

**RULES OF PROCEDURE AND
CONDUCT OF BUSINESS**

IN THE

KARNATAKA LEGISLATIVE COUNCIL

**(Framed under Article 208 (i) of the
Constitution of India)**

**Karnataka Legislative Council Secretariat
Vidhana Soudha, Bangalore**

PREFACE

Article 208(i) of the Constitution empowers State Legislatures to make rules for regulating its procedure and Conduct of its Business. Under this provision of the Constitution, Karnataka Legislative Council adopted rules for regulating its procedure and the Conduct of its Business.

The text of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council has been updated in the edition by incorporating the amendments adopted by the House based on the recommendations of the Rules Committee to rules numbers (7), (8), 13, 25, 28, 31, 37, 39, 49, 51, 56, 68, 103, 127, 135, 138, 153, 154, 155, 169, 178, 179, 206, 210, 216, 217, 229, 238, 245, 255, 256, 265, 283, 286.

During the conference of President Officers held during the year 1975 unanimous resolutions were adopted for introducing the Subject Committee system with a view to oversee the activities of the Government Departments so as to ensure their accountability to the legislature. Subject Committee system was introduced in Kerala Legislative Assembly for the first time in the Country during 1980. Later on such subject Committees were also constituted in West Bengal Legislature during 1989. Taking into consideration the report of Thamba Durai Committee, the Functioning of subject Committees in Kerala Legislature and West Bengal, the Parliament also constituted Departmentally Related Subject Committees during the year 1990.

The Rules Committee of Karnataka Legislative Council examined the question of Constitution of Subject Committees in Karnataka Legislature and the Suggestions made by the Hon'ble

Speaker, Legislative Assembly and Hon'ble Chairman, Legislative Council after their deliberations with Hon'ble Speaker, Lok Sabha, Officers of Lok Sabha and Rajya Sabha and Hon'ble Speaker of Kerala and West Bengal Legislative Assemblies. The Rules Committee finally recommended for constituting Departmentally related Standing Committees to be called as "Subject Committees."

The Rules Committee also recommended for constitution of a new committee called the "Committee on Welfare of Women and Children."

The Rules of Procedure have been amended accordingly to give effect to the recommendations of the rules committee in respect of constitution of Subject Committees, Committee on Welfare of Women and Children and other modifications to the rules w.e.f., 07th April 1994.

Rules 274 to 285 relating to the departmentally related to subject Committees were deleted vide Notification No. LGC/742/ARC/98 dated 27.03.1998.

Since there were certain shortcomings in the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council the Rules Committee was reconstituted on 10.11.1998 as per the motion moved by the Hon'ble Member for Law and Parliamentary Affairs on 09.11.1998 in the House in order to carefully review them and submit a report with the suitable amendments. The said committee had constituted a sub committee on 09.12.1998 which submitted its report to the Main Committee on 16.06.2000.

The Subject Committees were again constituted in the year 2001 vide notification No. LGC/1129/LGA/2001, dated

31.03.2001, and deleted in the year 2005 vide notification No. LGC/36/RC/2005, dated 26.07.2005.

Later, the Rules Committee reconstituted on 18.06.2004, after duly discussing with the Hon'ble Chairman and Hon'ble Speaker of the Rajya Sabha and Lok Sabha, the Hon'ble leader of Opposition and the Secretary General has made amendments to rules regarding the recognition of House Leader and the Leader of Opposition and the Quorum required for House, extension of the tenure of the Committees from one year to two years and made recommendations for insertion of new rules 10(A), 242(B), 242(C) and 330(A) in the year 2006. In addition to above it has made recommendations to delete certain rules which were recurring.

With a view to effectively implement the recommendations made by the Rules Committee certain amendments have been made to the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council with effect from 28.02.2006.

Bangalore
01.03.2013

V. SHREESH
Secretary
Karnataka Legislative Council

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THE KARNATAKA LEGISLATIVE COUNCIL**

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KARNATAKA LEGISLATIVE COUNCIL
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CHAPTER - I

Short Title and Definitions

1. Short Title:- These rules may be called "The Rules of Procedure and Conduct of Business in the Karnataka Legislative Council".

2. Definitions:- (1) In these rules unless the context otherwise requires,-

"Assembly" means the Legislative Assembly of Karnataka;

"Bulletin" means the Bulletin of the House containing,-

(a) a brief record of the proceedings of the House at each of its sittings;

(b) information on any matter relating to or connected with the business of the House or other matter which in the opinion of the Chairman may be included therein; and

(c) information regarding Legislature Committees.

"Clear days" includes Sundays and Holidays.

"Chairman" means the Chairman of the Legislative Council.

"Committee" means a committee which is appointed or elected by the House or nominated by the Chairman and which works under the direction of the Chairman and presents its report to the House or to the Chairman.

"Constitution" means the Constitution of India.

"Council" means the Legislative Council of Karnataka.

"Finance Minister" means the Minister in charge of the Finance and includes any Minister performing the functions of the Finance Minister.

"Gazette" means the Karnataka Gazette.

"**Leader of the House**" means the Chief Minister, if he is a member of the Council, or a Minister who is a member of the Council and is nominated by the Chief Minister to function as the Leader of the House.

"Legislature Secretariat" means which includes the Secretariat at Bangalore and any Camp Office set up outside Bangalore for the time being for, or under the authority of the Chairman.

"Lobby" means the covered corridors immediately adjoining the Chamber and Co-terminus with it.

"Member" means a member of the Legislative Council.

"Member in Charge of the Bill" means the member who has introduced the Bill and any Minister in the case of a Government Bill.

"Minister" means a member of the Council of Minister and includes a Minister of State, a Deputy Minister and a Parliamentary Secretary.

Motion:

"Motion" means any subject matter brought before the Council for consideration in accordance with the Rules.

"Quorum of the Legislative Council" means one-tenth (1/10) of the total number of members of Council, the presence of whom is necessary for the transaction of business.

"Speaker" means the person elected to preside over the Council and includes the Deputy Speaker and any other person elected to preside over the Council in his absence.

As per the Rules framed by the Council under Section 14.2.09.

“Private Member” means a member other than a Minister or the Advocate-General.

“Secretary” means the Secretary to the Council and includes any Gazetted Officer in the Council authorised by the Chairman to perform the duties of the Secretary.

“Session” means the period of time between the first meeting of the Council upon the summons of the Governor under Article 174(1) of the Constitution and its prorogation.

“Statutory Motion” means a motion which is made in pursuance of any statute or enactment for the time being in force.

“Table” means the Table of the House.

(2) Words and Expression used in the Constitution and also in these rules shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

Originating House:- “Originating House” means the House in which a Bill is originally introduced.

Recognition of Party or Group:- The Chairman may recognise an association of members as a parliamentary party or Group for the purpose of functioning in the House and his decision shall be final.

Resolution:- “Resolution” means a Motion other than a Statutory Motion for the purpose of discussion on a matter of Public Importance which may be in the form of declaration or opinion or a recommendation or may be in the form so as to record either approval or disapproval by the House of an act or policy of Government or convey a message or commendation or request an action or call attention to a matter of public importance or for any other purpose approved by the Chairman. It may be of any nature appropriate.

Government Business and Private Members Business—The Chairman may, at any time, declare any business to be Government Business or Private Members Business.

***Leader of Opposition:-** "Leader of Opposition" means the Leader of a Legislature Party other than the Party/Parties which has/have formed the Government, and having the strength equal to 1/10 of the total number of members (quorum) in the Council or more and recognized as the Leader of Opposition by the Chairman:

Provided that if there are less number of members than 1/10 of the total number, the leader of such a party which has obtained support of other opposition party/parties:

Provided further that if more than one party having equal number of members claim recognition, then the office of the Leader of Opposition shall be held alternatively and the order in which they will hold the office shall be decided by drawing a lot.

Legislature Group:- "Legislature Group" means 1/4 of the quorum i.e., a group of 3 members belonging to Legislature Party shall form a Legislature group and shall be recognised as a "Legislature Group".

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

CHAPTER - II**Summons to Members, Seating, Oath or Affirmation and Roll of Members**

3. Summons to Members:- The Secretary shall issue summons to each member specifying the date, time and place for a session of the Council:

Provided that when a session is called for at short notice or emergently, summons may not be issued to each member separately, but an announcement of the date, time and place of the session shall be published in the Gazette and made in the press and telegrams shall be issued to all the members.

4. Seating of Members:- The members shall sit in such order as the Chairman may determine.

5. Oath or Affirmation:- A member who has not already made and not subscribed an oath or affirmation in pursuance of article 188 of the Constitution may do so at the commencement of a sitting of the Council or at such other time of the sitting as the Chairman may direct.

6. Roll of Members.- There shall be a Roll of members of the Council which shall be signed by every member immediately after taking his oath.

CHAPTER - III**Election of Chairman and Deputy Chairman and Panel of Chairmen**

7. Election of Chairman:- (1) The election of a Chairman shall be held as soon as may be on such date as the Governor may fix, and the Secretary shall, thereupon, send to every member notice of the date so fixed.

(2) At any time before noon on the date preceding the date fixed as above any member may give notice in writing addressed to the Secretary, of a motion that another member be chosen as the chairman and the notice shall be seconded by a third member and shall be accompanied by a statement by the member whose name is proposed in the notice that he is willing to serve as chairman, if elected:

Provided that a member shall not propose his own name or second a motion proposing his own name or propos or second more than one motion.

(3) Such notice shall be delivered to the Secretary in person by the candidate, proposer or seconder and a notice not so delivered in person shall not be valid.

(4) A member in whose name a motion stands in the List of Business may, when called, move the motion or withdraw the motion, in which case he shall confine himself to a mere statement to that effect.

(5) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved and decided if necessary, by division. If any motion is carried, the person presiding shall, without putting later motions declare that the member proposed in the motion which has been carried, has been chosen as the Chairman of the House.

(6) The date so fixed should be not later than immediate next session for the election of Chairman when the post is vacant.

8. Election of Deputy Chairman:- (1) The election of a Deputy Chairman shall be held as soon as may be on such date as the Chairman may fix and the Secretary shall, thereupon, send to every member notice of the date so fixed.

(2) The provisions of sub-rules (2) to (6) of rule 7 as aforesaid shall apply to such election.

* (3) If a vacancy in the Office of the Deputy Chairman occurs, a fresh election shall be held in accordance with the procedure followed in respect of election of Chairman herein before mentioned.

(4) And the date so fixed shall not be later than the immediate next session.

9. Panel of Chairmen:- The Chairman shall, from time to time, nominate from amongst the members of the Council a panel of not more than four Vice-Chairmen, any one of whom may preside over the Council in the absence of the Chairman and Deputy Chairman, when so requested by the Chairman or in his absence, by the Deputy Chairman. The nominated member in the panel shall be in office until a new panel is prepared.

10. Power of Persons Presiding:- The Deputy Chairman or other member competent to preside over a sitting of the Council shall, when so presiding, have the same power as the Chairman when presiding over the Council and all reference to the Chairman in these rules shall, in these circumstances, be deemed to be references to any such person so presiding.

***10A. Delegation of powers to the Deputy Chairman:-** When by reasons of ill health or absence from India or for any other sufficient cause, the Chairman is unable to exercise any of his powers or discharge any of his functions, he may, by an order in writing, delegate to the Deputy Chairman such of his powers and functions as he may deem fit. He may likewise revoke any such delegation.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

CHAPTER - IV**Sittings of the Council**

***11. Sitting of the Council duly Constituted:-** A Sitting of the Council is duly constituted when it is presided over by the Chairman or Deputy Chairman or anyone from the Panel of Chairmen or any other member authorised by the Chairman or Deputy Chairman to preside over the sitting of the Council under these rules.

***12. Sitting of the Council:-** The Council shall sit on such date as the Chairman may, from time to time, direct having regard to the business of the House. The sitting of the Council shall ordinarily be held between 11:00 am and 6:00 pm subject to the directions of the Chairman. The Chairman shall have the power to adjourn the sitting of the Council sine die or to a day or part of the day.

****13. Deleted.**

****14. Deleted.**

15. Secretary's Report:- At the commencement of every session and after the new members, if any, have taken oath and have taken their seats, the Secretary shall lay on the Table of the Council a list of Bills which have received the assent of the Governor or the President.

***16. Prorogation of Session:-** A session of the Council may be concluded by prorogation.

(1) On prorogation of the session, all pending notices shall lapse.

(2) On prorogation of the session, all pending notices shall lapse except those in respect of motions which have been adjourned to the next session and the Bills which have been introduced and the questions which have been admitted.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

** Deleted as per the recommendation of the Rules Committee on dt. 14.2.06.

(3) Bills which have introduced shall be carried over to the pending list of business of the next session:

Provided that, if the member incharge of a Bill makes no motion in regard to the same during two complete sessions, the Bill shall lapse, unless the Council on a motion by that member in the next session, makes a special order for the continuance of the Bill.

17. Motion, Resolution or Amendment moved not to lapse:-

(1) A motion, resolution or an amendment which has been moved and is pending in the House, shall not lapse by reason only of the prorogation of the House.

* (2) Any business pending before a Committee shall not lapse by reason only of the prorogation of the House and the Committee shall continue to function notwithstanding such Prorogation.

* Inserted as per the recommendation by the Rules Committee on 14.2.06.

CHAPTER - V**GOVERNOR'S ADDRESS AND MESSAGES TO THE COUNCIL
UNDER ARTICLE 175 AND 176 OF THE CONSTITUTION**

18. Governor's Address :- (1) The Secretary shall report to the Council that the Governor was pleased to address the Legislature and place a copy of the message on the Table of the House.

(2) On the day of the Governor's Address, after the Address, the Council shall sit for laying the copy of the Governor's Address on the Table of the House and to transact formal business.

(3) The Chairman shall, in consultation with the Leader of the House and Business Advisory Committee, allot time for the discussion of the matters referred to in the Governor's Address to the House under article 176 of the Constitution.

19. Scope of discussion:- On such day or days or part of any day, the Council shall be at liberty to discuss the matter referred to in such address, on a Motion of Thanks moved by a member and seconded by another member.

20. Amendments:- Amendments may be moved to such Motion of Thanks in such form as may be considered appropriate by the Chairman.

21. Other business that may be taken up:- (1) Notwithstanding that a day has been allotted for discussion on the Governor's Address,-

- (i) 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; and
- (ii) other business of a formal character may be transacted on such day before the Council commences or continues the discussion on the Address.

(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 adjourned to a subsequent day to be prescribed by the Chairman. The Chairman shall forthwith put the question, no amendment or debate being allowed.

(3) The discussion on the address shall be interrupted in the course of a sitting by an adjournment motion under rule 59.

22. Government's right of reply:- The Chief Minister or any other Minister, whether he has previously taken part in the discussion or not, shall, on behalf of the Government, have a general right of explaining the position of the Government at the end of the discussion and the Chairman may enquire how much time will be required for the speech so that he may fix the hour by which the discussion shall conclude.

23. The limit for speeches:- The Chairman may, if he thinks fit, prescribe a time limit for speeches after taking the sense of the Council.

24. Allotment of time for Governor's Address:- The Chairman may allot time for the discussion of the matters referred to in the Governor's Address under article 175(1) of the Constitution.

25. Messages by the Governor:- Where a message from the Governor for the Council under article 175(2) of the Constitution is received by the Chairman, he shall read the message to the Council and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Chairman shall be empowered to suspend or vary the rules temporarily to such extent as may be necessary.

***26. Observation of order during Governor's Address:-** When the Houses of the legislature are assembled together under Article 175 or 176 or when the Members of the Council alone are

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

assembled under Article 175 of the Constitution, no Member shall show any disrespect to the Governor when he arrives or departs or during his Address by way of obstruction or interruption with any speech or point of order or in any other manner; and such obstruction or interruption shall be regarded as a gross breach of order of the House and disrespect to the Governor and such Member or Members shall be suspended from attending the session for a prescribed period or the remaining period of the Session under a motion to be moved in the House.

27. Address at the time of prorogation:- When the Governor prorogues the House or Houses, he may address the House or Houses, as the case may be.

CHAPTER - VI**Arrangement of Business and List of Business**

***28. Arrangement of Government Business:-** One day in a week shall be kept for private members Bills and Resolutions. The sittings of the House on Fridays shall be allotted to transact the business relating to Question hour and private member's Bills and Resolutions. If there are no sufficient Private Member's Bills and Resolutions, the Chairman shall have powers to take other Government Business.

***29. Allotment of time for private members' Business:-** (1) Every Friday of the week shall be allotted for the transaction of private members' Business after the question hour ;

Provided that if there is no sufficient Private Members' Business Chairman is empowered to take up any other Govt. Business :

Provided further that if the Friday happens to be a holiday, the Chairman may allot any other convenient day for the transaction of Private Members' Business.

(2) (a) On the days allotted for Private Members' Business in any session, unless any days have been allotted under sub-rule (1) for any particular class of business when business of that class shall have precedence, the business shall be taken up in the following order.

I. Bills

- (i) Bills to be introduced;
- (ii) Bills returned by the Governor under article 200 or 201 of the Constitution;
- (iii) Bills which have been passed by the Council and returned by the Assembly with amendments;
- (iv) Bills which have been passed by the Assembly and transmitted to the Council;

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

- (v) Bills which have been passed by the Council and rejected by the Assembly or not passed by the Assembly within a period of three months from the date on which the Bill was laid before the Assembly;
- (vi) Motions for presenting an Address by the Governor under rule 189.

II. Resolutions:

(b) If any days are allotted for disposal of private members' business relating to Bills only, the business on such days shall be taken up in the order specified in sub-clauses (i), (ii), (iii), (iv) and (v) of clauses (a) of this sub-rule.

(3) The Chairman may, by special order to be announced in the Council, make such variations in the relative precedence of Bills set out in sub-rule (2), as he may consider necessary or convenient.

(4) Subject to the provisions of sub-rule (2),-

- (i) Bills which have been introduced shall be so arranged as to give priority to Bills which are most advanced;
- (ii) the relative precedence of Bills which are at the same stage shall be determined by ballot held on such day and in accordance with such procedure as the Chairman may prescribe;

(5) The relative precedence of resolutions shall be determined by ballot held in accordance with the procedure set out in Schedule I.

(6) Notwithstanding anything contained in sub-rules (1) to (4) of this rule or in rule 143, the Chairman may, on any day allotted for Private Members' Business, give priority to any item of business at the request of the member in charge.

***30. Precedence of Private Members' Bills:-** (1) On a day allotted for the Business of Private members' Bills, such Bills have relative precedence in the following order namely:-

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

- (a) Bills in respect of which the motion is that leave be granted to introduce the Bill;
- (b) Bills returned by the Governor with a message under Article 200 or 201 of the Constitution;

Provided that if a particular day is allotted for the transaction of business of a specific class, preference shall be given to that class of business.

- (c) Bills which have been passed by the Council and returned by the Assembly with amendment;
- (d) Bills which have been passed by the Assembly and transmitted to the council;
- (e) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (f) Bills in respect of which the report of a Select or Joint Committee has been Presented;
- (g) Bills which have been circulated for the purpose of eliciting opinion thereon;
- (h) Bills introduced and in respect of which no further motion has been made or carried; and
- (i) Other Bills.

(2) The relative Precedence of Bills falling under the same clause of sub-rule (1) shall be determined by ballot to be held in accordance with the orders made by the Chairman and on such day and in such manner as the Chairman may direct in:

Provided that the motion in respect of Bills falling under clause (a) of sub-rule (1) shall be entered in the list of business in the order in which notices of such motions have been received in point of time.

