

PUNJAB VIDHAN SABHA

HANDBOOK

FOR

MEMBERS



PUNJAB VIDHAN SABHA SECRETARIAT

CHANDIGARH
February, 2022

PREFACE

This Handbook is intended to serve as a guide to the Members of the Punjab Vidhan Sabha particularly the new Members. By no means should it be presumed that it is a substitute for the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly) or the Acts and Rules from which material has been drawn for its composition. It is only intended to help Members in understanding, in a general way, what the Vidhan Sabha is and how it works. But to get complete information, they are advised to consult the relevant Acts and Rules, etc.

The information given in this Handbook is not exhaustive. Further though the information is correct, it cannot be quoted as an authority if it is in conflict with the provisions of the Constitution, Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly), the Acts, Rules and Rulings from the Chair and established conventions and practices. This Handbook has been translated into Punjabi and Hindi and published in these languages also.

Chandigarh
10th February, 2022

Surinder Pal
SECRETARY

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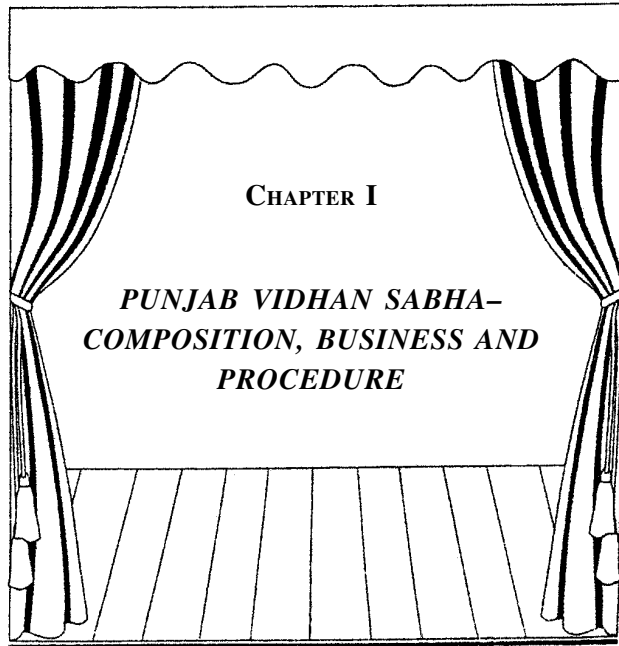
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CHAPTER I

***PUNJAB VIDHAN SABHA—
COMPOSITION, BUSINESS AND
PROCEDURE***

PUNJAB VIDHAN SABHA-COMPOSITION, BUSINESS AND PROCEDURE

1. Composition and duration of the Assembly

The Punjab Vidhan Sabha consists of 117 Members elected from 117 constituencies, 83 General and 34 Reserved, as determined by the Delimitation Commission of India in their Order No. 22, dated the 19th June, 2006, in pursuance of sub-section (1) of Section 10 of the Delimitation Act, 2002 (33 of 2002). It is duly constituted upon the issue of a notification under section 73 of the Representation of the People Act, 1951. Unless sooner dissolved, the Vidhan Sabha continues for five years from the date appointed for its first meeting. The expiration of the said period of five years operates as a dissolution of the Vidhan Sabha.

2. Sessions of the Vidhan Sabha

The Governor from time to time summons the Vidhan Sabha to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one Session and the date appointed for its first sitting in the next Session. Rules provide for holding three sessions in a financial year.

The Assembly is summoned by an order under the signature of the Governor published in a notification in the Official Gazette, and the time and place of meeting

are specified in the notification. Individual summons to the Members, intimating to them the date, time and place appointed by the Governor for the Session of the Assembly, are issued by the Secretary of the Assembly.

It adjourns from time to time during a Session either by the operation of Rules or by its own order. But if a Session is intended to be terminated, it is done by means of prorogation, the order for the purpose being given by the Governor. During periods of adjournments, pending notices do not lapse, but on the prorogation all pending notices lapse except notices of intention to move for leave to introduce a Bill. The questions which are entered in various lists of questions for a Session for oral answers but are postponed and remain pending for answers at the close of a Session are answered as Unstarred Questions (converted as such from being Starred Questions) for that Session. Further, a fresh notice is necessary of intention to move for leave to introduce any Bill in respect of which sanction or recommendation has been granted under the Constitution, if the sanction or recommendation, as the case may be, has ceased to be operative.

3. Oath or Affirmation by Members

Before taking his/her seat in the House, every Member is required, under Article 188 of the Constitution of India, to make and subscribe before the Governor, or some person appointed in that behalf by him, an oath or

affirmation and sign, in the presence of the Secretary, the Roll of Members maintained for the purpose.

After every general election, at the commencement of the first Session, the first thing done is the making and subscribing of oath or affirmation by the Members. What has happened in the past is that the Governor administers the oath to one Member and appoints him for administering the oath to the others. The oath or affirmation is made by a Member in the following form:-

“I,_____, having been elected a Member of the Punjab Legislative Assembly do swear in the name of God
solemnly affirm

that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter.”

A Member who has not already made and subscribed an oath or affirmation, in pursuance of Article 188 of the Constitution, may do so at the commencement of a sitting of the House, or at any other time, as the Speaker may direct, on any day after giving previous notice in writing to the Secretary.

If any Member sits or votes as a Member without

taking the oath or making the affirmation, he is liable to pay a penalty of Rs. 500.00 in respect of each day on which he sits or votes (Article 193 of the Constitution of India).

4. Election of Speaker

After oath or affirmation by Members, the Vidhan Sabha elects the Speaker.

Any Member may propose another Member then present in the House and move that such Member do take the Chair of the House as Speaker. When this motion is moved, it is seconded. If no other Member is proposed, the person presiding, without putting the question, declares the Member proposed as elected and calls him to take the Chair. But if the names of other Members are also proposed and seconded, the questions are put one by one in the order in which the motions have been moved and are determined, if necessary, by division. If any motion is carried, the person presiding, without putting later motions, declares the Member proposed in the motion as elected and calls that Member to take the Chair.

A Member cannot propose his own name or second a motion proposing his own name or propose or second more than one motion. Whenever a vacancy occurs in the office of the Speaker, the Governor fixes a date for the election not later than seven days from the date of the first sitting of the Vidhan Sabha after the occurrence

of the vacancy and the Secretary intimates to each Member the date so fixed. The procedure followed for the election is the same as that for the election of the Speaker following a General Election.

5. Election of Deputy Speaker

The election of the Deputy Speaker is held on such date as the Speaker may fix, and the Secretary intimates to each Member the date so fixed.

In other respects, the procedure followed for the election of the Deputy Speaker is the same as that for the election of the Speaker.

6. Seating of Members

The Members sit in such order as the Speaker, after consultation with the Leader of the House and the Leaders of Parties, may determine.

The Party which forms the Government of the day sits on the right of the Speaker, the Opposition Parties/ Groups on the left in the descending order of their strength, the first seat being always left for the occupation of the Deputy Speaker.

7. Recognition of Opposition Party

That Group of Members in the Opposition is given recognition as an opposition Party, which has the strength enough to constitute a quorum in the House. It has been

held that to gain recognition as an Opposition Party, its Members should have a common programme outside and inside the House.

A law entitled "The Salary and Allowances of Leader of the Opposition in Legislative Assembly Act, 1978" was enacted, providing for the statutory recognition of the Leader of the Opposition and for payment of salary and provision for certain facilities to him.

The Leader of the Opposition is that Member of the Vidhan Sabha who is, for the time being, the Leader of the Party in Opposition to the Government having the greatest numerical strength and recognized as such by the Speaker. Where, however, there are two or more Parties in Opposition to the Government having the same numerical strength, the Speaker, having regard to the status of the Parties, recognizes anyone of the Leaders of such Parties as the Leader of the Opposition and such recognition is final and conclusive. The Leader of the Opposition is entitled to pay and other allowances as admissible to a Cabinet Minister.

8. Attendance Register

A Member is required to sign the Attendance Register on each day of his/her attendance in the presence of an official of the Vidhan Sabha Secretariat. The Register is kept just outside the Vidhan Sabha Chamber. This serves as the record of attendance of the Members and is relied

upon for the purposes of working out their Compensatory Allowance. It may be added that absence from the Vidhan Sabha, apart from affecting the Compensatory Allowance admissible to a Member, may have repercussions on his/her Membership if this is prolonged without the permission of the House, for a period of sixty days computed in the manner provided in Article 190 (4) of the Constitution.

9. Leave of Absence

If a Member finds at any time that he would be unable to attend the sitting of the Vidhan Sabha for a period of sixty consecutive days as computed in the manner provided in Article 190 (4) of the Constitution, he shall apply for permission of the Vidhan Sabha. He may either move a motion himself or authorise another Member to do so on his behalf or may apply in writing to the Speaker stating the reason for his absence and seeking the permission of the Vidhan Sabha.

10. Panel of Chairmen

The Vidhan Sabha is presided over by the Speaker or, in his absence, by the Deputy Speaker or, if he is also absent, such Member as may be determined by the Rules of Procedure, or if no such Member is present, such other Member as may be determined by the Vidhan Sabha.

At the commencement of every Session, the Speaker nominates from among the Members, a panel of not more

than four Members as Chairmen, anyone of whom may preside over the House, in the absence of the Speaker and the Deputy Speaker, when requested to do so.

11. Address/Special Address by the Governor

The Governor may address the Vidhan Sabha under Article 175(1) of the Constitution and for that purpose may require the attendance of Members of the Vidhan Sabha.

The Governor is required under Article 176 (1) of the Constitution to address the Vidhan Sabha at the commencement of the first Session after each General Election and at the commencement of the first Session of each year. In his address, he informs the Legislature of the causes of its summons.

No Member can interrupt the Governor when he is addressing the House or should-

- (i) display any placard; or
- (ii) shout any slogan; or
- (iii) make any protest; or
- (iv) raise any point of order, debate or discussion immediately preceding, during or immediately following the Governor's Address under Article 175

(1) and the Governor's Special Address under Article 176 (1) of the Constitution, and the commission of any of the above lapses shall be treated as contempt of the House and dealt with as such under these Rules.

12. Laying of Address/Special Address on the Table

After the Governor has delivered his Address/ Special Address, the Speaker reports the fact of his having done so to the House, and lays a copy thereof on the Table of the House.

13. Discussion on Address/Special Address by the Governor

(i) Address under Article 175 (1)

The Speaker may allot time for the discussion of the matters referred to in the Address of the Governor under Article 175 (1) of the Constitution.

(ii) Special Address

The Governor's Special Address is discussed in the House on a Motion of Thanks moved by a Member and seconded by another for such period as the Speaker, in consultation with the Leader of the House, may allow. Members may move amendments to such Motion of Thanks in such form as may be considered appropriate

by the Speaker.

14. Sittings of the Vidhan Sabha

Unless the Speaker otherwise directs-

- (i) the Vidhan Sabha, whilst in Session, meets on all days except Saturdays, Sundays and Holidays under the Negotiable Instruments Act, 1881 ;
- (ii) on Mondays, and also on days immediately following off- days/holidays, the Vidhan Sabha meets at 2.00 P.M. and adjourns at 6.30 P.M. On all other days, the Vidhan Sabha meets at 10.00 A.M. and adjourns at 2.30 P.M.

But if at the hour of adjournment, proceedings under closure or under a Division are in progress, these proceedings are completed before the House is adjourned.

15. Secret sitting of the House

On a request made by the Leader of the House, the Speaker fixes a day or part thereof for a secret sitting of the House. At such a sitting, no stranger is permitted to be present in the Chamber, Lobbies or Galleries, except those authorised by the Speaker.

When it is considered that the necessity for maintaining secrecy in regard to the proceedings of a secret sitting has ceased to exist, a motion may, with the

consent of the Speaker, be moved by the Leader of the House or any other Member authorised by him that the proceedings in the House during a secret sitting be no longer treated as secret.

The Speaker may cause a report of the proceedings of a secret sitting to be issued in such manner as he thinks fit, but no other person can keep a notice or record of any proceedings or decisions of a secret sitting. Subject to this condition, disclosure of proceedings or decisions of a secret sitting by any person in any manner is treated as a gross breach of privilege of the House.

16. Quorum

The quorum to constitute the meeting of the House shall be one-tenth of the total number of Members [Article 189(3) and Rule 15-A].

If at any time during the meeting of the assembly there is no quorum, it shall be the duty of the Speaker or person acting as such, either to adjourn the House or to suspend the meeting until there is a quorum [Article 189(4)].

If at any time during a sitting of the House there is no quorum, the quorum bells will be rung, and at the expiration of two minutes, the person presiding shall count the Members present, and in case less than the required number be present, he shall either suspend the sitting till

such number is present or adjourn the House till the next date.

17. Non-stop Sitting

The hours of sitting may be changed by the Speaker with the consent of the House. Sometimes, however, when it is considered necessary to complete all or certain specified items on the List of Business before the House is adjourned for the day, recourse may be had to what is known as a "Non-Stop" sitting. For this purpose, a motion in the following form is moved by a Minister at the commencement of the business for the day which is decided without amendment or debate:-

"that the proceedings on any specified business be exempted at this sitting from the provisions of the rule 'sittings of the Vidhan Sabha (Assembly)' either indefinitely or for a specified period after the hour of interruption."

If the motion is carried, the House continues to sit till the specified business is completed.

18. Rules to be observed by Members in the House

A Member has to observe a certain code of conduct when he is present in the House.

He should-

- (i) not read any book, newspaper or letter except in connection with the business of the House;
- (ii) not interrupt any Member while speaking by disorderly expressions or noises or in any other disorderly manner;
- (iii) bow to the Chair while entering or leaving the House and also when taking or leaving his seat;
- (iv) not pass between the Chair and any Member who is speaking nor between the Chair and the Table of the House;
- (v) if speaking or offering to speak, immediately resume his seat whenever the Speaker rises and not leave the House when the Speaker is addressing it, and hear the Speaker in silence;
- (vi) always address the Chair;
- (vii) keep to his seat while speaking;
- (viii) maintain silence when not speaking himself in the House;
- (ix) not obstruct proceedings, hiss or interrupt and should not make running commentaries when speeches are being made in the House; and

- (x) Switch off the mobile phone or any other communication device on his person before entering the House.

While speaking, a Member is required to be strictly relevant to the matter before the House and should not-

- (i) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;
- (ii) use the names of persons in high authority for the purpose of influencing the debate;
- (iii) utter unreasonable, seditious, defamatory or offensive words;
- (iv) refer to a matter or fact on which a judicial decision is pending;
- (v) speak against or reflect on any determination of the Vidhan Sabha except when he is moving to rescind the same;
- (vi) make a personal charge against a Member;
- (vii) use his right of speech for the purpose of obstructing the business of the House;
- (viii) use offensive expression about the conduct of proceedings of Parliament or any State Legislature; and

- (ix) read his speech, but he may refresh his memory by reference to notes.

When any Member wishes to speak, he may rise in his seat to "catch the eye of the Chair'. He may start speaking only if called upon to do so. If he fails to 'catch the eye', he must resume his seat. It is disorderly conduct on the part of any Member to argue or remonstrate with the Chair for not having been given an opportunity to speak.

If a Member speaks or interrupts without the permission of the Speaker, those words which have been spoken without the permission, do not form part of the proceedings.

19. Procedure for making allegations against a person

No allegation of a defamatory or incriminatory nature should be made by a Member against any person unless the Member has given intimation at least one clear day in advance to the Speaker and also to the Minister concerned so that the Minister can make an investigation into the matter for the purposes of a reply. However, the Speaker may, at any time, prohibit any Member from making any such allegation if he is of the opinion that such allegation is derogatory to the dignity of the House, or that no public interest is served by making such allegation.

20. Point of Order

A Member may raise a Point of Order in relation to the business before the House at the moment. It should relate to the interpretation or enforcement of the Rules of Procedure or such Articles of the Constitution as regulate the business of the House and should raise a question which is within the cognizance of the Speaker. The Speaker decides whether the point raised is a Point of Order, and if so, gives his decision thereon which is final. No debate is allowed on a Point of Order but the Speaker may, if he thinks fit, hear Members before giving his decision.

A Member cannot 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 House; or
- (d) which may be hypothetical; or
- (e) that Division bells did not ring or were not heard.

21. Periods of Notices

Every form of business that is desired to be transacted in the Vidhan Sabha requires prior notice, and different periods of notices have been prescribed for different classes of business as follows:-

Questions

Fifteen clear days i.e., the day on which the notice is received and the day on which the notice is set down in the List of Business are excluded. However, with the approval of the Speaker and the consent of the Minister concerned, a question may be asked with notice shorter than fifteen clear days.

Resolutions

Fifteen clear days.

The Speaker may, however, with the consent of the Minister to whose department the resolution relates, allow it to be entered on the List of Business with shorter notice than fifteen days.

Bills

Fifteen days.

The Speaker may, however, for sufficient reasons allow the motion for leave to introduce a Bill to be made at shorter notice.

Amendments to Resolutions/Bills/Motion of Thanks to Governor's Special Address/Demands for Grants (known as Cut Motions)

Two clear days.

The Speaker may, however, in his discretion, allow an amendment to be moved at shorter notice, or without

notice. When a Bill is under consideration, clause by clause, the Speaker may allow a verbal amendment if he is of the opinion that such an amendment is essential to carry out the objects of the Bill.

Substantive Motions

Seven clear days.

The Speaker may in his discretion allow such a motion to be moved at shorter notice or without notice.

Adjournment Motions

Two hours before the commencement of a sitting.

Notice for raising Half-an-Hour Discussion on a matter of public importance arising out of answer to a Question (Starred or Unstarred)

One day.

The Speaker may waive the requirement of the period of notice with the consent of the Minister concerned.

Calling attention to matters of urgent public importance

Two clear days.

Resolution disapproving Governor's Ordinance

Three days.

**Amendment to Regulation, Rule, Sub-Rule, Bye-law etc.,
laid on the Table**

Three days.

Question of Privilege

Before the commencement of the sitting on the day the question is proposed to be raised.

A question of privilege may also be raised at any time during the course of a sitting if the Speaker is satisfied about the urgency of the matter and allows it to be so raised.

Motion of No-confidence in the Council of Ministers

Notice may be handed in before the commencement of the sitting and, if admitted, discussion takes place within ten days from the day on which leave is given by the House.

