Chairman of the committee may first put to the witness such question or questions as he may consider necessary with reference to the subjects matter under consideration or any connected subject thereto according to the mode or procedure mentioned in clause (1) of this rule.

(3) The Chairman of the committee may call other members of the committee one by one to put any other questions.

(4) A witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee.

(5) A verbatim record or proceedings of the Committee when a witness is summoned to give evidence, shall be kept.

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

Report of the Committee

96(1) Where the Council has not fixed any time for the presentation of the Report, the report shall be presented within two months of the date on which reference to the Committee was made.

Provided that the Council may at any time, on a motion being made, direct that the time for the presentation of a report by a Committee be extended to a date specified in the motion.

(2) Reports may be either preliminary or final.

(3) If any member of a committee desires to record a minute of dissent on any point, he must sign the majority report stating that he does so subject to his dissent and must, at the same time, hand in his minute unless otherwise permitted by the right of recording a minute of dissent.

(4) A member who has been absent from all the meetings of a committee shall not be asked to sign the report nor have the right of recording a minute of dissent.

Presentation of report	<p>(5) If in the opinion of the Chairman a minute of dissent contains words, phrases or expression which are unparliamentarily or otherwise inappropriate he may order such words, phrases or expressions to be expunged from the Minute of dissent.</p> <p>97.(1)The report of a committee shall be presented to the Council by the Chairman of the Committee or by any member of the Committee.</p> <p>(2) In presenting the report the Chairman of the Committee or in his absence, the member presenting the report, shall if he makes any remarks confine himself to a brief statement of facts, but there shall be no debate on that statement.</p>
Power to make suggestions on procedure.	<p>98. A committee shall have power to pass resolution on matters of procedure relating to that Committee for the consideration of the chairman who may make such variations in procedure as he may consider necessary.</p> <p>99.(1) The Chairman may, from time to time, issue such direction to the Chairman of a Committee as he may consider necessary for regulating its procedure and the organization of its works.</p> <p>(2) If any doubt arises on any point of procedure or otherwise, the Chairman of the Committee, if he thinks fit, may refer the point to the Chairman whose decision shall be final</p>
Number of members of the Committees.	<p>100. A Committee of the Council shall ordinarily consist of eleven members.</p>
Power to sit jointly with Committees of Assembly	<p>101. A Committee of the Council shall have power to sit and deliberate with a Committee of the Assembly appointed for a similar purpose.</p>
Secretary of the Committee	<p>102. The Secretary or any person appointed by him in this behalf, shall act as the Secretary of a Committee of the Council</p>
Motion for appointment of Joint Committee	<p style="text-align: center;">Joint Committees of the House.</p> <p>103.(1)Any member may, after giving notice of one clear day move that any ,matter, other than a Bill, on the List of Business of the Council, be referred to a Joint Committee of both the Houses and, if the motion is passed, a message shall be sent to the Assembly</p>

asking for their concurrence to the said motion and in case of their concurrence, for the nomination of the requisite number of members to serve on the Joint Committee.

(2) If a message to the effect that the Assembly does not concur is received by the Council, a motion may be made without notice that the matter be referred to a Committee of the Council.

Procedure on receipt of a message from the Assembly

104(1) At any time after the receipt of a message from the Assembly asking for the concurrence of the Council in a motion to refer matter to a Joint Committee of both Houses is received, any member may move that the Council agrees to the motion passed by the Assembly.

(2) If the Council agrees to the motion, the Council shall elect, in accordance with these rules, its members to serve on the Joint Committee. A message intimating the concurrence of the Council and the names of members elected shall be sent to the Assembly.

X-A MOTIONS FOR ADJOURNMENT FOR PROPOSES OF DEBATES.

Requirement of consent of Chairman for moving adjournment motion and restrictions on admissibility of such motion.

105. The right to move motions for adjournment of the Council for the purpose of discussing a definite matter of urgent public importance shall be subject to the consent of the Chairman and the following restrictions namely:-

(1) Not more than one such motion shall be discussed at the same sitting.

(2) Not more than one matter shall be discussed on the same motion.

(3) The motion must be restricted to a matter of recent occurrence.

(4) The motion must not revive discussion on a matter which has been discussed in the same session.

(5) The motion must not anticipate discussion on a matter which is likely to come up before the Council within a reasonable time.

(6) The motion must not deal with a matter on which a resolution could not be moved under these rules.

(7) The motion shall not raise a matter which can only be discussed on a substantive motion under these rules or under the Constitution.

(8) The motion shall not raise a question of privilege.

Notice of adjournment motions.

106. Notice of intention to ask for leave to make a motion for adjournment of the Council to discuss a definite matter of urgent public importance, shall be given to the Secretary in quadruplicate at least and a half hour before the commencement of a meeting of the Council who shall send a copy of such notice to the Leader of the House.

Chairman to decide admissibility of adjournment motion.

107. The Chairman shall, out of the notices of adjournment motions received on that day for a sitting, select a maximum of 5 such notices as fulfill the conditions laid down in rule 105 are, in his opinion important. Before taking decision, the question of admissibility of these five notices can be heard in the House. Other notices received on that day shall lapse.

(2) If the Chairman holds that the motion is not admissible under the rules, he may read out the notice to the Council and before declaring the motion in admissible for not being in order hear, in short the member giving notice, some other members and the Minister for or against the admissibility of the motion.

Chairman's Power to admit a motion for adjournment as a request for statement or debate.

108. The Chairman may admit a notice of the intention for leave to move a motion for adjournment, as a request for debate on a matter of urgent public importance under rule 110 or for a statement on a matter of urgent public importance under rule 111 and may issue necessary directions in that behalf.

Procedure for asking leave to move a motion of adjournment

109(1) If the Chairman holds that the motion proposed to be discussed is in order, he shall read the motion to the Council and ask whether the member has the leave of the Council to present the motion. If objection is taken, the Chairman shall request those members, who support the motion to rise in their place and, if not less than ten members rise accordingly, the Chairman shall

intimate that leave is granted and shall fix the hour at which it will be taken up for discussion.

The discussion on the motion will ordinarily be held at 4 p.m. but if the Chairman with the consent of the Leader of the House so directs, it may be held at any other hour on that date. If less than ten members rise, the Chairman shall inform the members that he has not the leave of the Council.

Limitation on the time of discussions.

(2) The debate on a motion to discuss a matter of urgent public importance, if not earlier concluded, shall automatically terminate on the expiration of two hours from the time the discussion begins and thereafter no question can be put.

(3) No speech during such debate shall exceed 15 minutes duration unless otherwise directed by the Chairman.

X-B-DISCUSSION ON MATTERS OF URGENT PUBLIC IMPORTANCE FOR SHORT DURATION.

Notice of discussion.

110(1) Any member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised.

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

Provided further that the notice shall be supported by the signatures of at least one other member of the Council.