Provided further that Bills falling under clause (h) of sub-rule (1) which are classified by the Committee on Private Members'

Bills and Resolutions as Category-A shall have precedence over Bills classified as Category-B, and that the precedence of Bills falling under each of these categories shall be determined by ballot separately;

Provided also further that where the Committee has not classified the Bills falling under clause (h) of sub-rule (1) as Category-A and Category-B, the order in which such Bills shall be put down in the list of business shall be determined by ballot in accordance with such directions as the Chairman may give.

The Chairman may, by special order to be announced in the House, make such variations in the relative precedence of Bills set out in sub-rule (1), as he may consider necessary or convenient.

Private Members' Resolution:

(3) A ballot of names of members desiring to move a resolution shall be held in accordance with orders made by the Chairman, on such day as the Chairman may direct.

Business outstanding at the end of the day:

(4) Private Members' Business set down for the day allotted for that class of business and not disposed of 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 notwithstanding anything contained in rules 30 (2) and (3), any such business which is under discussion at the end of that day shall be set down for the next day allotted to business of that class and shall have precedence over all other business set down for that day.

Resumption of adjourned debate on private members' bill or resolution:

(5) (a) When on a motion being carried, the debate on a Private Members' Bill or resolution is adjourned to the next day allotted

for Private Members' business in the same or next session, it shall not be set down for further discussion, unless it has gained priority at the ballot.

(b) When the debate on a Private Member's Bill or resolution is adjourned sine die, the member-in-charge of the Bill or the mover of the resolution, as the case may be, may, if he wishes to proceed with such Bill or resolution, on a subsequent day allotted for Private Members' Business, give notice for resumption of the adjourned debate and on receipt of such notice the relative precedence of such Bill or resolution shall be determined by ballot.

31(a). Resolution of Congratulation:- A resolution of congratulation may, with the permission of the Chairman and subject to the provisions regulating the discussion of resolutions, be moved at any time;

31(b). Resolution of Condolence:- A resolution of condolence may, with the permission of the Chairman and subject to the provisions regulating the discussion of resolutions, be moved at any time;

32(a). Reference of Congratulation:- Minister or a member with the permission of the Chairman may make a reference of congratulation and the Council may approve the reference without a formal resolution duly placed before the Council;

32(b). Reference of Condolence:- Minister or a member with the permission of the Chairman may make a reference of Condolence, and the Council may approve the reference without a formal resolution duly placed before the Council.

33. List of Business:- (1) A list of business for the day shall be prepared by the Secretary, and a copy thereof together with other papers, if any, shall be made available for the use of every member on the previous day:

Provided that the Chairman may suspend the operation of this rule in respect of any particular day or days.

(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 sitting without the leave of the Chairman.

(3) Save as otherwise provided in the rules or unless the Chairman otherwise directs, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires.

*(4) Deleted.

* Deleted as per the recommendation of the Rules Committee on 14.2.06.

CHAPTER - VII**Questions**

34. Question Hour:- Unless the Chairman otherwise directs, the first hour of every day of sitting shall be available for the asking and answering of questions.

35. Period of Notice:- Unless the Chairman otherwise directs, not less than ten and not more than 30 clear days, notice of a question shall be given.

36. Form of notice of questions:- Notice of a question shall be given in writing to the Secretary and shall specify,-

- (a) the official designation of the Minister to whom it is addressed; and
- (b) the date on which the question is proposed to be placed on the list of questions for answer.

37. Notice of admitted of questions to Ministers:- Unless the Chairman otherwise directs, no question shall be placed on the list of questions for answer until ten days have expired from the day when notice of such question was given by the Secretary to the Minister to whom it was addressed.

38. Starred Questions:- A member who desires an oral answer to his question shall distinguish it by an asterisks and if he does not distinguish it by an asterisk, the question shall be printed in the list of question for written answers.

39. Limit of number of Starred Questions:- (1) Not more than two questions by the same member distinguished by an asterisk and not more than fifteen questions in all shall be placed on the list of questions for Oral Answer, on any one day.

(2) The order in which questions for oral answer are to be placed shall be indicated by the member giving notice and, if no

such order is indicated, the questions shall be placed in the list of questions for oral answers in the order in which notices are received.

(3) The questions selected for written answers shall be placed on the list of questions for written answers.

40. Allotment of days for oral answer to questions:- The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such Department or Minister as the Chairman may from time to time provide, and on each such day, unless the Chairman with the consent of the Minister concerned otherwise directs, only questions relating to the Department or Ministers for which time on that day has been allotted shall be placed on the list of questions for oral answers.

41. Written answers to Questions not replied orally:- (1) Questions which have been admitted and not included on the list of questions for oral answers shall be included in the list of questions for written answer, in accordance with the order of the Chairman.

(2) In the list of questions for written answers on any one day, not more than four questions by the same member if he has one question in the list of questions for oral answer, and not more than five questions if he has none in the list of questions for oral answer totally not exceeding 230 questions, shall be included.

(3) No oral reply shall be required to such question and no supplementary question shall be asked in respect thereof.

42. Questions to private members:- A question may be addressed by a member, provided, the subject matter of the question relates to specific Bill resolution or other matter connected with the business of the Council for which that minister is responsible and the procedure in regard to such questions shall, as far as may be, the same as that followed in the case of questions

addressed to a Minister with such variations, as the Chairman may consider necessary or convenient.

43. Conditions of admissibility of Questions:- (1) Subject to the provisions of sub-rule (2) of this rule, a question may be asked for the purpose of obtaining information on a matter of public importance within the special cognizance of Minister to whom it is addressed.

(2) The right to ask a question is governed by the following conditions,-

- (a) it shall be clearly and precisely expressed;
- (b) it shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (c) if it contains a statement, the members shall make himself responsible for the accuracy of the statement;
- (d) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (e) it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;
- (f) it shall not refer to the character or conduct of any person, except in his official or public capacity;
- (g) it shall not ordinarily exceed one hundred and fifty words;
- (h) it shall not relate to a matter which is not primarily the concern of the State Government;
- (i) it shall not ask for information on matters which are under the consideration of a Legislature Committee;

- (j) it shall not ask about proceedings in a Committee which have not been placed before the Council by a report from the Committee;
- (k) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (l) it shall not make or imply a charge of a personal character;
- (m) it shall not raise questions of policy too large to be dealt within the limits of an answer to question;
- (n) it shall not repeat in substance questions already answered or to which an answer has been refused;
- (o) it shall not ask for information on trivial matters;
- (p) it shall not ordinarily seek information on matters of past history;
- (q) it shall not require information, set forth in accessible documents or in ordinary works of reference;
- (r) it shall not raise matters under the control of bodies or persons not primarily responsible to the State Government;
- (s) it shall not ask for information on a matter which is under adjudication by a Court of law having jurisdiction in any part of India;
- (t) it shall not relate to a matter with which a Minister is not officially connected;
- (u) it shall not seek information about matters which are in their nature secret;
- (v) it shall not ask for information regarding Cabinet discussions, or advice given to the Governor in relation to any matter in respect of which there is a

Constitutional, statutory or conventional obligation not to disclose information;

- (w) it shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any Judicial or quasi-judicial functions or any Commission or Court of enquiry appointed to enquire into or investigate any matter, but may refer to matters concerned with procedure or subject or stage of enquiry, if it is not likely to prejudice the consideration of the matter by the Tribunal, Commission or Court of Enquiry;
- (x) it may ask for an explanation of the intentions of the Government in respect of a matter of immediate concern, provided that, the question is not in substance a suggestion for any particular action in a matter raised by the member asking the question.

***(3) Amendment of questions to ensure compliance of rules :-** If, in the opinion of the Chairman, the nature or the subject matter of a question violates the rules, he may amend the question to ensure compliance of rules and inform it to the concerned member.

***(4) Lapse of pending question referred to members :-** Where a reference is made to a member in connection with the notice of a question and no reply is received within the prescribed time, such notice shall be deemed to have been lapsed.

44. Questions on matters of correspondence between the Government of India or any other State Government:- In matters which have been the subject of correspondence between the Government of Karnataka and Government of India or the Government of any other State, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of fact.

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

45. Chairman to decide admissibility of questions:- (1) The Chairman shall decide whether a question, or a part thereof, is or is not admissible under these rules and may disallow any question or a part thereof, when in his opinion it is an abuse of the right of questioning or calculated to obstruct or prejudicially affect the procedure of the Council or is in contravention of these rules.

(2) Subject to the provisions of rule 40, the Chairman may direct that a question be placed on the list of questions for answer on a date later than that specified by a member in his notice, if he is of the opinion that a longer period is necessary to decide whether the question is or is not admissible.

***46. Chairman to decide if a question is to be treated as starred or un-starred:-** If in the opinion of the Chairman, any question put down for oral answer is of such a nature that written reply would be more appropriate, the Chairman may direct that such question be placed on the list of questions for written answers:

Provided that the Chairman may, if he thinks fit, call upon the member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same, may direct that the question be included in the list of questions for written answer.

47. List of questions:- Questions which have not been disallowed shall be entered in the list of questions for the day for oral or written answer, as the case may be, in accordance with the orders of the Chairman.

48. Orders in which questions shall be called:- Questions for oral answer 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 meeting:

Provided that a question not reached for oral answer may be answered after the end of the question hour with the permission of the Chairman, if the minister represents to the Chairman that

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

the question is one of special public interest to which he desires to give a reply.

***49. Withdrawal or postponement of questions:-** 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, subject to notice and as per the provisions of rule 40, be placed on the list after all questions which have not been so postponed:

Provided that a postponed question shall not be placed on the list until two clear days have expired from the time when the notice of postponement has been received by the Secretary.

50. Mode of asking questions:- (1) When the time for asking questions arrives, the Chairman shall call successively each member in whose names a question appears on the list of questions.

(2) The member, so called shall rise in his place and unless he states that it is not his intention to ask the question standing in his name, he shall ask the question by reference its number in the list of questions.

(3) If on a question being called, if it is not put or the member in whose name it stands is absent, the Chairman, at the request of any member may direct that the answer to it be given or permit a member to ask the question standing in the name of another member if he is so authorised.

(4) No discussion shall be permitted during the Question hour. However, the Chairman, at his discretion may permit the supplementary question to be asked for the purpose of elucidating any matter of fact regarding which an answer has been given.

****51. Deleted.**

****52. Deleted.**

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

** Deleted as per the recommendation of the Rules Committee on 14.2.06.

53. Answer not to refer to proceedings in the House:- An answer to a question in the Council shall not refer to the answer to a question or proceedings in the House during a current session.

****54. Deleted.**

****55. Deleted.**

***56. Notice relating to short notice Questions:-** (1) A question relating to a matter of public importance may be asked, briefly stating the reason for asking the question with notice shorter than ten clear days and if the chairman is satisfied that the question relates to an urgent matter, he may direct that an enquiry be made from the Minister concerned if he is in a position to reply & if so on what date.

(2) if the minister concerned is in a position to reply, such question shall be answered on a day to be indicated by him and at the time to be determined by the Chairman.

(3) if the Minister is not in a position to answer the question at short notice and the Chairman is of opinion that the question is of sufficient public importance to be orally answered in the Council, he may direct that the question be placed as the first question on the list of questions for the day which it would be due for answer under rule 35.

(4) Where a notice of a short notice question is signed by more than one member, it shall be deemed to have been given by the first signatory only.

(5) Where two or more members give notice of question on the same subject and one of the question is accepted for answer at short notice, names of not more than four members, other than the one whose notice has been admitted, as determined by ballot, shall be shown against the admitted question;

Provided that the Chairman may direct that all the notices be consolidated into a single notice, if in his opinion it is desirable

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

** Deleted as per the recommendation of the Rules Committee on 14.2.06.

to have single self contained question covering all the important points raised by members, and the Minister shall then give his reply to the consolidated question;

Provided further that in the case of a consolidated question, names of not more than four members, other than the one whose notice has been admitted, as determined by ballot, shall be shown against the question.

(6) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answer with such modifications as the Chairman may consider necessary or convenient.

(7) The member who has given notice of the question shall be in his seat to ask the question by reference to its number on the list of questions when called by the Chairman and the Minister concerned shall give a reply immediately;

Provided that when a question is shown in the name of more than one member, the Chairman shall call the name of the first member or, in his absence, any other name.

(8) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answer with such modifications as the Chairman may consider necessary or convenient.

57. No publicity of answers to questions in advance:- Answer 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.

Half-an-hour Discussion

***58. Discussion on a matter of public importance arising out of answers to questions:-** (1) The Chairman may allot half-an-hour on two days in a week, namely, Tuesday and Thursday

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

at the conclusion of the business of the day, for raising discussion on a matter of sufficient public importance which has been the subject of a recent question in the Council, irrespective of the fact whether it was answered on the floor of the Council or the answer to it has been laid on the Table of the Council and the answer to which needs elucidation on a matter of fact:

Provided that the Chairman may allot any day instead of Tuesday and Thursday if such a course is in his opinion necessary or convenient.

(2) A member wishing to raise matter shall give notice in writing to the Secretary three days in advance of the day on which the matter is desired to be raised, and shall shortly specify the point or points that he wishes to raise:

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

Provided further that the Chairman may, with the consent of the Minister concerned, 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 and the notice shall be taken in the order of receipt in the office.

(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 ask a question for the purpose of further elucidating any matter of fact.

CHAPTER - VIII**Motion for Adjournment on a Matter of Urgent Public Importance**

59. Chairman's consent necessary to make motion:- Subject to the provisions of these rules, a motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, may be made with the consent of the Chairman.

60. Method of giving notice:- Notice of an adjournment motion shall be given one hour before the commencement of the sitting on the day on which the motion is proposed to be made to the Secretary and copies thereof shall be endorsed to:

- (i) Chairman
- (ii) Leader of the House
- (iii) The Minister concerned
- (iv) Parliamentary Affairs Minister

61. Restrictions on right to make motion:- The right to move the adjournment of the Council for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely,-

- (i) not more than one such motion shall be made at the same sitting;
- (ii) not more than one matter shall be discussed on the same motion;
- (iii) the motion shall be restricted to a specific matter of recent occurrence;
- (iv) the motion shall not raise a question of privilege;
- (v) the motion shall not revise discussion on a matter which has been discussed in the same session;

- (vi) the motion shall not anticipate a matter which has been previously appointed for consideration. In determining whether a discussion is out of order on the ground 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;
- (vii) the motion shall not deal with any matter which is under adjudication by a Court of Law having jurisdiction in any part of India; and
- (viii) the motion shall not raise any question which under the Constitution or these rules can only be raised on a distinct motion by a notice given in writing to the Secretary.

62. Motion for discussion on matters before Tribunals, Commission, etc:- No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter shall ordinarily be permitted to be moved:

Provided that the Chairman may in his discretion, allow such matter being raised in the Council as is concerned with the procedure or subject or stage of enquiry if the Chairman is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

63. Mode of asking for leave to move adjournment motion:-

(1) The Chairman, if he gives consent under rule 59 and holds that the matter proposed to be discussed is in order, shall after the questions and before the list of business is entered upon call the member concerned who shall rise in his place and ask for leave to move the adjournment motion.

Provided that where the Chairman has refused his consent under rule 59 or is of opinion that the matter proposed to be

discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as not being in order.

(2) 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, the Chairman shall intimate that leave is granted. If less than ten members rise, the Chairman shall inform the members that he has not grant the leave of the Council.

64. Time for taking up motion:- The motion shall be taken up one hour before the time appointed for the conclusion of the business of the day or if the Chairman, after consultation with the Leader of the House, so directs at any earlier hour at which the business of the day may terminate.

65. Limitation of time of discussion:- The debate on a motion to discuss a matter of urgent public importance if not earlier concluded shall automatically terminate at the end of two hours after the commencement of the debate and thereafter no question shall be put.

66. Question to be put at the end of debate:- On a motion to adjourn for the purpose of discussing a matter of urgent public importance the only question that may be put shall be "That the Council do now adjourn".

67. Time limit for speeches and regulation of discussion:- No speech during the debate shall, except with the permission of the Chairman, exceed fifteen minutes in duration:

Provided that the mover with the permission of the Chairman, may speak for half-an-hour.

CHAPTER - IX**Discussion on Matters of Urgent Public Importance for short Duration**

68. Notice of raising discussion:- Any member desires 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 a discussion on the matter in question.

Provided further that the notice shall be supported by signature of atleast two other members.

69. Chairman to decide admissibility and allotment of time:-

(1) If the Chairman is satisfied, after calling for such information from the member who had given notice and from the Minister, as he may consider necessary, that the matter is urgent and is of sufficient 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 on which such matter may be taken up for discussion and allow such time for discussion not exceeding one hour as he may consider appropriate in the circumstances:

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

(2) The Chairman may allot two sittings in a week on which such matters may be taken up for discussion and allow such time for discussion not exceeding one hour at or before the end of the sitting, as he may consider appropriate in the circumstances.

70. No formal motion:- 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 shall reply shortly. Any member who has previously intimated to the Chairman may be permitted to take part in the discussion.

71. Time limit for speeches:- The Chairman may, if he thinks fit, prescribe a time limit for the speeches.

CHAPTER - X**Calling Attention to Matters of Urgent Public Importance**

72. Procedure regarding Calling attention to matters of urgent public importance:- (1) A member may, with the previous permission of the Chairman, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date:

*Provided that no Member shall give more than five such notice at any one sitting.

(2) There shall be no debate on such statement at the time it is made, but each member in whose name the item stands in the list of business may, with the permission of the Chairman, ask a clarification:

provided that the list of business shall not show the name of more than five members.

Explanation:- (a) Where a notice is signed by more than one member, it shall be deemed to have been given by the first signatory only.

(b) Notices for a sitting received at least one hour before the commencement of the sitting on that day and a ballot shall be held to determine the relative priority of each such notice on the same subject. Notices received after one hour shall be deemed to have been given for the next sitting.

(3) Not more than five such matters shall be raised at the same sitting.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

Provided that the second matter shall not be raised by the same member who have raised the first matter and it shall be raised at or immediately before the end of the sitting, as the Chairman may fix.

(4) In the event of more than one matter being presented for the same day, priority shall be given to such matters which are in the opinion of the Chairman, more urgent and important.

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

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

CHAPTER - XI**Legislation****Section I - Bills Originating in the Council.****(a) Introduction and Publication of Bills.**

73. Publication before Introduction:- The Chairman may, on request being made to him, order the publication of any bill (together with the Statement of objects and reasons, memorandum regarding delegation of legislative power and the financial memorandum accompanying it) 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.

74. Notice of motion for leave to introduce Bills:- (1) Any member other than a Minister desiring to move for leave to introduce a Bill shall give notice of his intention, and shall together with notice, submit a copy of the Bill and an explanatory statement of objects and reasons which shall not contain arguments:

Provided that the Chairman may, if the statement of objects and reasons contains arguments or other matter which, in his view are not relevant to the purposes of the Bill, he may cause such statement of objects and reasons to be suitably revised.

(2) If the Bill is a Bill which under the Constitution cannot be introduced without previous sanction or recommendation of the president, the member shall annex to the notice a copy of such sanction or recommendation and the notice shall not be valid until this requirement is complied with.