**Leave to move Resolution for the removal of Speaker/
Deputy Speaker**

Fourteen days before the day on which it is intended to be moved.

22. Form of Notice

A notice must be given in writing, signed by the Member giving notice and addressed to the Secretary. It may be delivered in the Notice Office, situated on the basement in the Vidhan Bhavan to avoid its misplacement,

at any time on a working day between 10.00 a.m. and 3.00 p.m. If, however, it is delivered after 3.00 p.m. on a working day or it is delivered on a holiday, it will be deemed to have been delivered on the next working day. A notice or communication which is not legibly written or which is unsigned, is rejected. A pencil written notice is also rejected. Provided that a notice received through Fax duly signed/ E-mail shall be deemed to have been duly received.

23. Some Parliamentary Terms

Act - Means a Bill passed by the Vidhan Sabha and assented to by the Governor, or the President, as the case may be.

Adjournment sine-die – When the House terminates its sitting without any definite date being fixed for the next sitting.

Agenda Paper- This expression is equivalent to the List of Business issued under Rule 32 and contains items of business to be taken up by the House in the order in which they have been included in it.

Amendment – It is subsidiary motion which brings in a new process of question and decision between the main question and its decision. Amendments may be moved to the clause of Bill, to a Resolution or to a Motion or to an amendment to a clause of a Bill, Resolution or Motion or even to an amendment.

Appropriation Bill- This Bill, after it is passed authorises the withdrawal or appropriation from and out of the Consolidated Fund of the State, and in a schedule specifies the amount which has been granted under each grant. This Bill is brought in after the demands for grants for the services of a financial year or a part of a financial year have been passed by the House. No amendment shall be proposed to any such Bill which will have the effect of varying the amount or altering the destination of any grant (Art.204).

Ballot- This is a method applied to determine the relative precedence of Private Members' Bills and Resolutions, Notices for Half-an-Hour discussion and Call Attention Notices.

Bill- It is a draft of a legislative measure put in the proper form which, when passed by Vidhan Sabha and assented to by the Governor/President, and first published in the official gazette, becomes an Act.

Budget – It is the annual financial statement of the estimated receipts and expenditure of the Government of the State, in respect of a financial year.

Casting Vote – It is the vote cast by the Speaker or person acting as such in the House and by the Chairman, or person acting as such in a Committee, only in the case of an equality of votes on a matter.

Closure – It is one of the modes in which discussion on a matter before the House may be brought to an end. It is a valuable weapon in the hands of Members to bring about an end to a discussion. That is done by a Member getting up and moving "That the question be now put." It is for the Chair to decide whether the discussion on the proposed question has been adequate or not or whether the termination of the discussion would be an infringement of the right of reasonable debate. The Chair has absolute discretion to permit the moving of the Closure Motion and this discretion is not open to debate. The Closure Motion is decided without amendment or debate.

Crossing the floor- It is passing between the Member in possession, of the House and the Chair, and the Chair and the Table of the House. To cross the floor is a breach of parliamentary etiquette.

Guillotine – It is another form of closure but regulated either by the operation of Rules or by the decision of the House. Thus, for instance, the Rules provide that on the last day of the voting of Demands for Grants, 1½ hours before the normal hour of interruption of business, the Speaker shall forthwith put every question etc. In other words, all discussion on the demands, then under consideration, ends 1½ hours before the hour of interruption and all questions relevant to the carrying of the demands are put from the Chair. Again, the House may decide in relation to a particular item of business

what time should be given to it for discussion. As soon as that period of the time comes to an end, no further discussion can take place and the Chair must forthwith put the question to dispose of that matter.

Message - It is communication from the Governor to the Vidhan Sabha under Article 175(2) of the Constitution.

Money Bill- It is a Bill containing only provisions dealing with all or any of the matters specified in sub-clause (a) to (g) of Article 199 of the Constitution.

Motion of Thanks- It is a formal motion moved in the House expressing its gratitude for the Address delivered by the Governor under Article 176(1) of the Constitution. It provides an opportunity for the discussion on the matters referred to in the Address.

Naming of Member- The Speaker may direct any Member, whose conduct is, in his opinion, grossly disorderly, to withdraw immediately from the House, and any Member so ordered to withdraw, shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any Member is ordered to withdraw a second time in the Session, the Speaker may direct the Member to absent himself from the meeting of the House for any period not longer than the remainder of the Session, and the Member so directed shall absent himself accordingly. Such Member is deemed to be absent from the meetings

of the House for purposes of Section 3(2)(a) of the Punjab Legislative Assembly (Allowances of Members) Act, 1942.

Obituary References- It is customary to make obituary references in the House on the passing away of sitting Members, Ex-Members, outstanding personages, etc. According to the existing practice, obituary references are made only by the Speaker, but in exceptional cases, the Speaker allows Leaders of Parties/Groups to make obituary references in the House.

Ordinance- A law made by the Governor in exercise of the powers vested in him by Article 213 of the Constitution when the Assembly is not in Session.

"Speaker Pro-tem" means a Member appointed by the Governor under Article 188 of the Constitution, before whom every Member shall, before taking his seat, make and subscribe an oath or affirmation.

Panel of Chairmen- A panel of not more than four Chairmen is nominated by the Speaker, anyone of whom may preside over the House in the absence of the Speaker and the Deputy Speaker, when so requested by the Speaker, or, in his absence, by the Deputy Speaker.

Papers laid on the Table- Papers are said to be laid on the Table when they are laid on the Table in the House in which meetings are held. All papers so laid on the Table are either printed as part of the proceedings of the

House or placed in the Library.

Proposing the question- When a Member moving a motion has concluded his speech, no discussion thereon can start unless the Chair proposes the question in terms of the motion moved in the following way:

Motion moved... (The text of the motion).

This is known as proposing the question.

Discussion may take place after the question has been proposed.

Prorogation- It is ending of a Session of the House by an order made by the Governor under Article 174(2)(a) of the Constitution.

Putting the Question -After discussion on a motion has taken place, the opinion of the House is taken by "putting the question", thus, "The question is that...". The House may answer the question positively or negatively. That is to say, it may carry the motion or reject it.

Question of Privilege- It is a question involving a breach of privilege either of a Member or of the House or of a Committee thereof or a contempt of the House.

Short Notice Question- It is a question relating to a matter of public importance of an urgent character asked with notice less than fifteen clear days, with the permission

of the Speaker and the consent of the Minister concerned.

Starred Question – It is a question to which a Member wishes to have an oral answer on the floor of the House and which is distinguished by an asterisk or indicated as Starred Question.

Statutory Resolution- It is resolution in pursuance of a provision in the Constitution or an Act of the Parliament or an Act of the Punjab State Legislature.

Subordinate Legislation – Means Regulations, Rules, Sub-rules, Bye-laws, etc., having the force of law, framed by the executive or other subordinate authority in pursuance of the power conferred on it by the Constitution or delegated to it by an Act of Parliament or an Act of the Punjab State Legislature.

Summons- It is an official communication issued by the Secretary, Punjab Vidhan Sabha, to the Members of the Sabha informing them of the place, date and time of commencement of a Session of the Sabha.

Suspension from the Service of the House -Means when a motion is adopted by the House for the suspension of a Member from the service of the House. Several consequences flow from this suspension.

Table of the House- This Table is placed in the middle of the House which divides the Members' Benches on the right and left of the Speaker.

Unstarred Question- It is a question which is not called for oral answer in the House. The written answer to such a question is placed on the Table of the House. A copy thereof is also supplied to the Member concerned.

24. Supply of Assembly Papers to Members

The following papers relating to the business of the House are circulated to the Members in advance either by placing them in their seats in the Chamber if the House happens to be sitting or by sending them to their local/ permanent addresses, as registered in the Notice Office, and copies thereof are not again supplied to them in the House :-

- (i) Lists of Business;
- (ii) Lists of Starred and Unstarred Questions;
- (iii) Bills as introduced in the House;
- (iv) Copies of Ordinances, if any, promulgated during the inter-session periods;
- (v) Reports of Select Committees on Bills;
- (vi) Notices of Motions;
- (vii) Notices of amendments to Bills, Resolutions and Motions;
- (viii) Notices of Motions for reduction of grants; and
- (ix) Reports of Committees of the Vidhan Sabha after

their presentation to the House.

Notices of Questions and Resolutions which are received in Punjabi or Hindi are translated into English and circulated in Punjabi, Hindi and English languages. Similarly, Bills are also circulated in these three languages.

Printed copies of Questions and Bills are supplied to the Members in the Language of their choice.

Similarly a copy of the List of Business is supplied to each Member in the Language of his choice.

Members are required to preserve copies of Bills and other papers which have been circulated and to bring them for use in the House on the day or days when the relevant business is going to be taken up. A few sets of all such papers are also left with the Chamber Assistant (who is on duty in the House) from whom these may be obtained for consultation by any Member who may have forgotten to bring his own papers with him.

Copies of Bills pending before the House from previous Session or Sessions and which have already been made available to Members may be obtained by Members, who have not got copies of such Bills readily available with them, from the Chamber Assistant.

25. Arrangement of Business

The Business of the House is transacted in the

following order :

- (i) Swearing in of Members, if any;
- (ii) Obituary references, if any;
- (iii) Questions for one hour unless the list of questions is exhausted earlier. The Speaker may, himself or after ascertaining the wishes of the House, dispense with the Question Hour;
- (iv) Announcements by the Speaker/Secretary, if any;
- (v) Questions of Privilege, if any;
- (vi) Adjournment Motions, if any, for which consent to move has been given by the Speaker;
- (vii) Call Attention Notices and other Motions, if any, admitted by the Speaker;
- (viii) Statements by Ministers, etc; and
- (ix) Business as entered in the List of Business.

On Mondays, Tuesdays, Wednesdays and Fridays, Government Business is transacted.

On Thursday, business other than Government business is transacted which generally speaking, means Resolutions and Private Members' Bills.

If, however, it is intended to utilise a Thursday for Government business, a motion for the purpose has to

be moved and carried a day before, and then Government business can be transacted on Thursday.

Sometimes, it may so happen that the List of Business for a Thursday already stands issued before notice of a motion to transact Government business on that day is received. If such motion is carried, consequently that List of Business stands superseded. Such superseded List of Business has no precedence over the List of Business drawn up later for that Thursday. For each Thursday, an independent List of Business has to be drawn up according to the Rules.

The List of Business for each 'sitting' of the Vidhan Sabha, except that of Thursdays is drawn up by the Secretary in such order as the Speaker, after consultation with the Leader of the House, may determine.

The List of Business for Thursdays is determined by Rules and comprises the following classes of business, apart from the first eight items mentioned above.

- (i) Messages relating to such business from the Governor;
- (ii) Bills in respect of which leave to introduce is to be asked for;
- (iii) Resolutions on matters of general public importance;
- (iv) Bills which have already been introduced. These

again are arranged in such order as to give priority to Bills most advanced i.e. in the following order:

- (a) Bills in respect of which the next stage is that the Bill be passed;
- (b) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (c) Bills in respect of which the report of a Select Committee has been presented;
- (d) Bills in respect of which the next stage is the presentation of the report of a Select Committee;
- (e) Bills which have been circulated for the purpose of eliciting public opinion;
- (f) Bills which have been introduced but which have not proceeded to any of the stages set out above.

The relative precedence of Bills to be introduced is determined by ballot. The relative precedence of Bills falling within the same category is determined according to the priorities of introduction in the Vidhan Sabha.

Resolutions are entered in the List of Business according to the precedence obtained by them in the ballot which is held for the purpose. Unless the Speaker otherwise directs, not more than ten Resolutions can be included in the List of Business.

All business appointed for any day not disposed

of on that day may be taken up on any day in the Session available for such class of business as the Speaker may, in consultation with the Leader of the House, determine. Business, other than Government business, so standing over, has no priority on the next available day for such class of business. However, a private Member's resolution cannot be discussed at more than one sitting of the House.

The order in which business is entered in the List of Business is not varied unless the Speaker is satisfied that there is sufficient ground for such variation and no business requiring notice is set down in the List for day earlier than the day after that on which the period of the notice necessary for that class of business expires unless the Speaker waives this requirement.

26. Questions

The Question Hour in the House of Legislature has acquired great importance and significance. The proceedings in the Question Hour of the House are more attractive and lively. During the Question Hour more light is thrown on several aspects of administration when the Members seek to obtain/elicit information on a matter of public interest on the floor of the House. It establishes the control and supervision of Legislature over Executive. Putting question to Ministers to elicit information is an inherent right of a Member, resulting in the provision of Question Hour. The first hour of every sitting is usually

devoted for this purpose. As a rule, a question is asked for the purpose of obtaining information on matters of public interest within the special cognizance of the Minister to whom it is addressed.

Notice of Question

(i) The minimum period of notice required for a question is 15 clear days. For calculating the period of notice, both the days on which the notice is received and the date on which it is due for answer, are to be excluded. Notice of a question should be given in writing, addressed to the Secretary, Punjab Vidhan Sabha and should specify :

- (a) the text of the question;
- (b) the official designation of the Minister to whom the question is addressed.

(ii) The notice of the question is to be delivered either in person or sent by post or left in the office of the Legislature during office hours on any working day.

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

(iv) Notices of Starred and Unstarred Questions should be given separately.

(v) Notice of each question is required to be signed separately with the name of the Member written in block letters below the signature.

(vi) Unsigned notices of questions are not accepted and they are returned to the Members concerned.

(vii) Notices of questions should be clear, self contained and complete. Questions written in illegible hand are liable to be returned to the Members.

(viii) Notices of questions tabled by Members bearing signature, which do not tally with the specimen signatures and their genuineness is in doubt, are treated as invalid.

(ix) Questions containing references to previous questions and answers in the House should be made self-contained by quoting the number and giving very briefly the purport of the previous question and answer and the date when the question was answered.

(x) A question which is amended by a Member as a result of correspondence, is treated as a fresh notice.

(xi) When several notices of questions are received on the same or allied subject from more than one Member, they are consolidated and the names are clubbed thereon. Similarly, when a question has been admitted, and subsequently more questions are received on the same subject, such questions are disallowed and

the names of the Members are clubbed on the admitted question. However, after the list of questions has been printed, if any question on the same subject is received, it is disallowed.

The questions are of three types. They are :

(i) Starred Question

Starred question is the one to which a Member seeks an oral answer on the floor of the House. A Member desiring an oral answer to his question must distinguish it by an asterisk "*" or indicate it as "Starred Question". There is no restriction on the number of Starred and Unstarred Questions which a Member can give under the rules but not more than two questions by the same Member can be placed on the list of Starred Questions for the day. In the list of Starred Questions for a day, not more than 20 questions can be included. The Starred Questions left over during the Session because of the above provision, shall be included in the supplementary list of Unstarred Questions (converted as such from being Starred Questions) for the last day of the Session. Such list will only include questions of a Member which are left over because of the limit of 20 questions.

(ii) Unstarred Question

The Unstarred Question is one to which written answer is desired by the Member. If the Member does

not distinguish his question by an asterisk "*", the question is printed in the list of Unstarred Questions. Written answers to the Unstarred Questions are laid on the Table of the House by the Minister to whom the questions are addressed. Not more than four questions in all by one Member can be placed on the list of Unstarred Questions for written answers for one day. Questions in excess of four shall be spread over to other days.

(iii) Short Notice Question

A question relating to a matter of public importance, may be asked with notice shorter than 15 clear days, and, if the Speaker is of the opinion that the question is of an urgent public importance, he will direct that an enquiry may be made from the Minister concerned if he is in a position to reply, and, if so, on what date. If the Minister concerned agrees to reply, such question will be answered on a day to be indicated by him and will be called immediately after the questions which have appeared in the list of questions for oral answer have been disposed of. If the Minister is unable to answer the question at a short notice, it shall be treated as an ordinary Starred Question and shall be entered in the list of questions for a day not earlier than 15 clear days from the date on which notice was received by the Secretary.

When a Member desires an answer to a question at short notice, he should briefly state the reasons for

asking the question with short notice. Where no reasons have been assigned in the notice of question, the question will be returned to the Member or filed. The Member should indicate why question is being asked at a short notice. A general statement that the matter is of "wide public importance" or "public interest", would not be adequate for this purpose, as this basic criterion has to be satisfied by all questions admitted in the ordinary course also.

Mode of asking Questions

Questions for oral answer are called in the order in which they stand in the list of questions. The Speaker calls successively each Member in whose name a question appears in the list of questions. The Member so-called should rise in his place and ask the question by reference to its number on the list of questions. If on a question being called, the Member in whose name it stands, is absent, the Speaker may permit another Member to do so, if the latter has written authority for the purpose, and such authority has been sent to the Speaker in advance. Further even in the absence of the authority letter, the Speaker, may direct that the answer to it be given. If a question is shown in the names of more than one Member, the Speaker calls the first name, or in his absence, the next name in the order in which it stands in the list.

Supplementary Questions

The Member who asks the question listed in his name, gets a chance to ask supplementary questions after the Minister has replied to his question. Thereafter, the second Member, if any, whose name appears on the question, gets a chance to ask supplementary question. Thereafter, any Member, when called by the Speaker may ask a supplementary question arising out of the main question and answer thereto, for the purpose of further elucidating any matter of fact. Supplementary questions should seek information rather than give information or make suggestions for action. They should not precede with introduction. Supplementary questions should be brief, specific, relevant and within the scope of subject matter of the main question. Unless the Speaker otherwise permits, not more than five supplementary questions may be allowed to be put after the reply to the Starred Question has been given. Supplementary questions are governed by the same rules of admissibility as are applicable to the main questions. No supplementary question can be asked in respect of an Unstarred Question.

Speaker to decide admissibility of a Question

The Speaker decides whether a question or a part thereof is or is not admissible under the rules. He may disallow any question or a part thereof when, in his opinion, it is an abuse of the right of questioning or is in contravention of rules etc. The Speaker may, if he is of the view that any question put down for oral answer

is of such a nature for which a written reply could be more appropriate, direct that such question be placed on the list of questions for written answers.