Chairman to decide admissibility.

(2) If the Chairman is satisfied that the matter is urgent and is of urgent public importance to be raised in the House at an early date, he may admit the notice and in consultation with the Leader of the House fix the date and time on which said matter may be taken up for discussion and allow such time for discussion, not exceeding two hours, as he may consider appropriate in the circumstances.

Provided that if any early opportunity is otherwise available for the discussion on the matter, the Chairman may refuse to admit the notice.

No formal motion

(3) There shall be no formal motion before House for voting. The member who has given notice, may make a statement and the minister shall reply. Any other member may also be permitted to take part in the discussion. The member introducing the matter may be permitted to speak again for giving reply and the discussion shall conclude after final statement of the Minister concerned.

Time limit for speeches

(4) The chairman may, if he thinks fit, prescribe a time limit for the speeches.

XI- STATEMENT ON MATTERS OF URGENT PUBLIC IMPORTANCE.

Statement on a matter of urgent public importance

111(1) Any member may give notice of his intention to request a Minister to make a statement on matter of urgent public importance to the Secretary one and a half hour before commencement of the sitting. Such notice shall be in quadruplicate. The Secretary shall send two copies of the notice to the Leader of the House.

(2) Not more than one notice shall be taken up at one sitting and where more than one notice have been received, the Chairman shall admit such notice which is most urgent and important in his opinion.

(3) The Chairman may in respect of the

notice admitted under sub rule(2), permit the member concerned to read such notice in the House.

Allocation of time for Statement

112. After a statement is admitted by the Chairman on the notice given under rule 111, the Minister concerned may make his statement that very day, on the matter of the notice. If the minister is not in a position to make a statement that very day, he shall request the Chairman to fix any either day for statement and the Chairman shall fix a day for statement. The Minister concerned shall make a written statement in the House on the day so fixed.

Prohibition on raising disputed matter on the occasion of statement

113. No debate shall ordinarily be allowed on a statement after it is made, but the Chairman may permit members to ask questions for further elucidation of some points in the statement. No debate shall be held, on such occasion.

Minister's statement on a matter of public importance

114. Any Minister may, with the permission of the Chairman make a statement on a matter of public importance.

Notices of call attention

115(1) Any member may give to the Secretary one and a half hour before the commencement of sitting of a House a notice calling attention of the Government on a matter of public importance, and such notice shall contain not more than two hundred words. Such notice shall be in quadruplicate. The Secretary shall send two copies of the notice to the Leader of the House immediately.

(2) Unless the Chairman decides otherwise, out of the notices of calling attention received for a sitting of the House, a maximum number of six notices shall be admitted and other notices

received on that day shall lapse. The Minister concerned if he desires, may make a brief statement immediately on the matter of such notice in the House.

(3) There shall be no debate on such notice in the House but the Minister concerned shall make available an interim reply in respect of the action taken regarding such notice to the member concerned within a month.

(4) The Leader of the House shall lay a list on the table of the House, within a week of commencement of each session, which shall contain statement of action taken by the Government on the notices brought to the cognizance of the House in its last session, but the statement in respect of such notice, which have been brought to the cognizance of the House thirty days before laying of such statement shall be included in the list to be laid in the ensuing session."

Statement by a Minister who has resigned.

Statement by a Minister in explanation of resignation

116(1) A member who has resigned the office of a Minister may, with the consent of the Chairman, make a personal statement in explanation of his resignation.

(2) Such statement shall be made after questions and before the list of business for the day is entered upon.

(3) No debate shall be allowed on such statement:

Provided that a Minister shall be entitled after the member has made his statement, to make a statement.

XII- Question

Time of question	117. The first hour of every meeting shall be available for the asking and answering of questions unless the Chairman otherwise directs.
Questions which may be asked	<p>118.(1) A question may be asked for the purpose of eliciting information on a matter of public interest which is primarily within the administrative or legislative competence of the Government of the state under the Constitution or any law for the time being in force.</p> <p>(2) A question addressed to a Minister must relate the public affairs with which he is officially connected or to a matter of administration for which he is responsible.</p> <p>(3) A Question addressed to a non-official member must relate to some bill, resolution or other matter connected with the business of the Council for which the member is responsible.</p>
Question for oral answers	<p>119(1) A member desiring an oral answer to a question shall distinguish it by an asterisk placed at the beginning of the question:</p> <p style="padding-left: 40px;">Provided that a question seeking purely statistical information shall not be distinguished by an asterisk.</p> <p>(2) All questions not distinguished by an asterisk shall be treated as questions meant for a written reply:</p> <p style="padding-left: 40px;">Provided that the Chairman may, in his discretion, put down a question for oral answers in the list of questions for written answers without giving an opportunity to the member concerned to explain why it should not be so put down.</p>

Questions regarding controversy with higher authorities

120. In matters which are or have been subjects of controversy between the President and the Government of the State no question shall be asked except as to matter of fact and answer shall be confined to a statement of facts.

Form and contents of questions

121. No question may be asked which does not satisfy the following conditions, namely-

(i) it shall be so framed as to be merely a request for information and shall not be in substance a suggestion for any particular action in matter raised by the member asking the question;

(ii) it shall not bring in any name or statement not strictly necessary to make the question intelligible;

(iii) if it contains a statement the member shall make himself responsible for the accuracy of the statement;

(iv) it shall not contain arguments, inferences, ironical expressions, imputations, equities or defamatory statements;

(v) it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;

(vi) it shall not ask as to the character of conduct of any person except in his official or public capacity;

(vii) it shall not be of excessive length;

(viii) it shall not ask about the details of the proceedings in a committee which have not been placed before the

Council by a report from the Committee;

(ix) it shall not make or imply a charge of a personal character;

(x) it shall not raise questions of policy too large to be dealt with within the limits of an answer to a question;

(xi) it shall not repeat in substance a question already answered or to which an answer has been refused;

(xii) it shall not ask for information on trivial matters;

(xiii) it shall not ordinarily seek information on the matter of past history;

(xiv) it shall not require information set forth in accessible documents or in ordinary works of reference;

(xv) it shall not ask for information on the matter which is under adjudication by a court of law having jurisdiction in any part of India.

(xvi) it shall only relate to a matter which is within the cognizance of the Government of the State;

(xvii) it shall not relate to a private or purely parochial grievance;

(xviii) it shall not in substance anticipate a question which has already been admitted;

(xix) it shall not ask information on matters under the control of bodies not primarily responsible to the

Government of the State.

Limit on the number of questions for oral answer

* 122. A member shall not ask more than five question to set down for oral answer on a single day.

* As amended vide notification no. 6653-A/VP-1958, dated December 30, 1959.

