

## PREFACE

The Rules of Procedure and Conduct of Business in the Travancore-Cochin Legislative Assembly, which replaced the earlier Rules and Standing Orders came into force on August 31, 1954. These Rules were subsequently adopted by the Kerala Legislative Assembly under the provisions of the States Reorganisation Act, 1956.

In 1958, a Rules Committee was constituted to examine and revise the Rules of Procedure. The Committee submitted its report in April 1959. However the Rules were not passed due to the dissolution of the First Kerala Legislative Assembly in July 1959.

Soon after the constitution of the Second Kerala Legislative Assembly in 1960, the Rules Committee of the House scrutinised the draft Rules and approved them with a few changes. They were adopted by the Assembly on September 19, 1960.

In the Third Kerala Legislative Assembly, the Rules Committee recommended the formation of the Public Undertakings Committee and the recommendation was adopted by the House on August 26, 1968.

The Rules Committee of the Fourth Kerala Legislative Assembly recommended further amendments to the Rules. The Committee while making their recommendations, gave due consideration to the unanimous opinion expressed by the Presiding Officers of Legislative bodies and Chairmen of various Legislature Committees at their periodic conferences that as far as possible, the Rules of Procedure and Conduct of Business in the Parliament and State Legislatures in India should be uniform. The Report of the Committee which was laid on the Table on February 17, 1976 was adopted by the House. The amendments made to the Rules came into effect on June 18, 1976.

In the Fifth Kerala Legislative Assembly, an all — party committee was appointed by the Speaker in March 1979 to study and report on a proposal to institute a system of Subject Committees of the Legislature. The Report submitted by the *Ad hoc* Committee was referred to the Rules Committee. The Rules Committee accepted the recommendations made in the report and proposed necessary amendments to the Rules. These amendments were laid on the Table of the House on September 24, 1979 and were notified in the Gazette as approved by the House.

Amendments were also made to the Rules during the Sixth, Seventh and Eighth Kerala Legislative Assemblies.

The Rules Committee of the Ninth Kerala Legislative Assembly in its First Report, which was laid on the Table on July 16, 1992, recommended the formation of two new Legislature Committees viz., the Committee on the Welfare of Women and Children and the Committee on Environment. The amendments made to the Rules came into effect on July 25, 1992. The Committee in its Second Report, which was laid on the Table on January 27, 1993, recommended the formation of the Committee on the Welfare of Backward Class Communities. The amendments made to the Rules came into effect on February 4, 1993. The Committee in its Third Report, which was laid on the Table on March 31, 1995, recommended the formation of the Committee on Papers Laid on the Table. The amendments made to the Rules came into effect on April 21, 1995.

The Rules Committee of the Tenth Kerala Legislative Assembly in its Second Report, which was laid on the Table on April 3, 1997, recommended restrictions on the number of questions that can be asked by a Member. The amendments made to the Rules came into effect on April 17, 1997. The Committee in its Fourth Report, which was laid on the Table on July 21, 1999, recommended to extend the term of Subject Committee, Committee on Public Accounts, Committee on Estimates and Committee on Public Undertakings to thirty months and to change the name and expand the functions of Committee of Privileges and Committee on the Welfare of Women and Children. The amendments made to the Rules came into effect on August 3, 1999.

The Rules Committee of the Eleventh Kerala Legislative Assembly in its First Report, which was laid on the Table on January 28, 2003, recommended the formation of two new Legislature Committees viz., the Committee on Local Fund Accounts and the Committee on Official Language. The amendments made to the Rules came into effect on February 18, 2003.

The Rules Committee of the Twelfth Kerala Legislative Assembly in its First Report, which was laid on the Table on November 25, 2008, recommended amendments to the functions of the Committee on Local Fund Accounts and Committee on Public Accounts and also to the list of Public Sector Undertakings given as Fourth Schedule to the Rules. The amendments made to the Rules came into effect on December 4, 2008. An *Ad hoc* Committee was appointed by the Speaker on July 29, 2008 to examine and report suggestions, if any, to the Rules. The Committee, after having a detailed study on relevant areas, presented its Report to the House on September 17, 2009. The report of the *Ad hoc* Committee was referred to the Rules Committee. The Rules Committee after taking into consideration the recommendations contained in the Report of *Ad hoc* Committee, recommended the formation of four new Welfare Committees viz., Committee on the Welfare of Fishermen and Allied Workers, Committee on the

Welfare of Non-Resident Keralites (Pravasi Malayalees), Committee on the Welfare of Youth and Youth Affairs and the Committee on the Welfare of Senior Citizens. It was also recommended to enhance the number of Subject Committees from ten to fourteen and to enhance the number of questions that can be asked by a Member from five to seven. The Third Report of the Rules Committee which recommended these amendments were laid on the Table of the House on March 31, 2010 and the amendments made to the Rules came into effect on April 8, 2010.

The Rules Committee of the Fourteenth Kerala Legislative Assembly in its Second Report which was laid on the Table on April 3, 2018 recommended amendments to the Rules. The Report recommended change in time of sitting of the House. As per the amendment, the sitting of the Assembly shall ordinarily commence at 9.00 a.m. and conclude at 2.00 p.m. and on Fridays the Assembly shall conclude at 12.30 p.m. It was also recommended to amend the Rules concerning Committee on Subordinate Legislation, Committee on Official Language and Subject Committees. The House considered the recommendations in the Report and adopted with amendment on June 11, 2018. The amendments made to the Rules came into effect on June 26, 2018.

Thus, this Edition of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly has incorporated all amendments made to the Rules till June 2018 and the Directions from the Chair till December 2018.

V. K. BABU PRAKASH,

Thiruvananthapuram,  
January 18, 2019.

*Secretary,  
Kerala Legislative Assembly.*

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**RULES OF PROCEDURE  
AND  
CONDUCT OF BUSINESS  
IN THE  
KERALA LEGISLATIVE ASSEMBLY**

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THIRUVANANTHAPURAM  
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**RULES OF PROCEDURE  
AND  
CONDUCT OF BUSINESS  
IN THE  
KERALA LEGISLATIVE ASSEMBLY**

**Rules of Procedure and Conduct of Business in the Kerala  
Legislative Assembly made by the Assembly in  
pursuance of the provisions contained in Article  
208 (1) of the Constitution of India**

SECRETARIAT OF THE KERALA LEGISLATURE  
THIRUVANANTHAPURAM  
JANUARY, 2019

**RULES OF PROCEDURE AND CONDUCT OF BUSINESS  
IN THE KERALA LEGISLATIVE ASSEMBLY**

CHAPTER I

SHORT TITLE AND DEFINITIONS

1. (1) These Rules may be called “the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly”. **Short Title and Commencement**

(2) They shall come into force on the date on which they are published in the Gazette.

2. (1) In these rules,—

**Definitions**

“Assembly” means the Kerala Legislative Assembly ;

“Bulletin” means the bulletin of the Assembly containing:  
(a) a brief record of the proceedings of the Assembly at each of its sittings, and (b) information on any matter relating to or connected with the Business of the Assembly or other matter which in the opinion of the Speaker may be included therein ;

“Constitution” means the Constitution of India ;

“Deputy Speaker” means the person holding the office of the Deputy Speaker under Article 178 of the Constitution ;

“Finance Minister” means the Minister-in-charge of Finance and includes any Minister performing the functions of the Finance Minister ;

“Gazette” means the Kerala Government Gazette ;

“Leader of the House” means the Chief Minister, if he is a member of the House or a Minister who is a member of the House and is nominated by the Chief Minister to function as the Leader of the House;

“Leader of the Opposition” means the leader of the largest party in opposition and recognised as such by the Speaker ;

“Legislature Committee” means a Committee which is appointed or elected by the Assembly or nominated by the Speaker and which works under the direction of the Speaker and except as otherwise provided under these Rules presents its report to the Assembly or to the Speaker ;

“Legislature Complex” means and includes all the buildings and grounds surrounding them within the compound wall of the Legislature Buildings ;

“Member” means a member of the Assembly ;

“Member-in-charge of the Bill” means in the case of a Government Bill, any Minister and in any other case, the Member who has introduced the Bill ;

“Minister” means a member of the Council of Ministers ;

<sup>1</sup>[“Precincts of the Assembly” means and includes all the buildings and grounds surrounding them within the compound wall of the Legislature Complex and the Legislators’ Hostel. It also means and includes the road leading to stadium gate (No. IV) from Legislators’ Hostel and the approaches to the Legislature Complex including the area in front, within the limit of 6 meters from gate No. II B and 18 meters from the ceremonial gate towards the east and the old Assembly Chamber at the Government Secretariat Buildings and such other places as the Speaker may from time to time specify ;]

<sup>1</sup> Sub. as per para 1 of Bulletin Part II No. 651 dated 31-3-2010

“Private Member” means a member other than a Minister ;

“Secretary” means the Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary ;

“Session” means the whole period from the time when the Assembly meets to the time when it is prorogued ;

“Speaker” means the person holding the office of the Speaker under Article 178 of the Constitution ;

“Table” means the Table of the Assembly.