Conditions of admissibility of Question

No question should be allowed unless it fulfills the following conditions:

- (i) it shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (ii) if it contains a statement, the Member shall make himself responsible for the accuracy of the statement;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements ;
- (iv) it shall not ask for any expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;
- (v) it shall not ask as to the character or conduct of any person except in his official or public capacity;
- (vi) it shall not be of excessive length;
- (vii) it shall not ask about proceedings in a

Committee which have not been placed before the Assembly through a report from that Committee;

- (viii) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a Substantive Motion;
- (ix) it shall not make or imply a character; charge of a personal
- (x) it shall not raise questions of policy too large to be dealt with within the limits of an answer to a question and raise matter for dealing with which the rules provide another convenient method;
- (xi) it shall not repeat in substance questions already answered or to which an answer has been refused;
- (xii) it shall not ask for information on trivial or frivolous matters;
- (xiii) it shall not ordinarily seek information on matters of past history;
- (xiv) it shall not require information set forth in accessible documents or in ordinary works of reference;

- (xv) it shall not raise matters under the control of bodies or persons not primarily responsible to the State Government;
- (xvi) it shall not ask for information on a matter which is sub-judice i.e. under adjudication by a Court of Law having jurisdiction in any part of India;
- (xvii) it shall not relate to a matter with which a Minister is not officially connected;
- (xviii) it shall not refer discourteously to a friendly Foreign country;
- (xix) it shall not seek information regarding Cabinet discussions, or advice given to the Governor in relation to any matter in respect of which there is constitutional, statutory or conventional obligation not to disclose information;
- (xx) it shall not ordinarily seek information on matters which are under consideration before a Committee; and
- (xxi) 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 or Commission or Court of Enquiry or before a Court of a competent authority.

In matters which are under correspondence between the State Government and the Government of India or the Government of a State, no question should be asked except as to matters of fact, and the answer should be confined to a statement of fact.

Postponed Questions

If the reply to a question is not ready, an application for extension of time is made by the Minister concerned to the Speaker, who may extend the time for answering the question, but no discussion is permitted in the House about the reasons for postponement. All Starred Questions which are postponed during the course of a week are again included in the list of postponed Starred Questions for answer on Tuesday or on such other day, as may be appointed by the Speaker, and this list is taken up before the regular list of questions for oral answers for that day is taken up.

Where the Speaker is of the opinion that a question

has not been adequately answered, he may postpone it to a later day.

List of Questions

The questions admitted are forwarded to the Government for sending answer to the Legislature Secretariat. Questions admitted are entered in the list of questions for a day. No admitted question will be placed on the list of questions for answer until seven days have expired from the time when the intimation about admission of such a question by the Speaker has been conveyed by the Secretary to the Minister/Department concerned.

Intimation to Member about his Questions

An intimation is sent to the Member whose question has been admitted whether in the form in which notice was received or in an amended form. The Member concerned may be asked to modify his question for the reason which may be conveyed to him. An intimation is also sent to him if the question is disallowed together with the reasons therefor. Under the direction of the Speaker, copies of a disallowed question may be sent to the appropriate authority, if, in his opinion action on the part of the Government in respect of the subject matter of the question is called for.

Placing of copies of answers to Starred and Short Notice Questions on the Table

Half-an-hour before the commencement of the Question Hour, two sets of the answers to Starred and Short Notice Questions, if any, are placed on the Table of the House. The contents of answers to such questions (including statements, if any, to be laid in reply) should be treated as confidential and not released for publication until the questions are actually asked and answered in the House.

Withdrawal or Postponement of Questions

A Member may, by notice given at any time before the sitting for which his question has been placed on the list, withdraw his question with the consent of the Speaker, or postpone it to a later day to be specified in the notice.

Procedure regarding wrong replies to Questions

If a Member feels that a wrong reply has been given by the Government, he may bring it to the notice of the Speaker in writing. Such representation of the Member is sent to the Minister concerned, and the reply received from the Minister together with the version given by the Member is placed on the Table of the House.

27. Bills

Bills may originate in the Vidhan Sabha from either of two sources: Government or Private Members, but the requirements are the same in both the cases. In the case of Private Bills, however, the relative precedence is

determined by a ballot, the procedure for which is set out in Schedule I to the Rules of Procedure and Conduct of Business.

Motion for Leave

Notice has to be given of the intention to move for Leave to Introduce a Bill, and such notice has to be accompanied by four copies of the text of the Bill together with a full statement of the Objects and Reasons of the Bill duly signed by the Member-in-Charge of the Bill. In urgent cases, a request can be made to the Speaker to order the publication of a Bill (with the Statement of Objects and Reasons, the Memorandum regarding Delegation of Legislative Power, and the Financial Memorandum accompanying it, if any) in the Government Gazette, and in that case it is not necessary to move for Leave to Introduce the Bill.

Governor's recommendation

If the Bill seeks to make a provision for any of the matters specified in sub-clause (a) to (f) of clause (1) of Article 199 of the Constitution, it cannot be introduced except on the recommendation of the Governor and the notice must be accompanied by such recommendation. But such recommendation is not necessary if the Bill provides for the imposition of fines or other pecuniary penalties or for the demand or payment of fees for licences or fees for services rendered, or if it provides for the

imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes. If a Bill, which if enacted and brought into operation, would involve expenditure from the Consolidated Fund of the State it shall not be passed by the Vidhan Sabha unless the Governor has recommended its consideration and it must, therefore, be accompanied by an order of the Governor to that effect.

Financial Memorandum

A Money Bill or a Financial Bill has to be accompanied by a Financial Memorandum inviting particular attention to clauses involving expenditure, and giving an estimate of the recurring and non-recurring expenditure involved in case the Bill is enacted.

Memorandum regarding Delegated Legislation

A Bill involving proposals for the delegation of Legislative Powers is required to be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character.

A notice of a Bill is not complete unless the recommendation/Memoranda required under the Rules accompany it.

After a Motion for Leave to Introduce a Bill is carried, the Bill is introduced. No speeches are made at this stage.

But if the Motion for Leave to Introduce is opposed, the Speaker may permit the Member, who moves and the Member, who opposes, to make brief explanatory statements, but no further debate takes place.

Previous publication of Bills

The Vidhan Sabha grants leave to introduce a Bill before it can be introduced. But such leave is obviated if the Speaker, on a request being made to him, orders its publication with the Statement of Objects and Reasons, the Memorandum regarding Delegation of Legislative Powers and the Financial Memorandum accompanying it, if any, in the Gazette.

Assent

After a Bill is passed, it is sent to the Government for submission to the Governor for his assent. Only after the assent is given and published in the Official Gazette, the Bill becomes an Act. In certain cases, the Governor reserves a Bill for the consideration of the President, and, in that case, the Bill becomes an Act when it has been assented to by the President and first published in the Official Gazette.

Supply of copies of Bills to Members

Copies of the Bills in English are supplied to all Members. However, copies of the Bills in Punjabi and Hindi languages, are also supplied to the Members as

per their choice.

28. Resolutions

*(a) Private Members' Resolution-*A resolution is a motion for the purpose of discussing a matter of general public interest. It may be in the form of a declaration of opinion by the House or in the form of a specific recommendation addressed to the Government. Members may give notices of resolutions. A notice of a resolution has to be accompanied by the text of the resolution itself, and must satisfy the requirements for its admissibility summarised in the succeeding paragraph.

A resolution should be clearly and precisely expressed and should raise substantially one definite issue. It should not contain arguments, inferences, ironical expressions or defamatory statements or refer to the conduct or character of persons except in their official or public capacity. It should not relate to any matter which is not primarily the concern of the State Government or even to any matter which is sub-judice.

If a resolution has been moved and has or has not been withdrawn, no resolution or amendment raising substantially the same question can be moved within six months thereof.

Ballot

A ballot is held for each day on which business

other than Government business has precedence.

Numbered List

Rules provide that not less than fourteen days, or such period as the Speaker may direct, before each Thursday, a numbered list is placed in the Sabha Secretariat (Notice Office). Such list is kept for two days, and on those two days during office hours, any Member who has given notice of a resolution, may have his name entered against one number only.

Members may enter their own names in the numbered list themselves or authorise the Secretary or any other person, in writing, to do so on their behalf.

Only those numbers against which names are entered in the numbered list are balloted for the purpose of determining the priority of resolutions.

Notice of Ballot

The date of the ballot in respect of each day when resolutions are to be taken up is notified and the ballot is held by the Secretary or his representative.

Indication of Priorities

Members, who have given notices of more than one resolution, should indicate in writing the priority in which they want their resolutions to be taken up in case their numbers are balloted. In the absence of such priority,

the date of the report of the resolution, and if more than one resolution is received on the same date, then the order in which they are received is kept in view in determining their relative priority.

Intimation to Member about his Resolution

An intimation is sent to the Member, whose resolution has been admitted, whether in the form in which notice was received or in an amended form. The Member concerned can also be asked to amend his resolution himself. An intimation is also sent to him if the resolution is disallowed together with the reasons therefor.

Transmission of Resolution to Government

A copy of the resolution which is passed by the Vidhan Sabha is sent to the Government.

(b) Official Resolution - Notice of an official resolution may be given by a Minister. It is not necessary for him to give 15 clear days' notice, as in the case of Private Members' Resolution, of his intention to move such a resolution. After the Speaker admits notice of such a resolution, it can be moved and discussed at a sitting at which the Government business is transacted. Such a resolution is not balloted. The mover of the resolution has a right of reply before the resolution is put to vote.

29. Financial Business

The Annual Financial Statement or the Statement of the Estimated Receipts and Expenditure of the Government of the State in respect of every financial year-known as the Budget-is presented to the Vidhan Sabha with a speech by the Finance Minister. It is then dealt with in three stages:-

- (i) General Discussion;
- (ii) Voting on Demands for Grants;
- (iii) Appropriation Bill.

(i) General Discussion.-The general discussion on Budget takes place for such period as the Speaker, in consultation with the Leader of the House, may determine. Members are then at liberty to discuss the Budget as a whole or any question of principle involved in it. The Finance Minister has a general right of reply at the end of the discussion. Other Ministers may also take part in the discussion to answer any criticism that may have been made of the department under their charge. No motion is moved at this stage; nor is the Budget submitted to the vote of the Vidhan Sabha.

The Speaker can prescribe a time limit for the speeches.

(ii) Voting on Demands for Grants.-The voting on demands for grants takes place for such number of days not exceeding fifteen days as the Speaker, again in

consultation with the Leader of the House, may allot for the purpose. Any one demand cannot be discussed for more than two days.

The demands for grants, which are specifically discussed, are those which are mutually agreed upon between the Government and the Opposition.

Members may move motions to omit or reduce any item in a grant or reduce any grant. A token cut may be proposed but when that is done, the object of the cut has to be specified clearly and precisely. But no motion can be moved to increase any grant or alter its destination.

The charged expenditure is subject to discussion, but not to the vote of the Vidhan Sabha.

The debate on motion must be confined to the administrative matters for which the Government is responsible, and not deal with matters requiring legislation.

Guillotine

On the last day of the days allotted for the voting of demands for grants, the Speaker, 1½ hours before the normal hours of interruption of business, forthwith puts every question necessary to dispose of the demand under consideration, and thereafter puts one by one, all the outstanding demands for grants.

Supplementary, Additional, Excess and Exceptional Grants and Votes of Credit

Supplementary, Additional, Excess and Exceptional Grants and Votes of Credit are regulated by the same procedure as is applicable to the demands for grants with such modifications, addition or omission as the Speaker may deem necessary or expedient. But the debate on these grants or votes has to be confined to the items constituting the same, and no discussion may be raised on the original grants or on the policy underlying them except to the extent necessary to explain or illustrate the particular items under discussion.

Vote on Account

A "Vote-on-Account" is a vote of a demand for grant given in advance in respect of the estimated expenditure for a part of a financial year pending the completion of the procedure relating to the voting of the annual budget and the passing of the Appropriation Bill in relation thereto.

A motion for a "Vote-on-Account" states the total sum required and the various amounts needed for each department or items of expenditure which compose that sum. These various sums are stated in Schedule appended to the Motion. Amendments may be moved for the reduction of the whole grant or for the reduction or omission of the items of which the grant is composed.

Scope of Discussion

Discussion of a general character on the motion or any amendment moved thereto is allowed, but discussion of the details of the grants further than that necessary to develop the general points is prohibited.

(iii) Appropriation Bill

When the Demands for Grants have been voted by the Vidhan Sabha, the Appropriation Bill, providing for the appropriations out of the Consolidated Fund of all the moneys thus voted as well as the charged expenditure, is introduced and discussed in the House.

No amendment can be proposed to an Appropriation Bill which has the effect of varying the amount or altering the destination of a grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State.

Discussion

The Appropriation Bill is discussed in the Vidhan Sabha for such period as the Speaker may allot, and on the allotted day or if more than one day has been allotted, on the last of the allotted day half an hour before the hour of interruption, he forthwith puts every question necessary to dispose of all the outstanding matters in connection with the Bill. The Speaker can prescribe time limit for speeches at all or any of the stages involved in the passage of the Bill by the House.

Restriction on Discussion

The debate on the Appropriation Bill is restricted to matters of public importance or administrative policy implied in the grants covered by the Bill which were not raised while the relevant demands for grants were under consideration.

The Speaker may, in order to avoid repetition of debate, require Members desiring to take part in the discussion on an Appropriation Bill to give advance intimation of the specific points they intend to raise; and he may withhold permission for raising such points as in his opinion, appear to be repetitious of the matter already discussed on a demand for grant or as may not be of sufficient public importance.

30. Discussions

Generally speaking, discussions take place in the House in anyone of the following modes :-

- (i) On the Governor's Special Address;
- (ii) On the Budget;
- (iii) On the Demands for Grants;
- (iv) On Resolutions; and
- (v) On Bills.

Discussion may also take place on:

- (i) an Adjournment Motion;
- (ii) a No-Confidence Motion;
- (iii) a Question of Privilege;
- (iv) a Resolution for the removal of the Speaker/
Deputy Speaker;
- (v) a Motion for the discussion of a policy,
situation or statement;
- (vi) a Resolution disapproving Governor's
Ordinance;
- (vii) a notice of amendment to a Regulation, Rule,
Bye-law, etc. but in each of these cases
discussion is confined to the matter before
the House.

Besides, Half-an-Hour Discussion may take place in relation to a matter of public importance which has been the subject of a recent question (whether Starred or Unstarred).

Again, a Member may, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement pertinent thereto.

The procedure for raising these discussions is as stated below :-

- (i) **Governor's Special Address.**-As already stated, discussion starts on a Motion of Thanks moved by a Member and seconded by another. No previous notice by those who wish to take part in the discussion is required. They only have to catch the eye of the Chair in the House.
- (ii) **Budget.**-There is no formal motion before the House, and discussion lasts for such time as may be previously determined.
- (iii) **Demands for Grants.**-The discussion takes place on a motion in respect of a special grant moved by a Minister. No previous intimation by those intending to take part in the discussion is necessary, but it is confined to that demand only.
- (iv) **Resolutions.**-Discussion starts after the mover has moved his resolution and the question has been proposed.
- (v) **Bills.**-The discussion on a Bill takes place in a number of stages.

Leave to introduce-

- (a) When leave to introduce is asked for, the discussion is of a restricted character. Normally no discussion takes place at this stage because the grant of leave is regarded as a formal matter.

Motion for consideration-

- (b) When the Bill is moved for consideration, a general discussion on the principles involved in the Bill takes place. But if the Bill is moved for being referred to a Select Committee, discussion does not normally take place unless it is to oppose the motion for reference.

Consideration of the report of the Select Committee-

- (c) When a Bill is reported by the Select Committee, a discussion takes place on the motion that the Bill as reported be taken into consideration. Such discussion is confined to the consideration of the report of the Select Committee or any alternative suggestions consistent with the principles of the Bill.

Discussion on Clauses -

- (d) After the motion for consideration has been carried, discussion takes place on each clause along with amendments, if any, moved thereto. In the case of Appropriation Bill, normally no such discussion takes place.

Motion for passing -

- (e) After the clauses have been carried, amended, or rejected, the motion moved is that the Bill be passed, and on this motion again discussion takes place,

but it is confined to the submission of arguments in support of the Bill or for rejection of the Bill.

- (vi) **Adjournment Motion-** An adjournment motion is a motion intended to secure a discussion on a matter of urgent public importance of recent occurrence by interrupting the normal business of the House. This requires the consent of the Speaker. Discussion - if the motion is otherwise in order and leave of the House is given ordinarily takes place for two hours after hour of interruption, or earlier if the business for the day is finished earlier.

Notice for an adjournment motion has to be accompanied by a brief explanatory memorandum explaining the motion and has to be given two hours before the commencement of the sitting. Such notice has to be given to the Secretary. The right to move such motion is subject to a number of restrictions which have been briefly stated in the following paragraph.

Not more than one adjournment motion can be made at the same sitting nor can more than one matter be discussed on the same motion. The motion should be restricted to a specific matter of recent occurrence and should relate to a matter which falls within the responsibility of the Government. It should not raise a question of privilege; should not revive discussion on a matter which has been discussed in the same Session;

should not deal with a matter for the discussion of which leave was refused in the same Session; should not anticipate a matter which has been previously appointed for consideration; should not deal with a matter on which a resolution could not be moved; should not relate to the ordinary administration of law; should not deal with any matter which is under adjudication by a Court of Law; should not involve a matter of legislation; should not raise any question which, under the Constitution or the Rules of Procedure, can only be raised on a distinct motion, and should not ordinarily raise matters pending before any statutory tribunal or statutory authority performing any judicial or quasi judicial functions.

After the Speaker has given his consent, the Member concerned has to ask for the leave of the House. If objection to the grant of leave is taken, then the Chair asks those Members who are in favour of leave being granted, to rise in their places, and, if not less than fifteen Members do so, the Chair intimates that leave is granted. Otherwise, the Chair intimates that leave is not granted.

Discussion on an adjournment motion has to be relevant to the motion itself and takes place on the same day when the leave is granted, at the normal hour of interruption or earlier. If the business for the day is completed earlier or at any other time, as the Speaker may decide, a period of two hours is allotted for the

discussion, and, at the end of two hours, the discussion automatically terminates. No question is then put.

According to a well-established practice, such motions are not admitted during the Budget Session as ample opportunities are available to Members for raising discussion on such matters during the course of discussion on the Governor's Special Address, Budget etc.