Notice of questions

123(1) A member who wishes to ask a question shall give not less than 15 days; notice in writing the Secretary and shall together with the notice submit a copy of the question which he wishes to ask:

Provided that the chairman may, with the consent of the Minister to whose department the subject matter of the question may relate, allow it to be put with shorter notice.

(2) Where a member desires an answer to a question at shorter notice he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be treated as an ordinary question.

Chairman to decide admissibility of questions

124. The Chairman shall decide on the admissibility of a question. He may, within the period of notice, disallow any question if, in his opinion, it is an abuse of the right of questioning or relates to a matter which is not primarily the concern of the Government of the State. He shall disallow any question which, in his opinion, contravenes the rules. He may, in his discretion, amend the form of a question to bring it into harmony with the rules. A question so disallowed shall not be placed on the list of questions.

Submission of

125. The Secretary shall submit to the

Questions to
Chairman and
Government

Chairman one copy of every question of which he has received notice. When the Chairman has admitted the question, a copy of the same shall be sent to the Secretary to Government in the department concerned.

List of questions

126. Questions which have not been disallowed shall be entered in the list of questions for the day and shall be called if the time made available for questions permits in the order in which they stand in the list before any other business is entered upon at the meetings.

Supplementary
questions

127. Any member put a supplementary question for the purpose of further elucidating any matter of fact regarding which an oral answer has been given;

Provided that the Chairman shall disallow any supplementary question if, in his opinion, it infringes the rules as to the subject matter of question.

Questions to be
answered

128. Subject to the provisions of these rules, questions shall be answered with the least possible delay after the time allowed for notice has expired:

Provided that the Chairman may, at the request of the Minister to whose department the subject-matter of the question may relate, extend the time for answering a question. Such extension shall not exceed a period of three weeks; if at the expiry of that period the Council is not sitting, the question shall be answered on

the first day of following meeting. If the information is still not ready the Minister to whom the question is addressed shall explain in the Council the cause of delay.

Withdrawal or postponements of questions

129. A member may by notice given at any time before the meeting for which his question has been placed on the list, withdraw his question, or postpone it to a later day to be specified in the notice and on such later day the question shall be placed on the list after all questions which have not been so postponed.

Question how put

130(1) Questions shall be put in such manner as the Chairman may in his discretion determine;

(2) The Chairman may order questions of an absent member to be answered in public interest.

Lengthy Statements to be taken as read

131. The Chairman may direct that lengthy statements in answer to questions for oral answer may be taken as read and printed in the proceedings of the Council.

Manner of answering questions

132(1) Printed answers to questions shall be supplied by the Government to the Secretary who shall have them placed on the tables of the members one hour before the time fixed for the meeting of the Council, unless otherwise directed by the Chairman.

(2) If the member giving notice of a question is absent, that question can only be put by another member with the leave of the Chairman. But the Chairman may direct that questions not put and answered in the Council shall also be published the

proceedings.

Question and answers to be entered in Council

133(1) All questions asked and the answers given shall be entered in the proceedings of the Council. Questions entered in the days list, but left over owing to time not being available shall be entered in the proceedings of the Council with their answers, unless the Chairman directs that the questions be taken up for some future date:

Provided that no question which has been disallowed shall be so entered.

(2) The Chairmen may, in public interest, also permit answers to be given to questions not reached.

Prohibition of discussion in respect of decision of Chairman

134. No discussion shall be permitted in respect of the decision of the Chairman as to the admissibility of a question or in respect of any question or any answer given to any question.

Discussion on a matter of public importance arising out of answers to questions

135(1) The Chairman shall allot half-an-hour from 5 p.m. for raising discussion on a matter of sufficient public importance which has been the subject of a question in the Council.

Provided that if the other business set down for the day is concluded before 5 p.m. the period of half-an-hour shall commence from the time such other business is concluded.

(2) A member wishing to raise a matter shall give notice in writing to the Secretary three day in advance of the day on which

the matter is desired to be raised, and shall briefly specify the point or points that he wishes to raise:

Provided further that the Chairman, with the consent of the Minister concerned, may waive the requirement concerning the period of notice.

(3) The Chairman shall decide whether the matter is of sufficient public importance to be put down for discussion.

(4) There shall be no formal motion before the Council nor voting. The member, who has given notice, may make a short statement and the Minister concerned shall reply briefly. Any member who has previously intimated to the Chairman may be permitted to put a question for the purpose of further elucidating any matter of fact.

Publicity of answers to questions in advance

136. Answers to questions which Ministers propose to give in the Council shall not be released for publication until the answers have actually been given on the floor of the Council or laid on the Table.

XIII-RESOLUTION

Restriction discussion of matter of public interest

137. Save in so far as is otherwise provided by the Constitution or by these rules, no discussion of a matter of general public interest shall take place otherwise than on a resolution moved in accordance with the rules governing the making of motions, except with the consent of the Chairman and of the Minister to whose department the motion relates.

Notice of resolutions

138. A member who wishes to move a resolution shall not give less than

seven days notice of his intention in writing to the Secretary and shall, together with the notice, submit a copy of the resolution which he wishes to move:

Provided that the Chairman may with the consent of the Minister in charge of the department concerned allow a resolution to be entered in the list of business with shorter notice than seven days:

Provided further that a Minister or a member authorised by him may move a resolution with two days previous notice.

Secretary to
submit copies of
resolutions to
Chairman and
Government

139. The Secretary shall submit one copy of every resolution of which he has received notice to the Chairman and after it has been admitted by him, sent copies of the admitted resolutions to the Government.

Duration of
speeches

140- No speech on a resolution, except with the permission of the Chairman, shall exceed 15 minutes in duration:

Provided that the mover of a resolution when moving the same and the Minister in charge of the department concerned when speaking for the first time may speak for 30 minutes.

Discussion of Ordinance.

Resolution
regarding
disapproval of an
Ordinance

*141 In case a message disapproving an Ordinance has been received from the Assembly, any member may, after giving two days notice, move that the Council disapproves of the Ordinance, and if the resolution is carried, it shall be forwarded to the Governor and the Assembly.

*As amended vide notification no. 3684-A/V.P.-240-1959, dated May 17, 1961,

published in the U.P. Gazette, dated June 17, 1961.

Motion of no-confidence in Ministers

Resolution disapproving the policy of the Council of Ministers

142. A resolution disapproving the policy of the Council of Ministers may be made with the consent of the Chairman, subject to the following restrictions;

(a) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon, and

(b) the member asking for leave must before the commencement of the sitting of the leave with Secretary a written notice of the motion which he proposes to make;

(c) if the Chairman is of opinion that the motion is in order he shall read the motion to the Council and shall request those members who are in favour of leave being granted to rise in their places and if not less than 20 members rise accordingly, the Chairman shall intimate that leave is granted and that the motion will be taken on such day, not being less than 10 and not more than 15 days from the day on which leave is asked, as he may appoint. If less than 20 members rise, the Chairman shall inform the members that he has not the leave of the Council.