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

(3) In the computation of “clear days”, Sundays and holidays are not excluded, but the day of the meeting and the day of receipt of notice by the Secretary are excluded.

## CHAPTER II

### SUMMONS TO MEMBERS, SEATING, OATH OR AFFIRMATION AND ROLL OF MEMBERS

3. (1) The Secretary shall issue summons to each Member specifying the date, time and place for a session of the Assembly. **Summons to Members**

<sup>1</sup>[(2) The summons under sub-rule (1) shall ordinarily be issued 15 days before the date so specified:]

Provided that when a Session is called at short notice or emergently, summons may not be issued to each Member separately but an announcement of the date and place of the session shall be published in the Gazette and made in the Press and the Members may be informed by <sup>2</sup>[Short Message Service (SMS) or any other electronic media].

<sup>1</sup>Ins. as per para 2 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup>Sub. as per Sl. No.1 of Amendment in Bulletin Part II No. 517 dated 24-6-2018

- Seating of Members** 4. The Members shall sit in such order as the Speaker may determine.
- Oath or Affirmation** 5. 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 Assembly or at any other time of the sitting of the Assembly, as the Speaker may direct on any day after giving previous notice in writing to the Secretary.
- Roll of Members** 6. There shall be a Roll of Members of the Assembly which shall be signed in the presence of the Secretary by every member, before taking his seat.

### CHAPTER III

#### ELECTION OF SPEAKER AND DEPUTY SPEAKER AND NOMINATION OF PANEL OF CHAIRMEN

- Election of the Speaker by the Assembly** 7. (1) The election of a Speaker shall be held on such date as the Governor may fix, and the Secretary shall send to every Member notice of the date so fixed.

(2) At any time before noon on the day preceding the date so fixed, any Member may give notice in writing addressed to the Secretary nominating another Member for election as the Speaker of the Assembly and the notice shall be seconded by a third Member and shall also be accompanied by the consent in writing of the nominee agreeing to serve as Speaker, if elected :

Provided that a Member shall not second a nomination proposing his own name or propose or second more than one nomination.

(3) The person presiding under Article 180(1) of the Constitution shall read out to the Assembly, the names of the Members who have been duly nominated together with those of their proposers and seconders and if only one Member has been so nominated shall declare that Member to be elected. If more than one Member have been so nominated, the Assembly shall proceed to elect a Speaker by ballot.

(4) For the purposes of sub-rule (3), a Member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before the reading out of the names by the person presiding, made the oath or affirmation as Members of the Assembly.

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

(6) Where at any ballot any of two or more candidates obtain an equal number of votes and one of them has to be excluded from the election under sub-rule (5), the determination of the candidate who is to be excluded as between the candidates whose votes are equal shall be by drawing of lots in such manner as the person presiding may decide.

(7) If a vacancy in the office of Speaker occurs during the life of the Assembly, a fresh election shall be held in accordance with the procedure herein before mentioned.

8. (1) The election of a Deputy Speaker shall be held on such date as the Speaker may fix, and the Secretary shall send to every Member notice of the date so fixed. **Election of Deputy Speaker**

(2) At any time before noon on the day preceding the date so fixed, any Member may give notice in writing addressed to the Secretary nominating another Member for election as the Deputy Speaker of the Assembly, and the notice shall be seconded by a third Member and shall also be accompanied by the consent in writing of the nominee agreeing to serve as Deputy Speaker, if elected :



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

(3) The Speaker shall read out to the Assembly the names of the Members who have been duly nominated together with those of their proposers and seconders, and if only one Member has been so nominated, shall declare that Member to be elected. If more than one Member have been so nominated, the Assembly shall proceed to elect a Deputy Speaker by ballot.

(4) The provisions of sub-rules (4), (5) and (6) of Rule 7 shall apply to such election.

(5) If a vacancy in the office of Deputy Speaker occurs during the life of an Assembly, a fresh election shall be held in accordance with the procedure herein before mentioned.

**Panel of Chairmen**

9. At the commencement of every session of the Assembly, the Speaker shall nominate from amongst the Members of the Assembly a panel of not more than three Chairmen, any one of whom may preside over the Assembly in the absence of the Speaker and the Deputy Speaker and in such circumstances as may be directed by the Speaker or, in his absence, by the Deputy Speaker.

**Powers of person presiding**

10. The Deputy Speaker or any other Member competent to preside over a sitting of the Assembly under the Constitution or these Rules shall, when so presiding, have the same powers as the Speaker when so presiding and all references to the Speaker in these Rules, shall in these circumstances be deemed to be references to any such person so presiding.

CHAPTER IV

SITTINGS OF THE ASSEMBLY

**When a sitting of the Assembly duly constituted**

11. A sitting of the Assembly is duly constituted when it is presided over by the Speaker or other member competent to preside over a sitting of the Assembly under the Constitution or these Rules.

12. Sittings of the Assembly shall, subject to the direction of the Speaker, ordinarily commence at <sup>1</sup>[9.00] a.m. and conclude at <sup>1</sup>[2.00] p.m. without interval, except on Fridays. On Fridays the Assembly shall commence at <sup>1</sup>[9.00] a.m. and conclude at 12.30 p.m.

**Time of meeting**

13. (1) The Assembly shall sit on such days as the Speaker, having regard to the state of business of the Assembly, may, from time to time, direct.

**Sittings of the Assembly**

(2) Unless the Assembly otherwise determines, there shall be no sittings on Saturdays, Sundays and other public holidays.

14. The Speaker shall determine the time when a sitting of the Assembly shall be adjourned *sine die* or to a day or hour or part of the same day :

**Adjournment of Assembly**

Provided that the Speaker may, if he thinks fit, call a sitting of the Assembly before the date or time to which it has been adjourned or at any time after the Assembly has been adjourned *sine die*.

CHAPTER V

GOVERNOR'S ADDRESS AND MESSAGES TO THE ASSEMBLY

15. (1) The Speaker in consultation with the Leader of the House and the Leader of the Opposition shall allot time for the discussion of the matters referred to in the Governor's Address under Article 176 of the Constitution.

**Discussion of the matters referred to in the Governor's Address under Article 176 of the Constitution**

(2) The Assembly shall be at liberty to discuss the matters referred to in such Address on a motion of thanks moved by the Leader of the House or any other Member authorised by him. The motion shall be seconded.

<sup>1</sup>Sub. as per Sl. No.2 of Amendments in Bulletin Part II No. 517 dated 24-6-2018

(3) Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker. Notice of such amendments may be given before such time as may be fixed by the Speaker.

(4) The Chief Minister or any other Minister whether he has previously taken part in the discussion or not, shall on behalf of the Government have a general right of explaining the position of the Government at the end of the discussion and the Speaker may fix the hour by which the discussion shall conclude.

<sup>1</sup>[(5) The mover or the seconder shall not have any right of reply after the Chief Minister or any other Minister has explained the position of the Government at the end of the discussion.]

(6) The Speaker may, if he thinks fit, prescribe, after taking the sense of the Assembly, a time-limit for speeches.

(7) When the motion is adopted with or without amendment, it shall be presented to the Governor by the Speaker.

(8) The Speaker shall report to the Assembly the Governor's reply.

**Other business that may be taken up**

16. (1) Notwithstanding that a day has been allotted for discussion on the Governor's Address:—

- (a) A motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day, and
- (b) Other business of a formal character may be transacted on such day before the House commences or continues the discussion on the Address.

(2) The discussion on the Address may be postponed in favour of a Government Bill or other Government business on a motion being made that the discussion on the Address be adjourned to a subsequent day to be appointed by the Speaker. The Speaker shall forthwith put the question, no amendment or debate being allowed.

<sup>1</sup> Ins. as per para 3 of Bulletin Part II No. 651 dated 31-3-2010.

(3) The discussion on the Address shall be interrupted in the course of a sitting by an adjournment motion under rule 54.

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

**Allotment of time for discussion on the Governor's Address**

18. Where a message from the Governor for the Assembly under Article 175(2) of the Constitution is received by the Speaker, he shall read the message to the Assembly and give necessary directions regarding the procedure to be followed for the consideration of the matters referred to in the message. In giving such directions, the Speaker shall have power to suspend or vary the Rules to such extent as may be necessary.

**Messages from the Governor**

## CHAPTER VI

### ARRANGEMENT OF GOVERNMENT BUSINESS AND LIST OF BUSINESS

19. On days allotted for the transaction of Government business, the Secretary shall arrange that business in such order as the Speaker, in consultation with the Leader of the House, may determine :

**Arrangement of Government Business**

Provided that such order of business shall not be varied on the day that business is set down for disposal unless the Speaker is satisfied that there is sufficient ground for such variation.