Members are required not to refer, on the Floor of the House, to the Motions which have been disallowed by the Speaker. Any Member, who wishes to make a representation to the Speaker in regard to his decision about the adjournment motion, may do so in his Chamber and not in the House.

Notices of such motions are not taken up on the day the Budget for the year is presented to the House.

(vii) No Confidence Motion- A No confidence motion is intended to express want of confidence in the Council of Ministers. The Member intending to move such a motion has to give notice in writing to the Secretary before the commencement of the sitting. If, in the opinion of the Speaker, the motion is in order, he reads it to the House and asks those in favour of leave being granted to rise in their places, and, if not less than one-fifth of the then existing strength of the Members of the House do so, he intimates that leave is granted. In the event of

leave being granted, discussion takes place on the day or days or a part of the day appointed by him for the purpose, but such day/days/part of the day must be within a period of ten days from the day on which the leave is granted.

The Speaker can prescribe a time limit for speeches.

(viii) Question of Privilege- A question of privilege concerning Member or the House or a Committee of the House may be raised by a Member with the consent of the Speaker by giving notice to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. Not more than one question restricted to a specific matter of recent occurrence and requiring the intervention of the Vidhan Sabha, can be raised at the same sitting.

If the Speaker gives his consent, he calls the Member concerned, after Questions and before the List of Business for the day is entered upon, who, while asking for leave, makes a short statement pertinent to the question of privilege. If objection to leave being granted is taken, the Chair asks those in favour of leave being granted to rise in their places, and, if not less than thirty Members rise, the Chair intimates that leave is granted. Thereafter, on a motion being made, the question is referred to the Committee of Privileges.

A question of privilege may also, with the permission

of the Speaker, be raised at any time, during the course of a sitting.

Again, the Speaker, may refer any question of privilege to the Committee of privileges for examination, investigation and report.

Discussion may take place on the report of the Committee.

(ix) Resolution regarding removal of Speaker/Deputy Speaker.- Discussion can also take place on the resolution for the removal of Speaker/Deputy Speaker from his office. Notice of a resolution for the purpose has to be given to the Secretary at least fourteen days before the day on which it is intended to ask for leave to move the Resolution. The resolution must specify the charges against the Speaker or the Deputy Speaker, as the case may be.

The Speaker or the Deputy Speaker or the person presiding, as the case may be, places the motion before the House and requests those who are in favour of leave being granted to rise in their places, and, if not less than one-fourth of the total number of Members of the House rise accordingly, he declares that the leave has been granted. If, however, less than the requisite number of Members rise, he informs the Member that he has not been granted the leave of the House.

Where the leave has been granted, the resolution is discussed on such day, not being more than ten days from the date on which leave is asked for – as the Speaker or the Deputy Speaker or the person presiding, as the case may be, may appoint.

(x) Discussion on Policy, situation or statement -

A discussion may take place on the motion that the policy or situation or statement or any other matter may be taken into consideration. But such motion is not put to the vote of the House.

Rules do not specifically prescribe any conditions for the admissibility of such a motion. However, the Speaker has, through a direction issued by him, prescribed the same, which are briefly stated in the succeeding paragraph.

The motion should be restricted to a specific matter of urgent public importance of recent occurrence; should not relate to a matter which falls within the responsibility of the Government; should not raise a question of privilege; should not revive discussion of a matter which has been discussed in the same Session nor anticipate discussion of a matter which has been previously appointed for discussion; should not deal with a matter for the discussion of which consent has been given in the same Session; should not deal with a matter on which a resolution cannot be moved; should not relate to the ordinary administration

of law; should not deal with any matter which is under adjudication by a court of law; should not involve a matter of legislation; and should not raise any question which, under the Constitution or the Rules, can only be raised on a distinct motion by a notice given in writing to the Secretary.

(xi) Resolution disapproving Governor's Ordinance:- A Member may give three days' notice of his intention to move a resolution under Article 213 (2) (a) of the Constitution disapproving an Ordinance.

The time not exceeding two hours for the discussion of such a resolution is allotted by the Speaker. If notice of a Bill on the subject matter of the Ordinance has been received, the discussion on the resolution is held before the discussion on the Bill.

(xii) Amendment of a regulation, rule, sub-rule, bye-law, etc.- A Member may give three days' notice of an amendment to a regulation, rule, sub-rule, bye-law, etc, framed in pursuance of the Constitution or any Act, after it is laid before the House, but within the period for which it is required to be so laid.

The time for the discussion of such amendment is allotted by the Speaker in consultation with the Leader of the House.

(xiii) Half-an-hour discussion:- Half-an-hour discussion may take place with the consent of the Speaker

in relation to a matter of sufficient public importance which has been subject of a recent question (Starred or Unstarred) and the answer to which needs further elucidation on a matter of fact.

Notice for raising such a discussion has to be given to the Secretary - briefly specifying the point or points sought to be raised – one day in advance of the day on which the matter is desired to be raised. The notice has to be accompanied by an explanatory note stating the reasons for raising discussion and is also required to be supported by the signatures of at least two other Members.

Such discussion, if permitted, takes place after the hour of interruption or earlier if the business for the day is completed earlier.

No voting takes place at the end of the discussion. If more than two notices are received and admitted by the Speaker, a ballot is held to determine which two shall be set down for discussion, and out of these two, the notice received first in the point of time is placed first.

(xiv) Calling attention - Calling attention of a Minister to any matter of urgent public importance - though strictly not a mode of raising a discussion - is the method of focusing attention of the House on that matter.

A Member may, with the previous permission of the Speaker, call the attention of a Minister to any matter

of urgent public importance and the Minister has to make a brief statement pertinent thereto. No Member can give more than two such notices for any one sitting.

Rules do not specifically prescribe any conditions for the admissibility of a Call Attention Notice. However, the Speaker has, through a direction issued by him, prescribed the conditions, which are briefly stated in the following paragraph:-

A Call Attention Notice should be restricted to 'a specific' matter of urgent public importance of recent occurrence; should relate to a matter which falls within the responsibility of the Government; should not raise a question of privilege; should not revive discussion of a matter which has been discussed in the same Session nor anticipate discussion of a matter which has been previously appointed for discussion; should not deal with a matter for the discussion of which consent has been given in the same Session; should not deal with a matter on which a resolution cannot be moved; should not relate to the ordinary administration of law; should not deal with any matter which is under adjudication by a court of law; should not involve a matter of legislation; and should not raise any question which, under the Constitution or the Rules, can only be raised on a distinct motion by a notice given in writing to the Secretary.

A Member cannot refer, on the floor of the House,

to a Call Attention Notice disallowed by the Speaker, if he wishes to make a representation to the Speaker, in this connection, he may do so in the Speaker's Chamber.

A notice should invariably relate to a single, specific department of the Government. Where a notice relates to more than one department, the same is disallowed.

In accordance with the established convention, notices of such motions are not taken up on the day the Budget for the year is presented to the House.

A Call Attention Notice is required to be given in writing to the Secretary, two clear days before the commencement of the sitting on the day on which it is proposed to be taken up. Where a notice is signed by more than one Member, it is deemed to have been given by the first signatory only. However, where more than three Members sign and give a Call Attention Notice, the names of the first three signatories are shown in the List of Business.

The attention of the Minister, to whose department the matter relates, is called and it is done with the consent of the Speaker. The Minister makes a brief statement on the day for which the notice has been entered in the List of Business. There is no debate at the time such statement is made. However, the Member giving notice and other Members, if any, whose name appear along with his name in the List of Business, are allowed to put one question

each for the purpose of seeking clarification. Not more than three such matters can be raised at one sitting. If more than three Call Attention Notices are admitted, a ballot is held to determine the relative precedence of each of the three and the remaining notices lapse. A brief summary of admitted Call Attention Notices is entered in the List of Business for the day on which the same are to be taken up.

31. Modes of decision by the House:- When a question is put to the House it is required to give its decision. This is done by the Chair by asking for a voice vote in the first instance. If the opinion of the Chair on the basis of the voice vote is not challenged, then the question is declared as determined either by saying “Ayes have it”, “Ayes have it”, or “Noes have it”, “Noes have it” as the case may be.

But if the Chair’s opinion is challenged, that is, if while “Ayes have it”, “Ayes have it”, is being declared there are voice saying “Noes have it”, “Noes have it” or vice versa, there are two courses open to the Chair - either to ask the Members in favor and those against, to rise in their respective places one after the other, if it is of the opinion that the division is being unnecessarily claimed, and then on a count being taken, declare the decision of the House, or direct those in the favor and those against the motion to go into their respective

lobbies, that is, order the House to divide itself.

32. Division

When the Chair intends ordering a division, the Secretary operates at his Table a switch which causes electric bells to ring in the Vidhan Bhavan to enable Members who are within the building but not in the House, to come to the House, if they wish to take part in it. Immediately after the bells stop ringing, the Speaker calls the House to order and the question is put once again and if the Chair's opinion is challenged again, the Members are directed to the lobbies. All the outdoors of the lobbies are then closed and the Watch and Ward Staff are posted at each door with the standing instructions that anyone coming in or going out during the course of the division should be prevented from doing so. The Division Clerks in the "Ayes" and "Noes" lobbies mark off on the division lists the numbers of the Members, who call out the same. To ensure that his vote has been recorded, a Member should not move away from the Division Clerk until he is certain that his vote has been recorded.

After the recording of the votes has been completed, the Division Lists are handed over to the Secretary, who counts the votes and presents the totals of 'Ayes' and 'Noes' to the Speaker. The latter then announces the result to the House and it cannot be challenged. The Division is not complete till the result is announced to

the House.

A “Division” is, therefore, a device of recording of votes by Members in favour of or against a motion in their respective lobbies;

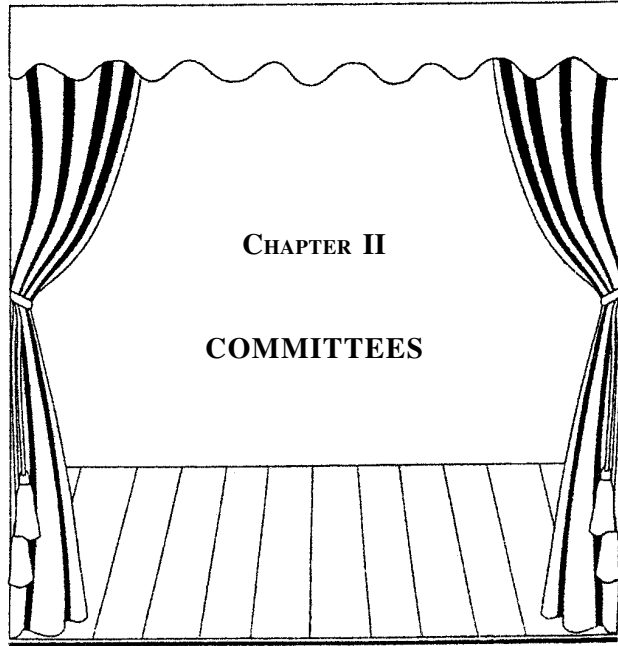
33. Petitions – A Member may present a petition to the House with the consent of the Speaker. It should be signed by the petitioner(s). The full name and address of every signatory to the petition should be given and authentic by his signature, and if illiterate, by his thumb impression. If there are more than one signatory to the petition, at least one person should sign, or if illiterate, affix his thumb impression on the sheet on which the petition is inscribed. A petition, if presented by the Member, is to be countersigned by him. However, a Member himself cannot be petitioner. The petition should pertain to a Bill which has been published or which has been introduced, or relate to any matter connected with the business pending before the House, or any matter of general public interest provided that it is not one (i) which falls within the cognizance of a Court of law or a Court of Enquiry or a Statutory Tribunal or a Quasi Judicial Body or Commission (ii) which should ordinarily be raised in Parliament; (iii) which can be raised on a substantive motion or resolution in the House; and (iv) for which remedy is available under the law including rules, regulations, bye-laws made by the Punjab Government

or any authority to whom power to make such rules, regulations etc. is delegated. A petition must relate to some matter which the Vidhan Sabha is competent to consider and it must not propose expenditure of public money or the imposition of any charge on public revenues. A petition should be couched in respectful, decorous and temperate language and should be in Punjabi, Hindi or English.

A petition should be self-contained, and no letter, affidavit or document should be annexed to it. A petition should be addressed to the House and should conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

The general form of petition has been given in Schedule IV to the Rules of Procedure and can be used with such variations as the circumstances of a case require.

A Member has to give advance intimation to the Secretary of his intention to present a petition. A petition may be presented by a Member or forwarded to the Secretary and in the latter case, the Secretary makes a report to the House in the prescribed form.



CHAPTER II

COMMITTEES

COMMITTEES

34. Committees

There are a number of Committees of the Vidhan Sabha, some are elected by the Sabha and some others nominated by the Speaker.

In addition to the Committees of the House, there are a number of Committees constituted by the Departments of the Government to which Members are nominated either in *ex-officio* capacity or in their personal capacity.

The following is the list of Standing House Committees :-

Sr. No.	Name of the Committee	No. of Members
I Committees elected by the Vidhan Sabha		
(i)	Committee on Public Accounts	13
(ii)	Committee on Estimates	13
(iii)	Committee on Public Undertakings	13
(iv)	Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes	13
II Committees nominated by the Speaker		
(v)	Business Advisory Committee	6
(vi)	Rules Committee	10

vii) Committee of Privileges	12
viii) Committee on Government Assurances	13
ix) Committee on Subordinate Legislation	13
(x) General Purposes Committee	No fixed number
xi) House Committee	9
xii) Committee on Petitions	13
xiii) Committee on Papers laid/ to be laid on the Table and Library	10
xiv) Questions & References Committee	9
(xv) Committee on Local Bodies	13
(xvi) Committee on Panchayati Raj Institutions	13
(xvii) Committee on Co-operation and its allied activities	13
(xviii) Committee on Agriculture and its allied activities	13

In addition, a Select Committee on a Bill is also appointed on a motion passed by the Vidhan Sabha that the Bill be referred to a Select Committee. Members of a Select Committee are appointed by the Sabha itself.

Elected by the Vidhan Sabha**(i) Committee on Public Accounts**

(a) The Committee on Public Accounts is constituted under the provisions of Rule 225. Its function is to examine the accounts showing the appropriation of the sums granted by the House to meet the expenditure of the Government of Punjab, the Annual Finance Accounts of the Government of Punjab, and such other accounts laid before the House as the Committee may think fit and shall present a report thereon in the House except those relating to such Public Undertakings as are allotted to the Committee on Public Undertakings. Apart from the Reports of the Comptroller and Auditor General of India on Appropriation Accounts of the Government of Punjab, the Committee examines the various Audit Reports of the Comptroller and Auditor General on revenue receipts, expenditure by various Departments of Government, and accounts of autonomous bodies.

(b) In scrutinizing the Appropriation Accounts of the Government of Punjab and the Reports of the Comptroller and Auditor General thereon, it shall be the duty of the Committee to satisfy itself-

- (i) That the money 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;
- (ii) That the expenditure conforms to the authority which governs it; and

- (iii) That every re-appropriation has been made in accordance with the provisions made in this behalf under the rules framed by the competent authority.

An important function of the Committee is to ascertain that the money granted by the Assembly has been spent by the Government within the scope of the demand. The functions of the Committee extend 'beyond the formality of expenditure to its wisdom, faithfulness and economy'. The Committee, thus, examines cases involving losses, nugatory expenditure and financial irregularities. When any case of proved negligence resulting in loss or extravagance is brought to the notice of the Committee, it calls upon the department concerned to explain what action, disciplinary or otherwise, it had taken to prevent a recurrence. In such a case, it might also record its opinion in the form of disapproval, or pass strictures against the extravagance or lack of proper control by the Ministry or Departments concerned. If any money has been spent on a service in excess of the amount granted by the House for the purpose, the Committee examines, with reference to the facts of each case, the circumstances leading to such an excess, and makes such recommendations as it may deem fit. Such excesses are thereafter required to be brought up before the House by the Government for regularization, in the manner envisaged in Article 115 of the Constitution. To facilitate speedy regularization of such excess expenditure by the Assembly, the Committee presents a consolidated report relating to all Departments in advance of the other reports.

(c) The Committee consists of 13 Members selected by the Assembly from amongst its Members according to the principle of proportional representation by means of single transferable vote, for a term not exceeding one year. The Chairman of the Committee is appointed by the Speaker from amongst the Members of the Committee. A Minister is not eligible to be elected as a Member of the Committee, and if a Member, after his election to the Committee, is appointed to hold such an office, he ceases to be a Member of the Committee from the date of such appointment.

(d) As the work of the Committee is normally confined to the various matters referred to in the Audit Reports and the Appropriation Accounts, its function starts normally after the Comptroller and Auditor General presents his Audit Reports on the Accounts of the Government. The Committee examines the representatives of the various Departments concerned with the matters referred to in the Audit Reports and Appropriation Accounts. The Committee is assisted by the Accountant General, Punjab, in its deliberations. The Committee may call for further information on any point arising from the examination of the Accounts and the Reports of the Comptroller and Auditor General thereon. The Committee may visit a Government establishment for an on-the-spot study of its working. The Committee presents its reports to the House, along with the Minutes of its sittings. The Committee may append notes, memoranda, etc., received from the Departments, except those of a confidential or secret nature, to their Reports. Evidence given before the Committee is not presented to the House. The Government is required to take action on the

recommendations contained in the reports of the Committee within six months, and keep it informed of the action taken or proposed to be taken in each case. The implementation of its recommendations by Government is watched by the Committee. The Action Taken notes received from the Departments are examined by the Committee, and Action Taken Reports are also presented to the House. All replies received from the Government in respect of the recommendations contained in the Action Taken Reports are also laid on the Table of the House.

(ii) Committee on Estimates

(a) The Committee on Estimates is constituted under the provisions of Rule 227. Its functions are : (a) to report what economies, improvements in organisation, efficiency or administrative reforms, consistent with the policy underlying the estimates, may be effected; (b) to suggest alternative policies in order to bring about efficiency and economy in administration; (c) to examine whether the money is well laid out within the limits of the policy implied in the estimates; and (d) to suggest the form in which the estimates shall be presented to the House.

(b) The Committee consists of 13 Members elected annually by the Assembly from amongst its Members according to the principle of proportional representation by means of single transferable vote. The Chairman of the Committee is appointed by the Speaker from amongst the Members of the Committee. A Minister is not eligible to be elected as a Member of the Committee. If a Member, after election to the Committee, is appointed as a Minister, he ceases to be a Member of the Committee from the

date of such appointment.