(3) The period of notice of a motion for leave to introduce a Bill under this rule shall be seven clear days before the commencement of the session of which the member desires to move for leave to introduce the Bill, unless the Chairman allows the motion to be made at shorter notice.

(4) The day on which the motion for leave to introduce a Bill set down in the list of business, the member giving notice may move for leave to introduce the Bill.

75. Financial memorandum and clauses involving expenditure:- (1) A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the 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.

(2) Clauses or provisions in Bill involving expenditure from consolidated fund shall be printed in thick type or in italics:

Provided that where a clause in a Bill involving expenditure is not printed in thick type or in italics, the Chairman may permit the member in-charge of the Bill to bring such clauses to the notice of the Council.

76. Explanatory memorandum to Bills delegating legislative power:- A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposal and drawing attention to their scope and stating also whether they are of normal or exceptional character.

77. Statement in connection with ordinance:- (1) Whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the Council shall be placed before the Council along with the Bill a statement explaining the circumstances which necessitated immediate legislation by Ordinance.

(2) Whenever an Ordinance which embodies wholly or partly or with modification the provisions of a Bill pending before the Council is promulgated, a statement explaining the circumstances which necessitated immediate legislation by Ordinance shall be laid on the Table at the commencement of the session following the promulgation of the Ordinance.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

78. Motion for leave to Introduce:- (1) On the motion for leave to introduce a Bill, the mover may make a brief explanatory statement. If the motion is opposed, the Chairman may permit a brief explanatory statement from the member who opposes and a brief reply from the mover, and shall, then without further debate, put the question therein:

Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Chairman may permit a full discussion thereon.

(2) If leave to introduce the Bill is granted, the mover shall forthwith introduce the Bill.

(3) When a Bill has been published under the provisions of rule 73, it shall not be necessary to move for leave to introduce the Bill and the Bill may be introduced by the member-in-charge on any subsequent day available for business of that kind.

79. Publication after introduction:- 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.

***80. Translation of Bills:-** After a bill has been introduced or in the case of a Bill published under rule 73, the Bill and the Statement of objects and reasons shall be prepared and presented both in Kannada and English and they shall be published in the Gazette.

(b) Motions after introduction of Bills

81. Motions after introduction:- When a Bill is introduced or on some subsequent occasion, the member-in-charge may make one of the following motions in regard to his Bill, namely:-

(i) that it be taken into consideration; or

(ii) that it be referred to a Select Committee of the House;

or

- (iii) that it be referred to a Joint Select Committee of the House with the concurrence of the Assembly; or
- (iv) that it be circulated for the purpose of eliciting opinion thereon:

Provided that no such motion as is referred to in clause (iii) shall be made with reference to a Bill making provision for any of the matters specified in sub-clause (a) to (f) of clause (I) of article 199 of the Constitution:

Provided further 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 copies of the Bill have been so made available for two days before the day on which the motion is made and such objection prevail, unless the Chairman allows the motion to be made.

82. Discussion on principles of Bill:- (1) On a motion referred to in rule 78 being made, the principle of the Bill and its provisions may be discussed generally, 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,-

- (a) if the member-in-charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee of the House or a Joint Select Committee of the Houses with the concurrence of the Assembly, or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion;
- (b) if the member-in-charge moves that the Bill be referred to a Select Committee of the House or a Joint Select Committee of the Houses with the concurrence of the Assembly, any member may move as an amendment

that the Bill be referred to a Joint Select Committee of the Houses with the concurrence of the Assembly or a Select Committee, as the case may be, or that the Bill be circulated for the purposes of eliciting opinion thereon by a date to be specified in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried and the Bill is circulated in accordance with that direction and opinions are received thereon, the member-in-charge, if he wishes to proceed with the Bill thereafter, shall move that the Bill be referred to a Select Committee of the House or a Joint Select Committee of the Houses with the concurrence of the Assembly, unless the Chairman allows a motion to be made that the Bill be taken into consideration:

Provided that if an amendment or a motion for appointment of a Select Committee or a Joint Select Committee has been moved under this rule, any member may move that the House give instructions to the Select Committee or to the Joint Select Committee to which the Bill is proposed to be 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:

Provided further that no amendment or a motion for appointment of a Joint Select Committee under this rule shall be moved with reference to a Bill making provision for any of the matters specified in sub-clause (a) to (f) of clause (4) of article 199 of the Constitution.

83. Motion for reference to Select or Joint Select Committee and effect of it:- (1) When a motion that a Bill be taken into consideration by the Council is passed, the member in-charge or any other member may move that the Bill be referred to a Select or Joint Select Committee.

(2) If a motion that the Bill be referred to a Select or Joint Select Committee is negated or if no such motion is made,

Chairman may proceed to submit the Bill or any part of the Bill to the Council clause by clause under rule 92.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is passed, and the Bill is circulated in accordance with the direction and opinion are received thereon, the member in charge if he wishes to proceed with his Bill thereafter, shall move that the Bill be taken into consideration by the Council and if such a motion is carried, the member shall further move that the Bill be referred to a Select Committee unless the Chairman allows this rule:

Provided that no such motion shall be made until copies of the Bill have been made available to the Members and any member may object to any such motion being made unless copies of the Bill have not been so made available for two days before the day on which the motion is made and such objection shall not prevail, unless the Chairman allows the motion to be made.

84. Persons by whom motion in respect of Bills may be made:- (1) No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member-in-charge of the Bill and no motion that a Bill be circulated or recirculated for the purpose of eliciting opinion thereon shall be made by any member other than the member-in-charge except by way of amendment to a motion made by the member-in-charge:

Provided that if the member-in-charge of a Bill is unable for reasons which the Chairman considers adequate, to move the next motion in regard to his Bill at any subsequent stage after introduction, he may authorise another member to move that particular motion with the approval of the Chairman.

Explanation:- Notwithstanding the provisions contained in the proviso the member who introduced the Bill shall continue to be the member-in-charge.

(For rules relating to Select and Joint Select Committee on Bills, see rules 229-242 chapter XXIV of these rules).

(c) Procedure after presentation of Report of a Select or Joint Select Committee

85. Motion that may be moved after presentation of the report of a Select or Joint Select Committee:- (1) After the presentation of the final report of a Select or Joint Select Committee on a Bill, the member-in-charge may move,-

- (a) that the Bill as reported by the Select or Joint Select Committee be taken into consideration:

Provided that no such motion shall be made until after copies of the report have been made available for the use of members for three days before the day on which the motion is made unless the member-in-charge of the Bill secures leave of the Council to make the motion, such leave being asked for and granted by way of suitable motion or

- (b) that the Bill as reported by the Select Committee of the House or Joint Select Committee of the Houses, as the case may be, recommitted to the same Select Committee or to a new Select Committee, or to the same Joint Select Committee or to a new Joint Select Committee with the concurrence of the Assembly either-

(i) without limitation; or

(ii) with respect to particular clauses or amendments only; or

(iii) with instructions to the Committee to make some particular or additional provision in the Bill; or

- (c) that the Bill as reported by the Select Committee of the House or Joint Select Committee of the Houses, be circulated or recirculated, as the case may be, for the purpose of eliciting opinion or further opinion thereon.

(2) If the member-in-charge moves that the Bill as reported by the Select or Joint Select Committee be taken into consideration, any member may move as an amendment that the Bill be re-committed or be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.

86. Scope of debate on report of Select or Joint Select Committee:- The debate on a motion that the Bill as reported by the Select or Joint Select Committee be taken into consideration shall be confined to consideration of the report of the Select or Joint Select Committee and the matters referred to in that report or any alternative suggestions consistent with the principle of the Bill.

(d) Amendment to clauses, etc., and considerations of Bills

87. Submission of the Bill Clause by Clause:- (1) After a motion has been agreed to by the Council that a Bill be taken into consideration, the Chairman shall submit the Bill to the Council clause by clause.

(2) Any member may at this stage move an amendment to the Bill.

(3) The Chairman shall have powers to select the new clauses or amendments to be proposed, and may if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgement upon it.

(4) Amendment shall be considered in the order of the clauses to which they relate:

Provided that, with the permission of the Chairman amendments may be taken in any other order.

(5) The Chairman shall call the number of each clause separately and when the amendment relating to it have been dealt with, shall put the question that this clause or as the case may be this clause as amended do stand part of the Bill.

(6) Notwithstanding anything contained in sub-rules (1) and (5) of this rule, the Chairman may, in the case of uncontested clauses, put the question on group of clauses and not on each clause separately.

(7) When any clause is under consideration, the discussion shall be continued to that clause and other clauses of the Bill may not be discussed except with the permission of the Chairman.

(8) The schedules, if any, shall be submitted to the Council for its consideration and shall be dealt with in the same manner as the clauses are dealt with.

(9) The title and the preamble of the Bill shall be put to the Council after the clauses of the Bill have been dealt with:

Provided that in order to save time and repetition of arguments a single discussion may be allowed to cover a series of interdependent amendments.

88. Notice of amendment:- (1) If notice of an amendment to a clause or schedule of the Bill has not been given one clear day before the day on which the Bill 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:

Provided that in the case of a Government Bill an amendment, of which notice has been received from the member-in-charge, shall not lapse by reason of the fact that the member in-charge has ceased to be a Minister or a member and such amendments shall be printed in the name of the new member-in-charge of the Bill.

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

89. Sanction to be annexed to notice of amendment:- If any member desires to move an amendment which under the Constitution cannot be moved without previous sanction or recommendation, he shall annex to the notice of the proposed amendment a copy of such sanction or recommendation and the notice shall not be valid until this requirement is complied with.

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

- (a) An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates.
- (b) An amendment shall not be inconsistent with any previous decision of the Council on the same question.
- (c) An amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (d) 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.
- (e) The Chairman shall determine the order in which an amendment shall be moved.
- (f) The Chairman may refuse to propose an amendment which is, in his opinion, frivolous or meaningless.
- (g) An amendment may be moved to an amendment which has already been allowed by the Chairman.

91. Power of Chairman to select new clauses or amendments:- The Chairman shall have power to select the new clauses or amendments to be proposed, and may, if he thinks fit,

call upon any member who has given notice of an amendment to give such explanation of the object of amendment as may enable him to form a judgement upon it.

92. Arrangement of amendments:- Amendments of which notice has been given shall, as far as practicable, be arranged in the list of amendments issued from time to time in the order in which they may be called. In arranging amendments raising the same question at the same point of a clause, precedence may be given to an amendment to be moved by the member in charge of the Bill. Subject as aforesaid amendments may be arranged in the order in which notice thereof are received.

93. Order of amendments:- (1) Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate and in respect of any such clause, a motion shall be deemed to have been made.

“That this clause stand part of the Bill”.

(2) The Chairman may, if he thinks fit, put as one question similar amendments to a clause:

Provided that if a member request that any amendment be put separately, the Chairman shall put that amendment separately.

94. Withdrawal of amendments:- An amendment moved may, by leave of the Council, but not otherwise, be withdrawn, on the request of the member moving it. If an amendment has been proposed to an amendment, the original amendment, shall not be withdrawn until the amendment proposed to it has been disposed of.

95. Submission of a Bill clause by clause:- (1) Notwithstanding anything contained in these rules, the Chairman may, when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the Council clause by clause. The Chairman may call each clause separately and when

the amendments relating to it have been dealt with, shall put the question "That this clause or, that this clause as amended as the case may be stand part of the Bill".

(2) When any clause is called by the Chairman, any member may offer his remarks thereon subject to such limitations as the Chairman may consider necessary.

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

97. Schedule:- 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 clauses and the consideration of new schedules shall follow the consideration of the original schedules. The question shall then be put:

"That this schedule (or, that this schedule as amended as the case may be) stand part of the Bill":

Provided that the Chairman may allow the schedule or schedules, if any, being considered before the clauses as disposed of or along with a clause or otherwise, as he may think fit.

98. Voting on group of clauses and schedules:- The Chairman may, if he thinks fit, put as one question clauses and/or schedules, clauses and/or schedules as amended, as the case may be, together to the vote of the Council.

Provided that if a member request that any clause or schedule, or any clause or schedule as amended, as the case may be, put separately, the Chairman shall put that clause or schedule, or clause or schedule as amended as the case may be separately.

99. Clause one, preamble and title of the Bill:- Clause one, the preamble, if any and the title of a Bill shall stand postponed until the other clause and schedules (including new clauses and new schedules) have been disposed of and the Chairman shall then put the question:

“That clause one, or the preamble or the title or that clause one, preamble or title as amended as the case may be, do stand part of the Bill”.

**(e) Passing, authentication and reconsideration
of Bills**

100. Passing of Bills:- (1) When a motion that a Bill be taken into consideration has been carried and no amendment of the Bills is made, the member in charge may at once move that the Bill be passed.

(2) If any amendment of the Bill is made, any member may object to any motion being made on the same day that the Bill be passed and such objection shall prevail unless the Chairman allows the motion to be made.

(3) Where the objection prevails, a motion that the Bill be passed may be brought forward on any future day.

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

101. Scope of debate on the motion to pass:- The discussion on a motion that the Bill or the Bill as amended, as the case may be, be passed shall be confined to the submission of arguments 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 his arguments which shall be of a general character.

102. Correction of patent errors:- Where a Bill is passed by the Council, the Chairman shall have power to correct patent errors and make such other changes in the Bill as are consequential upon the amendment accepted by the Council.

103. Transmission of Bill passed by Council to Assembly:- When a Bill is passed by the Council, it shall be transmitted to the Assembly for concurrence with a message to that effect.

The Secretary shall certify on top of the first page of the Bill so transmitted to the Assembly, in the following form.....

"This Bill has been passed by the Legislative Council on
..... 20 / / "

Dated the 20

Secretary.

104. Reconsideration of a Bill passed by the Council:- When a Bill which has been passed by both the Houses of Legislature is returned by the President or by the Governor for reconsideration, the point or points referred for consideration 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 way, as the Chairman may consider most convenient for their consideration by the Council.

(f) Adjournment of debate and withdrawal and removal of Bills

105. Adjournment of the debate over Bill:- At any stage of a Bill which is under discussion in the Council, a motion that the debate on the Bill be adjourned may be moved with the consent of the Chairman.

106. Withdrawal of a Bill:- The member-in-charge of a Bill may at any stage of the Bill, move for leave to withdraw the Bill and if such leave is granted, no further motion shall be made with reference to the Bill.

107. (1) Removal of a Bill from the Register of Bills:- Where any of the following motions made by the member-in-charge under these rules with regard to a Bill is rejected by the Council, no further motion shall be made with reference to the Bill and such Bill shall be removed from the Register of Bills pending in the Council.-

- (i) that leave be granted to introduce the Bill;
- (ii) that the Bill be referred to a Select Committee;

- (iii) that the Bill be referred to a Joint Select Committee of both the Houses;
- (iv) that the Bill be taken into consideration;
- (v) that the Bill as reported by a Select or Joint Select Committee be taken into consideration; and
- (vi) that the Bill (or, that the Bill as amended, as the case may be) passed.

***(2) Procedure for Removal of Private Members Bill from the Register of Bills:-** A Private members' Bill pending before the House shall also be removed from the register of Bills pending in the House in case,-

- (a) the member-in-charge of the bill ceases to be the member of the House;
- (b) the member-in-charge of the bill is appointed as a Minister ; and
- (c) if the member does not move in two consecutive sessions.

Section - II

Bills originating in the Council and not agreed to by the Assembly

108. Return of amended Bill to originating House:- If a Bill which has been passed by the Council and transmitted to the Assembly is back from the Assembly with amendments made in that House, copies of the received Bill with such amendments shall be laid on the Table at a meeting of the Council.

***109. Appointment of time for consideration of amendments:-** After such an amended Bill has been laid on the Table, the member-in-charge of the Bill may, after giving two days notice, move that the amendments be taken into consideration.

110. Procedure for consideration of amendments (1) If the motion that the amendments be taken into consideration is

* Substituted as follows in the Bill of 1973: - Rules Committee on 14-2-03.

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

(2) Any member may propose further amendments to the Bill but such amendments shall be relevant or alternative to or consequential upon the amendments made in the Bill by the Assembly or made necessary by the delay in the passage of the Bill.

111. Procedure consequent on consideration of amendment:-

(1) If the Council agrees to the amendments made by the Assembly, a message intimating its agreements shall be sent to the Assembly.

(2) If the Council disagrees with the amendments made by the Assembly or any of them, the Bill with a message intimating its disagreement shall be sent to the Assembly.

(3) If the Council agrees to the amendments or any of them, with further amendments or proposes further amendments in place of amendments made by the Assembly, the Bill as further amended with a message to that effect shall be sent to the Assembly.

(4) If the Bill is again returned with a message intimating that the Assembly insists on amendments to which the Council has not agreed or does not agree to the further amendments made in the Bill by the Council, the Council may either:-

- (i) agree to the Bill as passed by the Assembly; or
- (ii) allow the Bill to lapse.

Section - III

Bills originating in the Assembly and Transmitted to the Council

112. Laying of Bills passed by the Assembly on the table of Council:- As soon as possible after a Bill which has been passed by the Assembly is received in the Council, the Bill shall be laid on the Table at a meeting of the Council.

113. Notice for moving for consideration:- At any time after the Bill has been so laid on the Table, any Minister in the case of a Government Bill or any member in any other case, may give notice of his intention to move that the Bill be taken into consideration.

114. Motion for consideration:- On the day on which such motion for consideration is set down in the list of Business which shall, unless the Chairman otherwise directs, be not less than three days from the receipt of the notice, the member giving notice may move that the Bill be taken into consideration

115. Discussion:- On the day on which such motion is set down in the list of business, the member-in-charge of the Bill may move that the Bill be taken into consideration on that day or on any subsequent day in which the discussion of the motion is postponed, the principle of the Bill and its general provision may be discussed but the details of the Bill shall not be discussed further than is necessary to explain its principle.

116. Reference to select committee:- After the motion that the Bill be taken into consideration is carried, any member may move that the Bill be referred to a Select Committee and if such a 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.

117. Consideration and Passing:- When a motion that the Bill be referred to a Select Committee is negatived or if no such motion is made or in case a Bill is referred to a Select Committee, the motion that the Bill as reported by the Select Committee be taken into consideration is carried, the provisions of the rules of the Council regarding consideration of clauses of Bills and amendments to such clauses and subsequent procedure in regard to the passing of Bill shall apply:

Provided that in the case of a Money Bill the Council may propose only recommendations and the rules of the Council regarding amendments to Bills shall apply with such changes in regard to moving consideration and adoption of such recommendations as the Chairman may from time to time direct:

Provided further that in the case of an Appropriation Bill, no recommendations shall be proposed which will have the effect of carrying the amount or altering the destination of any grants so made or for varying the amount of net expenditure charged to the Consolidated Fund of the State.

118. Bill passed without amendment:- If the Bill is passed without amendment, a copy of the Bill with a message to the effect that the Council has agreed to the Bill without any amendment shall be transmitted to the Assembly.

119. Bill passed with amendment:- If the Bill is not a Money Bill and is passed with amendments, the Bill shall be returned with a message asking for the concurrence of the Assembly to the amendments. If the Bill is a Money Bill, it shall be returned with its recommendations, if any.

120. Procedure consequent on consideration of amendment:- If a Bill so amended by the Council and returned to the Assembly for its concurrence is again sent back by the Assembly with message disagreeing with the amendments, the Council may either agree to the Bill as passed by the Assembly or insist on amendment or amendments with which the Assembly has disagreed.