20. The last two [ <sup>1</sup> ] hours of a sitting on Friday shall be allotted for the transaction of Private Members' business :

**Allotment of time for Private Members' business and precedence of business**

Provided that the Speaker may allot different Fridays for the disposal of different classes of such business and on Fridays so allotted for any particular class of business, business of that class shall have precedence :

<sup>1</sup>The words "and a half" were omitted as per Sl. No.3 of Amendments in Bulletin Part II No. 517 dated 24-6-2018. 1407/2018.

Provided further that the Speaker may, in consultation with the Leader of the House and the Leader of the Opposition allot any day other than a Friday for the transaction of Private Members' business :

Provided also that if there is no sitting of the Assembly on a Friday, the Speaker may direct that two <sup>1</sup>[ ] hours on any other day in the week may be allotted for Private Members' business.

### **Precedence of Private Members' Bills**

21. (1) The relative precedence of notices of Bills given by Private Members shall be determined by ballot to be held in accordance with the orders made by the Speaker, on such day as the Speaker may direct.

(2) On a day allotted for the disposal of Private Members' Bills, such Bills shall have relative precedence in the following order, namely:—

(a) Bills in respect of which the next motion is that the Bill be passed ;

(b) Bills returned by the Governor with a message under Article 200 or 201 of the Constitution ;

(c) Bills in respect of which a motion has been carried that the Bill be taken into consideration ;

(d) Bills in respect of which the Report of a Select Committee or a Subject Committee, as the case may be, has been presented ;

(e) Bills which have been circulated for the purpose of eliciting opinion ;

(f) Bills introduced and in respect of which no further motion has been made or carried ;

(g) Bills in respect of which the motion is that leave be granted to introduce the Bill ;

(h) Other Bills.

(3) The relative precedence of Bills, falling under the same clause of sub-rule (2) shall be determined by ballot to be held at such time and in such manner as the Speaker may direct :

Provided that Bills falling under clause (f) of sub-rule (2) shall be arranged in groups in the order of their date of introduction and the relative precedence within each group shall be determined by ballot.

22. The relative precedence of Resolutions, notices of which have been given by Private Members shall be determined by ballot, to be held in accordance with the orders made by the Speaker, on such day as the Speaker may direct. **Precedence of Resolutions**

23. (1) A Resolution, notice of which has been given in pursuance of a provision in the Constitution or in an Act of the Legislature, shall not be balloted under Rule 22. **Statutory Resolutions**

(2) If the Speaker admits notice of such a Resolution, it shall be immediately notified in the Bulletin under the heading "Statutory Resolutions" and a copy thereof sent to the Government.

(3) The Speaker may, after considering the state of business in the Assembly and in consultation with the Leader of the House, allot a day or days or part of a day for the discussion of any such Resolution.

24. Private Members' business set down for the day allotted for that class of business and not disposed of on that day shall not be set down for any subsequent day, unless it has gained priority at the ballot held with reference to that day : **Business outstanding at the end of day**

Provided that, notwithstanding anything contained in Rules 21 and 22 any such business which is under discussion at the end of that day shall be set down for the next day allotted to business of that class, and shall have precedence over all other business set down for that day.

25. (1) A List of Business for the day shall be prepared by the Secretary and a copy thereof shall be made available for the use of every Member. **List of Business**

(2) Save as otherwise provided in these Rules, no business not included in the List of Business for the day, shall be transacted at any meeting without the permission of the Speaker.

<sup>1</sup> The words "and a half" were omitted as per SI. No.3 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

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

(4) Unless the Speaker otherwise directs, not more than three Resolutions in addition to any Resolution which is outstanding under the proviso to Rule 24 shall be set down in the List of Business for any day allotted for the disposal of Private Member's Resolutions.

## CHAPTER VII

### QUESTIONS AND SHORT NOTICE QUESTIONS

#### (a) Questions

#### Time for questions

26. Unless the Speaker otherwise directs, the first hour of every sitting shall be available for the asking and answering of questions.

#### Notice of questions

27. Unless the Speaker otherwise directs, not less than <sup>1</sup>[ten] clear days notice of a question shall be given.

#### Number of questions by a Member

27A. <sup>2</sup>[A Member may give notice of only seven questions in a day including starred and unstarred questions. In the list of questions for written answer on any one day, not more than four questions by the same Member if he has three questions in the list of questions for oral answer and not more than seven questions if he has none in the list of questions for oral answer shall be included.]

#### Form of notice of questions

28. Notice of a question shall be given <sup>3</sup>[either in writing or submit online]<sup>4</sup> to the Secretary and shall specify,—

(a) the official designation of the Minister to whom the question is addressed; and

(b) the date on which the question is proposed to be placed on the list of questions for answer.

#### Ballot on questions

<sup>4</sup>[28A. The priority of notice received on each day shall be determined by a ballot. For this purpose, all notices of questions received upto 12.00 noon of each day will be treated as having been received at 12.00 noon on that date and a ballot shall be held to determine their *inter-se* priority.]

<sup>1</sup> Sub. as per para 4 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup> Sub. as per para 5 *Ibid*.

<sup>3</sup> Sub. as per para 6 *Ibid*.

<sup>4</sup> Sub. as per Sl. No.4 of Amendments in Bulletin Part II No. 517 dated 24-6-2018.

29. Unless the Speaker otherwise directs, no question shall be placed on the list of questions for answer until <sup>1</sup>[six] days have expired from the time when notice of the admission of such question by the Speaker has been given by the Secretary to the Minister to whom it was addressed.

30. A star—thus\*—should be placed in front of a question to which a Member wishes to have an oral answer on the floor of the Assembly. A star should be placed only against those questions in respect of which supplementary questions are likely to be asked and not against those which ask for statistics or for statements which may be laid on the Table. Questions which relate to local matters or which deal with matters concerning individuals shall not ordinarily be starred.

31. It is open to a Member to give notices of questions before being sworn in. But a Member who has not been sworn in cannot exercise any of his functions as a Member in the Assembly and as such the questions of such a Member are not allowed to be answered or printed in the proceedings.

32. (1) Not more than <sup>2</sup>[three] questions distinguished by asterisks by the same Member and not more than thirty questions in all shall be placed on the list of questions for oral answer on any one day. Questions in excess of three by the same Member and all the questions in excess of the first thirty shall be placed on the list of questions for written answer.

(2) The order in which questions for oral answer are to be placed shall be indicated by the Member giving notice and if no such order is indicated, the question shall be placed on the list of questions for oral answer in the order in which notices are received in a point of time.

33. The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such department or departments as the Speaker may, from time to time provide and on each such day unless the Speaker with the consent of the Minister concerned otherwise directs, only questions relating to the department or departments for which time on that day has been allotted shall be placed on the list of questions for oral answer.

<sup>1</sup> Sub. as per para 7 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup> Sub. as per para 8 of Bulletin Part II No. 651 dated 31-3-2010

**Notice of admission of question to Ministers**

**Starred and unstarred questions**

**Questions of Members who have not been sworn in**

**Member entitled to oral answers to three questions on a day**

**Allotment of days for oral answers to questions**

**Written answers to questions not replied orally**

34. If any question placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day, the Minister to whom the question is addressed shall forthwith, lay upon the table a written reply to the question.

**Questions to Private Members**

35. A question may be addressed to a Private Member provided the subject matter of the question relates to some Bill, Resolution or other matter connected with the business of the Assembly for which that Member is responsible and the procedure in regard to such questions shall, as far as may be, be the same as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

**Conditions of admissibility of questions**

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

(2) A question, in order to be admissible, shall be governed by the following conditions:—

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

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

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

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

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

(f) it shall relate to a single matter ;

(g) it shall be so framed as to be merely a request for information ;

(h) it shall not be of excessive length ;

(i) it shall not refer to any matter which is not the concern of the State Government ;

(j) it shall not refer to any matter which is under adjudication by a court of law ;

(k) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion ;

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

(m) it shall not repeat in substance questions already answered or to which an answer has been refused ;

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

(o) it shall not ordinarily seek information on matters of past history ;

(p) it shall not require information available in accessible documents or in ordinary books of reference ;

(q) it shall not relate to a matter with which a Minister is not officially connected ;

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

(s) it shall not raise matters under the control of bodies or persons not primarily responsible to the State Government ;

(t) 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; and

(u) it shall not ask about the proceedings in a Legislature Committee which have not been placed before the Assembly by a report from the Committee.



**Questions on matters of correspondence between the State Government and the Government of India**

37. In matters which are or have been the subject of correspondence between the State Government and the Government of India, no question shall be asked except as to matters of fact and the answer shall be confined to a statement of fact.