(c) The Committee may undertake tours for an on-the-spot study, detailed study of the subjects selected, for scrutiny of action taken by the Government on the recommendations contained in the previous reports of the Committee, and for considering procedural matters.

(d) Whenever estimates relating to the Government Departments are taken up for examination, the Committee calls for information, and takes evidence of officials. The Report of the Committee is placed before the House by its Chairman.

(e) After a report has been presented to the House, the Department concerned is required to take action on various recommendations and conclusions contained in the report, and furnish action taken replies within six months. After examining these replies, a Report is prepared by the Committee, and presented to the House. Replies received from the Government in respect of the recommendations contained in the Action Taken Reports are also laid on the Table of the House.

(iii) Committee on Public Undertakings

(a) The Committee on Public Undertakings is constituted under Rules 228 and 229. The Committee consists of 13 Members elected by the Assembly from amongst its Members according to the principle of proportional representation by means of single transferable vote. The term of office of Members of the Committee is not to exceed one year. The Chairman of the Committee is appointed by the Speaker from amongst the Members of the Committee.

A Minister is not eligible to be elected as a Member of the Committee, and if a Member, after his election to the Committee, is appointed a Minister, he ceases to be a Member of the Committee from the date of such appointment.

(b) The functions of the Committee are to examine the reports and accounts of the Public Undertakings specified in the Schedule II to the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly) and the reports of the Comptroller and Auditor General thereon, if any, and to see whether in the context of their autonomy and efficiency, the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices. The functions, which prior to the setting up of this Committee, were performed by the Public Accounts Committee and the Estimates Committee in relation to these Public Undertakings, have also been vested in this Committee. But the Committee does not examine: (a) matters of major Government policy as distinct from business or commercial functions of Public Undertakings; (b) matters of day-to-day administration; and (c) matters for the consideration of which machinery is established by any special statute.

(c) The Committee calls for preliminary material in regard to the working of the Public Undertakings from the Government/Public Undertakings, and also visits the projects and establishments of the Public Undertakings for an on-the-spot study of their working. The Committee also examines official witnesses and also takes the assistance of the Comptroller and Auditor General of

India in pursuing the matters raised in his Audit reports relating to the Undertakings or statutory Corporations. Thereafter, the Committee arrives at its conclusions/ recommendations, which, along with the facts on which they are based, are embodied in the Reports of the Committee. The Reports of the Committee, after factual verification by the Comptroller and Auditor General of India, if based on Audit Reports, are presented to the House and also sent to the Government for taking necessary action on the recommendations. The replies of the Government regarding action taken on the recommendations/ observations contained in the Reports, which are required to be furnished generally within six months after presentation of the Reports, are scrutinised by the Committee and separate Reports on the action taken by the Government, after adoption by the Committee, are presented to the Assembly. After presentation of the Reports on action taken, Government are required to furnish replies showing action taken or proposed to be taken by them on the recommendations. The replies so received are laid on the Table of the House.

(iv) Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes

(a) The Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes is constituted under Rule 251-A. It consists of 13 Members, who are elected from amongst the Members of the House according to the principle of proportional representation by means of single transferable vote. A Minister cannot be a Member

of the Committee, and if a Member, after his election to the Committee, is appointed to such an office, he ceases to be a Member of the Committee. The Chairman of the Committee is appointed by the Speaker from amongst the Members of the Committee. The term of office of Members of the Committee is not to exceed one year.

(b) The functions of the Committee are as under:-

- (i) to consider and examine the recommendations contained in the reports of the National Commission for Scheduled Castes and Scheduled Tribes, Government of India, in-so-far as the Punjab State is concerned, and which fall within the purview of the State Government, and to report to the House as to the measures that should be taken by the State Government ;
- (ii) to report to the House on the action taken by the Government on the measures proposed by the Committee.
- (iii) to examine the measures taken by the Government to secure due representation of the Scheduled Castes, Scheduled Tribes and Backward Classes in services and posts under its control (including appointments in the Public Sector Undertakings, Statutory and Semi-Government Bodies) having regard to the provisions of Article 335 of the Constitution of India;
- (iv) to report to the House on the working of the

welfare programmes for the Scheduled Castes, Scheduled Tribes and Backward Classes; and

- (v) to examine such other matters as may be specifically referred to it by the House or the Speaker.

(c) From time to time, the Committee selects such subjects pertaining to the welfare of Scheduled Castes, Scheduled Tribes and Backward Classes as may be deemed fit by the Committee. The Committee also examines matters of special interest to the welfare of Scheduled Castes, Scheduled Tribes and Backward Classes which may arise or come to light in the course of its working.

(d) After a report has been presented to the House, the Department concerned is required to take action on various recommendations and conclusions contained in the report, and furnish action taken replies within six months. After examining these replies, a Report is prepared by the Committee, and presented to the House. Replies received from the Government in respect of recommendations contained in the Action Taken Reports are also laid on the Table of the House.

II. Nominated by the Speaker

(v) Business Advisory Committee

The Business Advisory Committee consists of six Members, including the Speaker who is the ex-officio Chairman. It is nominated by the Speaker at the commencement of the Vidhan Sabha, or from time to time, as the case may be. The function of the Committee is to recommend time allocations for different categories of

such business before the House as may be referred to it by the Speaker in consultation with the Leader of the House. The Committee performs such other functions as may be assigned to it by the Speaker from time to time. A report of the Committee, which consists mainly of the recommended time-table for Bills, or a group of Bills, and other business, is presented to the House by the Speaker, and if adopted, operates as the time allocation order of the House itself. That is to say, that at the appointed hour in connection with any specified business, the Speaker, in accordance with such order, forthwith puts every question necessary to dispose of all the outstanding matters in connection with it.

(vi) Rules Committee

The Rules Committee consists of ten Members, including the Speaker as its ex-officio Chairman. It is nominated by the Speaker. It holds office for a period of one year or until a new Committee is nominated. It considers matters of procedure and conduct of business in the House and recommends amendments or additions to the rules that may be deemed necessary.

The recommendations of the Committee are laid on the Table of the House in the form of a Report. Any Member can, within a period of five days beginning with the day on which these are so laid, give notice of an amendment to any such recommendation. Such notice, if received, stands referred, along with the recommendation to which the notice relates, to the Committee, which considers the amendment, and makes such changes in that recommendation as it may deem fit. The remaining recommendations to which; no notice of amendment has

been received, are deemed to have been approved by the House on the expiry of the prescribed period, and the amendments to the Rules, as recommended by the Committee, are notified. As regards the recommendation, which is re-referred to the Committee, the final Report of the Committee in respect of that recommendation is laid on the Table of the House. Thereafter, on the House agreeing to that Report, on a motion made by a Member, the amendment to the Rules contained in the final Report, as approved by the House, is notified.

If no notice of any amendment is received within five days, the recommendations of the Committee are deemed to have been approved by the House, and on the expiry of the said period, the amendments to the Rules, as recommended by the Committee, are notified in the Gazette under the orders of the Speaker. The amendments to the Rules come into force on their publication in the Gazette, unless otherwise specified.

(vii) Committee of Privileges

The Committee of Privileges consists of not more than twelve Members. It is nominated by the Speaker at the commencement of the Vidhan Sabha or from time to time, as the case may be. Its Chairman is appointed by the Speaker. It examines every question referred to it, and determines, 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.

(viii) Committee on Government Assurances

The Committee on Government Assurances, which consists of not more than thirteen Members, is nominated by the Speaker. Its Chairman is appointed by the Speaker. It holds office for a period of one year or until a new Committee is nominated. It scrutinizes the assurances, promises and undertakings, etc., given by Ministers, from time to time, on the Floor of the House, and reports on: (i) the number and kind of assurances given and the names of the Ministers and the Departments to which they relate; (ii) the extent to which such assurances have been implemented; and (iii) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

(ix) Committee on Subordinate Legislation

The Committee on Subordinate Legislation, which consists of not more than thirteen Members including the Advocate-General, is nominated by the Speaker. Its Chairman is appointed by the Speaker. It holds office for a period of one year or until a new Committee is nominated. Its function is to see whether the powers to make regulations, rules, sub-rules, bye-laws, etc., conferred by the Constitution or delegated by the Legislature, are being properly exercised within such delegation. It may also examine such other matters as the Speaker may refer to it. The Committee considers whether: (i) a rule or sub-rule, bye-law, regulation, etc., (hereinafter referred to as an order) is in accordance with the general objects of the Constitution or the Act pursuant to which it is made; (ii) whether an order contains matter which, in the opinion of the Committee, should more properly be dealt within an Act of Legislature; (iii) whether an order contains

imposition of any tax ; (iv) whether an order, directly or indirectly, bars the jurisdiction of the courts; (v) whether an order 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 an order involves expenditure from the Consolidated Fund of the State or the Public Revenues; (vi) whether an order 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 the publication or laying an order before the Legislature ; (ix) whether, for any reason the form of an order or purport calls for any elucidation.

(x) General Purposes Committee

The General Purposes Committee is nominated by the Speaker, and holds office for a period of one year or until a new Committee is constituted. The Speaker, the Deputy Speaker, the Members of the Panel of Chairmen, the Chairmen of all Committees of the House, Leaders of recognised Parties and Groups in the Vidhan Sabha, and such other Members as may be nominated by the Speaker, are Members of this Committee. The Speaker is the ex-officio Chairman of this Committee. It considers and advises on such matters concerning the affairs of the House as may be referred to it by the Speaker from time to time.

(xi) House Committee

The House Committee consists of nine Members, including the Deputy Speaker, who is the ex-officio Chairman of the Committee. It is nominated by the Speaker at the commencement of each financial year. It considers

and advises the Speaker upon matters connected with the comfort and convenience of the Members of the Vidhan Sabha.

(xii) Committee on Petitions

The Committee on Petitions consists of not more than thirteen Members. It is nominated by the Speaker at the commencement of the Vidhan Sabha, or from time to time, as the case may be. Its Chairman is appointed by the Speaker. The Committee examines every petition referred to it by the Speaker, and if the petition complies with the Rules, directs that it be circulated in extenso or in summary form. It reports to the House on specific complaints made in the petition referred to it, after taking such evidence as it deems fit, and suggests remedial measures, either in a concrete form applicable to the case under review or to prevent such cases in future. The Committee also meets as often as necessary to consider representations, letters and telegrams addressed to the Secretary from various individuals, associations, etc., duly recommended by any Member of the Assembly after permission from the Speaker, which are not covered by the rules relating to petitions, and gives directions for their disposal.

(xiii) Committee on Paper Laid / To be laid on the table and Library(*)

The Committee on papers laid/ to be laid on the Table and Library consists of not more than ten Members. It is nominated by the Speaker, and hold office for a term not exceeding one year. It's Chairman is appointed by the Speaker. It examines all papers laid on the Table by

Ministers, and reports to the House on: (a) whether there has been compliance of the provisions of the Constitution, Act, rule or regulation under which the paper has been laid; (b) whether there has been any unreasonable delay in laying the paper; and (c) if there has been such delay, whether a statement explaining the reasons for the delay has been laid on the Table, and whether those reasons are satisfactory. The Committee also performs such other functions in respect of the papers laid on the Table, as may be assigned to it by the Speaker from time to time. Additionally, the Committee also examines and report on such cases, where the papers have not been laid on the Table within the time prescribed by the relevant Act, rule, regulation, etc..or where the papers required to be laid have not been so laid on the Table within a reasonable period of time.

The Committee shall also advise upon the matters connected with the Members' Library.

(*Two Committees have been merged into one Committee as per Gazette Notification No. 54-LA-2019/6 dated 04 March, 2021)

(xiv) Questions & References Committee

The Questions and References Committee consists of nine members. It is nominated by the Speaker and holds office for a term not exceeding one year. Its Chairman is appointed by the Speaker. The functions of the Committee are :

- (i) To examine such matters, as may be referred to it by the Speaker, from time to time, regarding Starred, Unstarred or Short Notice Questions;

- (ii) To report to the House whether there has been any unreasonable delay in giving replies, oral or written, and whether such replies, if given, are satisfactory or not; and to suggest the remedial measures therefor; and
- (iii) To examine and suggest remedial measures in respect of any important policy matter raised by a Member during debates in the House, as may be referred to it by the Speaker.

(xv) Committee on Local Bodies

The Committee on Local Bodies & Panchayati Raj Institutions was initially formed on 19 April, 2005 for examination of the working of the Local Bodies which shall mean and include Notified Area Committees, Municipal Committees, Improvement Trusts and Municipal Corporations and Panchayati Raj Institutions which shall mean and include Panchayat Samities and Zila Parishads. Under Rule 251-I in chapter XVIII under the title Committee of Local Bodies and Panchayati Raj Institutions, as mentioned in the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha. This Committee consisted of not more than 13 Members, to be nominated by the Hon'ble Speaker.

Now, the Committee on Local Bodies has been separated from the Committee on Local Bodies and Panchayati Raj Institutions vide Notification No.54-LA-2019/6 dated 4th March, 2021. The Committee on Local Bodies consists of thirteen Members. It is nominated by the Speaker and holds office for a term of one year. Its Chairman is appointed by the Speaker. The Committee

examines the Audit Reports, Accounts and Annual Technical Inspection reports etc. of the Local Bodies, like Notified Area Committees, Municipal Committees, Improvement Trusts and Municipal Corporations. It also examines the reports, if any, laid on the table of the House by the Examiner, Local Fund Accounts and the Comptroller and Auditor General of India. The Committee shall examine in the context of autonomy, whether affairs of the Local Bodies are being managed in accordance with the provisions of law and it shall also examine any other aspect of the working of any Local Body as may be referred to it by the Speaker.

(xvi) Committee on Panchayati Raj Institutions

The Committee on Panchayati Raj Institutions has been separated from the now terminated Committee on Local Bodies and Panchayati Raj Institutions vide Notification No. 54-LA-2019/6, dated 4th March, 2021. The Committee on Panchayati Raj Institutions consists of thirteen Members. It is nominated by the Speaker and holds office for a term of one year. Its Chairman is appointed by the Speaker. It examines the general working and audit reports and accounts of the Panchayati Raj Institutions which shall mean and include Panchayat Samities and Zila Parishads. It also examines the reports, if any, laid on the Table of the House by the Examiner, Local Fund Accounts and the Comptroller and Auditor General of India. The Committee shall examine in the context of autonomy, whether affairs of the Panchayati Raj Institutions are being managed in accordance with the provisions of law and it shall also examine any other aspect of the working of any Panchayati Raj Institutions

as may be referred to it by the Speaker.

(xvii) Committee on Co-operation And Its Allied Activities

The Committee on Co-operation and its Allied Activities is nominated by the Speaker for each financial year, which consists of not more than 13 Members. Its Chairman is appointed by the Speaker from amongst Members. The function of the Committee shall be (i) to scrutinize the demands for grants; (ii) to examine the working of this department and to suggest measures for improvement in administration and its different programmes/ schemes/ projects; (iii) to examine legislation; (iv) to advise Government on a question of policy or Legislation; and (v) to discuss generally and formulate views on- (a) State's future Programme relating to this department and their implementation; (b) Reports of Public Undertaking under this department; (c) Reports of any statutory or other body, including any Commission of Inquiry, which are laid before the House relating to this department; (d) Annual performance Reports of this department. The Committee shall not examine or investigate matters of day-to-day administration."

(xviii) Committee on Agriculture And Its Allied Activities

Constitution of the Committee.

248.(1) There shall be a Committee to be called the Committee on Agriculture and its Allied Activities i.e. on Agriculture, Water Resources and Power consisting of not more than 13 Members to be nominated by the Speaker.

(2) The term of office of the Members of the Committee shall be one year.

Functions of the Committee

248-A.(1) The functions of the Committee shall be-

- (i) to scrutinize the demands for grants;
- (ii) to examine the working of these departments and to suggest measures for improvement in administration and in different programmes/schemes/projects;
- (iii) to examine legislation;
- (iv) to advise Government on a question of policy or legislation; and
- (v) to discuss generally and formulate views on-
 - (a) State's future Programmes relating to these departments and their implementation;
 - (b) Reports of Public Undertakings under these departments;
 - (c) Reports of any statutory or other body, including any commission of Inquiry, which are laid before the House relating to these departments; and
 - (d) Annual Performances Reports of these departments.

(2) The Committee shall not examine or investigate matters of day-to-day administration."

II-A. Working Rules, Chairmanship, Sub Committees, Proceedings, Quorum and Reports of Committees etc. (Elected, Nominated and Appointed)**(i) Working Rules**

Rule 204-A permits the Committees to frame their own detailed Rules of Procedure with the approval of the Speaker. So far the Committees on Public Accounts, Estimates and Public Undertakings, the Committee on Privileges, Committee on Government Assurances, Committee on Subordinate Legislation and the Committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes have, with the approval of the Speaker, framed their own working Rules.

(ii) Chairmanship

The Chairman of a Committee is appointed by the Speaker from amongst the Members of the Committee. By the operation of Rules, if the Deputy Speaker is a Member of a Committee, he is appointed as Chairman of the Committee, subject to this condition, a Select Committee as soon as may be, chooses its Chairman. As already stated above, the Speaker is the ex-officio Chairman of the Business Advisory Committee, Rules Committee and General Purposes Committee. Similarly, the Deputy Speaker is the ex-officio Chairman of the House Committee.

(iii) Sub-Committees

A Committee, elected or nominated, can 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 are deemed to be the reports of the whole Committee if they are approved at a meeting of the whole Committee. The order of reference to a Sub-Committee clearly states the point or points for investigation. Similarly, a Select Committee on a Bill may appoint a Sub-Committee to examine any special point or points connected with the Bill. The order of reference to the Sub-Committee clearly states the point or points for investigation. The Report of the Sub-Committee is considered by the whole Committee.

(iv) Proceedings

The proceedings of a meeting of a Committee at which departmental officers or representatives of Public Undertakings or private individuals are orally examined or important items are discussed by the Members of a Committee among themselves, are recorded verbatim, sent to the Members and others, if any, who have taken part in the discussion, for verbal correction and returned within the stipulated period. In the case of meeting not falling in the above category, minutes or decisions (also called proceedings) are recorded and circulated among the Members of the Committee for correction and returned to the Sabha Secretariat within the stipulated period. These proceedings and minutes are kept on record of the Sabha Secretariat. Such proceedings (including minutes/decisions) as well as the conclusions of the Committee are confidential till the latter are embodied in Reports, and presented to the House.