121. Chairman's power to dispense with notice:- The Chairman may, in his discretion, dispense with the provisions of these rules regarding periods of notice or interval between any two stages of legislation and may in his discretion allow motion regarding the Bill or any amendment to be moved without notice or after such shorter interval as he may think fit.

122. Authentication of a Bill:- When a Bill other than a Money Bill is passed by the Houses and is in possession of the Council, the Bill shall be signed in duplicate by the Chairman and presented to the Governor:

Provided that in the absence of the Chairman from Bangalore, the Secretary may, in case of urgency, authenticate the Bill on behalf of the Chairman.

CHAPTER - XII**Ratification of Amendment to the Constitution**

123. Ratification of amendment to the Constitution:- (1) As soon as a message for ratification of the amendment to the Constitution is received from a House of Parliament, a copy of the message together with the Bill shall be laid by the Secretary on the Table of the House.

(2) The Secretary shall forward a copy of the message together with the Bill to the State Government at the first convenient opportunity.

124. Discussion on the amendment to the Constitution:- (1) After the message has been laid on the Table under rule 123, any member may, after giving three days notice, move a resolution that the amendment to the Constitution proposed by the Bill be ratified.

(2) The Chairman shall, in consultation with the Leader of the House, fix a date for discussion on the resolution.

(3) No amendment shall be proposed to such a resolution.

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

125. Message to Parliament:- (1) If the resolution is passed by the House, a message shall be sent to the House of Parliament from which the message referred to in rule 123 was received, that the Council ratifies the amendment.

(2) If the resolution is rejected by the House, a message shall be sent as aforesaid that the Council does not ratify the amendment.

(3) If no resolution is moved during the session in which the message of the House of Parliament is laid on the Table, the Secretary shall send information to that effect to the House of Parliament from which the message was received.

CHAPTER - XIII**Subordinate Legislation**

126. Laying of regulation, rule etc., on the Table:- (1) Where a regulation, rule, subrule, bye-law, etc., framed in pursuance of the Parliament or the Constitution or of the legislative functions delegated by the Legislature to a subordinate authority is laid before the Council, the period specified in the Constitution or the relevant Act for which it is required to be laid shall be completed before the Council is adjourned sinedie and later prorogued, unless, otherwise provided in the Constitution or the relevant Act.

(2) Where the specified period is not so completed, the regulation, rule sub-rule, bye-law, etc., shall be re-laid in the succeeding session or sessions until the said period is completed.

127. Allotment of time for discussion of amendment:- The Chairman shall, in consultation with the Leader of the House, fix a day or days or part of a day as he may think fit for the consideration and passing of an amendment to such regulation, rule, sub-rule, bye-law, etc., of which notice may be given by a member:

Provided that notice of the amendment shall be in such form as the Chairman may consider appropriate and shall comply with these rules.

128. Transmission of amendment to the Assembly:- After an amendment is passed by the Council, it shall be transmitted to the Assembly for its concurrence and on receipt of a message from the Assembly agreeing to the amendment, it shall be forwarded by the Secretary to the Minister concerned.

129. Amendment returned by the Assembly:- If the Assembly disagrees with the amendments passed by the Council or agrees subject to a further amendment thereof or proposed amendment in substitution thereof, the Council may either drop the

amendment or agree with the Assembly in the proposed amendment or insist on the original amendment passed by the Council. A message in either case shall be sent to the Assembly. In case the Council agrees to the amendment as further amended by the Assembly, the amended amendment shall be forwarded by the Secretary to the Minister concerned.

130. Disagreement between the Houses:- If the Assembly agrees to the original amendment passed by the Council, it shall be sent by the Secretary to the Minister concerned, but if the Assembly disagrees or insists on an amendment to which the Council has not agreed, the Houses shall be deemed to have finally disagreed, and all further proceedings thereon shall be dropped.

131. Regulation, rule, etc., as amended to be laid on the Table:- If regulation, rule, sub-rule, bye-law, etc., is modified in accordance with the amendment passed by the Houses, the amended regulation, rule, sub-rule, bye-law, etc., shall be laid on the Table.

(For rules relating to Committee on Subordinate Legislation an Rules 225-258 of Chapter XXIV)

CHAPTER - XIV**Resolution Dis-approving ordinances**

132. Notice of resolution dis-approving ordinances:- As soon as possible after the Governor has promulgated an Ordinance under Article 213 of the Constitution, printed copies of such ordinance shall be made available to the members of the House within six weeks from the reassembly of the House, any member, may, after giving three days clear notice move a resolution disapproving the ordinance.

CHAPTER - XV**Petitions**

133. Scope of petitions:- Petitions may be, presented or submitted to the Council with the consent of the Chairman on:

- (i) A Bill which has been published under rule 73 or which has been introduced in the Council;
- (ii) any matter connected with the business pending before the Council; and
- (iii) any matter of general public interest provided that is not one;-
 - (a) which falls within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or a authority or a quasi-judicial body, or a commission;
 - (b) which can be raised on a substantive motion or resolution; or
 - (c) for which remedy is available under the law, including rules, regulations, bye-laws made by the State Government or an authority to whom power to make such rules, regulations, etc. is delegated.

134. General form of petition:- (1) Every petition shall be couched in a respectful and temperate language.

(2) Every petition shall be either in English or Kannada language only. If any petition in any other Indian Language is made shall be accompanied by a translation either in Kannada or in English and signed by the petitioner.

135. Authentication of petition:- The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by his signature, and if illiterate by his thumb impression.

136. Document not to be attached:- Letters, affidavits or other documents shall not be attached to any petition.

137. Counter Signature:- (1) Every petition shall, if presented by a member, be countersigned by him. If a petition is made in any Indian language other than Kannada or English, its translation in Kannada or English shall also be countersigned by the member presenting it.

(2) A member shall not present a petition for himself.

138. Petition to whom to be addressed and how to be concluded:- Every petition shall be addressed to the Council and shall conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

139. Notice of presentation:- A member shall give advance intimation to the Secretary of his intention to present a petition.

140. Presentation of a petition:- A petition may be presented by a member to the House or be forwarded to the Secretary who shall report it to the House. The report shall be made in the form set out in the schedule. No debate shall be permitted on the presentation or the making of such report. The member shall be responsible for its contents and its genuineness.

***141. Form of petition:-** A member presenting a petition shall confine himself to a statement in the following form:-

“Sir, I present the petition signed by (petitioner) regarding”

142. Reference to Committee:- Every petition after presentation by a member or report by the Secretary, as the case may be, shall stand referred to the Committee on Petitions.

(For rules relating to Committee on petitions
See rules 243 and 244 of Chapter XXIV)

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

CHAPTER - XVI**Resolutions**

143. Notice of resolution:- A member other than a Minister who wishes to move a resolution to that effect shall give at least seven clear days notice before the date of ballot and shall together with notice submit the text of the resolution which he wishes to move:

Provided that the names of not more than five members shall be taken out in the ballot and shall be placed on the list of resolution on any one day.

144. Subject matter and conditions of admissibility of resolution:- Subject to the provision of these rules, a member or a minister may move a resolution relating to a matter of general public interest.

In order that a resolution may be admissible, it shall satisfy the following conditions, namely:

- (i) it shall clearly and precisely be expressed and shall raise substantially one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their official or public capacity; and
- (iv) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

145. Form of resolution:- A resolution may be in the form of a declaration of opinion, or a recommendation, or may be in the form so as to record either approval or disapproval by the Council or an Act or policy of Government, or convey a message, or commend, urge or request an action, or call attention to a matter

or situation for consideration by Government or in such other form as the Chairman may consider appropriate.

146. Chairman to decide admissibility of a resolution:- (1) The Chairman shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof which in his opinion it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the procedure of the Council or is in contravention of these rules.

(2) Where the form or the subject matter of a resolution is in the opinion of the Chairman in contravention of the rules, he may amend the resolution to secure its compliance with the rules and inform the member concerned accordingly.

147. Raising discussion on matters before Tribunals, Commission, etc:- No resolution which seeks to raise discussion on matter pending before any statutory tribunals, statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter ordinarily be permitted to be moved:

Provided that the Chairman may, in his discretion, allow such matter being raised in the Council as in concerned with the procedure or subject or stage of enquiry, if the Chairman is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

148. Moving of resolution:- (1) A member in whose name resolution stands on the list of business shall, except when he wishes to withdraw it when called upon, move the resolution and shall commence his speech by formal motion in the terms appearing in the list of business.

(2) A member may, with the permission of the Chairman, authorise any other member in whose name the same resolution

stands lower in the list of business, to move it on his behalf and the member so authorised may move it accordingly.

(3) If a member other than a Minister, when called on is absent, any other member authorised by him in writing in his behalf may, with the permission of the Chairman, move the resolution standing in his name.

149. Amendments:- (1) After a resolution has been moved, any member may, subject to the rules relating to resolutions, move an amendment to the resolution.

(2) If notice of such amendment has not been given one day previous to the day on which the resolution is moved, any member may object to the moving of the amendment and such objection shall prevail unless the Chairman allows the amendment to be moved.

(3) The Secretary shall, if time permits, make available to members from time to time list of amendment of which notices have been received.

150. Time limit for speeches:- No speech on a resolution shall except with the permission of the Chairman exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Chairman may permit:

Provided further that the discussion on the resolution shall not exceed two and half hours including the reply of the Minister.

151. Scope of Discussion:- The discussion of a resolution shall be strictly relevant to and within the scope of resolution.

152. Withdrawal of Resolution and Amendment:- (1) A member in whose name a resolution stands on the list of business may,

when called upon, if he so wishes to do, withdraw the resolution, and shall confine himself to a mere statement to that effect.

(2) A member who has moved a resolution or an amendment to a resolution shall not withdraw the same except by leave of the House.

* (3) If a resolution which has been admitted is not discussed during the session, it shall be deemed to have been lapsed.

153. Splitting of Resolution:- When any resolution involving several points has been discussed, the Chairman may divide the resolution and put each or any point separately to the vote, as he may think fit.

154. Repetition of Resolution:- (1) When a resolution has been moved and voted upon, no resolution or amendment raising substantially the same question shall be moved within one year from the date of moving of the earlier resolution.

(2) When a resolution has been withdrawn with the leave of the House, no resolution raising substantially the same question shall be moved during the same session.

155. Copy of resolution passed to be sent to the Minister:- A copy of every resolution which has been passed by the Council shall be forwarded to the Minister concerned.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

CHAPTER - XVII**Motions**

156. Discussion on matter of public interest by motion:- Save in so far as is otherwise provided in the Constitution or in these rules, no discussion of matter of a general public interest shall take place except a motion made with the consent of the Chairman.

157. Notice of a motion:- Notice of a motion shall be given in writing addressed to the Secretary.

158. Conditions of admissibility of motion:- (1) In order that a motion may be admissible, it shall satisfy the following conditions, namely,-

- (i) it shall raise substantially one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;
- (iv) it shall be restricted to a matter of recent occurrence;
- (v) it shall not raise a question of privilege;
- (vi) it shall not revive discussion of a matter which has been already discussed in the session;
- (vii) it shall not anticipate discussion of a matter which is likely to be discussed in the same session;
- (viii) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

(2) A motion shall not be inadmissible on the ground that it relates to question of privilege for which consent of the Chairman has not been given under rule 174.

159. Chairman to decide admissibility of a motion:- The Chairman shall decide whether a motion or a part thereof is or is not admissible under these rules and may disallow any motion or a part thereof when in his opinion it is an abuse of the right of moving a motion or calculated to obstruct or prejudicially affect the procedure of the Council or is in contravention of these rules.

160. Matters before Tribunal, Commission etc:- No motion which seeks to raise discussion on a matter pending before any Statutory Tribunal or Statutory Authority performing any judicial or quasi judicial functions or any Commission or Court of Enquiry appointed to enquire into, or investigate any matter shall ordinarily be permitted to be moved:

Provided that the Chairman may, in his discretion, allow such matter being raised in the House as it is concerned with the Procedure or subject or stage of enquiry if the Chairman is satisfied that it is not likely to prejudice the consideration of such matter by the Statutory Tribunal, Statutory Authority, Commissions or Court of Enquiry.

161. Allotment of time and discussions of motions:- The Chairman may, after considering the state of business in the House and consultation with the Leader of the House (or on the recommendation of the Business Advisory Committee), allot a day or days or part of a day for the discussion of any such motion.

162. Chairman to put question at the appointed time:- The Chairman shall at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the Council on the original question.

163. Time limit for speeches:- The Chairman may, if he thinks fit, prescribe a time limit for speeches.

CHAPTER - XVIII**Statement by a Minister who has resigned**

164. Statement by a Minister who has resigned:- (1) A member who has resigned the office of Minister may, with the consent of the Chairman, make a personal statement in explanation of the resignation.

(2) A copy of the statement shall be forwarded to the Chairman and the Leader of the House one day in advance of the day on which it is proposed to be made:

Provided that in the absence of a written statement, the points or the list of such statement shall be conveyed to the Chairman and Leader of the House one day in advance of the day on which it is proposed to be made.

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

(4) There shall be no debate on such statement but, after it has been made, a Minister may make a statement pertinent thereto.

CHAPTER - XIX**Resolution for removal of Chairman or Deputy Chairman from Office**

165. Notice of a resolution for removal of Chairman or Deputy Chairman:- (1) A member wishing to give notice of resolution under clause (c) of article 183 of the Constitution, for the removal of the Chairman or the Deputy Chairman, shall do so in writing to the Secretary.

(2) On receipt of a notice under sub-rule (1), a motion for leave to move the resolution shall be entered in the list of business in the name of the member concerned on a day fixed by the Chairman:

Provided that the day so fixed shall be any day after fourteen days from the date of the receipt of notice.

166. Leave of Council to take up resolution:- (1) The member in whose name the motion stands on the list of business shall except when he wishes to withdraw it, move the motion when called upon to do so, but no speech shall be permitted at this stage.

(2) The Chairman or the Deputy Chairman or the person presiding as the case may be, shall thereupon place the motion before the Council and shall request those members who are in favour of leave being granted to rise in their places. If not less than ten members rise accordingly, the Chairman or the Deputy Chairman or to the person presiding as the case may be, shall declare that leave has been granted and that the resolution will be taken up on such day not being more than five days from the date on which leave is asked for, as he may appoint. If less than ten members rise, the Chairman or the Deputy Chairman or the person presiding shall inform the mover that he has not grant the leave of the Council.

167. Resolution included in the list of business on the appointed day:- On the appointed day, the resolution shall be included in the list of business to be taken up after the questions and before any other business for the day is entered upon.

168. Time limit for speeches:- Except with the permission of the Chairman or the Deputy Chairman or the person presiding, a speech on the resolution shall not exceed fifteen minutes in duration:

Provided that the mover of the resolution when moving the same may speak for such longer time as the Chairman or the Deputy Chairman or the person presiding may permit.

CHAPTER - XX**Procedure in Financial Matters**

169. The Budget:- The Annual Financial Statement or the Statement of the Estimated Receipts and Expenditure of the Government in respect of each financial year (hereinafter referred to as the 'Budget') shall be presented to the Council on such day as the Governor may direct.

170. Budget not to be discussed on presentation:- There shall be no discussion of the Budget on the day on which it is presented to the Council.

171. General discussion on the Budget:- (1) On a day or days to be appointed by the Chairman subsequent to the day on which the Budget is presented and for such time as the Chairman may allot for this purpose, the Council shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved nor shall it be submitted to the vote of the Council.

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

(3) The Chairman may, if he thinks fit, prescribe time limit for speeches.

172. Presentation of the Budget in parts:- Nothing herein before contained shall be deemed to prevent the presentation of the Budget to the Council in two or more parts and when such presentation takes place, each part shall be dealt with in accordance with these rules as if it were the Budget.

173. Statement of Supplementary or additional expenditure.-

The Chairman shall allot such time as may be necessary for the discussion of supplementary or additional estimates of the Expenditure.

No motion shall be moved on such estimates nor shall it be submitted to the vote of the Council.

(For rules relating to Committee on Public Accounts see rules 245 to 247 of Chapter XXIV).

CHAPTER - XXI**Privileges****(a) Question of Privilege**

174. Question of privilege:- A member may, with the consent of the Chairman, raise a breach of privilege either of a member or of the Council or of a Committees thereof.

175. Notice of question of privilege:- A member wishing to raise a question of privileges shall give notices in writing to the Secretary at least one hour before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document.

176. Condition of admissibility of question of privilege:- The right to raise a question of privilege shall be governed by the following conditions, namely,-

- (i) not more than one question shall be raised at the same sitting;
- (ii) the question shall be restricted to a specific matter of recent occurrence;
- (iii) the matter requires the intervention of the Council.

177. Mode of raising a question of privilege:- (1) The Chairman, if he gives consent under rule 174 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and while asking for leave to raise the question of privilege make a short statement relevant thereto:

Provided that where the Chairman has refused his consent under rule 174 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order:

Provided further that the Chairman may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions.

(2) 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, the Chairman shall intimate that leave is granted. If less than ten members rise, the Chairman shall inform the member that he has not grant the leave of the Council.

178. Consideration by the Council or reference to the Committee of privilege of question of privilege to which leave is granted:- If leave under rule 177 is granted, the Council may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made either by the member who has raised the question of privilege or by any other member.

179. Power of Chairman to refer question of privilege to Committee:- Notwithstanding anything contained in these rules, the Chairman may refer any question of privilege to the Committee of Privileges for examination, investigation or report.

180. Regulation of procedure:- The Chairman may issue such directions, as may be necessary, for regulating the procedure in

connection with all matters connected with the consideration of the question of privilege either in the Committee of Privilege or in the Council.

(For rules relating to Committee of Privileges see rules 250 to 253 of Chapter XXIV).

(b) Arrest

181. Procedure for Arrest:- (1) No arrest shall be made within the precincts of the House without obtaining the permission of the Chairman.

(2) A legal process, civil or criminal, shall not be served within the precincts of the House without obtaining the permission of the Chairman.

(c) Intimation to Chairman of Arrest, Detention, etc., and Release of a Member

182. Intimation to Chairman by Magistrate of arrest detention, etc., of a member:- When a member is arrested on a criminal charges or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing Judge, Magistrate or executive authority as the case may be, shall immediately intimate such fact to the Chairman indicating the reasons for the arrest, detention or conviction as the case may be as also the place of detention or imprisonment of the member in the appropriate form set out in Schedule II.

183. Intimation to Chairman on release of a member:- When a member is arrested and after conviction released on bail, pending an appeal or otherwise released, such fact shall also be intimated to the Chairman by the authority concerned in the appropriate form set out in Schedule II.

184. Treatment of Communication:- As soon as may be, the Chairman shall, after he has received a communication referred to in rule 182 or 183, read out to the council if it is Session or if it is not in session, direct that it may be published in the bulletin for the information of the Members:

Provided that if the intimation of the release of a member either on bail or by discharge on appeal is received before the Council has been informed of the original arrest, the fact of his arrest or his subsequent release or discharge may not be intimated to the Council by the Chairman.

CHAPTER - XXII**Resignation and Vacation of seats in the Council**

185. Resignation of Seats in the Council:- (1) A member who desires to resign his seat in the Council shall intimate in writing under his hand addressed to the Chairman, his intention to resign his seat in the Council in the following form and shall not give any reason for his resignation.