Removal of Chairman and Deputy Chairman.

Removal of Chairman or Deputy Chairman

143. Any resolution to remove the Chairman or Deputy Chairman from office, of which the previous notice of 14 days has been received from a member, shall be read to the Council by the member presiding. He shall then request those

members who are in favour of leave being granted to move the resolution to rise in their places and if not less than twenty members rise accordingly, the members presiding shall allow the resolution to be moved. If less than twenty members rise, the member residing shall inform the intending mover thereof that he has not the leave of the Council to move it.

Ratification of amendments to the Constitution

Ratification of amendments to the Constitution

144.(1) A member shall give three clear days notice of his intention to move a resolution seeking to ratify a Bill to amend the Constitution.

(2) The notice of such a resolution shall be accompanied by a copy of the Bill as passed by the two Houses of Parliament.

(3) No amendment shall be allowed to be moved to such a resolution but the members may discuss generally the clauses of the Bill in support of their arguments.

Copy to Government.

145. A copy of every resolution which has been passed by the Council shall be forwarded to the Government of the State.

XIV-LEGISLATION

A-Procedure for Bills Origination in the Council-

Introduction of Bills.

Notice of previous sanction or recommendation for introduction of Bills.

146(1) Any member desiring to move for leave to introduce a Bill shall give notice of his intention and shall together with the notice, submit a copy of the Bill and full Statement and Objects and Reasons.

(2) If any member desires to move a Bill which under the Constitution cannot be moved without

the previous sanction of the President or recommendation of the Governor, as the case may be, he shall annex to the notice required by those rules a copy of such sanction or recommendation is complied with. Such sanction or recommendation shall, in the case of non-official Bills, be obtained through the Chairman.

(3) The period of notice of a motion for leave to introduce a Bill under this rule shall be 15 days:

Provided that this sub-rule shall not apply in the case of a Government Bill.

Financial
Memorandum to
Bills and Money
clauses in Bills.

* 146-A.(1) A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law.

*As amended vide notification no. 6653-A/V.P.-169-1958, dated December 30, 1959.

(2) Clauses or provisions in Bills involving expenditure from public funds shall be printed in bolder type or in italics.

Explanatory
Memorandum to
Legislative
Powers.

146-B. A Bill involving proposals for the delegation of legislative powers shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character.

Statement in
connection with
Ordinances.

146-C (1) Whenever an Ordinance is promulgated, a Statement explaining the circumstances which necessitated immediate legislation by Ordinance shall be laid on the table together with a copy of the Ordinance at the commencement of the session or the sitting, as

the case may be, following the promulgation of the Ordinance.

(2) Whenever a Bill seeking to replace an Ordinance with modification is introduced in the House, there shall be placed before the House along with the Bill a statement explaining the circumstances which necessitated such modification.

Provisions as regards financial Bills.

147.(1) If a notice of a motion for leave to introduce a Bill making financial provisions is received, the Chairman may direct that it should not be included in the list of business.

(2) On a Bill being put down for introduction, a member may, at that or at any subsequent stage, take objection that the Bill is financial Bill and should not be proceeded within the Council.

(3) If the Chairman holds that the bills a Financial bill, he shall terminate discussion on the Bill forthwith and direct that it be removed from list of business of the Council.

(4) If the Chairman has any doubt as to the validity of the objection, he shall refer the matter to the Speaker and if there is no agreement between the Speaker and the Chairman, the Chairman shall report the matter to the Council and take the sense of the Council as to whether the Council wishes to proceed further with the Bill.

Money Bills.

148.(1) On a Bill being introduced in the Council or at any subsequent stage, if an objection is taken that a bill is in the nature of a money Bill and should not be proceeded within the Council, the Chairman shall, if he holds the objection valid, direct that further proceedings in connection with the Bill be terminated.

(2) if the Chairman has any doubt in regard to the validity of the objection, he shall refer the matter

to the Speaker, whose decision on the question shall be final.

Copy of Bill to Government.

149.(1) Whenever a non-official member of the Council gives notice of his intention to move for leave to introduce a Bill the Secretary shall forthwith send a copy of the Bill and Statement of Objects and Reasons to the department to which the Subject-matter of the Bill relates and to the Legislative Department.

(2) The provisions of sub-rule (1) shall as far as may be, apply to all amendments notice of which is given by a non-official member of the Council in the case of a Bill.

Governor's power of publication of Bills.

150. The Governor may order the publication of any Bill in the Gazette, although no motion has been made for leave to introduce the Bill. In that case, it shall not be necessary to move for leave to introduce the Bill and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

Publication of Bill

151. As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette.

Motion for leave to introduce.

152. If a motion for leave to introduce a Bill is opposed, the Chairman, after permitting a brief explanatory statement from the member who opposes and from the member who makes the motion, may without further debate, put the question:

Provided that where a motion is opposed on the ground that the Bill initiates Legislation outside the Legislative competence of the Legislature of the State, the Chairman may permit a discussion.

Motion after Introduction

Motions after introduction.

153(1) /When a Bill is introduced or in some subsequent occasion, the member incharge may

make one of the following motions in regard to his Bill, namely-

(a) that it be taken into consideration by the Council either at once or at some future day to be then mentioned; or

(b) that it be referred to a Select Committee or Joint Select Committee composed of such members of the Council and with instruction to report before such date as he may specify in his motion; or

(c) that it be circulated for the purpose of eliciting opinion thereon:

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members and that any member may object to any such motion being made unless two days notice of the motion has been given and such objection shall prevail, unless the Chairman allows the motion to be made.

(2) A motion recommending that a Bill should be committed to a Joint Select Committee of both Houses of the Legislature may be moved at any stage at which a motion for the reference of the Bill to a Select Committee may be moved.

Power of member to ask for papers connected with a Bill.

154. Any member may, at any stage after the introduction of a Bill and before it is passed, ask for any paper or returns connected with the Bill:

Provided that the proceedings in the Council in respect of such a Bill shall not be suspended till the papers or returns asked for have been supplied, except by the order of the Chairman or vote of the Council to this effect.

Persons by whom motions in respect of Bills

155. No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member incharge of the

may be made.

Bill and no motion that a Bill be referred to a Select Committee or be circulated or re-circulated for the purpose of eliciting opinion thereon, shall be made by any member other than the member incharge, except by way of amendment to a motion made by the member incharge.

Discussion of principles of the Bills.

156.(1) On the day on which any such motion is made, or on any subsequent day to which the discussion is postponed the principles of the Bill and its general provisions may be discussed but the details of the Bill shall not be discussed further than is necessary to explain its principles.