(v) Reports

Since the Committees, whether elected by the House or nominated by the Speaker, perform their duties on behalf of the House, it follows that their reports are presented to the House, such presentation being done in each case by the Chairman concerned, or in his absence, by another Member of the Committee. However, General Purposes Committee, Library Committee and House Committee do not present their Reports. The other Committees present their Reports to the House as often as they think proper. It is competent for any of them to present their Reports even after completing only a part of their work. If a Committee has finalised its Report but is not able to present it to the House before the expiry of its term of office due to adjournment of the Vidhan Sabha, it may submit its Report to the Speaker, who may then order its printing, publication and circulation. In that case, the Report is laid on the Table of the House in its next Session.

Conventionally, the Reports of the Committees on Public Accounts, Estimates, Public Undertakings, Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes, Government Assurances, Subordinate Legislation and Committee on Papers laid/to be laid on the Table are not discussed in the House. Copies thereof are, however, sent to the Government for implementation of the recommendations according to procedure mutually settled by the Government with the Committees. The Reports of the Business Advisory Committee and Committee of Privileges are discussed in the House, and a decision is taken thereon by it. As for the Reports of the Rules

Committee containing its recommendations, these are laid on the Table and if no amendment is received within the specified period of five days, the recommendations are deemed to have been approved by the House. If an amendment to a particular recommendation is given notice of by a Member, both the recommendation and amendment stand referred to the Rules Committee. The final report of the Rules Committee thereon is discussed in the House, and a decision thereon is taken by it.

The Report of a Select Committee on Bill is presented to and considered by the House.

Action on the advice tendered and the recommendations made by the General Purposes Committee, Library Committee and House Committee is taken by the Sabha Secretariat under the direction of the Speaker.

(vi) Attendance of Persons

All the Committees of the House have the power to send for persons (i.e. officers of the Punjab Government, Officers/representatives of Public Undertakings, private individuals, M.L.As, etc.), papers or records, if such course is felt necessary for the discharge of their duties.

(vii) Venue of Sittings

The sittings of all the Committees are normally held at Chandigarh within the precincts of the Vidhan Sabha but if it becomes necessary to change the place of sitting outside the Vidhan Sabha premises, the matter is referred to the Speaker, whose decision is final.

(viii) Quorum

The quorum to constitute a meeting of the Committee is 1/3rd of the total number of its Members. If at any time fixed for any meeting of the Committee, or if at any time during any such meeting, there is no quorum, the Chairman of the Committee shall either suspend the meeting until there is a quorum or adjourn the meeting to some future day. When the Committee had been adjourned for lack of quorum on two successive dates fixed for the meetings of the Committee, the Chairman of the Committee is required to report the fact to the House or the Speaker, whosoever has appointed the Committee. The House or the Speaker, as the case may be, may then decide the course of action to be taken in the matter depending on merits of each case.

(ix) Presentation of Reports of the Committees to the House and implementation of recommendations contained therein.

While presenting Report to the House, the Chairman or in his absence, the Member presenting the Report will read the salient features of the said Report.

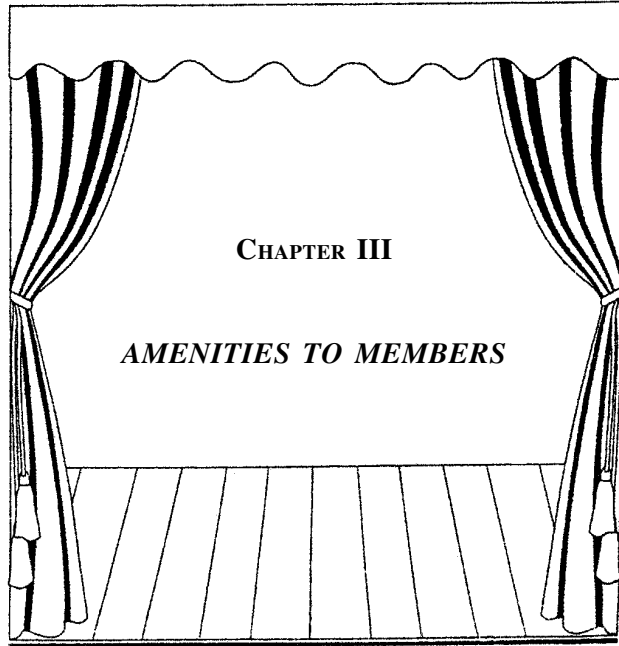
The recommendations/observations of the Committee shall be implemented by the Government within a period of six months from the date of presentation of the Report in the House or to the Speaker, as the case may be, and Action Taken Report submitted to the Committee.

In case the Action Taken Report is not submitted by the Government within the stipulated period, the Administrative Secretary of the department concerned

shall appear before the Committee and explain the reasons therefor; Provided that if the Committee is not satisfied with the reply of the Administrative Secretary, it may call for the Minister concerned to elucidate and explain the reasons for not submitting the Action Taken Report.

III. Committees appointed by Government

There are a number of departmental Committees appointed by Government to which sometimes Members are nominated either in their ex-officio capacity or in their personal capacity. The difference in the two capacities consists in the mode of payment of travelling allowance payable to the Members. In the former case on receipt of the information about the attendance of the Members, their travelling allowance bills are prepared and passed for payment by the Vidhan Sabha Secretariat in accordance with the Punjab Legislative Assembly (Allowances of Members) Act, 1942 (as amended up to date) and Rules made thereunder, while in the latter case, the bills are prepared and passed for payment by the Department concerned, subject to the verification of these bills by the Secretary, Vidhan Sabha.



CHAPTER III

AMENITIES TO MEMBERS

AMENITIES TO MEMBERS**SALARY AND ALLOWANCES TO MEMBERS****35. Salary and Allowances payable to Members under the Punjab Legislative Assembly (Allowances of Members) Act, 1942 and the rules framed there-under.****Salary/Compensatory/Attendance Allowance**

A Member (Other than a Minister or the Leader of Opposition, a Minister of State, a Deputy Minister, Chief Parliamentary Secretary or the Speaker or the Deputy Speaker), is entitled to a Salary of Rupees Twenty five thousand per mensem and Compensatory Allowance at the rate of rupees Five thousand per mensem (with effect from 15th May, 2015) from the date of publication of the notification of the Election Commission under section 73 of the Representation of the People Act, 1951. If a Member fails to attend at least ninety percent of the total number of meetings held in any month, he shall not for that month be paid any compensatory allowance other than an allowance at the rate of twenty rupees for every meeting actually attended by him as such member unless he satisfies the Secretary of the Assembly that he was prevented by reason of ill-health or any other sufficient cause from attending the required number of meetings;

Provided that no Member who draws the compensatory allowance prescribed in this sub-section

shall receive a sum greater than ninety percent of the amount that would be due to him in any one month had he attended the requisite number of meetings.

If any person to whom any amount is admissible under The Punjab Legislative Assembly (Allowances of Members) Act, 1942 has been a Member during any period earlier to his existing term, and has not paid to the State Government any amount payable by him on account of any residential accommodation or any other facility of whatever nature provided to him by the State Government during such earlier period in his capacity as Minister, Leader of the Opposition (as defined in the Salary and Allowances of Leader of Opposition in Legislative Assembly Act, 1978), Speaker, Deputy Minister, Deputy Speaker, Chief Parliamentary Secretary, Parliamentary Secretary or Member, the amount referred to above due from him may be recovered from the amount admissible to him, under this act, and if no amount is admissible or the amount so admissible is insufficient, in that case, the amount so due, shall be recovered as arrears of land revenue.

Constituency, Secretarial and Postal Facilities Allowance

There shall also be paid to each Member-

- (a) a Constituency, Secretarial and Postal Facilities Allowance at the rate of Twenty Five thousand rupees per mensem;

- (b) an Office Allowance at the rate of Ten thousand rupees per mensem; and
- (c) a Sumptuary Allowance at the rate of three thousand rupees per mensem.
- (d) A Member shall be entitled to Secretariat Allowance at the rate of Ten thousand rupees per mensem, which shall be payable by the Punjab Vidhan Sabha Secretariat to the person, to be intimated by the Member to the said Secretariat to work with him as his Secretary.

Income Tax

The Salaries and Allowances payable to Members shall be exclusive of the income tax payable in respect thereof under any law relating to income tax and such tax shall be paid by the State Government.

Travelling Allowance/Halting Allowance/Water & Electricity Allowance/Telephone Allowance

Travelling Allowance

Travelling Allowance bills are presented in the prescribed form, in duplicate, after having been completed and signed by the Members.

Travelling Allowance is payable to a Member in respect of journeys performed by him for the purpose of

attending a Session of the Vidhan Sabha or a meeting of a Committee or for the purpose of attending to any other business under orders of the Speaker connected with his duties as a Member, from his usual place of residence to the place where the Session or the meeting is held or the other business is to be transacted and for the return journeys from such place to his usual place of residence as follows:-

- (i) if the journey is performed by rail, an amount equal to first class fare, inclusive of tax on passenger fares, if any, plus one half first class railway fare, exclusive of tax on passenger fares, for each such journey;
- (ii) for journeys performed by road between places not connected by rail, at the rate of Rs. 15.00 per kilometre (w.e.f. 23.9.2011). Where a Member performs a journey by road between places connected by rail either wholly or in part, by means of car not owned by him, he may draw mileage allowance at the rate of Rs. 15.00 per kilometre but the total amount of travelling allowance drawn by him for the entire journey shall not exceed the amount which would have been admissible to him had he performed the journey by rail.
- (iii) If the journey is performed by road by his own

car between places connected by rail, either wholly or in part, and the Member gives a certificate that he travelled by his own car he is also entitled to mileage allowance at the rate of Rs. 15.00 per kilometer (with effect from 23.9.2011)

- (iv) If the journey is performed by air, travelling allowance on the same scale, as admissible to a Government Servant of Grade I entitled to travel by air.

Return tickets must always be purchased when these are issued under the rules by the Railways and travelling allowance is payable accordingly.

For the purpose of calculating travelling allowance, a journey between two stations is deemed to be performed by the shortest or the cheapest of the two or more practicable routes, whichever is less.

If the usual place of residence of a Member is outside Punjab, the travelling allowance is calculated as from and to the headquarters of the constituency from which he is elected. For this purpose, Delhi is deemed to be within Punjab.

No travelling allowance is admissible for any journey performed during a break of less than two days between two successive meetings of the Vidhan Sabha or of a Committee.

Halting Allowance

A Member is entitled to Halting Allowance at the rate of Rs. 1500.00 per day (with effect from 15th May, 2015) for each day of attendance at a meeting of the Vidhan Sabha or the Committee and for each day of journey undertaken by him from the usual place of his residence for attending such a meeting and for return journey and for journeys undertaken to attend such meetings as per tour programme approved by the Speaker and for journeys undertaken under the orders of the Speaker for any other business connected with his duties as a Member.

Further, where a Member, while on tour outside the State of Punjab and Union Territory of Chandigarh, has to stay in a hotel or tourist bungalow run on commercial lines, he is reimbursed the actual hotel or tourist bungalow expenses as admissible to a Grade-I Officer of Punjab Government. He is entitled to reimbursement of actual expenditure incurred towards normal single room rent in a hotel of a category not above five star on production of receipt subject to the condition that at New Delhi and Shimla, the expenditure on hotel accommodation at hotel rate shall be reimbursed only if no accommodation is available in the Punjab Bhavan/Circuit House/Rest House at these places.

A Member is also entitled to Halting Allowance for the day of meeting when the meeting is adjourned for

want of quorum or the meeting is cancelled for any reason whatsoever and the Member comes to know of such cancellation after arriving at the place of meeting.

No Travelling or Halting Allowance is paid to a Member who ordinarily resides or carries on business at any place within five miles of the place where a meeting is held.

Water & Electricity Allowance

Every Member shall be paid Water and Electricity Allowances at the rate of one thousand rupees per mensem.

Telephone Allowance

Every Member shall be paid a telephone allowance at the rate of Fifteen thousand rupees per mensem.

36. Other Amenities

(i) Free Travel by Rail/Air in India

Every Member, alongwith his spouse and his dependent children accompanying either of them and an attendant accompanying him to look after and assist him, shall, during the course of a financial year, be entitled to travel by any railway in India, or within or outside India by an air-conditioned coach or by air or by private taxi or by his own motor car and an amount equivalent to the expenses incurred on such journey, shall be reimbursed to the Member.

Provided that a Member furnishes a certificate in respect of the journey undertaken and the sum of money spent thereupon.

Provided that the total expenses incurred for these facilities shall not exceed the amount of 3,00,000 (Rupees Three lacs only) w.e.f. 15th May, 2015 in a financial year. A Member may get an advance for performing the journey abroad by air.

(ii) Medical facilities admissible

Every person holding for the time being any of the offices mentioned in sub-section (1) of section 2 of the Punjab State Legislature Officers, Ministers and Members (Medical Facilities) Act, 1965 shall be entitled, for himself and for members of his family, medical reimbursement as per the actual medical bills submitted. They also have the option to avail the benefits of Punjab Govt. Employees and Pensioners Health Insurance Scheme (PGEPHS).

(iii) Grant of Loan

Subject to such conditions and limitations as may be prescribed, there may be paid to each Member by way of repayable advance-

- (i) a sum of money not exceeding fifty lac rupees for building or purchasing a house/flat;

Provided that a Member, who had drawn repayable advance for building or purchasing a

house/flat and on the repayment thereof alongwith interest thereon, he may draw second repayable advance not exceeding thirty-one lac rupees for the said purpose;

- (ii) a sum of money not exceeding three lac rupees for repair of the house; and
- (iii) a sum of money not exceeding rupees fifteen lac or anticipated price, whichever is less for purchase of a motor car and on the repayment of the said advance alongwith interest thereon, a Member may draw second repayable advance which may be for a period of five years or less depending on the tenure of the Vidhan Sabha.

Where a Member has obtained an advance for building or purchasing a house or Motor-car or a Jeep or for conversion of a petrol-driven Motor-car or a Jeep to a diesel-driven, of Motor-cycle or a Scooter, dies during his term as such Member, the amount of such advance or any part thereof which would have accrued after the date of his death, in accordance with the terms and conditions of the advance alongwith interest thereon is written off with the sanction of the prescribed authority.

Some of the conditions are prescribed in The Punjab Legislative Assembly (Allowances of Members) Act, 1942 (as amended up-to-date) while others have been specified

in The Punjab Legislative Assembly (Grant of Advance to Members) Rules, 1979. Application Forms for getting these Advances have been prescribed in the aforesaid Rules. Copies of the Application Forms have been got printed and can be had from the Sabha Secretariat by the Members desirous of getting the Advances.

(iv) Release of LPG Connections

As per instructions of the Govt. of India, Ministry of Petroleum, Chemicals and Fertilizers, New Delhi, a Member is entitled to have two cooking gas connections i.e., one at his permanent place of residence (Constituency) and the other at Chandigarh on priority basis.

(v) Allotment of Jeeps/Jonga Jeeps to Members from Defence Disposal Stocks

As per instructions of the Govt. of India, Ministry of Defence, New Delhi, a Member is entitled for the allotment of three Jeeps/Jonga Jeeps from Defence Disposal Stocks. On receipt of the applications for the allotment of condemned/discarded vehicles, from the Hon'ble sitting Members, the same is forwarded to the Ministry of Defence, Government of India, and the Ministry of Defence, Government of India, forwards a copy of the allotment made to the Hon'ble Member of the Punjab Vidhan Sabha and thereupon the Vidhan Sabha Secretariat forwards the same to the Hon'ble Member.

(vi) Foreign Exchange

The over-all quota of foreign exchange to which a Member is entitled had been raised to Rs. 50,000 (Rs. fifty thousand only) during his tenure as a Member of Legislative Assembly. The Members of Legislative Assembly would also be entitled to draw foreign exchange from their quota, when they go abroad on hospitality basis and need additional foreign exchange. In addition, the Members can also obtain foreign exchange under B.T.Q. (Basic Travel Quota).

37. Blank Bill Forms

Compensatory, Travelling, Constituency, Secretarial and Postal Facilities Allowance Bill forms, as also the forms for the reimbursement of Air Fare, reimbursement of petrol/diesel, reimbursement of medical charges can be obtained from the Punjab Vidhan Sabha Secretariat without any payment.

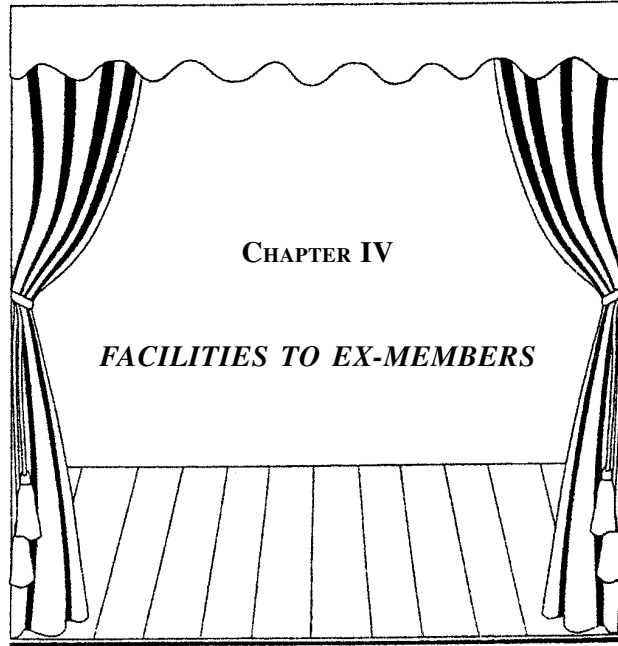
38. Recovery of Rent

The rent for the accommodation provided to the Members and other Government dues from them in their capacity as such, are payable by them either directly in cash or the same may be deducted by the Secretary from their allowances bills.

39. Ex-gratia Grant

(i) Where a person who is serving as a Member of the Punjab Legislative Assembly, dies while in such service, there shall be paid to the members of his family an ex-gratia Grant of Five lakh rupees.