To,

The Chairman,
Karnataka Legislative Council,
Vidhana Soudha,
Bangalore,

Sir,

I hereby tender my resignation of my seat in the Council with effect from

Yours faithfully,

.....

Member of the Council.

Place

Date

Provided that where any member gives any reason or introduces any extraneous matter, the Chairman may, in his discretion, omit such words, phrases or matter and the same shall not be read out in the Council.

(2) If a member hands over the letter of resignation to the Chairman personally and informs him that the resignation is voluntary and genuine and the Chairman has no information or knowledge to the contrary and if he is satisfied, the Chairman may accept resignation immediately.

(3) If the Chairman receives the letter of resignation either by post or through some one else, the Chairman may make such inquiry, as he thinks fit, to satisfy himself that the resignation is voluntary and genuine. If the Chairman after making a summary enquiry either himself or through such other agency, as he may deem fit, is satisfied that the resignation is not voluntary or genuine, he shall not accept the resignation.

(4) A member may withdraw his letter of resignation at any time before it is accepted by the Chairman.

(5) The Chairman shall, as soon as may be, after he has accepted the resignation of a member, inform the council that the member has resigned his seat in the Council and he has accepted the resignation.

Explanation:- When the Council is not in session, the Chairman shall inform the Council immediately after the Council reassembles.

(6) The Secretary shall, as soon as may be, after the Chairman has accepted the resignation of a member, cause the information to be published in the Bulletin and the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused:

Provided that where the resignation is to take effect from a future date, the information shall be published in the Bulletin and the Gazette not earlier than the date from which it is to take effect.

***186. Applications for leave of absence:-** (1) A member desiring permission of the House to remain absent from the sittings thereof under Clause (4) of Article 190 of the Constitution, shall make an application in writing to the Chairman.

(2) An application under subrule (1) shall specify the period for which leave of absence is required, indicating also the date of

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

commencement and of termination of such leave of absence and the grounds for it :

Provided that leave of absence applied for at any one time shall not exceed sixty days.

(3) No discussion shall take place on any question before the council under this rule.

(4) The Secretary shall, as soon as may be, after a decision has been signified by the Council, communicate it to the member.

187. Vacation of seats in the Council:- (1) The seat of member shall be declared vacant under clause (4) of article 190 of the constitution, on a motion by the Leader of the House or by such other member to whom he may delegate his functions in this behalf.

(2) If the motion referred to in sub-rule (1) is carried the Secretary shall cause the information to be published in the Gazette and forward a copy of the notification to Election Commission in the case of an elected member and to the Governor in the case of a nominated member for taking steps to fill the vacancy thus caused.

CHAPTER - XXIII**Communications between the Governor and
the Council**

188. Communication from the Governor to the Council:-
Communications from the Governor to the Council shall be made to the Chairman by written message signed by the Governor or if the Governor is absent from the place of meeting of the Council, his message shall be conveyed to the Chairman through a Minister.

189. Communication from the Council to the Governor:-
Communication from the Council to the Governor shall be made, -

- (1) by formal Address, for motion made and carried in the Council, and
- (2) through the Chairman.

CHAPTER - XXIV**Committees****(a) General Rules**

190. Applicability of general rules to Committees:- Except for matters for which special provision is made in the rules relating to any particular Council Committee, the general rules in this Chapter shall apply to all Council Committees and if and so far as any provision in the special rules relating to a Council Committee is inconsistent with the general rules, the former rules shall prevail.

***191. (1) Term of the Committees:-** The Committees shall hold Office for a term not exceeding two years or until the next committee is constituted.

(2) Appointment of Members to the Committees:- No member shall be appointed to a Council Committee, if he is not willing to serve on the Committee. The proposer shall ascertain whether the member whose name is proposed by him is willing to serve on the Committee.

192. Filling up casual vacancy:- Casual vacancy in a Committee shall be filled by nomination by the Chairman and any member so nominated to fill a vacancy shall hold office for the unexpired portion of the term for which the member in whose place he is nominated:

Provided that a Minister shall not be elected as a member of the committee and that is a member, after his election to the committee is appointed as a Minister, he shall cease to be a member of the committee from the date of such appointment.

193. Resignation of Members from Committees:- A member may resign his seat from a committee by writing under his hand, addressed to the Chairman.

***194. Chairmen to Committees:-** (1) The Chairman and the Speaker shall be the Chairman of the Library committee on alternatively.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

(2) The Deputy Chairman shall be the Chairman of the House Committee.

(3) The Chairman of the following Committees shall be appointed by the Speaker from amongst the members of the committee,-

- (i) Committee on Public Accounts;
- (ii) Committee on Subordinate Legislation;
- (iii) Committee on Public Undertakings;
- (iv) Committee on Welfare of Scheduled Caste / Scheduled Tribes;
- (v) Committee on Estimates;
- (vi) Committee on Welfare of Backward Classes;
- (vii) Committee on Papers laid on the Table;
- (viii) Committee on Welfare of Women and Children;
- (ix) Committee on Panchayatraj Institution.

(4) The Chairman of all other Committees shall be appointed by the Chairman of the Council from amongst the members of the Committee:

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

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

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

195. Quorum:- (1) Except where otherwise provided, the quorum to constitute a sitting of a Committee shall be, as near as may be, one-fourth of the total number of members of the Committee.

(2) If at any time fixed for any sitting of the 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 the 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.

196. Discharge of members absent from sitting of the Committees:- If a member is absent from two or more consecutive sittings of the Committee without the permission of the Chairman of the Committee, a motion may be moved in the Council for the discharge of such member from the Committee:

Provided that where the members of the Committee are nominated by the Chairman of the Council, a member may be discharged by him.

197. Voting in Committee:- All questions at any sitting of a Committee shall be determined by a majority of votes of the members present and voting.

198. Casting votes for Chairman:- In the case of an equality of votes on any matter, the Chairman of the Committee or the person acting as such shall have a second or casting vote.

199. Power to appoint sub-committees:- (1) A Committee may appoint one or more Sub-Committees each having the powers of the undivided Committee to examine any matters that may be referred to them and the reports of such Sub-Committees shall be the reports of the main Committee if they are approved at a sittings of the main Committee.

(2) The order of reference to a Sub-Committee shall clearly state the point or points for investigation. The report of the Sub-Committee shall be considered by the main Committee.

200. Sittings of Committee:- 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 the Committee is not readily available, the Secretary may fix the date and time of a sitting.

201. Committee may sit whilst the Council is sitting:- A Committee may sit whilst the Council is sitting:

Provided that a division being called in the Council, the Chairman of the Committee shall suspend the proceedings in the Committee for such time to enable the members to vote in a division.

202. Sitting of Committee in private:- The sittings of a Committee shall be held in private.

203. Venue of sittings:- The sittings of a Committees shall be held within the precincts of the Council and if it becomes necessary to change the place of sitting outside the precincts of the Council, the matter shall be referred to the Chairman whose decision shall be final.

204. All strangers to withdraw when the Committee is deliberating:- All persons other than members of the Committee and officers of the Legislature Secretariat shall withdraw whenever the Committee is deliberating.

205. Power to take evidence or call for papers, records or documents:- (1) A witness may be summoned by an order signed by the Secretary and shall produce such documents as are required for the use of a Committee.

(2) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

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

***206. Power of Council Committees to send for persons, papers and records:-** A Committee shall have power to send for persons, papers and records :

Provided that if there is any question as to whether the production of a particular document would be prejudicial to the safety or interest of the State, the decision of the Chairman of the Committee in this regard 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. The decision of the Chairman of the Council in this regard shall be final.

***207. Counsel for a witness:-** A Committee may permit a witness to be heard by a Counsel duly appointed by him.

208. Evidence on oath:- (1) A Committee may administer oath or affirmation to a witness examined before it.

(2) The form of the oath or affirmation shall be as follows:-

“I, A.B. do swear in the name of the God that the Solemnly affirm evidence which I shall give in this case shall be true, that I will conceal nothing and that no part of my evidence shall be false.”

209. Procedure for examining witnesses:- The examination of witness before a Committee shall be conducted as follows, -

- (i) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be put to the witness;
- (ii) The Chairman of the Committee may first put to the witness such question or questions as he may consider necessary with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure mentioned in clause (i);

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

- (iii) The Chairman of the Committee may call other members of the Committee one by one to put any other questions;
- (iv) 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;
- (v) A verbatim record of proceedings of the Committee, when a witness is summoned to give evidence, shall be kept;
- (vi) The evidence tendered before the Committee may be made available to all members of the Committees.

210. Record of decision:- A record of the decisions of a Committee shall be maintained and circulated to members of the Committee under the direction of the Chairman of the Committee.

211. Evidence report and proceedings treated as confidential:- (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 Council 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.

212. Special Reports:- 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 House notwithstanding that

such matter is not directly connected with, or does not fall within or is not incidental to its terms of reference:

Provided that the names of persons shall not be included in the report of the Committees unless he be summoned to appear before the Committee and given an opportunity to explain himself before the Committee.

213. Report of the Committee:- (1) Where the Council has not fixed any time for the presentation of the report, the report shall be presented within three months of the date on which reference to the Committee was made or if a session of the Council is not held within three months, at the next session:

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

(2) Reports may be either interim or final.

(3) The report of the Committee shall be signed by the Chairman of the Committee on behalf of the Committee:

Provided that in case the Chairman of the Committee is absent or is not available, the Committee shall choose another member to sign the report on behalf of the Committee.

214. Availability of report to Government before presentation:- A Committee, may if it thinks fit, make available to Government any completed part of its report before presentation to the Council. Such report shall be treated as confidential until presented to the Council.

***215. Presentation of report:-** (1) The report of a committee shall be presented to the Council by the Chairman of the Committee or in his absence, by any member of the Committee and he shall state the brief facts of the report.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

(2) While presenting the report, the Chairman of the Committee or in his absence, the member presenting the report if he/she so desires, make a brief statement of facts but there shall be no debate on that statement.

216. Printing, Publication or Circulation of report prior to its Presentation to the Council:- The Chairman, may, on a request being made to him and the House is not in session, order the printing, publication or circulation of a report of a Committee after satisfying himself on a point of procedure or otherwise, although it has not been presented to the House. In that case, the report shall be presented to House during its next session at the first convenient opportunity.

217. Discussion of reports:- The Chairman may, after considering the state of business, allot such time as may be compatible with the public interest for the discussion of the reports of the Committee.

218. Power to make suggestion on procedure:- A Committee shall have power to pass resolutions on matters of procedure relating to that Committee for the consideration of the Chairman of the Council who may make such variations in procedure as may be considered necessary.

219. Power of Committee to make detailed rules:- A Committee may, with the approval of the Chairman of the Council make detailed rules of procedure to supplement the provisions contained in the rules in this chapter.

220. Power of Chairman to give direction on a point of procedure or otherwise:- (1) The Chairman of the Council may, from time to time, issue such directions to the Chairman of the Committee, as he may consider necessary for regulating its procedure and the organisation of its work.

(2) If any doubt arises on any point of procedure or otherwise, the Chairman of the Committee may, if he thinks fit, refer the

point to the Chairman of the Council whose decision shall be final.

***221. Business before Committees not to lapse on prorogation of Council :-** A Committee which is unable to complete its work before expiration of the term or before the prorogation of the House, may report to the House that the Committee has not been able to complete the work. Any preliminary report, memorandum that the Committee may have prepared or any evidence that the Committee may have taken shall be made available to the successor Committee.

****221A. Unfinished work of the committees of the House:-** If the previous committee is unable to complete its work after the expiry of the term of the House committees, the unfinished work shall be continued by the successor committee.

(b) Business Advisory Committee

222. Constitution of the Committee:- The Business Advisory Committee shall be constituted at the commencement of the Council, or thereafter from time to time and shall consist of the Chairman of the Council who shall be the Chairman of the Committee and nine other members who shall be nominated by the Chairman. The Chairman may invite such of the members as he deems fit.

223. Function of the Committee:- (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other business as the Chairman in consultation with the Leader of the House, may direct for being referred to the Committee.

(2) The Committee shall have the power to indicate in the proposed time table the different hours at which the various stages of the Bill and other business shall be completed.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

(3) The Committee shall have such other functions as may be assigned to it by the Chairman from time to time.

Explanation - The expression "Other business" referred to in this rule, and rules 226 and 227 means business other than private members' Bills under rule 74 and private members' resolutions under rule 143 and includes discussion of reports under rule 217.

224. Report of the Committee:- The recommendations of the Committee shall be presented to the Council in the form of a report.

225. Motion moved in Council on report:- At any time after the report has been presented to the Council, a motion may be moved that "the Council agrees with the report":

Provided that an amendment may be moved that the report be referred back to the Committee either without limitation or with reference to any particular matter:

Provided further that not more than half-an-hour shall be allotted for the discussion of the motion and no member shall speak for more than five minutes on such a motion.

226. Allocation of Time Order:- The allocation of time in respect of Bills and other business as approved by the Council shall take effect as if it were an order of the Council.

227. Disposal of outstanding matters at the appointed hour:- At the appointed hour, in accordance with the allocation of time order for the completion of a particular stage of a Bill, or other business, the Chairman shall forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill or other business.

228. Variation in the Allocation of time orders:- No variation in the allocation of time order shall be made except on a motion made with the consent of the Chairman and accepted by the Council:

Provided that the Chairman may, after taking the sense of the Council, increase the time allotted for any Bill or other business not exceeding two hours, without any motion being moved.

(c) Select Committee on Bills

***229. Composition of Select Committee:-** (1) A minister may with the permission of the Chairman address the Committee of which he may not be a member. The Minister-in-charge of the Department shall be the Chairman and it shall not be necessary to include their names in any motion for appointment of such a committee.

(2) The other members of the Committee shall be appointed by the Council when a motion that the Bill be referred to a Select Committee is made under sub-rule (1) of rule 83. The number of the members of the committee shall be decided by the Chairman.

(3) Members who are not members of the Select Committee may be present during the deliberations of the Committee, but shall not address the Committee nor participate in the body of the Committee as members:

Provided that a Minister may with the permission of the Chairman address the Committee of which he may not be a member.

230. Meeting of Select Committee:- The first meeting of a Select Committee shall be held on such day and at such hour as the Chairman of the Committee may fix. Subsequent dates for meetings of the Committee will be fixed by the Committee itself:

Provided that if the Chairman of the Committee is not available, the Secretary may, in consultation with the Minister whose department is concerned with the Bill, fix the date and time of the first meeting:

Provided further that where the Committee has not fixed a date for the next meeting, the Secretary may fix the date for the meeting in consultation with the Chairman of the Committee.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

231. Notice of Amendments and procedure generally in Select Committee:- (1) If notice of a proposed amendment has not been given before the day on which the Bills 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 amendment 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 adoptions whether by way of modification, addition or omission, as the Chairman of the Council may consider necessary or convenient.

***232. Notice of Amendments by members other than members of Select Committee:-** The chairman of the Select Committee may, if he deems fit, receive any suggestion from any person, who is not a member of the Select Committee and refer it to the Committee.

233. Power to hear expert evidence:- A Select Committee may hear expert evidence and representative of Special interests affected by the measures before them.

234. Report of Committee:- (1) As soon as may be, after a Bill has been referred to a Select Committee, the Select Committee shall meet, from time to time, in accordance with rule 200 to consider the Bill and shall make a report thereon within the time fixed by the Council:

Provided that where the council has not fixed any time for the presentation of the report, the report shall be presented before the expiry of three months from the date on which the Council adopted the motion for the reference of the Bill to the Select Committee or if a session of the Council is not held within three months, at the next session:

Provided further that the Council may, at any time, on a motion being made, direct that the time for the presentation of

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

the report by the Select Committee be extended to a date specified in the motion.

(2) The Select Committee shall, in its report state whether the publication of the Bill directed by these rules has taken place, and the date on which the publication has taken place.

*(3) Where a Bill has been altered, the select Committee may, if it thinks fit, include in its report a recommendation to the member-in-charge of the Bill that the next motion should be a motion for circulation, or where the Bill has already been circulated, for re-circulation.

(4) Any member of a Select Committee may record a minute of dissent on any matter or matters, connected with the Bill or dealt with in the report:

Provided that a member, if he so wishes, may hand in a note dissent which shall form part of the report.

(5) A minute of dissent shall be couched in temperate and decorous language and shall not refer to any discussion in the Select Committee nor cast aspersion on the Committee.

(6) If in the opinion of the Chairman, a minute of dissent contains words, phrases or expressions, which are unparliamentary or otherwise inappropriate, he may order such words, phrases or expressions to be expunged from the minute of dissent.

***235. Printing and Publication of Report:-** The Secretary shall cause every report of a Select Committee to be printed, and a copy of the report shall be made available for the use of every member of the Council. The report, and the Bills as reported by the Select Committee shall be confidential till they are published in the Gazette.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

(d) Joint Select Committee

236. Constitution of Joint Select Committee:- (1) The Council may, by a motion desire to obtain the concurrence of the Assembly in setting up a Joint Select Committee on the two Houses to consider a Bill, and such a motion shall state the total number of members of both the Houses to be appointed to the Committee and the names of the members of the Council who in accordance with the proportion mentioned in rule 239 are to serve thereon.

(2) The member-in-charge of the Bill, the Minister-in-charge of the department to which the Bill relates and the Minister for Law shall be nominated as members of the Joint Select Committee and it shall not be necessary to include their names in any motion for the appointment of such Joint Select Committee.

237. Concurrence of the Assembly to the setting up of such a Committee:- On the adoption of such a motion, a message shall be sent to the Assembly informing it accordingly and desiring its concurrence to the appointment of a Joint Select Committee and its proposed total strength and requesting it to nominate the members required under sub-rule (1) of rule 236.

238. Concurrence of the Council to the setting up of Joint Select Committee:- Where a message is received from the Assembly desiring the concurrence of the Council for setting up a Joint Select Committee and its proposed total strength and requesting the nomination of members to the Joint Select Committee as required under rule 239, such concurrence and nomination may be given on motion made by a Minister in the case of a Government Bill and any member in the case of any other Bill.

239. Strength of Joint Select Committee:- The total number of members of a Joint Select Committee shall not exceed twenty excluding those specified in sub-rule (2) of rule 236 and on every

Joint Select Committee the number of members to be nominated by the Council and Assembly shall be in the proportion of 1:3.

240. Fixing the time and place of first meeting:- The time and place of the first meeting of the Committee shall be fixed by the Presiding Officer of the House in which the Bill originated.

***241. Chairman of Joint Select Committee:-** The Minister-in-charge of the Bill shall be the Chairman of the Joint Select Committee. The Chairman of the Committee shall have no casting vote. If the votes on a question before a Joint Select Committee be equal, the question be deemed to have been decided in the negative.

242. Procedure in Joint Select Committee:- Except as aforesaid, a Joint Select Committee shall, in the case of a Bill originating in the Council, follow the same procedure and shall have the same powers as a Select Committee of the Council.

***242A. Constitution of Special House Committee:-** (1) The Chairman may after taking the consensus of the House appoint a special House Committee to go into matters raised and discussed in the House.

(2) The Chairman may also specify the terms and conditions of such committee.

(e) Committee on Panchayat Raj Institutions

***242B. (1) Constitution of the Committee:-** (a) The Committee on Panchayat Raj Institutions shall consists of not more than twenty Members of whom fifteen shall be nominated by Speaker and five nominated by the Chairman from the Legislative Council.

(2) Term of the Committee:- The Committee shall hold office for a term not exceeding two year.