**Speaker to decide admissibility of questions**

38. (1) The Speaker shall decide whether a question or a part thereof is or is not admissible under these Rules and may disallow any question or a part thereof when in his opinion it is an abuse of the right of questioning or calculated to obstruct or prejudicially affect the procedure of the Assembly or is in contravention of these Rules.

(2) Subject to the provisions of rule 33 the Speaker may direct that a question be placed on the list of questions for answer on a date later than that specified by a Member in his notice, if he is of opinion that a longer period is necessary to decide whether a question is or is not admissible.

(3) When a question or any portion of it is not admitted or is admitted with any modification or a starred question is changed into unstarred under rule 39, the fact shall be intimated to the Member concerned.

**Speaker to decide if a question is to be treated as starred or unstarred**

39. If in the opinion of the Speaker any question put down for oral answers is of such a nature that a written reply would be more appropriate, the Speaker may direct that such question be placed on the list of questions for written answer :

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

**List of questions**

40. (1) Questions which have been admitted shall be entered in the list of questions for the day for oral or written answer, as the case may be, in accordance with the orders of the Speaker.

(2) Questions in the name of each Member in the list of questions for oral answer every day will be printed in <sup>1</sup>[not more than three rounds] or one according to the number of questions admitted in his name. Priority of questions *inter se* in each round will be determined according to the time and date of receipt of notice.

41. Questions for oral answers shall be called, in the order in which they stand in the list before any other business is entered upon at the sitting :

**Order in which questions shall be called**

Provided that a question not reached for oral answer may be answered after the end of the question hour with the permission of the Speaker if the Minister represents to the Speaker that the question is one of special public interest to which he desires to give a reply.

42. A Member may, by notice given at any time before the sitting for which his question has been placed on the list, withdraw his questions or postpone it to a later date to be specified in the notice and on such later day the question shall, subject to the provisions of Rule 33 be placed on the list after all the questions which have not been so postponed :

**Withdrawal or postponement of questions**

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

43. (1) The Speaker shall call successively each Member in whose name a question appears on the list of questions.

**Mode of asking questions**

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

(3) If on a question being called the Member in whose name it stands is absent, the Speaker at the request of any Member, may direct that the answer to it be given.

<sup>1</sup>Sub. as per SI. No.5 in 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

**Questions of absent Members**

44. When all the questions for which oral answers are desired have been called, the Speaker may, if time permits, call again any question which has not been asked by reason of the absence of the Member in whose name it stands, and may also permit a Member to ask a question standing in the name of another Member if so authorised by him.

**Supplementary questions**

45. <sup>1</sup>[(1) Any Member when called by the Speaker may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given.

(2) A supplementary question shall be held out of order by the Speaker if in his opinion:—

(i) it does not arise from the main question or its answer ;

(ii) instead of seeking information, it gives information ;

(iii) it involves more than one separate issue ;

(iv) it seeks confirmation or denial of an opinion ; and

(v) it infringes any of the Rules Regarding questions.]

(3) No discussion shall be permitted during the time for questions under rule 26 in respect of any questions or any answer given to a question.

**Disposal of questions when meeting is cancelled or adjourned**

46. When a meeting of the Assembly is cancelled or adjourned without transacting any business, all the questions both starred and unstarred, originally entered in the list of questions for the day will be treated as unstarred questions for the next sitting and will be printed along with their answers in the official report later day :

<sup>2</sup>[Provided that if the question hour is interrupted after having taken up the list of questions for oral answer and the list is partly disposed off and sitting continues, answer to the remaining questions in the list of questions for oral answers and answers for the day will be treated as unstarred question and form part of the proceedings of the day :

<sup>1</sup> Sub. as per para 9 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup> Ins. as per para 10 of Bulletin Part II No. 651 dated 31-3-2010

Provided further that if the last sitting or sittings of a session is cancelled the question in the list of questions for oral as well as written answer for that day/days shall lapse.]

47. <sup>1</sup>[(1) Answers to questions which Ministers propose to give in the Assembly shall be handed over to the Secretary before 5.00 p.m. on the preceding day to the date of answering questions.

**Time on which Answers are to be handed over and restriction on its publication**

(2) <sup>2</sup>[If an answer to a question is not given in time as specified in sub-rule(1) or if the given answer is an interim reply, the reply or final reply, as the case may be,] to that question shall be given at the earliest, but not later than fifteen days from the date on which the question is placed in the list :

Provided that if such answers could not be given within the time limit specified under sub-rule (2), the Minister concerned shall lay on the Table a statement explaining the reasons thereof in the current session or in the next session of the Assembly whichever is earlier.

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

**(b) Short Notice Questions**

48. (1) A question relating to a matter of public importance may be asked with notice shorter than ten clear days and if the Speaker is of opinion that the question is of an urgent character, he may 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.

**Short notice questions**

(2) If the Minister concerned agrees to reply, such questions shall be answered on a day to be indicated by him and shall be called immediately after the questions which have appeared in the list of questions for oral answer have been disposed of.

(3) If the Minister is unable to answer the questions at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the Assembly, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer under Rule 27 :

<sup>1</sup> Sub. as per para 11 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup> Sub. as per SI. No. 6 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

Provided that not more than one such question shall be accorded first priority on the list of questions for any one day.

(4) Where a Member desires an answer to a question at short notice, he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the Member.

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

#### CHAPTER VIII

##### HALF AN HOUR DISCUSSION

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

49. (1) The Speaker may allot half an hour on three days in a week for raising discussion on a matter of sufficient public importance which has been the subject of a question in the Assembly in the same session irrespective of the fact whether the question was answered orally or the answer was laid on the Table.

(2) A Member wishing to raise discussion on such a matter shall give notice in writing to the Secretary two clear days before the day on which the matter is desired to be raised, and shall briefly specify the point or points that he wishes to raise.

(3) Such notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question. The Speaker may with the consent of the Minister concerned waive the requirement concerning the period of notice.

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

(5) If two or more notices have been received and admitted by the Speaker, the Secretary shall hold a ballot with a view to ascertaining which notice shall have preference for the day.

(6) There shall be no formal motion before the Assembly nor voting. The Member who has given notice may make a short statement and the Minister concerned shall give a brief reply. Any Member who has previously intimated to the Speaker may be permitted to put a question for the purpose of further elucidating any matter of fact.

(7) If the Member who has given notice is absent any other Member authorised by him in writing in this behalf may, with the permission of the Speaker, initiate the discussion.

#### CHAPTER IX

##### MOTION FOR ADJOURNMENT ON A MATTER OF PUBLIC IMPORTANCE

50. Subject to the provisions of these Rules, a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

**Speaker's consent necessary to make motions**

51. Notice of an adjournment motion shall be given before the commencement of the sitting on the day on which the motion is proposed to be made both to the Speaker and to the Minister concerned. The notice shall be accompanied by a brief statement of the matter proposed to be discussed.

**Method of giving notice**

52. The right to move the adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely:—

**Restrictions on right to make motion**

(i) not more than one such motion shall be made at the same sitting;

(ii) not more than one matter shall be discussed on the same motion;

(iii) the motion shall be restricted to a specific matter of recent occurrence;

(iv) the motion shall not revive discussion on a matter which has been discussed in the same session;



(v) the motion shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity;

(vi) the motion shall not anticipate a matter which has been previously appointed for consideration. In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the Assembly within a reasonable time;

(vii) the motion shall not deal with a matter which is under adjudication by a court of law having jurisdiction in any part of India;

(viii) the motion shall not raise a question of privilege;

(ix) the motion shall not relate to a matter which is not the concern of the State Government; and

(x) the motion shall not raise any question which under the Constitution or these Rules can only be raised on a distinct motion by a notice given in writing to the Secretary.

**Motion for discussion on matters before Tribunals, Commissions etc.**

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

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

**Mode of asking for leave to move adjournment motion**

54. (1) The Speaker, if he gives consent under Rule 50 and holds that the matter proposed to be discussed is in order, shall after the questions and before the list of business is entered upon, call the Member concerned who shall rise in his place and ask for leave to move the adjournment of the Assembly.

(2) Where the Speaker has refused his consent under Rule 50 or is of opinion that matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as not being in order.

(3) If objection to leave being granted is taken, the Speaker shall request those Members who are in favour of leave being granted to rise in their places, and if not less than fifteen Members rise accordingly the Speaker shall intimate that leave is granted. If less than fifteen Members rise, the Speaker shall inform the Member that he has not the leave of the Assembly.

55. The motion "that the House do now adjourn" shall be taken up at <sup>1</sup>[1.00] p.m. or at an earlier hour if the Speaker, after considering the state of business in the House, so directs. **Time for taking up motion**

56. The Speaker may, if he is satisfied that there has been adequate debate, put the question at <sup>2</sup>[3.00] p.m. or at such other hour not being less than two hours from the commencement of the debate. **Closure of Debate**

57. The Speaker shall prescribe a time limit for speeches. **Time limit for speeches**

## CHAPTER X

### DISCUSSION ON MATTERS OF URGENT PUBLIC IMPORTANCE

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

(2) The notice shall be accompanied by an explanatory note stating reasons for raising a discussion on the matter in question.