(ii) Where a Member dies as a result of any terrorist act, the Members of his family shall be paid an ex-gratia Grant of Five lakh rupees.



CHAPTER IV

FACILITIES TO EX-MEMBERS

FACILITIES TO EX-MEMBERS**40. Facilities****Ex-gratia Grant**

Where a Member, who is entitled to pension, dies, the members of his family shall be paid ex-gratia grant of Five Lakh rupees.

Pension (i) Every person who has served, after the commencement of the Constitution of India as a Member of :-

- (a) The Punjab Legislative Assembly; or
- (b) The Punjab Legislative Council; or
- (c) The Legislative Assembly of the erstwhile State of Patiala and East Punjab States Union or
- (d) partly as a Member of the one and partly as a Member of the other, is entitled to get pension under the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977 as amended from time to time. This Act came into effect from 1st May, 1977.

The rates of pension have been as under :

- (i) 1st May, 1977 to 28th September, 1985 : Rs. 300 per mensem for a period of 5 years provided where any person has served for a period exceeding 5 years,

an additional pension of Rs. 50 per mensem for every year in excess of 5 years, subject to maximum limit of Rs. 500 per mensem.

- (ii) 29th September 1985 to 28th July, 1992 : Rs. 500 per mensem for a period of 5 years or any part of the term, provided where any person has served for a period exceeding 5 years, an additional pension of Rs. 100 per mensem for every year in excess of 5 years, subject to the maximum limit of Rs. 1,000 per mensem.
- (iii) 29th July, 1992 to 26th July, 1998 : Rs. 1,000 per mensem for a period of 5 years or any part of the term, provided where any person has served for a period exceeding 5 years, an additional pension of Rs. 100 per mensem for every year in excess of 5 years. However, there is no maximum limit;
- (iv) 27th July, 1998 to 22nd April, 2003 : Rs. 1,500 per mensem for a period of 5 years or any part of the term, provided where any person has served for a period exceeding 5 years, an additional pension of Rs. 100 per mensem for every year in excess of 5 years. However, there is no maximum limit;
- (v) 23rd April, 2003 to 29th October, 2006 : Rs. 5,000 per mensem for a period of 5 years or any part of the term, provided where any person has served for a period exceeding 5 years, an additional pension

of Rs. 500 per mensem for every year in excess of 5 years. However, there is no maximum limit;

- (vi) With effect from 27.10.2010 : (1) There shall be paid to every person, who remained as a Member, a pension of seven thousand five hundred rupees per mensem plus Dearness Allowance thereon (as admissible to the Punjab Government pensioners) for the first term, and an additional pension of five thousand rupees plus Dearness Allowance thereon (as admissible to the Punjab Government pensioners) for every subsequent term, irrespective of the tenures of the Punjab Vidhan Sabha, in which he had served as Member.

Provided that when a person, who had served as a Member, attains the age of sixty five years, seventy five years and eighty years, he shall respectively be entitled to an increase of five per cent, ten per cent and fifteen per cent of the basic pension admissible to him at the attainment of such age.

- (vii) With effect from 15.5.2015 : (1) There shall be paid to every person, who remained as a Member, a pension of ten thousand rupees per mensem plus Dearness Allowance thereon (as admissible to the Punjab Government pensioners) for the first term, and an additional pension of seven thousand five hundred rupees plus Dearness Allowance thereon

(as admissible to the Punjab Government pensioners) for every subsequent term, irrespective of the tenures of the Punjab Vidhan Sabha, in which he had served as Members; and

- (viii) With effect from 26.10.2016 (1) There shall be paid to every person, who remained as a Member, a pension of fifteen thousand rupees per mensem plus Dearness Allowance thereon (as admissible to the Punjab Government Pensioners) for the first term, and an additional pension of ten thousand rupees plus Dearness Allowance thereon (as admissible to the Punjab Government Pensioners) for every subsequent term, irrespective of the tenures of the Punjab Vidhan Sabha, in which he had served as Member.

Provided that when a person, who had served as a Member, attains the age of sixty five years, seventy five years and eighty years, he shall, respectively be entitled to an increase of five per cent, ten per cent and fifteen per cent of the basic pension admissible to him at the attainment of such age.

- (ix) Every person who draws pension shall be paid Dearness Allowance on pension, as is admissible to other pensioners of the State Government with effect from 27th July, 1998 ;

Family Pension

In the event of death of a Member:-

- (i) Who is getting pension; or
- (ii) Who is entitled to such pension, but is not getting; or
- (iii) Who would have been entitled to such pension had he or she not died, his or her, as the case may be, spouse is entitled to draw family pension at the rate of fifty per cent of the pension to which the Member would have been entitled had he or she not died up to 04.04.2016 and a minimum of Rs. 2,500/- p.m. from 05.04.2006 onwards; and
- (iv) Every person who draws family pension shall be paid Dearness Allowance on pension, as is admissible to other pensioners of the State Government with effect from 27th July, 1998.

Medical Facilities

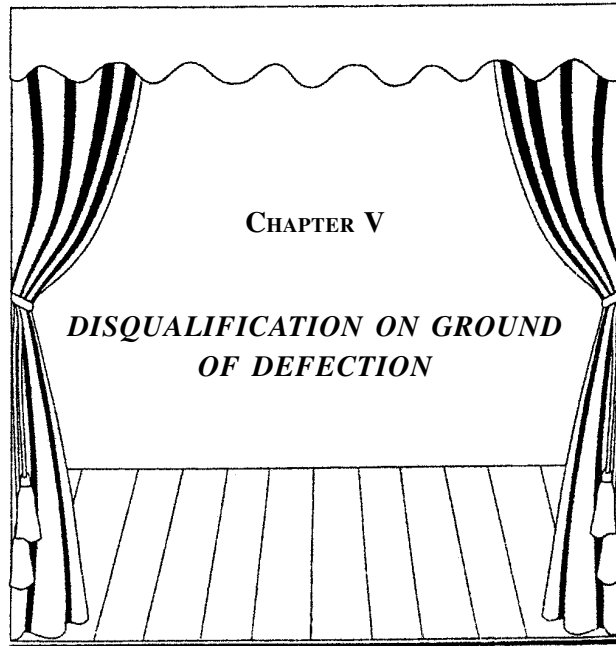
A Member who is entitled to pension, shall be entitled, for himself and for the members of his family, full reimbursement of actual expenses on outdoor and indoor treatment and treatment of chronic diseases.

They also have the option to avail the benefits of Punjab Government Employees and Pensioners Health

Insurance Scheme (PGEPHIS).

Accommodation at MLAs Hostel at Chandigarh

Rooms in the MLAs Hostel are made available to ex-Members, if vacant, at the concessional rate of Rs. 100/- per room for 24 hours.



CHAPTER V

***DISQUALIFICATION ON GROUND
OF DEFECTION***

DISQUALIFICATION ON GROUND OF DEFECTION**41. Provisions of the Constitution**

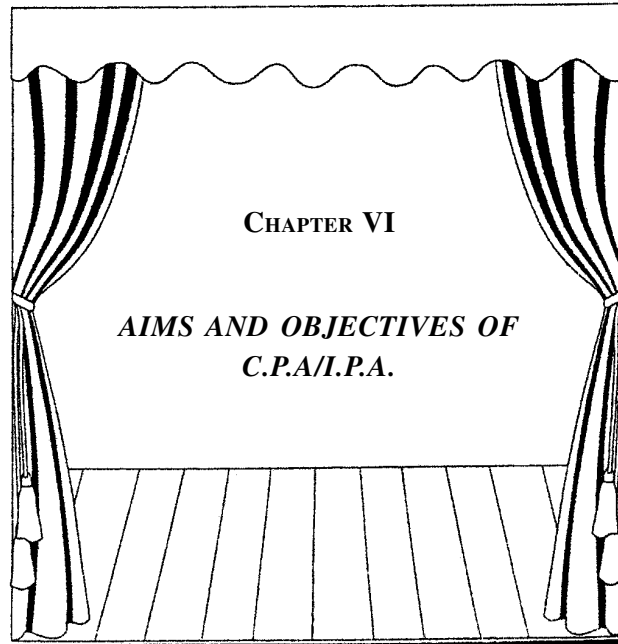
The Tenth Schedule of the Constitution, popularly known as the Anti-Defection Law, enacted by the Constitution (Fifty-second Amendment) Act, 1985 lays down the conditions regarding disqualification, on ground of defection. The main provisions of the Tenth Schedule are as summarised below:-

- (i) An elected Member of Parliament or a State Legislature, who has been elected as a candidate set up by a political party and a nominated Member of Parliament or a State Legislature, who is a member of a political party at the time he takes his seat, would be disqualified on the ground of defection if he voluntarily relinquishes his membership of such political party or votes or abstains from voting in the House contrary to any direction of such party.
- (ii) An independent Member of Parliament or a State Legislature will also be disqualified if he joins any political party after his election.
- (iii) A nominated Member of Parliament or a State Legislature, who is not a member of a political party at the time of his nomination and who has not become a member of any political party before

the expiry of six months from the date on which he takes his seat, shall be disqualified if he joins any political party after the expiry of the said period of six months.

- (iv) Provisions have been made with respect to merger of political parties. No disqualification would be incurred when a legislature party decides to merge with another party and such decision is supported by not less than two-thirds of its members.
- (v) Special provision has been made to enable a person who has been elected to the office of the Speaker or the Deputy Speaker of the House of People or of the Legislative Assembly of a State or to the office of the Deputy Chairman of the Council of States or the Chairman or the Deputy Chairman of Legislative Council of a State, to serve his connections with his political party without incurring disqualification.
- (vi) The question as to whether a Member of a House of Parliament or State Legislature has become subject to disqualification, will be determined by the Presiding Officer of the House; where the question is with reference to the Presiding Officer himself, it will be decided by a Member of the House elected by the House in that behalf.

- (vii) The Chairman or the Speaker of a House has been empowered to make rules for giving effect to the provisions of the Tenth Schedule. The rules shall be laid before the House, and shall be subject to modifications/disapproval by the House.



CHAPTER VI

***AIMS AND OBJECTIVES OF
C.P.A./I.P.A.***

AIMS AND OBJECTIVES OF C.P.A./I.P.A.**42. (1) Commonwealth Parliamentary Association
Punjab (India) Branch (C.P.A.)**

Commonwealth Parliamentary Association Punjab (India) Branch was formed after the passing of a Resolution by Punjab Vidhan Sabha on the 18th February, 1958.

The objectives of this Association are to promote understanding and cooperation for common purposes between those engaged in the Parliamentary Government of the countries of the Commonwealth by the establishment of machinery for the exchange of information and of individual visits and for the organisation of conferences between Members of the Legislatures of the Commonwealth, and also to promote understanding and cooperation by similar means between those Members and the Members of the Legislatures outside the Commonwealth having close political and parliamentary association with them.

The Punjab (India) Branch of the Association consists of the sitting Members of the Punjab Vidhan Sabha (Punjab Legislative Assembly) with the Speaker of Assembly as its ex-officio President and the Leader of the House (Chief Minister, Punjab) and the Leader of the Opposition in the Punjab Vidhan Sabha as its ex-officio Vice-Presidents, provided they are members of the Branch. Provisions also exist in the Rules of CPA, Punjab (India)

Branch, for "Associates" and "Life Members and Life Associates". Any sitting Member of the Punjab Legislative Assembly can become ordinary member of the Branch on payment of annual subscription of Rs. 500/-.

The Secretary of the Punjab Legislative Assembly acts as ex-officio Secretary of the Punjab (India) Branch of CPA.

The Management of the affairs of this Branch is vested in an Executive Committee consisting of not more than nine Members of whom the President and the Vice-President are elected at the annual general meeting from the ordinary Members.

So far as the finances of the Punjab (India) Branch of CPA are concerned, a Member pays Rupees Five hundred as annual subscription but the bulk of finances are provided in the form of ad-hoc grants given annually to the Punjab (India) Branch by the Punjab Government.

So far, 61 Commonwealth Parliamentary Conferences have been held in various Commonwealth countries. A delegate from the Punjab (India) Branch, on the receipt of invitation from the host country, is normally selected by the Executive Committee of the Branch, who represents the Punjab (India) Branch at the Conference.

Additionally, Parliamentary Courses and Regional Seminars are held.

Members of the Commonwealth Parliamentary Association, Punjab (India) Branch, visiting Commonwealth countries, are normally allowed parliamentary facilities, especially for the purpose of hearing debates and meeting other Members of the Association.

(2) Indian Parliamentary Association (Punjab Group) (I.P.A.)

There is an Indian Parliamentary Association (Punjab Group). The aims and objectives of this Group are:-

- (1) to promote personal contact between Members of the State Legislature;
- (2) to study questions of public importance that are likely to come up before the Legislature;
- (3) to arrange lectures on Political, Economic, Social and Educational problems by Members of the Legislature and distinguished persons;
- (4) to arrange visits to Central Parliament, other States in the Indian Union and, if considered necessary, to foreign countries with a view to develop contacts with Members of the Parliament, other State Legislature and Parliaments of the foreign countries respectively.

Any sitting Member of the Punjab Vidhan Sabha is entitled to become a Member of the Group on payment of the subscription of Rs. 500 per annum.

Ex-Members of the Punjab Vidhan Sabha may be elected by the Executive Committee of the Group as Affiliated Members of the Group on payment of the subscription.

An Affiliated Member shall be entitled to the following facilities only:-

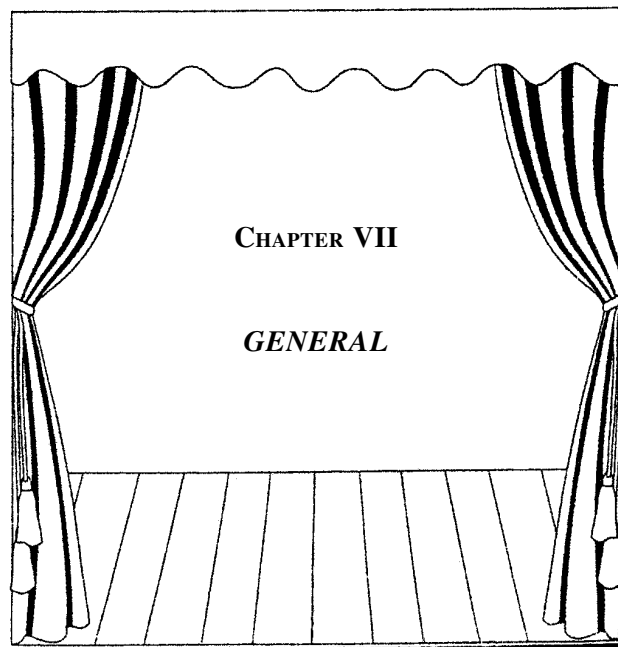
- (a) to get letters of introduction to the Secretaries of other State Legislatures in the Indian Union and of Parliaments in foreign countries in connection with his visits thereto;
- (b) to be provided, if possible, with the information on any subject of public importance; and
- (c) to participate in the activities of the Group other than those relating to management of the Group.

An Affiliated Member shall not be entitled to representation at the meetings of Conference of the Inter-Parliamentary Union nor to the travel concession provided to ordinary Members.

The Punjab Group of the Association consists of the sitting Members of the Punjab Vidhan Sabha (Punjab Legislative Assembly), with the Speaker of the Assembly

as its ex-officio President, Deputy Speaker of the Assembly and the Leader of Opposition as its ex-officio Vice-Presidents. The Secretary, Punjab Vidhan Sabha, is ex-officio Secretary of the Group.

The management of the affairs of the Group is vested in an Executive Committee consisting of not more than 9 (nine) Members, of whom the President/Vice-Presidents shall be ex-officio and the remaining 6 (six) shall be elected at the Annual General Meeting from amongst the Ordinary Members of the Group, and shall continue to hold office till the next election takes place.



CHAPTER VII

GENERAL

GENERAL**43. Accommodation for Members at M.L.As' Hostel Chandigarh**

There are two M.L.As' Hostels - one in Sector 3 and the other in Sector 4. Seventy-two rooms (56 in the M.L.As' Hostel No.1, Sector 4, and 16 in M.L.As' Hostel No.2, Sector 3) are available for Member of the Punjab Vidhan Sabha.

A Member who has been allotted an M.L.A Flat is not entitled to accommodation in the M.L.As' Hostel at a concessional rent. However, he can be allotted a Room in the Hostel, on daily basis at the rate of Rs. 250/- per day for his own use. A Member, who has not been allotted M.L.As' Flat, is entitled to a room in the M.L.As' Hostel on daily basis on a concessional rent of Rs. 100/- per day.

The Room rent for family members of MLA is Rs. 500/- and for guest of the Hon'ble Member is Rs. 1000/- per day.

Reservation of Room in the MLAs' Hostel is made from Monday to Friday, between 9.00 AM to 4.30 PM. In this regard a request can be sent to the Secretary, Punjab Vidhan Sabha through Fax No. 0172-2740472 or e-mail secy-vs-punjab@nic.in. After 5.00 PM or on holidays, Rooms will be booked at M.L.As' Hostel Reception subject to availability of Rooms.

Note:-

- (i) Check-in and check-out time is 12.00 Noon.
- (ii) For unauthorized retention of room, penal rent of Rs.1500/- per Day+applicable Room Rent

will be charged.

- (iii) Reservation will be made for not more than three days, which may be extended with the permission of the Secretary, Punjab Vidhan Sabha.
- (iv) **If a guest of the MLA does not clear the dues of Room rent etc, the concerned MLA will be responsible for payment of same.**

The rooms in the MLAs' Hostel are not allotted on monthly or permanent basis.

Hon'ble Members, may pay the rent for the rooms at MLA's Hostel in cash to the Care Taker, PWD (B&R) at the reception of the MLA's Hostel. In case it is not so paid, then on receipt of the rent list received from the Executive Engineer, PWD (B&R), Sector 17, Chandigarh, Punjab Vidhan Sabha Secretariat deducts the same from the Compensatory Allowance or the Constituency Allowance/Secretarial and Postal Facilities Allowance payable to the concerned Hon'ble Member.

Catering in the MLAs' Hostel, Sector 4, is done by the Punjab Hospitality Department, and in the MLAs' Hostel, Sector 3, by the Hospitality Department of the Haryana Government. The tariffs are approved by the House Committees of the respective Vidhan Sabhas. The charges for boarding are payable in cash on-the-spot.