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

** Inserted as per the vide Notification No. KLC/Leg/Kananiti/395/2011, dt. 29.3.2011.

(3) Quorum:- In order to constitute a sitting of the Committee, atleast one third of the total number of members of the Committee shall be present.

(4) Functions of the Committee:- (a) To examine the accounts showing the appropriation of sums granted for the expenditure of Local Bodies and Panchayat Raj Institutions, the annual finance accounts of the State Government and such other accounts as the Committee may think fit.

(b) to scrutinise the Appropriation Accounts of the State Government and the reports of the Comptroller and Auditor General thereon laid before the House.

(c) to examine whether the Local Bodies and Panchayat Raj Institutions are performing their duties, in accordance with the law, bearing in mind the autonomy of the Local Bodies and Panchayat Raj Institutions.

(d) to examine any other points if referred to the committee by the Hon'ble Speaker with reference to the objectives of Local Bodies or Panchayat Raj Institutions.

Provided, that the committee shall not examine and investigate thereon any of the following, namely:

(a) matter of major policies of the Government as distinct from Local Bodies and Panchayat Raj Institutions;

(b) day-to-day matters of administration of the Local Bodies and Panchayat Raj Institutions;

(c) Matters for the consideration of which Machinery is established by any special statue under which the Local Bodies and Panchayat Raj Institutions are established.

(5) Presentation of the Report of the Committee on Local Bodies and Panchayat Raj Institutions:- The report of the Committee on Local Bodies and Panchayat Raj Institutions on the accounts of the Government and the report of the Comptroller

and Auditor General thereon shall be presented to the House by the Chairman of the said Committee, if he is a member of the House or by any member who may be authorized in this behalf by the Chairman.

(f) Committee on Ethics

***242C. (1) Constitution of the Committee:-** (a) There shall be a committee on Ethics for examine all matters relating to the maintenance of discipline and decorum in the House and breach of the Code of Conduct and rules to be observed by members inside and outside the House.

(b) The committee shall consist of a total of seven members with Deputy Chairman of the council as the Chairman and six members to be nominated by the Chairman.

(c) The committee shall hold office for a term not exceeding two years.

(d) The quorum to constitute a sitting of the committee shall be three.

(2) Functions of the Committee:- (a) The committee shall examine every question or complaint of violation or breach of discipline or code of conduct or Rules to be observed inside and outside the House as laid down in Rules 303, 303(A), 303(B) and 306 by any member and determine whether there is any breach and circumstances leading to it.

(b) Complaint relating to the unethical conduct of a member including a minister other than Chairman relating to any matter whether inside or outside the House may be made to the Chairman who may refer it to the committee on Ethics for inquiry and report.

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

(c) Any person may make a complaint. It shall be incumbent upon the complainant to ensure that the complaint is not false, frivolous or vexatious and is made in good faith. An affidavit sworn to that effect shall accompany the complaint.

(d) The House may also refer complaints relating to the unethical conduct of members, on a motion to the committee on Ethics for inquiry and report.

(e) In case where the complaint is against the Deputy Chairman or any member of the ethics committee he shall withdraw from the committee when such a complaint is examined by the committee. The committee may elect or nominate another Chairman in place of the Deputy Chairman to act as Chairman of the Committee for that issue.

(f) The committee may also suo motu take up for inquiry, matters relating to ethics wherever felt necessary.

(g) The committee shall examine all the matters referred to it.

(h) Complementary to the above, the committee may follow the same procedure, as far as possible, for inquiry and determination, of any question as in the case of breach of privilege of the House.

(i) while conducting the inquiry, the committee shall follow the principles of Natural Justice, Equity and Good Conscience.

(j) In the event of the committee finding that there is no prima-facie case, the same be rejected summarily. Those who file false, frivolous or vexatious complaints are liable to be punished by the House.

(k) The committee may, if necessary, requisition the services of any investigating agency for the purpose of inquiry into the complaints.

(l) Publication of the contents of the complaint or any part thereof before the presentation of the verdict of the committee to the House is contempt of the House.

(m) The report of the Committee on Ethics shall be presented to the Council by the Chairman of the committee or by any member who may be authorised in this behalf by the Chairman of the committee.

(n) The committee shall be empowered to recommend, as it deems fit, punishments for violations or breaches of discipline and decorum or Code of Conduct or Rules to be observed inside and outside the House, which may be in the form of admonition, reprimand, censure or withdrawal from the House for offences of a less serious nature and suspension from the service of House for specific period for grave misconduct.

(o) A register of members' interests shall be maintained under the authority of the committee on Ethics or of the House. Every member shall be required to furnish information annually relating to any pecuniary interest or material benefits which he receives and notify any changes in the information so furnished by him within 90 days of occurrence of such changes.

(g) Committee on Petitions

243. Constitution of the Committee:- (1) There shall be a Committee on Petitions which shall consist of the Deputy Chairman as its Chairman and eight members nominated by the Chairman.

* (2) The committee shall hold office for a term not exceeding two years.

* (3) In order to conduct a meeting of the committee, the quorum shall be three including the Chairman.

* Substituted as per the recommendation of the Ethics Committee on 14.2.06.

244. Functions of the Committee:- (1) The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct that it be circulated. Where circulation of the petition has not been directed, the Chairman may, at any time, direct that the petitions be circulated.

(2) Circulating of the petition shall be in extenso or summary form as the Committee or the Chairman, as the case may be, may direct.

(3) It shall also be the duty of the Committee to report to the Council on specified complaints made in the petition referred to it after taking such evidence, as it deems fit, and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future.

(h) Committee on Public Accounts

245. Constitution of the Committee:- (1) The Committee on Public Accounts shall consist of twenty members, of whom fifteen shall be elected by the Assembly from amongst its members and five by the Council from amongst its members according to the principle of proportional representation by means of the single transferable vote:

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

* (2) The committee shall hold office for a term not exceeding two years.

* (3) In order to conduct a meeting of the Committee, the quorum shall be five including the Chairman.

246. Functions of the Committee:- (1) There shall be a Committee on Public Accounts for the examination of accounts showing the appropriation of sums granted by the Assembly for

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

the expenditure of the State Government. The annual Finance accounts of the State Government and such other accounts laid before the Council as the Committee may think fit.

(2) In scrutinising the appropriation accounts of the State Government and the report of the Comptroller and Auditor General thereon, it shall be the duty of the Committee to satisfy itself,-

- (a) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged.
- (b) that the expenditure conforms to the authority which governs it, and
- (c) that every reappropriation has been made in accordance with the provisions made in this behalf under rules framed by competent authority.

(3) It shall also be the duty of the Committee,-

- (a) to examine the statement of accounts showing the income and expenditure of State Corporations, trading and manufacturing schemes, concerns and projects together with the balance sheets and statement of profit and loss accounts which the Government may have required to be prepared or are prepared under the provisions of the statutory rules regulating the financing of a particular corporation trading or manufacturing scheme or concern or project and the report of the Comptroller and Auditor General thereon;
- (b) to examine the statement of accounts showing the income and expenditure of autonomous and semi-autonomous bodies, the audit of which may be conducted by the Comptroller and Auditor General under competent authority; and

- (c) to consider the report of the Comptroller and Auditor General in case where he may have been required to conduct audit of any receipts or to examine the accounts of stores and stocks.

(4) If any money has been spent on any service during a financial year in excess of the amount granted by the Assembly for that purpose, the Committee shall examine with reference to the facts of each case the circumstances leading to such as excess and make such recommendation as it may deem fit:

Provided that the Committee shall not exercise its functions in relation to such public undertakings as are allotted to the Committee on Public Undertakings by these rules.

247. Presentation of Report of Public Accounts Committee:-

The report of the Committee on the Public Accounts on the accounts of the Government and the report of the Comptroller and Auditor-General thereon shall be presented to the Council by the Chairman of the said Committee if he is a member of the Council or by any member who may be authorised in this behalf by the Chairman of the Committee.

(i) Committee on Public Undertakings

248. Constitution of the Committee:- The Committee on Public Undertaking shall consist of twenty members, of whom fifteen shall be elected by the Assembly from amongst its members and five by the Legislative Council from amongst its members according to the principle of proportional representation by means of single transferable vote:

Provided that a Minister shall not be elected as a member of the committee and that of a member after his election to the committee is appointed as a minister, he shall cease to be a member of the committee from the date of such appointment.

Provided further that no member who has pecuniary interest in any Public Undertakings shall be eligible to be elected or continued to be a member of the Committee.

(2) The Committee shall hold office for a term not exceeding two years.

***249. Functions of the Committee:-** There shall be a Committee on Public Undertakings for the examination of the working of the public undertakings specified in Schedule III.

The functions of the Committee shall be, -

(a) to examine the reports and accounts of the public undertakings specified in the Schedule;

(b) to examine the reports, if any, of the Comptroller and Audit-General on the Public Undertakings;

(c) to examine, in the context of the autonomy and efficiency of the Public undertakings, whether the affairs of the public undertakings are being managed in accordance with sound business principles and prudent commercial practices; and

(d) to exercise such other functions vested in the Committee on Public Accounts in relation to the public undertakings specified in the Schedule as are not covered by clauses (a), (b) and (c) above:

Provided that the Committee shall not examine and investigate any of the following namely:

(i) matters of major Government policy as distinct from business or commercial functions of the public undertakings;

(ii) matters of day-to-day administration;

(iii) matters for the consideration of which machinery is established by any special statute under which a particular public undertaking is established.

(j) Committee on Privileges

250. Constitution of Committee on Privileges:- (1) There shall be appointed a Committee on Privileges for the Council consisting of nine members of whom seven shall be elected by the Council in

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

accordance with the principle of proportional representation by means of the single transferable vote and two members nominated by the Chairman.

(2) The quorum to constitute a sitting of the Committee shall be four.

*(3) The committee shall hold office for a term not exceeding two years.

251. Examination of the question by the committee:- (1) The Committee shall examine every question referred to it and determine with reference to the facts of each case whether a breach of privilege is involved and if so, the nature of the breach, the circumstances leading to it and make such recommendations as it may deem fit.

(2) The report may also state the procedure to be followed by the Council in giving effect to the recommendations made by the Committee.

252. Consideration of Report:- (1) After the report has been presented, the Chairman or any member of the Committee or any other member may move that the report be taken into consideration, whereupon the Chairman may put the question to the Council.

(2) Before putting the question to the Council, the Chairman may permit a debate on the motion not exceeding half-an-hour in duration, and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the Council.

(3) After the motion made under sub-rule (1) is agreed to, the Chairman or any member of the Committee or any other member as the case may be, may move that the Council agree, or disagrees or agrees with amendments, with the recommendation contained in the report.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

253. Priority for consideration of report of the Committee:-

A motion that the report of the Committee be taken into consideration shall be accorded the priority assigned to a matter of privilege under sub-rule (1) of rule 177 unless there has been undue delay in bringing it forward:

Provided that when a date already been fixed for the consideration of the report, it shall be given priority as a matter of privilege on the day so appointed.

(k) Committee on Subordinate Legislation

254. Constitution of the Committee:- (1) The Committee shall consist of twenty members, of whom fifteen shall be elected by the Assembly from amongst its members and five by the Council from among its members according to the principle of proportional representation by means of the single transferable vote.

*(2) The committee shall hold office for a term not exceeding two years.

255. Functions of the Committee:- There shall be a Committee on Subordinate Legislation to scrutinise and report to the Legislature whether the powers to make regulations, rules, sub rules, bye-laws, etc., conferred by the Constitution or delegated by Parliament or the State Legislature are being properly exercised within such delegations.

256. Duties of Committee:- After each such order as is specified in sub-rule (2) is laid before the legislature of either House, the Committee shall, in particular consider,-

As soon as may be after each regulation rule, sub-rule, bye-law, etc., made in pursuance of provisions of the constitution or in exercise of the powers delegated by Parliament or the State Legislature is laid before the House or published in the gazette, the Committee shall in particular consider.-

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

- (i) whether it is in accordance with the general objects of the Constitution or the Act pursuant to which it is made;
- (ii) whether it contains matter which in the opinion of the Committee should more properly be dealt with in an Act of Legislature;
- (iii) whether it contains imposition of any tax;
- (iv) whether it directly or indirectly bars the jurisdiction of the courts;
- (v) whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;
- (vi) whether it involves expenditure from the Consolidated Fund of the State or the public revenues;
- (vii) whether it appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
- (viii) whether there appears to have been unjustifiable delay in its publication or in laying it before the Legislature;
- (ix) whether for any reason its form or purport calls for any elucidation.

257. Report of the Committee:- (1) If the Committee is of opinion that any order should be annulled wholly or in part or should be amended in any respect, it shall report that opinion and the grounds thereof to both Houses of the Legislature.

(2) If the Committee is of opinion that any other matter relating to any orders should be brought to the notice of both Houses of the Legislature, it may report that opinion and matter to both Houses of the Legislature.

258. Power of Chairman to give direction:- The Chairman may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of any question of subordinate legislation either in the Committee or in the House.

(L) Committee on Government Assurances

259. Constitution of the Committee:- (1) The Committee shall consist of nine members elected by the Council from amongst its members according to the principle of proportional representation by means of the single transferable vote.

(2) The quorum to constitute a sitting of the committee shall be three.

*(3) The committee shall hold office for a term not exceeding two years.

260. Functions of the Committee:- There shall be a Committee on Government Assurances to scrutinise the assurances, promises, undertakings, etc., given by Ministers from time to time, on the floor of the Council and to report on,-

- (a) the extent to which such assurances, promises, undertakings, etc., have been implemented; and
- (b) where implemented whether such implementation has taken place within the minimum time necessary for the purpose.

(m) Committee on Private Members' Bills and Resolutions

261. Constitution of the Committee:- (1) There shall be a committee on Private Members' Bills and Resolutions and shall consist of the Deputy Chairman who shall be the Chairman of the Committee and eight members who shall be elected by the Council from amongst its members according to the principle of proportional representation by means of the single transferable vote.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

*(2) The committee shall hold office for a term not exceeding two years.

(3) The functions of the Committee shall be.-

- (a) to recommend the time that should be allocated for the discussion of the stage or stages of each Private Members' Bill;
- (b) to examine every Private Members' Bill which is opposed in the Council on the ground that the Bill initiates legislation outside the legislative competence of the Council and the Chairman considers such objection prima facie tenable;
- (c) to recommend time limit for the discussion of private members' resolutions and other ancillary matters.

(4) The Committee shall perform such other functions in respect of Private Members Bill and resolutions as may be assigned to it by Chairman from time to time.

262. Motion moved in Council on the report:- At any time after the report has been presented to the Council, a Motion may be moved that the Council, agree or agrees with amendments or disagrees with the report:

Provided that an amendment may be moved that the report be referred back to the Committee either without limitation or with reference to any particular matter:

Provided further that not more than half an hour shall be allotted for discussion of the motion and no member shall speak for more than five minutes on such motion.

263. Disposal of outstanding matters at the appointed hour:- At the appointed hour, in accordance with the allocation of Time Order, the Chairman shall forthwith put every question necessary

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

to dispose of all the outstanding matters in connection with the completion of a particular stage of the Bill or the resolution.

**(n) Committee on the Welfare of Schedule Castes /
Scheduled Tribes**

264. Constitution of the Committee:- There shall be a Committee of both Houses of the Legislature to be called "the Committee on the Welfare of Scheduled Castes / Scheduled Tribes" consisting of twenty members, fifteen from the Legislative Assembly and five from the Legislative Council to be elected according to the principle of proportional representation by means of the single transferable vote:

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

265. Functions of the Committee:- The functions of the Committee shall be,-

- (i) to review the progress and implementation of the welfare programmes and other ameliorative measures as also constitutional safeguards for Scheduled Castes / Scheduled Tribes;
- (ii) to suggest ways and means of realising the objective of Government policy to bring about improvement in the conditions of these classes in the shortest possible time.

***266. (i) Term of committee:-** The Committee shall hold office for a term not exceeding two years.

(ii) **Quorum:-** In order to constitute a sitting of the committee, the quorum shall be five.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

(o) Committee on the Welfare of Backward Classes and Minorities

267. Constitution of the Committee:- There shall be a Committee of both Houses of the Legislature to be called "The Committee on the Welfare of Backward Classes and Minorities" consisting of twenty members, fifteen from the Legislative Assembly and five from the Legislative Council, to be elected according to the principle of proportional representation by means of single transferable vote:

Provided that a Minister shall not be elected as a member of the committee and that if a member after his election for the Committee is appointed as a Minister, he shall cease to be a member thereof from the date of such appointment.

268. Functions of the Committee:- (1) The functions of the Committee shall be,-

- (a) to examine matters concerning the welfare of backward classes and minorities which fall within the purview of the State Government.
- (b) to examine the measures taken by the State Government, to secure due representation of the Backward Classes in services and posts under its control having regard to the provisions of article 16 of the Constitution and guarantees given by the State Government to the Backward Communities; and
- (c) to review the progress and implementation of welfare programme and other ameliorative measures as also constitutional safeguards for the Backward Classes and minorities;

***(2) Term of the Committee:-** The Committee shall hold office for a term not exceeding two years.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

269. Quorum:- In order to constitute a sitting of the Committee the quorum shall be five.

(p) Committee on Papers to be laid on the Table

270. Constitution of the Committee:- (1) There shall be a Committee on Papers to be Laid on the Table.

(2) The Committee shall consist of twenty Members, fifteen from the Legislative Assembly nominated by the Speaker and five from the Legislative Council nominated by the Chairman.

* (3) The Committee shall hold office for a term not exceeding two years.

271. Functions of the Committee:- (1) The functions of the Committee shall be to examine all Papers to be laid on the Table of the House by Ministers and to report to the House on,-

(a) Whether there has been compliance of the provisions of the Constitution, Act, rule or regulation under which the papers has been laid;

(b) Where there has been any unreasonable delay in laying the paper;

(c) If there has been such delay, whether a statement explaining the reasons for delay has been laid on the Table of the House and whether those reasons are satisfactory;

(d) Whether both the Kannada and English Versions of the Paper have been laid on the Table;

** (e) Clause (e) of rule 271 has been omitted.

(2) The Committee shall perform such other functions in respect of the Papers to be Laid on the Table as may be assigned to it by the Chairman from time to time.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

** Deleted as per the recommendation of the Rules Committee on 14.2.06.

272. Restriction on Raising Matters in House about Papers Laid.- A member wishing to raise any of the matters referred to in sub-rule (1) of rule 271 shall refer it to the Committee and not raise it in the House.