(2) At this stage no amendments to the Bill may be moved, but if the member incharge moves that the Bill-

(a) be taken into consideration any members may move as an amendment that the Bill be referred to a Select Committee or Joint Select Committee or be circulated for the purpose of eliciting opinion thereon before a date to be mentioned in the motion; or

(b) be referred to a Select Committee or Joint Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion is carried in the Council and the bill is circulated in accordance with that direction and opinions have been received thereon before the date mentioned in the motion, the member incharge, if he wishes to proceed with his Bill thereafter, shall move that the Bill be referred to a Select Committee or a Joint Select Committee, unless the Chairman allows the motion to be made that the Bill be taken into consideration:

Provided that if any amendment or a motion

for appointment of a Select Committee or a Joint Select Committee has been moved under this sub-rule, any member may move that the Council give instructions to the Select Committee or to the Joint Select Committee to which the Bill has been referred to make some particular or additional provision in the Bill and, if necessary or convenient, to consider and report on amendments which may be proposed to the original Act which the Bill seeks to amend.

Select Committees.

Members of Select Committee. 157. The Minister to whose department the subject-matter of the Bill relates and the members who introduce the Bill shall be ex-officio members of the Select Committee:

Provided that if the Minister is not a member of the Council, he shall not have the right to vote:

Provided further that if a Minister, who is not a member of the Council, is the Chairman of the Committee he shall decide the question by drawing of lots in the case of equality of votes.

Composition of Select Committees. 158. The number of other members to be elected on Select Committee shall be-

(a) nine in case of a Bill which has been introduced by a member other than the Minister incharge of the department, and

(b) ten in other cases.

Appointment of members of Select Committees. 159. The members of a Select Committee on a Bill shall be appointed by the Council when a motion that the Bill be referred to a Select Committee is carried.

Presence of other members. 160. Member who are not member of a Select Committee may be present during the deliberations of the Committee but shall neither address the Committee nor sit in the body of

Committee:

Provided that a Minister may, with the permission of the Chairman of the Committee address, the Committee of which he may be a member.

Notice of amendments in Select Committees.

161.(1) If notice of a proposed amendment has not been given before the day on which the Bill is taken up by the Select Committee, any member may object to the moving of the amendment and such objection shall prevail unless the Chairman of the Committee allows the amendments to be moved.

(2) In other respects, the procedure in a Select Committee shall, as far as practicable, be the same as is followed in the Council during the consideration stage of a Bill with such adaptations whether by way of modification, addition or omissions as the Chairman of the Committee may consider necessary of convenient.

Motion of amendment by other members.

162. When a Bill has been referred to a Select Committee, any notice given by a member of any amendment to the Bill moved by a member of the Committee:

Provided that where notice of an amendment is received from a member who is not a member of the Select Committee such amendment shall not be taken up by the Committee unless moved by a member of the Committee.

Report by Select Committee.

163.(1) The Select Committee shall in their report state whether the Bill has been so altered as to require republication and the date on which the Bill was published in the Gazette.

(2) Where a Bill has been altered, the Select Committee may if they think fit, include in their report a recommendation to the member incharge

of the Bill that his next motion should be a motion for circulation or where the Bill has already been circulated for re-circulation.

Rules relating to Committee apply to Select Committee.

164. In other respects the rules relating to the Committees of the Council shall apply to Select Committees.

Subsidiary report by Select Committee.

165. A Select Committee may, at any time before the Council decides to take the Bill into consideration make a subsidiary report.

Printing and publication of report.

166. Immediately on receipt of the report of the Select Committee, the Secretary shall cause it to be published in three days and such objection shall prevail unless the Gazette along with the amendment Bill, if the Select Committee recommended, republication, and shall have a copy of the printed report sent to every member.

Procedure on report after presentation.

167.(1) After the presentation of the final report of a Select Committee on a Bill, the member incharge may move-

(i) that the Bill as reported by a Select Committee be taken into consideration, but any member may object to its being so taken into consideration if a copy of the report has not been made available for the use of members for three days and such objection shall prevail unless the Chairman allows the report to be taken into consideration; or

(ii) that the Bill re-recommended either-

(a) as a whole, or

(b) with respect to particular clauses of amendments only, or

(c) with instruction to the Select Committee to make some particular or additional

provision in the Bill, or

(iii) that the Bill as reported by the Select Committee be circulated or re-circulated for the purpose of obtaining opinion therein.

(2) If the member in charge moves that the Bill be taken into consideration, any member may move as amendment that the Bill be recommitted, circulated or re-circulated for the purpose of obtaining opinion thereon.

(3) When a Bill is to be re-committed under the rule it shall be re-committed to the same Select Committee, unless the Council decides otherwise, in which case rule 156 shall apply.

Motion of republication.

168. Any member may move that a Bill which has been amended by a Select Committee be republished and, if the Council so decides, the Chairman shall direct its republication.

Joint Select Committee.

Joint Select Committee.

169.(1) If the Motion recommending the reference of a Bill to a Joint Select Committee of both Houses is carried, the Secretary shall send a message to the Assembly asking for their concurrence with the said motion and, in the case of their concurrence, for the nomination of the requisite number of members to serve on the Joint Select Committee.

(2) If a message to the effect that the Assembly does not concur is received by the Council, here shall be no reference to a Joint Select committee:

Provided that on receipt of a message of non-concurrence from the assembly any member may, without notice, move that the Bill referred to a Select Committee of the Council and the Chairman shall put the question thereon without further debate.

Election of members by the Council.

170. Unless decided otherwise by the two Houses by mutual agreement the Council shall elect as its representatives not less than one-third on the members constituting the Joint Select Committee exclusive of the member in charge of the Bill and the Minister in charge of the department to which the Bill relates. Election, if necessary, will be held by the system of single transferable vote.

Rules regarding Committees apply to Joint Select Committees.

171. Unless decided otherwise by the two houses by mutual agreement the Rules of the Council to select committees shall apply, with necessary modification, to the Joint Select Committees on Bills originating in the Council.

Motion after presentation report.

172. After the presentation of the final report of a Joint Select Committee on a Bill, the member in-charge may move that the Bill as reported by the Joint Select Committee be taken into consideration.

Debate on report of Select Committee.

173. The debate on a motion that the Bill as reported by the Select Committee or Joint Select Committee be taken into consideration shall be confined to consideration of the report or any alternative suggestions consistent with the principles of the Bill.

Consideration, Amendment and Passing of Bills.

Proposal of amendments.

174. When a motion that a Bill be taken into consideration has been agreed to by the Council any member may propose an amendment to such a Bill.

Previous sanction of recommendation not necessary in the case of

175. The provisions of sub-rule(2) of rule 146 shall apply to all amendments given notice of in respect of a Bill:

Provided that no previous sanction or

amendment seeking abolition or reduction of a tax.

recommendation shall be necessary in the case of an amendment which seeks to-

(a) abolish or reduce the limits of the tax proposed in the Bill or an amendment, or

(b) increase such tax to the limits of an existing tax.