Each room of the Hostel is provided with a telephone extension from the EPBX for the convenience of the Members. Local calls are not chargeable from the Members.

Apart from the rooms in the Hostels, a number of

MLAs' Flats are available for allotment to Members where independent cooking arrangements can be made. Such Flats are available in Sectors 3, 4 and 39. The rent for each Flat is Rs. 230 per month (including Rs. 30 on account of furniture) exclusive of charges for water and electricity. For Flats allotted on monthly basis, the Members concerned have to obtain water and electricity connections themselves. Such Flats are allotted by the Speaker only for the personal occupation of the Members, on the terms and conditions laid down in The Punjab Legislative Assembly (Allotment of MLAs' Flats, Servants' Quarters and Motor Garages) Rules, 1971. A Servants' Quarter/Motor Garage, if available, can also be allotted with the Flats on a monthly rent of Rs. 50.00 and Rs. 50.00 respectively.

44. Vidhan Bhawan

The Vidhan Bhawan contains two Chambers, one for the Punjab Vidhan Sabha and the other for the Haryana Vidhan Sabha.

There is a separate entrance for Members and a separate entrance for visitors and others. The Members, on coming through the Entrance Gate meant for them, reach the Members' Lounge by means of a ramp. The Members' Lounge is meant exclusively for use by the Members and no outsider can come here.

The only place for the Members to interview people is provided between the Entrance Hall and Visitors' Hall at the basement.

45. Galleries

The following categories of galleries have been

provided in the Vidhan Sabha Chamber:-

Speaker's Gallery;
Ministers' Gallery;
Distinguished Visitors' Gallery ;
Ex-M.L.As./M.Ps' Gallery;
Press Gallery ;
Officers' Gallery-I;
Officers' Gallery-II;
Visitors' Gallery ; and
Ladies' Gallery.

Admission to different Galleries

Admission to different galleries is regulated under orders of the Speaker by issue of passes by the Secretary on the application of Members and others entitled to apply for the same. Members of the public, men as well as women, are admitted to the public galleries if applications for issue of passes for them are made by Members. A Member may apply for the issue of two passes before the commencement of the meeting for which the passes are required. Ordinarily, a Member is not entitled to more than two passes for the public galleries, and even the issue of two passes is subject to availability of accommodation.

Prescribed application forms for passes for various galleries can be had from the Watch & Ward Officer's Branch. Before signing and submitting the application form, Members are requested to personally fill in the

same specifically ensuring that the following information is given therein in capital letters :-

- (i) Date of the Session for which pass is recommended
- (ii) Name of the visitor, Surname, First Name, Middle Name (in block letters)
- (iii) Age
- (iv) Father's or Husband's name in full
- (v) Details of occupation
- (vi) Full permanent address Village/Tehsil/Distt./ Town
- (vii) Chandigarh address, if any.

Visitors may be asked to read the instructions on the entry passes, and abide by them.

As the Members are personally responsible for any untoward or undesirable thing happening in the Visitors Galleries at the hands of a holder of a Pass granted at their request, they should fully satisfy themselves about the person for whom application is made for the issue of Visitors' Gallery Pass.

Children below ten years of age are not admitted to the Visitors' Galleries.

46. Security arrangements in the Punjab Vidhan Sabha premises

The Watch and Ward Officer of the Punjab Vidhan Sabha is responsible for maintaining order within the premises of the Punjab Vidhan Sabha, and to take all necessary steps to ensure that no obstruction or hindrance is caused to Members of the Punjab Vidhan Sabha in coming to, or going from the Vidhan Bhawan.

Members are requested to co-operate with the Watch and Ward Staff on duty in the Punjab Vidhan Bhawan and show their Identity Cards on request.

In order to strengthen the security arrangements in the Punjab Vidhan Bhawan, Door Frame Metal Detectors have been installed at various gates. All visitors, including those accompanying the Members and Ex-Members of the Punjab Vidhan Sabha, are required to pass through the Door Frame Metal Detectors, and they may also be subjected to physical search. The baggage etc. being carried by them may also be searched by the security staff.

Entry of all visitors in the premises of the Punjab Vidhan Sabha is regulated according to the directions given by the Speaker from time to time. No person without a valid entry pass is allowed to gain entry even when accompanied by a Member of the Punjab Vidhan Sabha. Visitors accompanying a Member will not be allowed to carry their mobile phones or any electronic devices inside the Vidhan Bhawan. This is deemed essential in the interest of security. The Watch and Ward Staff have been given strict instructions in this respect.

Presence of Members in the precincts of the House :

A Member can remain within the 'Precincts of the House' when the House or any Committee, of which he is a Member, is sitting, and for a reasonable time before or after that.

Activities prohibited in the premises of the Punjab Vidhan Sabha:

In order to keep the area and passages within the precincts of the Punjab Vidhan Sabha free and open for Members of the Punjab Vidhan Sabha, without any obstruction or hindrance, the following activities are prohibited

- (i) holding of public meetings;
- (ii) assembly of five or more persons;
- (iii) carrying of fire arms, banners, placards, lathis, spears, swords, sticks, brick-bats;
- (iv) shouting of slogans;
- (v) making of speeches, etc.;
- (vi) processions or demonstrations;
- (vii) picketing or dharna;
- (viii) any other activity or conduct which may cause or tend to cause any obstruction or hindrance to Members of the Punjab Vidhan Sabha.

The Watch and Ward Officer may apprehend any person for any breach of directions given by the Speaker. He shall then report the matter to the Speaker through the Secretary. The Speaker may order an enquiry into the matter and pass such orders as he may deem fit.

Arrangements for Members to meet persons coming to see them :

When any person comes to the Reception Office, during Session period, to see a Member, an interview slip is prepared by the Reception, and sent to the Member concerned in the House or in the Lobby. The Member may, if he desires to meet the visitor, indicate on the interview slip the time at which he would meet the visitor(s) at the Reception Office.

Car Calling Arrangements

Car calling arrangements are made at the Members' Gate, on the days when the House sits, to facilitate the Members to call their vehicles.

Car Labels

For facilitating entry of cars owned by Members into the Punjab Vidhan Sabha premises, special car labels marked 'MLA' are issued to the Members by the Watch and Ward Officer's Branch on written request.

Only three car parking labels are issued to each Member including two for private vehicles and one for Govt. Vehicle. At the time of issuance of the parking labels, it is mentioned in the proforma/requisition by the Member that the vehicle belongs to Member and a copy of the Registration Certificate must be attached. Hon'ble Member will be responsible for any kind of misuse of the parking labels issued in his/her name. In case of sale of vehicle or change of vehicle, new car parking label will be issued by the Watch and Ward Officer after receiving the written request addressed to the Secretary, Punjab Vidhan Sabha Secretariat by the Member along with the

old parking label, but the total number of parking labels would not exceed three.

Entry of all vehicles is registered by the Car Parking labels referred to above. Watch and Ward Staff may stop the entry of any vehicle without proper car label.

Whenever a Member travels in any other private vehicle (without proper label) or a hired vehicle, he may bring such vehicle up to the Member's Gate.

47. Press and Public Relations Services

All public relations work of the Punjab Vidhan Sabha Secretariat involving the maintenance of continuous liaison with the Press, various governmental, publicity organisations and all the other media, is looked after by the Chief Information Officer Branch. It also deals with all matters concerning the Press Gallery of the Punjab Vidhan Sabha with a seating capacity of 36 (26 in Press Gallery-No. I and 10 in Press Gallery No. II)-including the issue of Press Gallery passes and provision of facilities to Correspondents covering the proceedings of the House.

A well-furnished Press Gallery lounge has been provided to the representatives of the media in the Vidhan Bhawan near the Press Gallery.

Admission of Press Correspondents to the Press Gallery of Vidhan Sabha is regulated on the advice given by the Press Gallery Committee, which consists of all Press representatives who are issued permanent cards and allotted permanent seats in the Press Gallery of Punjab Vidhan Sabha. The membership of the Committee is renewed every year in the month of January. The President, Vice-President and the Secretary of the Press Gallery

Committee are elected by the Members of the Press Gallery Committee every year from amongst themselves. The meeting for the purpose is held in the first week of January or at least fifteen days before the commencement of the Budget Session, whichever is earlier. The President, Vice-President and the Secretary are not to hold office for more than two terms consecutively. Election is conducted by the Secretary, Punjab Vidhan Sabha, in the premises of Vidhan Bhawan. The quorum to constitute a meeting of the Committee is one-fourth of the total number of Members.

Permanent Press Gallery Cards and Accreditation Cards are issued to a Press Representative who :-

- (a) is a Working Journalist, as defined in The Working Journalists (Conditions of Service and Miscellaneous Provisions) Act, 1955;
 - (aa) is graduated and aged not more than 70 years.
- (b) One who has covered the proceedings of the Parliament or State Legislature for at least 5 (five) years.
- (c) He/she shall submit a copy of the journalist pay roll as well as the A. B.C. certificate related to the newspaper.

Permanent Press Gallery Cards and Accreditation Cards are issued only to the Representatives of the Dailies of Punjab, Chandigarh and Delhi, and the representatives of the News Agencies, including the All India Radio and Doordarshan subject to the conditions aforesaid.

Provided that the number of representatives of Electronic Media shall not exceed thirty percent of the total seats of Press Gallery.

Temporary Press Gallery Cards and Accreditation Cards are issued by the Secretary under orders of the Speaker on the recommendations, in writing by any two members of the Press Gallery Committee for a period not exceeding one day to bona fide journalists who are on short visit to Chandigarh during the Session of the Vidhan Sabha.

Temporary Press Gallery Cards are issued by the Secretary, under orders of the Speaker, on recommendation, in writing by the President and the Secretary of the Press Gallery Committee on the request of the Editor/Manager of the Newspaper/News Agency, for a period not exceeding the duration of a Session of the Vidhan Sabha to Resident Journalists of News Agencies/Newspapers who do not fulfil the prescribed conditions.

All Press Gallery Cards shall be shown to the Watch and Ward Assistant at the gate of the Press Gallery, when required to do so.

The Speaker, may, in his discretion, cancel a Card for admission to the Press Gallery. Any misrepresentation of the proceedings of the Vidhan Sabha, advance publication of questions and answers, etc. and publication of any matter which is not intended for the public, may, inter alia be considered sufficient ground for cancellation of a card.

No representative of the Newspaper/News Agency shall be admitted to the Gallery when the House meets in secret Session.

48. Identity Cards

Every Member and his/her spouse, if any, is issued Identity Cards by the Sabha Secretariat (W. W.O. Branch) containing his/her photograph duly attested by the Secretary.

Similarly, a Member, when travelling by any public service vehicle of the Punjab Roadways/Pepsu Road Transport Corporation, has to produce his/her identity card when demanded by the conductors and officers/inspectorate staff of the Transport Department, Punjab/Corporation.

Members and their spouses are requested to keep their identity cards in their personal custody.

Identity cards issued to the Members are also valid for entry into Vidhan Bhawan. Normally it is not necessary for Members to show their identity cards to the Watch and Ward Staff on duty at the Vidhan Bhawan, but in order to help the Watch and Ward Staff to know the new Members, it will be appreciated if the identity cards are shown, as and when requested to do so. The identity card issued to each Member and his/her spouse, if any, is required to be returned to the Secretary as soon as he/she ceases to be a Member of the Vidhan Sabha.

49. Local Addresses

Members are requested that when they come to Chandigarh for any length of time, they should intimate their local addresses to the Sabha Secretariat (Notice Office) to ensure that the Assembly papers reach them; otherwise such papers would be sent to their permanent addresses, and this might result in inconvenience to them.

50. Library

The Vidhan Sabha Library is situated near the Vidhan Sabha Hall which has stock books, reports and other publications on different subjects. A number of dailies, weeklies, fortnightlies and monthlies are also available.

The Library is meant for the use of Members of the Vidhan Sabha and employees of the Sabha Secretariat.

The Library remains open during office hours on all working days. On days on which the Assembly is sitting, it is kept open till half an hour after the adjournment of the House. No stranger is admitted into the Library. However, this restriction does not apply to M.Ps. and Ex-M.Ps. and Ex-MLAs and Ex-M.L.Cs.

A Member may borrow from the Library any book or publication (other than a book of reference) for a period not exceeding 30 days from the date of issue, provided that:-

- (i) No Member can, at any time, borrow more than three books.
- (ii) The Secretary may require that any book, which is in urgent demand by the Speaker, be returned even before the period of 30 days is over.

In case the book is not returned by the borrowing Member within the prescribed period of 30 days, no further book is issued to him/her and the Punjab Vidhan Sabha Secretariat issues reminder after every month.

If after the issue of three monthly reminders, the book/books is/are not returned by the borrowing Member, or the book/books is/are not replaced by the borrowing

Member, the cost of the book/books, along with extra charges of 25 per cent, is deducted by the Secretary from the allowances of the Member.

Each Member of the Vidhan Sabha is issued a Pass Book. Entries regarding books sought to be borrowed are made in the Pass Book, and the books are issued against the signature of the borrowing Member. The Pass Book remains in the custody of the Librarian who keeps it up-to-date.

Books of reference, rare books, books of special cost and value, books out of print, books in bad condition, unpriced books, reports and other publications, and files of newspapers cannot be removed from the Library under any circumstances.

Suggestions for the purchase of new books can be made by the Members in the "Suggestion Register" which is kept by the Librarian. Such suggestions are considered by the Library Committee which makes its recommendations in connection therewith to the Speaker.

51. Research and Reference Service

Adequate assistance is provided by the Research and Reference Branch to the Members, from all available sources, literature, material, facts and figures pertaining to various categories of business that come before the House, to enable them to effectively participate in and substantially contribute to the debates on the Floor of the House. Any information, background material etc., which the Member may require, may be obtained from this Branch. It will be appreciated if the subject matter, on which any information/background material is required by a Member, is sent to the Research and Reference Branch in advance.

This Branch also maintains clippings of news and views on different subjects from important newspapers. English, Hindi and Punjabi-for the use of Members. These clippings are classified and kept in files and can be consulted by the Members in the Sabha Secretariat itself, on requisition made for the purpose. The files, however, cannot be taken out of the Secretariat.

52. Stationery

During the days of meetings of the Vidhan Sabha, each Member is supplied, free of cost a pencil and a chit pad.

Embossed note papers and envelopes with the inscription "Member Punjab Vidhan Sabha" are available in the Chamber Assistant's Branch against cash payment. The rates for the embossed stationery are as given below:-

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| 1. | D.O. Pad of 50 sheets
(Big Size) English and
Punjabi each (Superior) | .. Rs. 103.84 Per Pad |
| 2. | D.O. Pad of 50 sheets
(Small Size) English and
Punjabi (Superior) | .. Rs. 84.78 Per Pad |
| 3. | D.O. Envelopes | ..Rs. 123.00 Per
Hundred Envelopes. |

These rates are, however, subject to change from time to time depending on the cost of paper and printing.

53. Post Office

A Post Office is located for the convenience of the Members, over the garages near the main entrance to the building.

54. Daily Bulletins, Resume and Review

A daily bulletin about the work done by the Vidhan Sabha during its Session, is issued each day, and is made available to all Members.

In addition, a Resume is issued at the end of each Session giving a brief account of the work done by the Vidhan Sabha in a Session. A copy of this publication is supplied to the Members.

Review of work done by the Vidhan Sabha during the Sessions held during its term is also prepared and printed copies thereof are made available to the Members.

55. Speeches etc., delivered by the Members and Reports of Debates and Committees

A typed or hand-written copy of every speech delivered, observation made or supplementary question put, in the language (Punjabi, Hindi or English) used by a Member and taken down by the Reporters of Punjab Vidhan Sabha is sent to the Member concerned for making, if necessary, minor verbal corrections. This copy is required to be returned to the Vidhan Sabha Secretariat within a week. If, however, it is not returned within the stipulated time, the Reporters' copy is utilised for the printing of the Debate, and no corrections are accepted thereafter.

Printed copies of the Debates are, as and when ready, supplied to all Members free of cost. Similarly, copies of Reports of Committees of the Vidhan Sabha, after those have been presented to the House, are supplied to the Members free of cost.

In addition to this, the un-edited version of the Debates is also uploaded on the Website of the Punjab Vidhan Sabha.

56. Punjab Vidhan Sabha Secretariat

The Punjab Vidhan Sabha Secretariat is headed by the Secretary. He is assisted in his work by one Additional Secretary, one Joint Secretary, one Deputy Secretary, one Secretary to Hon. Speaker, three Under Secretaries and one Editor of Debates. The Secretariat, at present, functions through the following Branches:-

1. Public Accounts Committee Branch including General Purposes Committee;
2. Estimates Committee Branch;
3. Public Undertakings Committee Branch;
4. Welfare of Scheduled Castes, Scheduled Tribes and Backward Classes Committee Branch;
5. Local Bodies Committee Branch;
6. Panchayati Raj Institutions Committee Branch;
7. Cooperation & its Allied Activities;
8. Agriculture Committee Branch;
9. Questions Branch (dealing with Questions and Non-Official Resolutions, Government Assurances Committee, Questions and References Committee);
10. Legislation Branch (dealing with Business of the House, Business Advisory Committee, Rules Committee, Committee of Privilege);
11. Accounts Branch (dealing with Members' CA/TA/CSPA/Reimbursement of petrol expenses);
12. Loans Branch (for Members);
13. Miscellaneous Branch (dealing with Telephones and Medical Bills of Members);

14. Pension Branch (for Ex-Legislators);
15. C.I.O. 's Branch (dealing with House Committee and comforts and convenience of the Members, Press Gallery Committee, LPG connections, allotment of Jeeps from Defence disposal stocks);
16. Reporters' Branch;
17. Watch and Ward Officer's Branch;
18. Establishment Branch;
19. Bills Branch (dealing with Bills etc. of Staff);
20. Translation Branch;
21. Research and Reference Branch;
22. Library;
23. Notice Office/Record Section;
24. Chamber Assistant's Branch;
25. Care-Taker's Branch;
26. Revisor's Branch; and
27. Committee Branch dealing with :
 - (i) Committee on Subordinate Legislation;
 - (ii) Committee on Papers Laid/To be Laid on the Table of the House and library.
 - (iii) Committee on Petitions.
28. Computer Section