(G) Committee on Welfare of Women and Children

273. Constitution of the Committee:- (1) There shall be a committee on welfare of Women and Children consisting of twenty members, fifteen from Legislative Assembly nominated by the Speaker and five from the Legislative Council nominated by the Chairman:

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

(2) Functions of the Committee:- The functions of the committee shall be,-

- (1) To examine complaints regarding-
 - (a) the atrocities, violence or unfair practice perpetrated on or the exploitation of women and children in the State;
 - (b) torture, exploitation, suicide or murder of women in connection with dowry problems which has taken place in the State;
 - (c) the employment of children below 14 years of age in hotels or in any arduous or hazardous labour in factories, mines or agricultural operations or the children being subjected to inhuman activities or forced labour in the State;
- (2) To examine,-

- (a) the functioning of any orphanage, poor home, welfare home, hospital, asylum, educational institution, boarding house, prison, police lockup, factory or any place of calling or avocation where women and children are generally admitted or any rescue home, shelter-home, abalamandir, maternity and child welfare home, borstal school or any other similar institution exclusively meant for women and children and such other premises as the Committee may determine, from time to time in consultation with the Chairman;
 - (b) any matter arising out of the discussion in the house relating to the atrocities, violence or unfair practice perpetrated on or the exploitation of women and children in the State;
 - (c) the impact of addiction to alcohol, intoxicating or narcotic drug or psychotropic substances or other materials of similar nature in women and children and to suggest remedial measures there to;
 - (d) the functioning of the institutions, and government department dealing with the welfare of women and children;
- (3) To suggest measures for,-
- (a) the rehabilitation of unmarried or deserted women and the aged and destitute women and desolated widows;
 - (b) making the mentally retarded, the infirm and the physically handicapped children self-sufficient and useful members of the society;
 - (c) the rehabilitation of juvenile delinquents and women prisoners who are set free after the period of their sentence;
 - (d) the welfare of disorganised group of women engaged in household labour and similar other occupations;

(4) To examine such other matters as may be deemed fit by the committee or specially referred to it by the House or by the Chairman.

*(5). The Committee shall hold office for a term not exceeding two years.

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285 as Deleted.

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- 1) * Substituted as per the recommendation of the Rules Committee on dt. 14.2.06.
- 2) ** Rules 274 to 285 regarding Departmentally related Subject Committees are Deleted Vide Notification No.
- (i) LGC/742/ARC/98 Dated 27-3-98.
- (ii) Committees constituted vide Notification No. LGC/1129/LGA/2001, dt. 31.3.2001.
- (iii) Committees are deleted vide notification No. LGC/36/RC/2005, dt. 26.7.2005.

CHAPTER - XXV**General Rules of Procedure****Notices**

286. Notice by Members:- (1) Every notice required by these rules shall be given in writing addressed to the Secretary and may be posted or left at the Notice Office which shall be open for this purpose between the hours of 10.30 a.m. and 3 p.m. on every day except Sunday or on public holiday.

(2) Notices left or delivered by post after the hours notified under sub-rule (1) shall be treated as given on the next working day.

(3) Notices shall be given in such form and manner as the Chairman may determine.

287. Circulation of Notices and papers to members:- (1) The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is required by these rules, to be made available for the use of members.

(2) A notice or other paper shall be deemed to have been made available for the use of every member if a copy thereof is deposited in such manner and in such place as the Chairman may from time to time direct.

288. Chairman to amend notice of questions and motions, etc:- If in the opinion of the Chairman, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose or otherwise inappropriate, he may, in his discretion amend such notice before it is circulated.

Motions

***289. Repetition of Motion:-** A motion must not raise a question substantially identical with one on which the Council has given a decision in the same session.

***290. Disallowance or amendment by Chairman:-** (1) The Chairman may amend or disallow a motion which in his opinion does not comply with the rules.

(2) The Chairman may disallow any motion or part of a motion on the ground that it relates to a matter which is not primarily the concern of the State Government.

***291. Motions not to be published until admitted:-** No motion shall be published before it has been admitted by the Chairman.

292. Moving of motion:- (1) A member who has given notice of a motion shall, when called on, either,-

- (a) state that he does not wish to move the motion or
- (b) move the motion, and shall commence his speech by a formal motion in the terms appearing on the list of business:

Provided that with the permission of the Chairman he may make a minor or verbal alteration in the terms of the motion.

* (2) If the member when called is absent, any other member authorised by him in writing on his behalf may, with the permission of the Chairman, move the motion standing in his name. Such permission shall not be granted in the case of a statutory motion or motions relating to Bills, amendments to Bills, or amendments to these rules. If no member has been so authorised, or such permission is not granted, the motion other than a motion relating to a Bill to which the provisions of these rules apply, shall lapse.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

293. Withdrawal of motion:- (1) A member who has made a motion may withdraw the same by leave of the Council.

(2) The leave shall be signified not upon question but by the Chairman taking the pleasure of the Council. The Chairman shall ask,

“Is it your pleasure that the motion be withdrawn ?” If no one dissents, the Chairman shall say “The motion is by leave withdrawn”. But if any dissentient voice be heard or a member rises to continue the debate, the Chairman shall forthwith put the motion:

Provided that if an amendment has been proposed to a motion the original motion shall not be withdrawn until the amendment has been disposed of.

294. Proposing the question:- After a motion has been made, the Chairman shall propose the question by reading the motion for the consideration of the Council.

295. Adjournment of debate on motion:- At any time after a motion has been made, a member may move that the debate on the motion be adjourned.

296. Dilatory motion in abuse of the rules of the Council:-
(1) If the Chairman is of opinion that motion for the adjournment of a debate is abuse of the rule of the Council, he may either forthwith put the question thereon or decline to propose the question.

(2) If the Chairman is of opinion that a motion for recirculation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the rules of the Council in as much as the original circulation was adequate or comprehensive or that no circumstances has arisen since the previous circulation to warrant the recirculation of the Bill, he may forthwith put the question thereon or decline to propose the question.

(3) If the Chairman is of opinion that a motion for re-committal of a Bill to a Select Committee of the Council or to a Joint Select Committee, or circulation or re-circulation of the Bill after the Select Committee of the Council or the Joint Select Committee has reported thereon, is in the nature of a dilatory motion in abuse of the rules of the Council in as much as the Select Committee of the Council or the Joint Select Committee, as the case may be, has dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since Bill emerged from such Committee, he may forthwith put the question thereon or decline to propose the question.

297. Motion that the policy or situation or statement or any other matter be taken into consideration:- A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the Council, but the Council shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at conclusion of the debate at the appointed hour unless a member moves a substantive motion in appropriate term to be approved by the Chairman and the vote of the Council shall be taken on such motion.

Anticipating discussion

298. Anticipating discussion:- No member shall anticipate the discussion of any subject of which notice has been given.

Provided that in determining whether a discussion is out of order on the ground 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.

Amendments

299. Scope of amendments:- (1) An amendment shall be relevant to and within the scope of, the motion to which it is proposed.

(2) An amendment shall not be moved which has merely the effect of a negative vote.

(3) An amendment on a question shall not be inconsistent with a previous decision on the same question.

300. Notice of amendments:- Notice of an amendment to a motion shall be given one day before the day on which the motion is to be considered, unless the Chairman allows the amendment to be moved without such notice.

301. Selection of amendments:- The Chairman shall have power to select the amendment to be proposed in respect of any motion, and may, if he thinks fit, call upon any member who has given notice of amendment to give such explanation of the object of the amendment as may enable him to form a judgement upon it.

302. Putting of amendments:- The Chairman may put amendments in such order as he may think fit:

Provided that the Chairman may refuse to put an amendment which in his opinion is frivolous.

Rules to be observed by members

303. Rules to be observed by members while present in the Council:- Whilst the Council is sitting, a member,-

- (i) shall not read any book, newspaper or letter except in connection with the business of the council;
- (ii) shall not interrupt any member while speaking by disorderly express or noises or in any other disorderly manner;
- (iii) shall bow to the Chair while entering or leaving the Council; and also when taking or leaving his seat;
- (iv) shall not pass between the Chair and any member who is speaking;

- (v) shall always address the Chair;
- (vi) shall keep to his usual seat while addressing the Council;
- (vii) shall maintain silence when not speaking in the Council;
- (viii) shall not obstruct proceeding or interrupt and shall avoid making running commentaries when speeches are being made in the Council;
- (ix) shall not applaud when a stranger enters any of the galleries;
- (x) shall not while speaking make any reference to the strangers in any of the galleries;
- (xi) shall not shout slogans in the House;
- (xii) shall not sit or stand with his back towards the Chair;
- (xiii) shall not approach the Chair personally in the House; he may send chits to the Officers at the table, if necessary;
- (xiv) shall not wear, display badges of any kind in the House;
- (xv) shall not bring or display arms in the house;
- (xvi) shall not display flags, emblems or any exhibits in the House;
- (xvii) shall not leave the House immediately after delivering his speech;
- (xviii) shall not distribute within the precincts of parliamentary House any literature, questionnaire pamphlets, pressnotes, leaflets etc. not in connection with the business of the House;
- (xix) shall not place his hat/cap on the desk in the House, bring boards in the Chamber for keeping files or for writing purposes, smoke or enter the House with his coat hanging on the arms;

- (xx) shall not carry walking stick into the House unless permitted by the Chairman on health grounds;
- (xxi) shall not tear off documents in the House in protest;
- *(xxii) shall not bring or play cassette or tape recorder or use mobilephone, pager or camera in the House.
- *(xxiii) shall avoid making any noise including talking or laughing in the lobby loud enough to be heard in the House.
- *(xxiv) shall not leave his seat while the Chairman is addressing the Council or while standing to address the Council.
- *(xxv) A non-member shall not hold a Press Conference nor distribute any pamphlets or literature within the precincts of the House:

Provided that a Member may hold a Press conference along with a non-member only in the party office of which he is a Member.

- *(xxvi) whenever the Chairman rises he shall be heard in silence and any member who is then speaking or offering to speak shall immediately resume his seat.
- *(xxvii) shall maintain the time limitation for the question hour.
- *(xxviii) shall refrain from entering into the well of the House.
- *(xxix) shall not sit on satyagraha or dharna inside the House or anywhere within the precincts of the council.

***303A. Rules to be observed by member outside the Council:-**

(1) Information given to members in confidence or by virtue of their being members of Committees of the council or legislature shall not be divulged to anyone nor used by them directly or indirectly in the profession in which they are engaged, such as in their capacity as editors or correspondents of newspapers or proprietors of business firms and so on.

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

(2) A member shall not try to secure business from Government for a firm, company or organisation with which he is directly concerned.

(3) A member shall not give certificates which are not based on facts.

(4) A member shall not make profit out of Government residence allotted to him by sub-letting the premises.

(5) A member shall not unduly influence the Government officials or the Ministers in a case in which he is interested financially either directly or indirectly.

(6) A member shall not receive hospitality of any kind for any work that he desires or proposes to do from a person or an organisation on whose behalf the work is to be done by him.

(7) A member shall, not in his capacity as a lawyer, a legal adviser, a counsel or a solicitor, appear before a Minister or an executive officer exercising quasi judicial powers.

(8) A member shall not proceed to take action on behalf of his constituents on some insufficient or baseless facts.

(9) A member shall not permit himself to be used as a ready supporter of anybody's grievances or complaints without verifying facts.

(10) A member shall not endorse incorrect certificates on bills claiming amounts due to him.

(11) A member shall not elicit information from Government in an unauthorised manner by inducing a subordinate official to give information which in the course of his normal functions he should not do, nor shall he encourage any such person to speak to him against his senior officials on matters of public importance and policy.

(12) A member shall not write recommendatory letter or speak to Government officials for employment or business contacts for

any of relations or other persons in whom he is directly or indirectly interested.

(13) Where a member of a committee of the council or legislature has a personal, pecuniary or direct interest in any matter which is to be considered by the committee, he shall state his interest therein to the Chairman of the Council through the Chairman of the committee.

(14) Since the proceedings of committee are treated as confidential, it is not permissible for a member of the committee or anyone who has access to its proceedings to communicate directly or indirectly to the press any information regarding its proceedings including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House.

(15) Whenever a paper or document, marked 'secret' or 'confidential' is circulated to the members of the committee, the contents of such paper or document shall not be divulged by any member either in the minute of dissent or on the floor of the House, or otherwise, without the permission of the Chairman, and where such permission has been obtained, any restriction imposed by the Chairman in regard to the manner in which, or the extent to which the information contained in the document may be divulged, shall be strictly observed.

(16) 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.

***303B. Rules to be observed by members during study tours of Council or Legislature Committees:-** (1) Intermediate journeys should be avoided during the tours.

(2) When transport is provided by Government/ Undertakings during the tours of the committee, such transport should be used for committee work and not by individual members for distant private visits.

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

(3) During tours, members should take particular care to maintain proper dignity, decorum so that no criticism is made of the committee in any manner.

(4) No member should give press statements regarding committee's proceedings. Whenever any briefing of the press is required to be done, the same should be done by the Chairman of the committee.

(5) The members should not accept any costly gifts during the tour. Inexpensive mementos connected with the organisation visited could however be accepted.

(6) The committee or sub-committee or study group, while on tour, should not accept any invitation for lunch or dinner or other hospitality that might be extended by any private party connected with subject of study tour.

(7) No member should take any other person during official tours. An attendant or member's spouse may accompany a member on medical grounds with the prior permission of the Chairman. In such cases, the member may bear all expenses including hotel charges in respect of his/her spouse or attendant. In case a member is found having any accompanying person without prior permission, he/she would not only bear all expenses of such a person but would also stand automatically debarred from undertaking any committee tour thereafter.

(8) The spouse or attendant of a member should in no case, accompany committee members during official study visit to any installation, undertaking, office or establishment and during informal discussions with officials of the concerned establishment, undertaking, etc.

*** 303C. Code of Conduct during visits of Delegations to Foreign countries:-** Members of delegation during their official tours/visits should not give any press interview or issue statement. Only the Leaders of the delegations are authorised to make press statements or give interviews.

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

304. Member to Speak when called by Chairman:- When a member rises to speak, his name shall be called by the Chairman. If more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

305. Mode of addressing the Council:- A member desiring to make any observations on any matter before the Council, shall speak from his place, shall rise when he speaks and shall address the Chairman:

Provided that a member disabled by sickness or infirmity may be permitted to speak sitting.

306. Rules to be observed while speaking:- A member while speaking shall not,-

- *(i) refer to any matter which is subjudice ;
- (ii) make personal charge against a member;
- (iii) use offensive expressions about the conduct of proceedings of Parliament or any State Legislature;
- (iv) reflect on any determination of the Council except on a motion for rescinding it;
- (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;

Explanation:- The words "persons in high authority" means persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct, in the opinion of the Chairman, should be discussed on a substantive motion drawn in terms to be approved by him.

(vi) use the Governor's name for the purpose of influencing the debate;

(vii) utter reasonable, seditious or defamatory words;

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

- (viii) use his right of speech for the purpose of obstructing the business of the Council;
- (ix) reflect upon the office of the Chairman or attribute any motive to the Legislature Secretariat.
- (x) reflect upon the conduct of President or any Governor or any Court of Justice or use the Governor's or President's name for the purpose of influencing a debate;
- (xi) make any reference to the strangers in any of the galleries;
- (xii) refer to Government officials by name; and
- (xiii) read a written speech except with the previous permission of the Chair;
- *(xiv) if a member, in the course of his speech, wishes to quote from a secret government document, paper or report, he shall supply a copy thereof in advance to the Chairman and also point out the extracts there of wishing to quote by him and if the Chairman accord necessary permission to quote from the document, then only the member may do so at the appropriate time;
- *(xv) a member wishing to make an allegation in the House, shall place before the Chairman such evidence he may have in support of his allegation;
- *(xvi) A member wishing to point out any mistake or inaccuracy in a statement made by a minister or any other member, shall, before referring to the matter in the House, write to the Chairman pointing out the particulars of mistake or inaccuracy and seek his permission to raise the matter in the House;
- *(xvii) A member having a personal, pecuniary or direct interest in a matter before the House, while taking part in the proceedings on that matter shall declare the nature of interest.

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

307. Procedure regarding allegation against a person:- No allegations of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Chairman and also the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of reply:

Provided that the Chairman, may, at any time, prohibit any member from making any such allegation, if he is of opinion that such allegation is derogatory to the dignity of the Council or that no public interest is served by making such allegation.

308. Restriction in quoting speeches made in Assembly:- No speech made in the Assembly shall be quoted in the Council unless it is definite statement of policy by a Minister:

Provided that the Chairman, may, on a request being made to him in advance, give permission to a member to quote a speech or make reference to the proceedings in the Assembly, if the Chairman thinks that such a course is necessary in order to enable the member to develop a point of privilege of procedure.

***309. Question to be asked through the Chairman:-** Any member who wants to seek an explanation or put a question during discussion on any matter before the House, shall not directly address another member, but will have to do so through the Chair.

310. Irrelevance or repetition:- The Chairman, after having called the attention of the Council to the conduct of a member who persists in irrelevance or intidious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

311. Personal explanation:- A member may, with the permission of the Chairman, make a personal explanation although there is no question before the Council, but in this case no debatable matter may be brought forward and no debate shall arise.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

Order of speeches and right of reply

312. Order of speeches and right of reply:- (1) After the member who moves a motion has spoken, other members may speak to the motion in such order as the Chairman may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except by the permission of the Chairman to speak to the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by these rules, no member shall speak more than once on any motion, except with the permission of the Chairman.

(3) A member who has moved a motion may speak again by way of reply:

Provided that nothing in this sub-rule shall be deemed to give any right of reply to the mover of an amendment to a bill or a resolution save with the permission of the Chairman.

313. Mover's reply concludes debate:- The reply of the mover of the original motion shall, in all cases, conclude the debate.

Duration of speeches

314. Duration of speeches:- The Chairman may, in cases not specifically provided for in the rules and having regard to the state of business before the Council and the nature of the motion, prescribe a time limit for speeches on the motion.

Address by Chairman

315. Address by Chairman:- The Chairman may himself, or on a point being raised or on a request made by a member, address the Council at any time, on a matter under consideration in the Council with a view to aid members in their deliberations, and such expression of views shall not be taken to be in the nature of a decision.

Procedure when Chairman raises

***316. Deleted.**

Closure

****317. Closure:-** (1) At any time after a motion has been made, any member may move "That the question be now put." If the Chairman is of the opinion that the motion is not an abuse of these rules or does not infringe a right of reasonable debate, he shall put the motion to the vote of the House.

(2) Where the motion "That the question be now put" has been carried, the question or question consequent thereon shall be put forth without further debate:

Provided that the Chairman may allow a member a right of reply which he may have under these rules.

318. Limitation of debates:- (1) Whenever the debate on a Bill or on any other motion becomes unduly protracted, the Chairman may, after taking the sense of the council, fix a time for the conclusion of the discussion at any stage or at all stages of the Bill or the motion as the case may be.

(2) If the debate is not completed within the time fixed for particular stages of a Bill or a motion, the Chairman shall forthwith proceed to complete all stages of the Bill or a motion as per rules.

Question for decision

319. Procedure for obtaining decision of the House:- A matter requiring the decision of the Council shall be decided by means of a question put by the Chairman on a motion made by a member.

320. Proposal and putting of question:- When a motion has been made, the Chairman shall propose the question for consideration, and put it for the decision of the Council. If a motion embodies two or more separated propositions, those propositions may be proposed by the Chairman as separate questions.

* Deleted as per the recommendation of the Rules Committee on 14.2.06.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

321. No speech after voice vote:- A member shall not speak on a question after the Chairman has obtained the opinion of the members through voice vote.

Papers quoted to be laid on the Table

322. Papers quoted to be laid on the Table:- If a Minister quotes in the Council a despatch or other State paper which has not been presented to the Council, he shall lay the relevant paper on the Table:

Provided that this rule shall not apply to any documents which or stated by the Minister to be of such a nature that their production would be inconsistent with public interest:

Provided further that where a Minister gives in his own words a summary or gist of such despatch or State paper, it shall not be necessary to lay the relevant papers on the Table.

323. Treatment of papers to be laid on the Table:- (1) A paper or documents to be laid on the Table shall be duly authenticated by the member presenting it.

(2) All papers and documents laid on the Table shall be considered public.