Conditions of admissibility of amendments.

176. The following conditions shall govern the admissibility of amendments to clauses or schedules of a Bill:

(i) An amendment shall be within the scope of the Bill and relevant to the subject-matter of the clause to which it relates.

(ii) An amendment shall not be inconsistent with any previous decision of the Council on the same question.

(iii) An amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.

(iv) If an amendment refers to, or is not, intelligible without a subsequent amendment or schedule notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole.

(v) The Chairman shall determine the place in which an amendment shall be moved.

(vi) The Chairman may refuse to allow an amendment which is, in his opinion, frivolous or meaningless.

(vii) An amendment may be moved to an amendment which has already been moved.

Notice of amendments.

177. If notice of an amendment to a clause or schedule of the Bill has not been given one day

before the day on which the Bill or the relevant clause of schedule is to be considered, any member may object to the moving of the amendment and such objection shall prevail, unless the Chairman allows the amendment to be moved.

Order of amendments. 178. Amendment shall ordinarily be considered in the order of the clauses to which they respectively relate and in respect of any such clause, a motion shall be deemed to have been made " that this clause stands past of the Bill":

Provided that the Chairman shall have the right to select amendments which may be moved to a Bill.

Arrangement of amendments. 179.(1) In arranging amendments raising the same question at the same point of a clause, precedence may be given to an amendment, moved by the member incharge of the Bill. Subject as aforesaid, amendments may be arranged in the order in which their notice is received.

(2) The Chairman may order more than one amendment to be moved and discussed together.

Submission of bill clause by clause. 180. Notwithstanding anything in these rules, it shall be in the discretion of the Chairman when a motion that a Bill be taken into consideration has been carried, to submit the Bill or any part of the Bill to the Council clause by clause. When this procedure is adopted the Chairman shall call each clause separately and, when the amendments relating to it have been dealt with, shall put the question "that this clause or, as the case may be, this clause as amended, stand part of the Bill".

Postponement of clause. 181. The Chairman may, if he thinks fit, postpone the consideration of a clause.

Schedule. 182. The consideration of the Schedule or

Schedules, if any shall follow the consideration of clauses Schedules shall be put from the Chair and may be amended in the same manner as clause and the consideration of new schedule shall follow the consideration of the original schedules. The question shall then be put; " That this schedule or, as the case may be, that this schedule as amendment, stands part of the Bill".

Clause 1 and preamble of the Bill.

183. Clause 1 and the preamble of a bill shall be stand postponed until the other clauses and schedules have been disposed of and the Chairman shall then put the question:-

"That clause 1 and preamble, or as the case may be the clause or preamble as amended, do stand part of Bill".

Motion for passing a Bill to be made immediately if no notice of an amendment is received.

184. Where no notice of an amendment to a Bill is received, a motion that the Bill be passed may be made immediately after the motion that the Bill be taken into consideration has been agreed to.

Passing of Bills.

185.(1) If no amendment be made when a motion that a Bill be taken into consideration has been agreed to by the Council, the Bill may at once be passed.

(2) if any amendments be made, any member may object to the passing of the Bill at the same meeting and such objection shall prevail, unless the Chairman allows the Bill to pass.

(3) Where the objection prevails, a motion that the Bill be passed may be brought forward at a future meeting.

(4) to such a motion no amendment may be moved which is not either formal or consequential upon an amendment made after the Bill was taken into consideration.

Discussion on motion for passing of a Bill.	186. The discussion on a motion that the Bill be passed shall be confirmed to the submission of argument either in support of the Bill or for the rejection of the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of the arguments which shall be of a general character.
Transmission of passed Bill to Assembly.	187. When the bill is passed by the Council a copy thereof shall be signed by the Chairman and transmitted to the Assembly for its concurrence.
Authentication of Bill.	188.(1) when a Bill is passed by the Council the Secretary shall, if necessary, with the previous approval of the Chairman and before the Bill is transmitted to the Assembly, renumber the clauses, revise and complete the marginal notes thereof, make such purely formal, and consequential amendments therein as may be required and correct such errors as may appear to him to be due to inadvertence. (2) The Secretary shall then submit a copy of the bill to the Chairman and it shall be signed by him. A copy of such alterations made shall be circulated among members and laid on the table as soon as possible.
Return of amendment Bill to Council.	189. When bill which has originated in the Council and has been amended in the Assembly is returned to the Council, copies of the Bill so amended shall be laid on the table at the next following meeting of the Council or as soon as possible thereafter.
Appointment of time for consideration of amendments.	190. After an amended Bill has been laid on the table of the Council, any Minister in the case of a Government Bill, or, in any other case, any member after giving three days notice, or with the consent of the Chairman with shorter notice, may move that the amendments be taken into consideration.
Procedure of	191.(1) If a motion that the amendments be taken

consideration of amendments.

into consideration is carried, the Chairman shall put the amendments to the Council in such manner as he thinks most convenient for their consideration.

(2) Further amendments relevant to the subject matter of the amendments made by the Assembly may be moved but no further amendment shall be moved to the Bill, unless it is consequential upon, or an alternative to, an amendment made by the Assembly.

(3) If the Council disagrees with the amendments made by the Assembly or agrees to the amendments, or any of them with or without further amendments, the Bill, or the Bill as further amended, as the case may be with a message to this effect, shall be sent to the Assembly.

(4) If the Bill is again returned with a message intimating that the Assembly insists on its amendments to which the Council, is unable to agree, the Council may either-

(i) agree to the bill as passed by the Assembly; or

(ii) if it is unable to agree to it, report the fact of disagreement to the Assembly and submit it to the Governor for his assent in the form in which it was last passed by the Assembly.

Assent to Bill and publication of Bill as Act.

192. When a bill, which has originated in the Council, has been passed by both Houses of the Legislature of the State, it shall be returned to the Council and after the Chairman has signed it, it shall be submitted to the Governor for his assent and, if his assent is given, it shall be published in the Gazette as an Act of the Uttar Pradesh Legislature assented to by the Governor of Uttar Pradesh. If the Bill has been reserved for the consideration of the President and the assent of the President has been given, it shall be published in the Gazette as an Act of the Uttar Pradesh

Legislature assented to by the President.

Reconsideration
of Bills returned
by the Governor.

193. When a Bill which has been passed is returned by the Governor to the Council for reconsideration, the point or points referred for reconsideration or the amendments recommends shall be put before the Council by the Chairman and shall be discussed and voted upon in the same manner as amendments to a Bill or in such other manner as the Chairman may consider most convenient for their consideration by the Council.

Withdrawal of
Bills.

194. The member incharge of a Bill may, at any stage move that the Bill be withdrawn and, if such motion is carried no further motion shall be made with reference to the Bill.

Dropped Bills.

195. Any Bill in respect of which no motion has been made, in the Council for two years may, by the order of the Chairman, be removed from the list of business.