59. (1) If the Speaker is satisfied after calling for such information from the Member who has given notice and from the Minister as he may consider necessary that the matter is urgent and is of sufficient importance to be raised in the Assembly at an early date, he may admit the notice. **Speaker to decide admissibility**

<sup>1</sup>Sub. as per Sl. No.7 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

<sup>2</sup>Sub. as per Sl. No.8 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

(2) The Speaker may allot two sittings <sup>1</sup>[in a session] on which such matters may be taken up for discussion and allow such time for discussion not exceeding one hour at or before the end of the sitting as he may consider appropriate in the circumstances.

**No formal motion**

60. There shall be no formal motion before the Assembly nor voting. The Member who has given notice may make a short statement and the Minister shall give a brief reply. Any Member who has previously intimated to the Speaker may be permitted to take part in the discussion.

**Time limit for Speeches**

61. The Speaker may, if he thinks fit, prescribe a time limit for the speeches.

## CHAPTER XI

### CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

**Calling attention to matters of urgent public importance**

62. (1) 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 or ask for time to make a statement at a later hour or date.

(2) There shall be no debate on such statement at the time it is made. But the Member in whose name the item stands in the list of business may with the permission of the Speaker ask a question.

(3) Not more than two such matters shall be raised at the same sitting:

Provided that the second matter shall not be raised by the same Member who has raised the first matter.

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

(5) The proposed matters shall be raised, after the questions and before the list of business is entered upon, when called in the Speaker and at no other time during the sitting of the Assembly.

<sup>1</sup>Sub. as per para 12 of Bulletin Part II No. 651 dated 31-3-2010

## CHAPTER XII

### MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS AND STATEMENT BY A MINISTER WHO HAS RESIGNED

63. (1) A motion expressing want of confidence in the Council of Ministers may be made subject to the following restrictions, namely:—

**Motion of no-confidence in Council of Ministers**

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

(b) the Member asking for leave must give with the Secretary a written notice of the motion which he proposes to move, three clear days before the date on which he proposes to move it.

(2) If the Speaker is of opinion that the motion is in order, he shall read the motion to the Assembly, and shall request those Members who are in favour of leave being granted to rise in their places, and if not less than twenty Members rise accordingly, the Speaker shall declare that leave is granted, and that the motion will be taken on such day, not being more than ten days from the date on which the leave is asked for, as he may appoint. If less than twenty Members rise, the Speaker shall inform the Member that he has not the leave of the Assembly.

(3) If leave is granted under sub-rule (2), the Speaker may, after considering the state of business in the Assembly, allot a day or days for the discussion of the motion.

(4) The Speaker shall at the appointed hour on the allotted day or, as the case may be, the last of the allotted days forthwith put every question necessary to determine the decision of the Assembly on the motion.

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

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

**Statement by a Minister who has resigned**

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

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

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

(4) On such statements no debate shall be allowed:

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

### CHAPTER XIII

#### RESOLUTION FOR REMOVAL OF SPEAKER OR DEPUTY SPEAKER FROM OFFICE

**Notice of resolution for removal of Speaker or Deputy Speaker**

65. (1) A Member wishing to give notice of resolution under clause (c) of Article 179 of the Constitution for the removal of the Speaker or the Deputy Speaker shall do so in writing to the Secretary.

**Leave of Assembly to take up resolution**

(2) On receipt of a notice under sub-rule (1) a motion for leave to move the resolution shall be entered in the list of business in the name of the Member concerned, on a day fixed by the Speaker, provided that the day so fixed shall be any day after fourteen days from the date of the receipt of notice of the resolution.

**Whom to preside when motion is taken up**

66. (1) Subject to the provisions of Article 181 of the Constitution, the Speaker or Deputy Speaker or such other person as is referred to in clause (2) of Article 180 of the Constitution shall preside when a motion under sub-rule (2) of rule 65 is taken up for consideration.

(2) The Member in whose name the motion stands in the list of business shall except when he wishes to withdraw it, move the motion, when called upon to do so, but no speech shall be permitted at this stage.

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

67. On the appointed day, the resolution shall be included in the list of business to be taken up after the question hour and before any other business for the day is entered upon.

**Inclusion of resolution in the List of Business**

68. Except with the permission of the Speaker or the person presiding, a speech on the resolution shall not exceed fifteen minutes in duration:

**Time limit for Speeches**

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

### CHAPTER XIV

#### LEGISLATION

69. (1) The Speaker may order the publication in the Gazette of any Bill (together with the Statement of Objects and Reasons, the Memorandum regarding Delegation of Legislative Power and the Financial Memorandum, if any, accompanying it) although no motion has been made for leave to introduce the Bill. In that case, it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

**Publication of Bills before introduction**

<sup>1</sup>[(2) All Bills, except amendment Bills, the parent Act of which was enacted in English, shall be introduced only in Malayalam version.

(3) If the Member-in-charge of the Bill is unable to introduce the Bill in Malayalam version he may seek the prior permission of the Speaker to introduce the Bill in English version stating reasons thereof.

(4) The Speaker may, if he considers the reasons adequate, permit the Member-in-charge to introduce the Bill in English version.

(5) Where a Bill is published in Malayalam, the translation of the same in the English version shall also be published under the authority of the Governor in pursuance of Article 348 (3) of the Constitution and copies of the Bill circulated among Members before the date of introduction of the Bill. Where the Bill is published in English, the translation of the Bill in Malayalam version shall be published and <sup>2</sup>[copies circulated among the Members before the date of introduction of the Bill].

**Notice of motion for leave to introduce Private Members' Bill**

70. (1) Any Member other than a Minister desiring to move for leave to introduce a Bill, shall give notice of his intention and shall, together with the notice, submit a copy of the Bill and an Explanatory Statement of Objects and Reasons which shall not contain arguments:

Provided that the Speaker may, if he thinks fit, revise the Statement of Objects and Reasons.

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

(3) The period of notice of a motion for leave to introduce a Bill under this rule shall be fifteen clear days unless the Speaker allows the motion to be made at shorter notice.

<sup>1</sup>Ins. as per para 13 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup>Sub. as per SL No.9 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

<sup>1</sup>[(4) Not more than <sup>2</sup>[one motion] shall be moved by a Member under sub rule (1) in a day allotted for that business.]

71. If motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the Member who moves and from the Member who opposes the motion, may, without further debate, put the question:

**Motion for leave to introduce Bill**

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

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

**Publication after introduction**

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

**Financial Memorandum to accompany Bill**

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

**Explanatory memorandum to Bills delegating legislative powers**

75. (1) Whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the Assembly, there shall be placed before the Assembly along with the Bill a statement explaining the circumstances which had necessitated immediate legislation by Ordinance.

**Statement in connection with Ordinances**

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

<sup>1</sup> Ins. as per para 14 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup>Sub. as per SL No.10 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

**Motions after introduction**

76. (1) When a Bill, other than an Appropriation Bill, is introduced, or on some subsequent occasion, the Member-in-charge may make one of the following motions in regard to the Bill, namely:—

- (a) that it be referred to the appropriate Subject Committee; or
- (b) that it be referred to a Select Committee;
- or
- (c) that it be circulated for the purpose of eliciting opinion thereon.

(2) When an Appropriation Bill is introduced, or on some subsequent occasion, the Member-in-charge may make the motion that the Bill be taken into consideration:

Provided that no such motion as referred to in sub-rule (1) or sub-rule (2) of this Rule shall be made until after copies of the Bill have been made available for the use of Members and that any Member may object to any such motion being made unless copies of the Bill have been so made available <sup>1</sup>[three] clear days before the day on which the motion is made and such objection shall prevail unless the Speaker in his discretion allows the motion to be made.

**Discussion of principle of Bill**

77. (1) On the day on which any motion referred to in Rule 76 is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its provisions may be discussed generally but the details of the Bill shall not be discussed further than is necessary to explain the principles.

(2) At this stage no amendments to the Bill may be moved, but,—

- (a) If the Member-in-charge moves that the Bill be referred to the appropriate Subject Committee, any Member may move as an amendment that the Bill be referred to a Select Committee or circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion ;

- (b) if the Member-in-charge moves that the Bill be referred to a Select Committee, any Member may move as an amendment that the Bill be referred to the appropriate Subject Committee or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion;
- (c) where an amendment or a motion for appointment of a Select Committee or the reference of the Bill to a Subject Committee as the case may be, has been moved, the mover of the amendment or the motion or any other Member may move that the Assembly give instructions to the Select Committee, or the Subject Committee as the case may be, to which the Bill has been referred, to make particular or additional provision in the Bill or to consider and report on amendments which may be proposed to the original Act which the Bill seeks to amend.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried and the Bill is circulated in accordance with the direction, and opinions are received thereon, the Member-in-charge, if he wishes to proceed with the Bill thereafter, shall move that the Bill be referred to a Select Committee or to the appropriate Subject Committee, as the case may be.