Statement made by a Minister

324. Statement made by a Minister:- A Minister may make a statement on a matter of public importance with the consent of the Chairman, on such statement, no discussion shall be allowed. Members may be permitted to ask clarification for the purpose of eliciting further information.

Division

325. Division:- (1) On the conclusion of a debate, Chairman shall put the question and invite those who are in favour of the motion to say "Aye" and those against the motion to say "No".

(2) The Chairman shall then say, "I think the Ayes (or the Noes as the case may be) have it". If the opinion of the Chairman as to the decision of a question is not challenged, he shall say twice "The Ayes (or the Noes, as the case may be) have it" and the question before the Council shall be determined accordingly.

(3) If the opinion of the Chairman as to the decision of a question is challenged, he shall arrange to have the division bell rang for the two minutes.

(4) After the lapse of two minutes, he shall have the doors closed and shall put the question a second time and invite those who are in favour of the motion to say "Aye" and those against the motion say "No".

(5) If the opinion of the Chairman as to the decision of the question is again challenged, he shall ask the member who are for "Aye" and those who are for "No" respectively to rise in their places and on account being taken, declare the determination of the Council. In such a case, the names of the voters shall not be recorded.

(6) If the Chairman does not adopt the course provided for in sub-rule (5) he shall order a division to be taken in such other manner as he may determine.

Withdrawal and Suspension of Members

326. Withdrawal of Members:- The Chairman may direct any member whose conduct is in his opinion disorderly to withdraw immediately from the Council and any member so ordered shall do so forthwith and shall stay away during the remainder of the day's sitting.

327. Suspension of Members:- (1) Chairman may, if he deems it necessary, name a member who disregard the authority of the Chair or abuses the rules of the Council by persistently and wilfully obstructing the business thereof.

(2) If a member is so named by the Chairman, he shall forthwith put the question that the member (naming him) be suspended from the service of the Council during the remainder of the session or such part thereof as the Chairman may specify in the question:

Provided that the Council may, at any time, on a motion being made resolve that such suspension be terminated.

(3) A member suspended under this rule shall forthwith withdraw from the precincts of the Council.

(4) The Council may, at any time, on a motion being made resolve that such suspension be terminated.

Suspension of sitting

***328. Power of Chairman to adjourn the Council or suspend sitting:-** For time being in the case of grave disorder arising in the Council, the Chairman may, if he thinks it necessary, to do so, adjourn the Council or suspend any sitting for a time to be specified.

Point of order

329. Point of order and decision thereon:- (1) A point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution as to regulate the business of the Council 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 council at the moment:

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

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

(3) Subject to condition referred to in sub-rules (1) and (2) a member may formulate 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 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) when a question on any motion is being put to the Council, or

(d) which may be hypothetical, or

(e) that division bells did not ring or were not heard.

330. Raising of a matter which is not a point of order:- A member who wishes to bring to the notice of the Council any matter which is not a point of order shall give notice to the Secretary in writing stating briefly the point which he wishes to raise in the Council together with reasons for wishing to raise it and he shall be permitted to raise it only after the Chairman has given his consent and at such time and date as the Chairman may fix.

***330A. Special Mentions (in lieu of Zero hour):-** Any member may, when there is no question hour and before the commencement of the business move a special mention, not exceeding two hundred words regarding important issues of recent occurrence, with the permission of the Chairman. The Government shall furnish a reply to the House within three days from the date of such a mention.

* Inserted as per the recommendation of the Rules Committee on 14.2.06.

The Chairman shall not permit more than 3 mentions for discussion for a day.

Maintenance of order

331. Chairman to preserve order and enforce decision:- The Chairman shall preserve order and shall have all powers necessary for the purpose of enforcing his decisions.

Report of proceedings

332. Report of proceedings of the Council:- The Secretary shall cause to be prepared a full report of the proceedings of the Council at each of its sittings and shall, as soon as practicable, publish it in such form and manner, as the Chairman may, from time to time, direct.

333. Expunction of words from debates:- If the Chairman is of opinion that a word or words has or have been used in debate which is or 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.

334. Indiction in printed debates of expunged proceedings.- The portion of the proceedings of the Council so expunged shall be marked by asterisks and an explanatory foot-note shall be inserted in the proceedings as follows:

“Expunged as ordered by the Chair”.

Printing and Publication of documents

335. Printing and publication of other documents:- (1) The Chairman may authorise printing, publication, distribution or sale of any paper, document or report in connection with the business of the Council or any paper, document or report laid on the Table or presented to the Council or a Committee thereof.

(2) A paper, document or report printed, published, distributed or sold in pursuance of sub-rule (1) shall be deemed to have been

printed, published, distributed or sold under the authority of the Council within the meaning of clause (2) of article 194 of the Constitution.

(3) If a question arises whether a paper, document or report is connected with the business of the Council or not, the question shall be referred to the Chairman whose decision shall be final.

336. Custody of papers:- The Secretary shall have custody of all records, documents and papers belonging to the Council or any of its Committees or the Legislative Council Secretariat and he shall not permit any such records, documents or papers to be taken from the Legislative Council Secretariat without the permission of the Chairman.

Admission of Strangers

337. Admission of Strangers:- The admission of strangers during the sittings of the Council to those portions of the Council which are not reserved for exclusive use of members shall be regulated in accordance with orders made by the Chairman.

338. Withdrawal of Strangers:- The Chairman may, whenever he thinks fit, order the withdrawal of strangers from any part of the Council.

339. Removal and taking into custody of strangers:- An officer of the Legislature Secretariat authorised in this behalf by the Chairman shall remove from the precincts of the Council or take into custody, any stranger whom he may see or who may be reported to him to be in any portion of the precincts of the Council which is reserved for the exclusive use of members, and also any person or any non-member who, having been admitted into any portion of the precincts of the Council misconducts himself or wilfully infringes the regulations made by the Chairman under rule 338 or does not withdraw when the strangers are directed to withdraw under rule 339 while the Council is sitting.

Suspension of rules

340. Suspension of Rules:- Any member may, with the consent of the Chairman, move that any rule may be suspended in its application to a particular motion before the Council and if the motion is carried, the rule in question shall be suspended for the time being.

Duties of Secretary

341. Duties of Secretary:- The Secretary shall attend at every meeting of the Council and shall be the Secretary of every Committee and in addition to the other duties specially required by the rules it shall be his duty,-

- (a) to take charge of the records of the Council;
- (b) to keep proceedings of the Select Committee;
- (c) to write all letters ordered by the Chairman of the Council;
- (d) to superintend the printing of all Bills and papers ordered to be printed; and
- (e) to assist, at all times the Council and all Committees, in all work connected with their duty.

Residuary Powers

342. Residuary Powers:- All matters 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.

CHAPTER - XXVI**Amendment of Rules**

***343. Notice of proposal to amend rules:-** (1) Any Member, unless the Chairman otherwise directs, shall give not less than ten clear days notice of a motion for leave to amend these rules and the notice shall be accompanied by a draft of the proposed amendments.

(2) The motion shall be set down for such days as the Chairman may direct.

344. Procedure:- When the motion is reached, the Chairman shall read the draft amendments and ask whether the member has the leave of the Council. If objection 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, the Chairman shall intimate that the member has the leave of the Council. If less than ten members rise the Chairman shall inform the member that he has not the leave of the Council.

345. Reference of Special Committee:- Where a member has leave of the Council to proceed he may move that the draft amendments be taken into consideration or that they be referred to a Special Committee.

346. Consideration of amendments:- If the motion that the draft amendment be taken into consideration is carried, the procedure set out in these rules in relation to Bills shall be followed subject to such variations as the Chairman may direct.

347. Constitution of Committee:- If the motion that the draft amendment be referred to a Special Committee is carried, the draft amendments shall be referred to a Special Committee of which the Chairman of the Council shall be the Chairman, the

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

Deputy Chairman shall be a member. The remaining members who shall be seven in number shall consist of a member who has given notice of the amendment and six others who shall be nominated by the Chairman.

348. Subsequent procedure:- (1) The procedure to be followed by a Special Committee to which the draft has been so referred shall, as far as may be, be the same as the procedure to be followed by a Select Committee on Bills subject to such variations as the Chairman may direct.

(2) After the Special Committee presents its report to the Council, the Council shall dispose of the matter in the same manner as reports of a Select Committee on Bill under these rules subject to such variations as the Chairman may direct.

(3) When the amendments have been passed by the Council, they shall be published in the Official Gazette and shall take effect from the date of such publication.

CHAPTER - XXVII**House Committee**

***349. House Committee:-** (1) There shall be appointed a House Committee for the Council to consider and advice upon all matters connected with the convenience and comfort of the members of the Council.

(2) The Committee shall consist of the Deputy Chairman as the Chairman and five other members elected by the Legislative Council among its member according to the principle of proportional representation by means of single transferable vote.

(3) The election to the Committee shall be held on such date as may be fixed by the Chairman.

* (4) The Committee shall hold office for a term not exceeding two years.

Library Committee

***350. Library Committee:-** (1) A Library Committee may be constituted by the Chairman to consider and advise upon matters connected with the Library of the Assembly and the Council.

(2) The Committee shall consist of the Speaker and the Chairman and eight members, five from the Legislative Assembly nominated by the Speaker and three from the Legislative Council nominated by the Chairman.

* (3) The Chairman will be the Chairman of the Library Committee.

* (4) The Committee shall hold office for a term not exceeding two years.

* Substituted as per the recommendation of the Rules Committee on 14.2.06.

* Vide Notification No. KLC/Leg/RPA/395/12, dt: 24-12-2012.

SCHEDULE - I**Ballot procedure for determining relative precedence of private members' Bills and Resolutions.****(Rules 29 and 143)**

1. A member shall give notice of his intention for leave to introduce a bill or move a resolution seven clear days before the day set apart for ballot.

2. A member give notice of more than one Bill or of more than one resolution shall number his Bills or resolutions in the order in which he desires to introduce or move them:

Provided that he may alter such order at any time within one hour after ballot.

3. If a member fails to intimate to the Secretary of the Council, the order of priority that he assigns to his Bills or resolutions, they will be given an order according to the following rules.

(a) Bills carried over from the previous sessions will have priority over other Bills.

(b) New Bills or resolutions will be given the order in which they appear in the notice given of them by the member. If more than one notice is given by a member, the Bills or resolution appearing in an earlier notice will have priority over in a later notice.

4. The Secretary will keep separate numbered lists for Bills and for resolutions. On each list the name of each member, who has given of a Bill or resolution, as the case may be, will be entered at once.

5. There shall be separate ballots for Bills and resolutions.

6. [On the ninth day previous to the day on which he wants the Bill or the resolution to be taken up] the ballots will be held in the office of the Council before the Secretary and any member who wishes to attend may do so.

7. Papers with numbers corresponding to those against which entries have been made on the numbered list will be placed in a box.

8. A clerk will take out at hazard from the box one of the disc and the Secretary will call out from the numbered list the corresponding name which will then be entered on a priority list. The procedure will be carried out till all the numbers have been drawn.

9. Priority on the list will entitle the member to priority in moving that resolution or Bill to which he himself has given priority under clause.

(2) Provided that if a resolution to which priority is given under clause 2 is disallowed the next resolution standing in the member's name may be moved in the place.

10. Members will have the same priority as regards the Bills resolutions to which they have given the second place under clause (2), as they have in respect of those to which they have given in first place.

11. The Chairman may, from time to time, make such variation in the procedure, as he may consider necessary or convenient.

SCHEDULE - II**Rules 182 and 183****Form of Communication regarding arrest, detention
conviction or release, as the case may be, of a member**

Place

Date

To,

The Chairman.
Legislative Council,
Bangalore.

"A"

Dear Mr. Chairman

I have the honour to inform you that I have found it my duty in the exercise of my powers under section of the (Act), to direct that Sri. Member of the Legislative Council, be arrested / detained for (reasons for the arrest or detention (as the case may be.)

Sri..... Member, Legislative Council was accordingly arrested / taken into custody at (time) on (date) and is at present lodged in the Jail (place).

"B"

I have the honour to inform you that Sri. Member of the Legislative Council, was tried at the Court before me on a charge (or charges) of (reasons for conviction).

On (date) after a trial lasting for days. I found him guilty of and sentenced him to imprisonment for (Period).

(His application for leave to appeal to pending consideration).

“C”

I have the honour to inform you that Sri Member of the Legislative Council, who was convicted on (date and imprisoned for (period) for (reasons for conviction) was released on bail pending appeal (or, as the case may be, released on the sentence being set aside on appeal) on the (date).

Yours faithfully,

(Judge, Magistrate or Executive Authority)

SCHEDULE - III**LIST OF STATUTORY CORPORATIONS / BOARDS AND
COMPANIES COMING UNDER THE PURVIEW OF THE
COMMITTEE ON PUBLIC UNDERTAKINGS****AGRICULTURE AND HORTICULTURE DEPARTMENT:**

1. Karnataka Agro Industries Corporation Limited, Bangalore.
2. Karnataka State Agro Corn Products Limited., Bangalore.
3. Karnataka State Agro Proteins Limited.
4. Karnataka State Agricultural Produce Processing & Exports Corporation Limited.,
5. Karnataka State Seeds Corporation Limited., (deemed Government Company under Section 619B of Companies Act 1956)

SUBSIDIARIES:

6. Karnataka Compost Development Corporation Limited, Bangalore.

**ANIMAL HUSBANDRY, FISHERIES AND FOREST
DEPARTMENT:**

7. Karnataka Cashew Department Corporation Limited, Bangalore.
8. Karnataka Forest Development Corporation Limited., Bangalore.
9. The Karnataka Meat and Poultry marketing Corporation Limited.
10. The Karnataka Fisheries Development Corporation Limited.,
11. Karnataka State Forest Industries Corporation Limited.,

SUBSIDIARIES:**COMMERCE AND INDUSTRIES DEPARTMENT:**

12. Karnataka Leather Industries Development Corporation Limited., Bangalore.
13. Karnataka Silk Industries Corporation Limited., Bangalore.
14. Karnataka Silk Marketing Board Limited, Bangalore.
15. Karnataka Soaps and Detergents Limited., Bangalore.
16. Karnataka State Electronics Development Corporation Limited., Bangalore.
17. Karnataka State Coir Development Corporation Limited., Bangalore.
18. Karnataka State Handicrafts Development Corporation Limited., Bangalore.
19. Karnataka State Industrial Investment and Development Corporation Limited., Bangalore.
20. Karnataka State Small Industries Development Corporation Limited., Bangalore
21. Karnataka Vidyuth Karkhane Limited, Bangalore.
22. Mysore Minerals Limited., Bangalore.
23. Karnataka State Textiles Limited., Bangalore.
24. NGEF Limited., Bangalore.
25. The Hutti Gold Mines Company Limited., Bangalore.
26. The Mysore Acetate and Chemicals Company Limited., Bangalore.
27. The Mysore Electrical Industries Limited., Bangalore.
28. The Mysore Paints and Varnish Limited., Mysore.
29. The Karnataka Handloom Development Corporation Limited., Bangalore.

30. The Mysore Paper Mills Limited., Bangalore.
31. The Mysore Sugar Company Limited., Bangalore.
32. Karnataka State Powerloom Development Corporation Limited.,
33. D. Devaraj Urs Truck Terminals Limited.,
34. Mysore Lamps Works Limited., (deemed Government Company under section 619 B of Company's Act 1956)
35. Karnataka Asset Management Company Limited.,
36. Karnataka Trustee Company Private Limited.,

SUBSIDIARIES:

37. Karnataka Small Industries Marketing Corporation Limited., Bangalore.
38. Marketing Consultants and Agencies Limited., Bangalore.
39. Mysore Sales International Limited., Bangalore.
40. NGEF Limited., Hubli.
41. Mysore Cosmetics Limited., Bangalore.

HOME DEPARTMENT:

42. Karnataka State Police Housing Corporation Limited, Bangalore.

INFORMATION, TOURISM AND YOUTH SERVICES DEPARTMENT:

43. Karnataka Film Industries Development Corporation Limited., Bangalore.
44. Sree Kanteerava Studios Limited., Bangalore.
45. The Karnataka State Tourism Development Corporation Limited., Bangalore.

SUBSIDIARIES:

46. Jungle Lodges and Resorts Limited., Bangalore.

PUBLIC WORKS AND COMMAND AREA DEVELOPMENT DEPARTMENT:

47. Karnataka State Construction Corporation Limited., Bangalore.

48. Krishna Bhagya Jala Nigama Limited.,

49. Karnataka Road Development Corporation Limited.,

50. Rajiv Gandhi Rural Housing Development Corporation Limited.

51. Karnataka Neeravari Nigama Limited.

ENERGY DEPARTMENT:

52. Karnataka Power Corporation Limited., Bangalore.

53. Bidadi Power Corporation Limited.,

54. Karnataka Renewable Energy Development Corporation Limited.,

55. Karnataka Power Transmission Corporation Limited.

56. Vishveshwaraiah Vidyuth Nigam Limited.

SOCIAL WELFARE AND LABOUR DEPARTMENT:

57. Karnataka Backward Classes Development Corporation Limited.,

58. Karnataka Scheduled Castes and Scheduled Tribes Development Corporation Limited., Bangalore.

59. The Karnataka Minorities Development Corporation Limited., Bangalore.

60. Karnataka State Women Development Corporation Limited.,

FOOD AND TRANSPORT DEPARTMENT:

61. Karnataka Food and Civil Supplies Corporation Limited., Bangalore.

RURAL DEVELOPMENT AND PANCHAYAT RAJ DEPARTMENT:

62. Karnataka Land Army Corporation Limited., Bangalore.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT:

63. Karnataka Urban Infrastructure Development and Finance Corporation Limited., Bangalore.
64. Bangalore Mass Rapid Transit Limited.,

STATUTORY CORPORATION:

65. Karnataka State Road Transport Corporation, Bangalore. (Under Home and Transport Department)
66. Karnataka State Financial Corporation Bangalore. (Under Finance Department)
67. Karnataka State Warehousing Corporation, Bangalore. (Under Co-operation Department)
68. Bangalore Metropolitan Transport Corporation.
69. Northwest Karnataka Road Transport Corporation.
70. Northwest Karnataka Road Transport Corporation.

COMPANIES UNDER LIQUIDATION (Closure)

71. Mysore Tobacco Company Limited., Bangalore.
72. Chamundi Machine Tools Limited., Mysore.
73. Vijayanagar Steel Limited.
74. Karnataka Telecom Limited.,
75. Karnataka Pulpwood Limited.,
76. Mysore Match Company Limited.,
77. Karnataka State Veneers Limited.,
78. Karnataka Implements Machineries Company Limited.,

79. Mysore Chrome Tanning Company Limited.,

80. Karnataka Tungston Moly Limited.

COMPANIES ALREADY CLOSED

81. Karnataka Inland Fisheries Development Corporation Limited.,

82. Cauvery Lift Irrigation Corporation Limited.

83. Krishna Lift Irrigation Corporation Limited.

NOTE: The examination of the following Boards/Corporations
Come under the purview of Public Accounts Committee

1. Karnataka Housing Board.

2. Bangalore Water Supply and Sewerage Board.

3. Karnataka Urban Water Supply and Drainage Board.

4. Karnataka Khadi Village Industries Development Board.

5. Karnataka Industrial Area Development Board.

6. Karnataka Co-operative Milk Producers Federation Limited.
(K.M.F.)

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