B- Procedure for bills originating in the Assembly and transmitted to the Council.

Motion of
reference to a
Joint Select
Committee.

196.(1) The Secretary shall send to every member a copy of the message and the Bill as introduced in the Assembly received from the Assembly asking for the concurrence of the Council to a motion passed by the Assembly that the Bill be referred to a Joint Select Committee of both Houses.

(2) At any time after the receipt of such message from the Assembly, a Minister in the case of a Government Bill, and any member in the case of a non Government Bill, may move that the motion passed by the Assembly be agreed to:

Provided that for the purpose of discussion on such a motion the Bill as introduced in the Assembly shall be deemed to have been laid on

the table of the Council.

(3) If the Council agrees, a motion may be made by the mover mentioned in sub-rule (2) nominating the members of the Council who are to serve on the Joint Select Committee. If necessary, an election of the requisite number of representatives of the Council on the Joint Select Committee shall be held under the system of single transferable vote. A message shall then be sent to the Assembly intimating the concurrence of the Council to the motion passed by the Assembly and the names of the members selected by the Council for the Joint Select Committee.

(4) If the Council does not agree to the motion passed by the Assembly, a message intimating its disagreement shall be sent to the Assembly.

Bill which has been passed by the Assembly.

197. When a Bill which has been passed by the Assembly is received in the Council, the Bill shall be laid on the table at the next following meeting of the Council or as soon as possible thereafter.

Notice.

198. At any time after the Bill has been laid on the table any Minister in the case of a Government Bill, or in any other case, any member may, after giving two days notice move that the Bill be taken into consideration, unless the Chairman otherwise directs:

Provided that if copies of the Bill, as passed by the Assembly have been dispatched to members eight days before the date on which the Bill is laid on the table of the Council, a motion of consideration may be made at any time after the expiry of one day from the date on which the Bill is laid on the table of the Council, unless the Chairman otherwise directs.

Discussion.

199. On the day on which such motion is made or on any subsequent day to which the discussion is postponed, the principles of the Bill and its

general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles.

Reference to Select Committee. 200. Any member may, if the Bill has originated in the Assembly and has not already been referred to a Joint Select Committee of both Houses, but not otherwise, move as an amendment that the Bill be referred to a Select Committee and, if such motion is carried, the Bill shall be referred to a Select Committee and the Rules regarding Select Committee on Bills originating in the Council shall then apply.

Consideration and passing 201. Any member may, if the Bill has originated in the consideration is carried, the rules regarding Bills originating in the Council shall apply to the further consideration of the Bill in the Council.

Bill passed without amendments. 202. If the Bill is passed without amendments, the Bill, with a message to the effect that the Council has agreed to the Bill without any amendments, shall be sent to the Assembly.

Bill passed with amendments. 203. (1) If such a Bill is passed with amendment the Bill shall be returned with a message asking the concurrence of the Assembly to the amendments.

(2) If the Bill is returned with a message that the Assembly does not agree with the amendments made by the Council, or agrees with them with some further amendments, the Council shall consider these amendments on the motion of the Chairman who shall put them in such form as may be convenient for their consideration.

(3) If the Council insists on its amendments or agrees with the amendments made by the Assembly, a message to that effect shall be sent to the Assembly.

Money Bills. 204.(1) The date of the receipt of a Money Bill by the Council shall be intimated to the Assembly.

(2) At any time after a money Bill has been laid on the table of the Council any Minister, may, after giving two days notice, move that the Bill be taken into consideration, unless the Chairman allows the motion to be made with shorter notice.

(3) The rules of the Council regarding the moving of amendments to the passing of Bills shall apply with necessary changes to moving of recommendations to, and passing of Money Bills.

XV- JOINT CONFERENCE.

Joint Conference of both Houses. 205. Any member may, with the consent of the Chairman move that it is expedient that any matter of public importance other than a Bill be referred to a Joint Conference of both Houses consisting of specific number of members and with instructions to report before such date as may be specified in the motion.

Transmission of message to Assembly. 206. If motion is carried, a message shall be sent to the Assembly asking for the concurrence of the Assembly in the motion.

Nomination of members. 207. If the Assembly concurs in the motion, a motion shall be made by the members in charge nominating the members of the Council who are to serve on the Conference.

Number of members. 208. The Minister incharge of the department concerned shall be ex-officio member of every Joint Conference and excluding him an equal number of members of each House shall be nominated on every Joint Conference.

Procedure. 209. (1) If a message is received from the Assembly asking for the concurrence at the Council to a point conference, the Secretary shall

send to every member a copy of the same.

(2) At any time after the receipt of such message from the Assembly, the Minister or any member may move that the Council do concur with the Assembly.

(3) If the Council agrees, the Minister or any member may move that the council do proceed to elect the requisite number of its representatives. An election, if necessary, shall be held by the system of single transferable vote. A message intimating the concurrence of the Council to the motion passed by the Assembly and the names of members elected by the Council for the Joint Conference shall then be sent to the Assembly.

(4). If the Council does not agree to the motion passed by the Assembly, a message intimating its disagreement shall be sent to the Assembly.

XVI- DISCUSSION OF FINANCIAL STATEMENTS.

Budget.

210. The annual financial statement of the State, hereinafter referred to as "The Budget", or a statement of supplementary or additional demands for grants, shall be presented to the Council on such day as the Governor may appoint and in such form as the Finance Minister may consider suitable for its consideration by the Council.

General
Discussion.

211.(1) On a day or days to be appointed by the Chairman in consultation with the Leader of the House, subsequent to the day on which the Budget or a statement of supplementary, additional or excess demands for grants is presented and for such time as the Chairman, in consultation with the Leader of the House, may allot for this purpose, the Council shall be at liberty to discuss the Budget or a statement or supplementary or additional demands for grants

as a whole or any question of principal involved therein, but no motion shall be moved nor shall the budget be submitted to the vote of the Council:

Provided that no discussion on the Budget shall take place earlier than three clear days after the day on which it is presented to the Council.

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

Provided that the Chairman may allow any Minister or any member to exercise such general right to reply.

(3) The Chairman may, if he thinks fit, prescribe a time-limit for speeches at any stage of the discussion.

Business that can be taken up on a day allotted for any kind of financial business.

212, Notwithstanding that a day has been allotted for discussion of the Budget or any statement under rule 211 a motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day before the Council enters on the business for which the day has been allotted.

XVII-PETITION TO THE COUNCIL.

Form and contents of petition.