78. No motion that a Bill be taken into consideration or be passed shall be made by any Member other than the Member-in-charge of the Bill, and no motion that a Bill be referred to a Select Committee or a Subject Committee, as the case may be, or be circulated for the purpose of eliciting opinion thereon shall be made by any Member other than the Member-in-charge, except by way of amendment to a motion made by the Member-in-charge:

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

**Persons by whom motions in respect of Bills may be made**

<sup>1</sup>Sub. as per para 15 of Bulletin Part II No. 651 dated 31-3-2010



*Explanation.*—Notwithstanding the provisions contained in the proviso, the Member who introduced the Bill shall continue to be the Member-in-charge.

(For Rules relating to Select Committees on Bills and Subject Committees *See* Chapter XXIV of these Rules).

**Procedure after presentation of report**

79. (1) After the presentation of the final report of a Select Committee on a Bill or a Subject Committee, as the case may be, the Member-in-charge may move—

(a) that the Bill as reported by the Select Committee or the Subject Committee, as the case may be, be taken into consideration:

Provided that any Member may object to its being so taken into consideration if a copy of the report has not been made available for the use of Members for two clear days and such objection shall prevail, unless the Speaker, in his discretion, allows the report to be taken into consideration; or

(b) that the Bill as reported by a Select Committee or the Subject Committee, as the case may be, be recommitted either,—

- (i) without limitation; or
- (ii) with respect to particular clauses or amendments only; or
- (iii) with instructions to the Select Committee or to the Subject Committee, as the case may be, to make some particular or an additional provision in the Bill; or

(c) that the Bill as reported by the Select Committee or the Subject Committee, as the case may be, circulated or re-circulated, as the case be, for the purpose of obtaining opinion or further opinion thereon.

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

80. The debate on a motion that the Bill as reported by the Select Committee or the Subject Committee, as the case may be, be taken into consideration shall be confined to consideration of the report of the Committee, and the matters referred to in that report or any alternative suggestions consistent with the principle of the Bill.

**Scope of debate on report of Select/Subject Committee**

81. (1) If notice of an amendment has not been given one clear day before the day on which the Bill is to be considered, any Member may object to the moving of the amendment and such objection shall prevail unless the Speaker allows the amendment to be moved:

**Notice of amendments**

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

(2) If any Member desires to move an amendment which under the Constitution cannot be moved without the previous sanction or recommendation of the Governor, he shall annex to the notice such sanction or recommendation and the notice shall not be valid until this requirement is complied with.

(3) The Secretary shall, if time permits, make available to Members from time to time lists of amendments, of which notices have been received.

82. The following conditions shall govern the admissibility of amendments:—

**Conditions of admissibility of amendments**

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

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

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

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

(v) The Speaker may disallow an amendment which is, in his opinion, frivolous or meaningless.

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

#### **Arrangements of amendments**

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

#### **Order of amendments**

84. Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate and in respect of any such clause a motion shall be deemed to have been made "That this clause stand part of the Bill".

#### **Mode of moving amendments**

85. When a motion that a Bill be taken into consideration has been carried, any Member may, when called upon by the Speaker, move an amendment to the Bill of which he has previously given notice:

Provided that if the Member who has given notice of an amendment is absent, any other Member authorised by him in writing in this behalf may, with the permission of the Speaker, move the amendment:

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

#### **Withdrawal of amendments**

86. An amendment moved may, by leave of the Assembly, but not otherwise, be withdrawn, on the request of the Member moving it. If an amendment has been proposed to an amendment, the original amendment shall not be withdrawn unless the amendment proposed to it has been disposed of.

87. (1) Notwithstanding anything contained in these Rules the Speaker may, when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the Assembly clause by clause. The Speaker may call each clause separately and when the amendments relating to it have been dealt with, shall put the question: "That this clause (or as the case may be, that this clause as amended) stand part of the Bill".

(2) The Speaker may, if he thinks fit, put as one question group of clauses to which no amendments have been moved:

Provided that if a Member requests that any clause be put separately, the Speaker shall do so.

88. The Speaker may, if he thinks fit, postpone the consideration of a clause.

89. The consideration of the Schedule or Schedules, if any, shall follow the consideration of clauses. Schedules shall be put from the Chair and may be amended in the same manner as clauses, and the consideration of new Schedules shall follow the consideration of the original Schedules. The question shall then be put; "That this Schedule (or as the case may be, that this Schedule as amended) stand part of the Bill":

Provided that the Speaker may allow the Schedule or Schedules, if any, being considered before the clauses are disposed of along with a clause or otherwise as he may think fit.

90. Clause one, the Enacting Formula, the Preamble, if any, and the Title of a Bill shall stand postponed until the other clauses and Schedules (including new clauses and new Schedules) have been disposed of and the Speaker shall then put the question: "That Clause one or the Enacting Formula or the Preamble or the Title (or, as the case may be, that clause one, Enacting Formula, Preamble, or Title as amended) stand part of the Bill."

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

#### **Submission of Bill clause by clause**

#### **Postponement of clause**

#### **Consideration of Schedule**

#### **Clause one, Enacting Formula, Preamble and Title of the Bill**

#### **Passing of Bills**

(2) Where a Bill has undergone amendments any Member may object to any motion being made, on the same day, that the Bill be passed, and such objection shall prevail, unless the Speaker in his discretion allows the motion to be made.

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

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

#### Scope of debate

92. The discussion on a motion that the Bill be passed shall be confined to arguments either in support of the Bill or for the rejection of the Bill, in making his speech, a Member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of a general character.

#### Correction of Patent errors

93. When a Bill is passed by the Assembly, the Speaker shall have power to correct patent errors and make such changes in the Bill as are consequential on the amendments accepted by the Assembly.

#### Withdrawal of a Bill

94. The Member-in-charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that :—

(a) the legislative proposal contained in the Bill is to be dropped; or

(b) the Bill is to be replaced subsequently by a new Bill which substantially alters the provisions contained therein; or

(c) the Bill is to be replaced subsequently by another Bill which includes all or any of its provisions in addition to other provisions;

and if such leave is granted, no further motion shall be made with reference to the Bill:

Provided that where a Bill has been referred to a Select Committee or the Subject Committee, as the case may be, notice of any motion for the withdrawal of the Bill shall automatically stand referred to the Committee and after the Committee has expressed its opinion in a report to the Assembly, the motion shall be set down in the list of business.

95. If a motion for leave to withdraw a Bill is opposed, the Speaker may, if he thinks fit, permit the Member who moves and the Member who opposes the motion to make brief explanatory statements and may thereafter, without further debate, put the question.

**Explanatory statement by Member who moves or opposes withdrawal motion**

96. (1) Where any of the following motions under these Rules in regard to a Bill is rejected by the Assembly, no further motion shall be made with reference to the Bill, and such a Bill shall be removed from the Register of Bills pending in the Assembly:—

**Removal of Bill from Register of Bills**

- (i) that leave be granted to introduce the Bill;
- (ii) that the Bill be referred to a Select Committee or a Subject Committee, as the case may be;
- (iii) that the Bill be taken into consideration;
- (iv) that the Bill as reported by the Select Committee or the Subject Committee, as the case may be, be taken into consideration; and
- (v) that the Bill (or, as the case may be, that the Bill as amended) be passed.

(2) A Bill pending before the Assembly shall also be removed from the Register of Bills pending in the Assembly in case a Bill substantially identical is passed by the Assembly or the Bill is withdrawn under Rule 94.

*Explanation:* A Bill pending before the Assembly shall include—

- (i) a Bill introduced in the Assembly which does not fall within the categories of Bills mentioned in this rule or rule 97, and
- (ii) a Bill returned by the Governor with a message under Article 200 of the Constitution.



**Special provision for removal of Private Members' Bill from the Register of Bills**

97. A Private Members' Bill pending before the Assembly shall also be removed from the Register of Bills pending in the Assembly in case—

- (a) the Member-in-charge ceases to be a Member of the Assembly; or
- (b) the Member-in-charge is appointed as a Minister; or
- (c) a Bill substantially identical in nature is passed by the Assembly.

**Authentication of Bills**

98. When a Bill is passed by the Assembly, the Bill shall be signed by the Speaker and presented to the Governor.

*Reconsideration of Bills returned under Articles 200 and 201 of the Constitution*

**Message of the Governor**

99. When a Bill passed by the Assembly is returned by the Governor with a message requesting that the Assembly should reconsider the Bill or any specified provisions thereof or any such amendments as are recommended in his message, the Speaker shall read the message of the Governor in the Assembly if in session, or if not in session, direct that it may be published in the Bulletin for the information of the Members.

**Notice of motion for reconsideration**

100. At any time after a Bill has been returned by the Governor with a message as stated in Rule 99, any Minister in the case of a Government Bill, or in any other case, any Member may give notice of his intention to move that Bill so returned be taken up for reconsideration in the light of the directions contained in the message.

**Motion for reconsideration**

101. On the day on which the motion for reconsideration is set down in the list of business, which shall, unless the Speaker otherwise directs, be not less than two clear days from the receipt of the notice, the Minister or the Member giving notice may move that the Bill be taken up for reconsideration in the light of the directions contained in the message.

**Scope of Debate**

102. The debate on such a motion shall be confined to consideration of matters referred to in the message of the Governor or to any suggestion relevant to the subject matter of the amendments recommended by the Governor.

103. (1) If the motion that the Bill be taken up to reconsideration is carried, any Member may, when called upon by the Speaker, move an amendment to the Bill of which he has previously given notice.

(2) When specific amendments are recommended by the Governor, an amendment relevant to the subject matter of an amendment recommended by the Governor may be moved, but no other amendment shall be moved to the Bill unless it is consequential upon, incidental or alternative to an amendment recommended by the Governor.

(3) When no specific amendment is recommended by the Governor no amendment shall be moved which does not come within the scope of the message recommending reconsideration of the Bill.

(4) The Speaker shall put the amendments recommended by the Governor, if any, and such other amendments as would come within the scope of the message from the Governor, recommending reconsideration of the Bill.

104. When all the amendments have been disposed of, the Minister or the Member giving notice of the motion under Rule 100 may move that the Bill as originally passed by the Assembly be passed again or passed again as amended, as the case may be.

105. If the motion that the Bill returned by the Governor with a message be taken up for reconsideration in the light of the directions contained in the message is not carried, the Minister or the Member giving notice of the motion under Rule 100 may at once move that the Bill as originally passed by the Assembly be passed again without amendment.

106. When a Bill which has been passed by the Assembly is returned to the Assembly with a message for reconsideration in pursuance of the proviso to Article 201 of the Constitution the procedure shall be the same as when a Bill passed by the Assembly is returned for reconsideration under proviso to Article 200 of the Constitution and the provisions of the above Rules shall apply subject to such adaptations, whether by way of modification, addition or omission as the Speaker may deem to be necessary or expedient.

**Consideration of Amendments**

**Passing again of Bills**

**Disagreement of Assembly with the message**

**Reconsideration of Bills returned with a message under proviso to Article 201 of the Constitution**

## CHAPTER XV

## PETITIONS

**Scope of  
Petitions**

107. Petitions may be presented or submitted to the Assembly with the consent of the Speaker on—

(i) a Bill which has been published under Rule 69 or which has been introduced in the Assembly ;

(ii) any matter connected with the business pending before the Assembly ; and

(iii) any matter of general public interest provided that it is not one—

(a) which falls within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body or a commission ;

(b) which should ordinarily be raised in the Indian Parliament ;

(c) which can be raised on a substantive motion or resolution ; or

(d) for which remedy is available under the law including rules, regulations, etc.

**General form of  
petition**

108. (1) The general form of petition set out in the First Schedule attached to these Rules with such variations as the circumstances of each case require may be used, and if used, shall be sufficient.

(2) Every petition shall be couched in respectful decorous and temperate language.

**Authentication of  
petition**

109. The full name and address of every signatory to petition shall be set therein and shall be authenticated by his signature and if illiterate by his thumb impression.

**Documents not  
to be attached**

110. Letters, affidavits or other documents shall not be attached to any petition.

111. (1) Every petition shall, if presented by a Member be countersigned by him.

**Countersignature  
of Petitions**

(2) A Member shall not present a petition from himself.

112. Every petition shall be addressed to the Legislative Assembly and shall conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

**Petition to be  
addressed to the  
Assembly**

113. A petition may be presented by a Member or be forwarded to the Secretary, who shall report it to the Assembly. No debate shall be permitted on the presentation or the making of such report. The report shall be made in the form set out in the Second Schedule.

**Presentation of  
Petition**

114. A Member presenting a petition shall confine himself to a statement in the following form:—

**Form of  
Presentation**

“I present a petition signed by.....  
petitioner (s) regarding.....”

No debate shall be permitted on this statement.

115. Every petition after presentation by a Member or report by the Secretary, as the case may be, shall stand referred to the Committee on Petitions.

**Reference to  
Committee on  
Petitions**

## CHAPTER XVI

## RESOLUTIONS

116. A Member other than a Minister who wishes to move a resolution <sup>1</sup>[shall give a notice to that effect at least two days before the date of ballot.] The names of all the Members from whom such notices are received shall be balloted and those Members who secure the first three places in the ballot shall be eligible to give notice of one resolution each within two days after the date of ballot :

**Notice of  
Resolution**

Provided that the Speaker may allow a resolution received after two days from the date of ballot to be entered in the list of business :

<sup>1</sup> Sub. as per para 16 of Bulletin Part II No. 651 dated 31-3-2010

Provided also that in respect of the resolution envisaged in Article 213 (2) (a) of the Constitution the period of notice required and the method of procedure to be followed shall be decided by the Speaker in his discretion consistent with the period and the items of business fixed for the session.

**Form of Resolution**

117. A resolution may be in the form of a declaration of opinion, or recommendation or may be in the form so as to record either approval or disapproval by the Assembly of an act or policy of Government, or convey a message; or commend, urge or request an action; or call attention to a matter or situation for consideration by Government or in such other form as the Speaker may consider appropriate.

**Subject matter of Resolution**

118. Subject to the provisions of these Rules, a Member or a Minister may move a resolution relating to a matter of general public interest.

**Conditions of admissibility of Resolution**

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

(a) it shall be clearly and precisely expressed and shall raise substantially one definite issue ;

(b) it shall not contain arguments, inferences, ironical expressions, imputations, or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity ;

(c) it shall not relate to a matter which is under adjudication by a court of law ; and

(d) it shall not relate to any matter which is not the concern of the State Government.

**Raising discussion on matters before Tribunals, Commissions etc.**

120. No resolution which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial function or any commission or court of enquiry appointed to enquire into or investigate any matter shall ordinarily be permitted to be moved :

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

121. (1) The Speaker shall decide the admissibility of a resolution and may disallow a resolution or a part thereof when, in his opinion, it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the procedure of the Assembly or is in contravention of these Rules.

**Speaker to decide admissibility**

(2) When a resolution or any portion of it is not admitted or is admitted with any modification, the fact shall be intimated to the Member concerned.

122. (1) A Member in whose name a resolution stands on the list of business shall, except when he wishes to withdraw it, when called upon, move the resolution, and shall commence his speech by a formal motion.

**Moving of Resolution**

(2) A Member may, with the permission of the Speaker, authorize any Member in whose name the same resolution stands lower in the list of business to move it on his behalf and the Member so authorized may move it accordingly.

(3) If a Member when called upon is absent, any other Member authorized by him in writing in this behalf, may, with the permission of the Speaker, move the resolution.

123. (1) After a resolution has been moved, any Member may, subject to the rules relating to resolutions, move an amendment to the resolution.

**Amendments**

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

(3) The Secretary, shall if time permits, make available to Members from time to time, lists of amendments of which notices have been received.

**Time limit for speeches**

124. No speech on a resolution, except with the permission of the Speaker, shall exceed fifteen minutes in duration.

**Scope of discussion**

125. The discussion on a resolution shall be strictly relevant to and within the scope of the resolution.

**Withdrawal of resolution and amendment**

126. (1) A Member in whose name a resolution stands in the list of business, may when called upon withdraw the resolution, and shall confine himself to a mere statement to that effect.

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

(3) No discussion shall be permitted on a motion for leave to withdraw, except with the permission of the Speaker.

**Splitting of resolution**

127. When any resolution involving several points has been discussed, the Speaker may divide the resolution, and put each or any point separately to the vote as he may think fit.

**Repetition of resolution**

128. (1) When a resolution has been moved no resolution or amendment raising substantially the same question shall be moved within one year from the date of the moving of the earlier resolution.

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

129. A copy of every resolution which has been passed by the Assembly shall be forwarded to the Chief Minister <sup>1</sup>[and the Minister in charge of Parliamentary Affairs.]

**Copy of resolution passed to be sent to Chief Minister and Minister for Parliamentary Affairs**

CHAPTER XVII

MOTIONS

130. Save in so far as is otherwise provided by the Constitution or by these Rules, no discussion of a matter of general public interest shall taken place except on a motion made with the consent of the Speaker.