213. Petition to the Council shall-

(a) relates to some matter-

(i) actually under the consideration of the Council;

or

(ii) of definite public importance with the purview of the Legislature of the State;

(b) be addressed to the Council;

(c) be legibly written and signed by the petitioner or petitioners;

Delivery of petitions to Secretary.	of to	214. A petition addressed to the Council shall be delivered by a member of the Council to the Secretary.
Fixation of dates for the presentation of petition.	of the of	215. If the petition is in conformity with rule 213 a date for its presentation shall be fixed. On the day so fixed, the member shall formally present it to the Council and, in doing so, shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it, of the material allegations contained in it and to prayer of the petition.
Debate on petitions allowed.	on not	216. The Secretary shall, if so required by the Chairman, read it to the Council or shall make an abstract of it and read the abstract to the Council. The Chairman shall not allow any debate or any member to speak upon, or in relation to, such petition.
Chairman's power to refer petition to the Committee on petitions.	refer to the on	217. The Chairman may, in his discretion, or on a vote of the Council in his behalf, refer a petition to the Committee on Petition with directions to make a report in it within a specific time.
Discussion on the Report allowed.	on not	218. "Except with the leave of Chairman" there shall be no discussion on the report of the Committee after it has been presented to the Council.

XVIII-AMENDMENT OF RULES.

Notice.		219. Unless the Chairman otherwise directs, not less than ten day's notice of the motion for leave to amend the Rules shall be given and the notice shall be accompanied by a draft of the proposed amendments.
Leave of Council.	of	220. The motion shall be set down for such day as the Chairman may direct. When the motion is

reached the Chairman shall read the draft amendment and ask whether the member has the leave of the Council. If objection is taken, the Chairman, after permitting, if he thinks fit, a brief explanatory statement from the members who moves and from the member who objects, shall request these members who support the motion to rise in their places and if not less than ten members rise accordingly, the Chairman shall intimate that the member has the leave of the Council. If less than ten members rise, the Chairman shall inform the members that he has not the leave of the Council.

Draft amendments to be referred to the Rules Revision Committee.

221. Where a member has the leave of the Council to proceed, the draft amendments shall be referred to the Rules Revision Committee of the Council.

Procedure.

222. On receipt of the report of the Rule Revision Committee the procedure in regard to Bills originating in the Council shall, as far as may be, be followed with such necessary alterations as to the form of the motions that may be made as the Chairman may direct.

XIX-PRIVILEGE MOTIONS.

Notice of questions of privilege.

223. A member may give notice of his intention to draw the attention of the Council to a matter involving a breach of privilege of the Council, or of a member or of a Committee thereof:

Provided that no notice shall be necessary for drawing attention to a breach of privilege within the view of the Council.

Conditions of admissibility of question of privilege.

224. The right to raise a matter of privilege shall be subject to the following limitations, namely-

(a) not more than one matter shall be raised at the same sitting, and

(b) the matter shall relate to a specific issue of

recent occurrence.

225. If the Chairman holds that the matter involves a Prima facie breach of a privilege, he may, soon after the questions and before any other business including motions for adjournment to discuss a matter of urgent public importance, is taken up, call upon the member giving notice to ask for leave of the Council to raise the matter:

Provided that where the Chairman holds that the matter to be raised is not in order he may read the notice and state this decision before the Council:

Provided, further that if a member draws attention to a matter of privilege arising during a sitting of the Council the Chairman may reserve his decision on the matter or allow it to be raised at the next earlier available opportunity.

Grant of leave
Council.

226. If objection to leave being granted is taken, the Chairman shall request those members who are in favour of leave being granted to rise in their places and, if not less than ten members rise accordingly, he shall intimate that the leave has been granted. If less than ten members rise, the Chairman shall inform the member that leave has not been granted by the Council.

Reference to
committee of
privileges.

227.(1) If leave of the Council is granted, the member may move that the matter be referred to the Committee of privileges or be discussed and decided upon forthwith.

(2) The Chairman may fix a time-limit for the conclusion of the discussion.

Chairman's
power to refer
any matter to the
Committee
privileges.

228. The Chairman may, in his discretion refer any matter to the Committee of Privileges and inform the Council of such reference.

Presentation of the Report and allotment of time for discussion thereon.

229. (1) At any time after the presentation of the report of the Committee of Privileges any member may give notice of his intention to move that the Council agrees with the recommendations of the Committee and the Chairman shall, in consultation with the Leader of the House, allot time for discussion of such a motion.

(2) Amendments relevant to the recommendations of the Committee may be moved by any member.

(3) The Chairman may issue necessary directions to regulate the consideration of the motion by the Council.

XX-MISCELLANEOUS.

Election by the Council.

230.(1) All elections by; or any selection of the Council shall be held by the system of single transferable vote in accordance with the directions of any regulations made by the Chairman in this behalf.

(2) The Chairman may issue direction from time to time to regulate elections by the Council.

Leave of absence and vacation of seats.

Leave of absence.

231.(1) If a member finds at any time that he is unable to attend meetings of the Council for a period of sixty days, computed in the manner provided in the proviso to clause(4) of Article 190 of the Constitution, he may apply for permission to be so absent.

(2) Such application shall be set down for consideration by the Council as soon after receipt as may be ordered by the Chairman and shall on the day so fixed, be considered by the Council immediately after questions and before any other business for the day is entered upon.

(3) Notwithstanding anything contained in

Rule 57, the Chairman shall decide the manner in which the decision of the Council shall be taken on such applications.

(4) The Secretary shall inform the members, as soon as possible, of the decision of the Council on his application.

(5) If a member is absent without permission from all meetings of the Council for a period of sixty days or more computed in the manner provided in the proviso to clause(4) of Article 190 of the Constitution, any member may move that such member's seat be declared vacant.

(6) A member shall give three days' notice of such motion and shall, with his notice, forward a complete statement of the dates on which the members whose seats is to be declared vacant, was absent.

(7) No such motion shall be admitted for discussion if the Chairman is satisfied that the statement referred to in sub-rule (6) is inaccurate.

(8) If the motion is carried, the Secretary shall intimate the fact to the Governor.

(9) The Secretary shall keep a list showing the names of all members who are absent for sixty days or more from all meetings of the Council and such list shall be made available for inspection by members.

Regulation of
seats in Council.

232.(1) A member wishing to resign his seat in the Council shall send his letter of resignation to the Chairman.

(2) As soon as may be, the Chairman shall after he has received an intimation in writing

from a member under his that the member has resigned his seat in the Council:

Provided that if the Council is not in session, the Chairman head resigning his seat in the Council, inform the Council reassembles that the member has resigned his seat.

Vacancies to be notified in the Gazette.

233. All vacancies of the member in the Council, other than those consequent on the termination of terms of membership, shall be notified by the Secretary in the Gazette and copies of the notification sent to the Election Commission and the Governor for taking steps to fill the vacancy.

Quorum.

234. When the attention of the Chairman is drawn by a member to the fact that less than ten members are present in the Council, he shall cause a warning bell to be rung for two minutes. If the required number of members is still not present, the Chairman shall adjourn the Council to a later hour on the same day or to a future date to be named by him.