**Discussion on a matter of public interest**

131. Notice of a motion shall be given in writing addressed to the Secretary.

**Notice of motion**

132. In order that a motion may be admissible it shall satisfy the following conditions, namely:—

**Conditions of admissibility of a motion**

- (1) it shall raise substantially one definite issue ;
- (2) it shall not contain arguments, inferences, ironical expressions, imputations, or defamatory statements, not shall it refer to the conduct or character of persons except in their official or public capacity ;
- (3) it shall be restricted to a matter of recent occurrence ;
- (4) it shall not raise a question of privilege ;
- (5) it shall not revive discussion on a matter which has been discussed during the same session ;
- (6) it shall not anticipate discussion of a matter which is likely to be discussed during the same session ;
- (7) it shall not relate to a matter which is under adjudication by a court of law ; and
- (8) it shall not relate to a matter which is not the concern of the State Government.

<sup>1</sup>Ins. as per para 17 of Bulletin Part II No. 651 dated 31-3-2010

**Motion for raising discussion on matters before tribunals, commissions etc.**

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

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

**Speaker to decide admissibility of a motion**

134. The Speaker shall decide the admissibility of a motion and may disallow a motion or a part thereof when in his opinion it is an abuse of the right of moving a motion or is calculated to obstruct or prejudicially affect the procedure of the Assembly or is in contravention of these Rules.

**Circulation of No-Day-Yet-Named Motions**

135. If the Speaker admits notice of a motion and no date is fixed for the discussion of such motion it shall be immediately notified in the Assembly Bulletin with heading, "No-Day-Yet-Named Motions".

**Allotment of time and discussion of motions**

136. The Speaker may after considering the state of business in the Assembly and in consultation with the Leader of the House <sup>1</sup>[or on the recommendation of the Business Advisory Committee,] allot time for the discussion of any such motion.

**Speaker to put question at the appointed time**

137. The Speaker shall at the appointed hour on the allotted day, or as the case may be the last of the allotted days, forthwith put every question necessary to determine the decision of the Assembly on the original question when a decision is deemed necessary.

**Time limit for speeches**

138. The Speaker may, if he thinks fit, prescribe a time limit for speeches.

CHAPTER XVIII

PROCEDURE IN FINANCIAL MATTERS

139. (1) The Annual Financial Statement of the Estimated Receipts and Expenditure of the Government of Kerala in respect of each financial year (hereinafter referred to as the Budget) shall be presented to the Assembly on such days as the Governor may appoint.

**Presentation of Budget**

(2) No discussion of the Budget shall take place on the date on which it is presented.

140. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each department of Government, provided that the Finance Minister may include in one demand, grants proposed for two or more departments or make a demand in respect of expenditure which cannot readily be classified under particular departments.

**Demands for Grants**

(2) Each demand shall contain, first a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these Rules, the Budget shall be presented in such form as the Finance Minister may after considering the suggestions, if any, of the Estimates Committee, and Subject Committees, settle.

141. (1) On a day to be appointed by the Speaker subsequent to the day on which the Budget is presented and for such time as the Speaker may allot for this purpose, the Assembly shall be at liberty to discuss the Budget as a whole or any question of principle involved therein but no motion shall be moved at this stage nor shall the Budget be submitted to vote of the Assembly.

**General discussion on the Budget**

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

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

142. At the conclusion of the discussion on the Budget under Rule 141, the Demands for Grants shall stand referred to the appropriate Subject Committees for scrutiny and report.

**Reference of Demands for Grants to Subject Committees**

(For Rules regarding Subject Committees relating to Budget see Chapter XXIV.)

<sup>1</sup>Ins. as per para 18 of Bulletin Part II No. 651 dated 31-3-2010



### Voting of Demands for Grants

143. (1) After the Subject Committees have presented their reports, the Speaker, in consultation with the Leader of the House and the Leader of the Opposition shall allot so many days as may be compatible with public interest for discussion and voting of the demands for grants.

(2) On the last day of the allotted days<sup>1</sup>[at 2.00 p.m. or on completion of the discussion thereon, whichever comes later,] the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

(3) Motions may be moved to reduce any grant but not to increase or alter the destination of a grant.

(4) No amendments to motions to reduce any grant shall be permissible.

(5) When several motions relating to the same demand are offered they shall be discussed in the order in which the heads to which they relate appear in the Budget.

### Presentation of Budget in parts

144. Nothing hereinafter contained shall be deemed to prevent the presentation of the Budget to the Assembly in two or more parts and when such presentation takes place, each part shall be dealt with in accordance with these Rules as if it were the Budget.

### Cut motions

145. A motion may be moved to reduce the amount of demand in any of the following ways:—

- (a) “that the amount of the demand be reduced to ₹ 1” representing disapproval of the policy underlying the demand. Such a motion shall be known as “Disapproval of Policy Cut”.

A Member giving notice of such a motion shall indicate in precise terms the particulars of the policy which he proposes to discuss. The discussion shall be confined to the specific point or points mentioned in the notice and it shall be open to Members to advocate an alternative policy.

- (b) “that the amount of the demand be reduced by a specified amount” representing the economy that can be effected. Such specified amount may be either a lump sum reduction in the demand or omission or reduction of an item in the demand. The Motion shall be known as “Economy Cut”. The notice shall indicate briefly and precisely the particular matter on which discussion is sought to be raised and speeches shall be confined to the discussion as to how economy can be effected.
- (c) “that the amount of the demand be reduced by ₹ 100” in order to ventilate a specific grievance which is within the sphere of the responsibility of the Government of Kerala. Such a motion shall be known as “Token Cut” and the discussion thereon shall be confined to the particular grievance specified in the motion.

146. In order that a notice of motion for reduction of the amount of demand may be admissible, it shall satisfy the following conditions, namely:—

- (i) it shall relate to one demand only ;
- (ii) it shall be clearly expressed and shall not contain arguments, inference, ironical expressions, imputations, epithets or defamatory statements ;
- (iii) it shall be confined to one specific matter which shall be stated in precise terms ;
- (iv) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion ;
- (v) it shall not make suggestions for the amendment or repeal of existing laws ;
- (vi) it shall not refer to a matter which is not primarily the concern of the Government of Kerala ;

### Conditions of admissibility of Cut motions

<sup>1</sup>Sub. as per Sl. No.11 of ‘Amendments’ in Bulletin Part II No. 517 dated 24-6-2018

- (vii) it shall not relate to expenditure charged on the Consolidated Fund of Kerala ;
- (viii) it shall not relate to a matter which is under adjudication by a court of law having jurisdiction in any part of Kerala ;
- (ix) it shall not raise a question of privilege ;
- (x) it shall not revive discussion on a matter which has been discussed in the same session and on which a decision has been taken ;
- (xi) it shall not anticipate a matter which has been previously appointed for consideration in the same session ;
- (xii) it shall not ordinarily seek to raise a discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate any matter :

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

- (xiii) it shall not relate to a trifling matter.

**Speaker to decide  
admissibility of  
Cut motions**

147. The Speaker shall decide whether a cut motion is or is not admissible under these Rules and may disallow any cut motion when in his opinion it is an abuse of the right of moving cut motions or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these Rules.

**Notice of Cut  
motions**

148. If notice of a motion to reduce any grant has not been given one clear day before the day on which the demand is to be considered, any Member may object to the moving of the motion and such objection shall prevail, unless the Speaker allows the motion to be made.

149. (1) A motion for vote on account shall state the total sum required, and the various amounts needed for each department or item of expenditure which compose that sum shall be stated in a schedule appended to the motion.

(2) Amendments may be moved for the reduction of the whole grant or for the reduction or omission of the items whereof the grant is composed.

(3) Discussion of a general character may be allowed on the motion or any amendments moved thereto, but the details of the grant shall not be discussed further than is necessary to develop the general points.

(4) The Demands for Grants on Account shall not be subjected to the scrutiny of the Subject Committees.

(5) In other respects, a motion for vote on account shall be dealt with in the same way as if it were a demand for grant.

150. Supplementary, additional, excess and exceptional grants and votes of credit shall be regulated by the same procedure as is applicable in the case of demands for grants subject to such adaptations whether by way of modification, addition or omission as the Speaker may deem to be necessary or expedient.

151. The debate on the Supplementary grants shall be confined to the items constituting the same and no discussion may be raised on the original grants or policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion.

152. When funds to meet proposed expenditure on a new service can be made available by re-appropriation, a demand for the grant of a token sum may be submitted to the vote of the Assembly and, if the Assembly assents to the demand, funds may be so made available.

153. (1) Subject to the provisions of the Constitution, the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with such modifications as the Speaker may consider necessary.

**Vote on Account**

**Supplementary,  
additional, excess  
and exceptional  
grants and votes  
of credit**

**Scope of discus-  
sion on Supple-  
mentary grants**

**Token grant**

**Appropriation  
Bill**

(2) At any time after the introduction in the Assembly, of an Appropriation Bill, the Speaker may allot a day or days for the completion of all or any of the stages involved in the passage of the Bill by the Assembly, and when such allotment has been made, the Speaker shall at <sup>1</sup>[2.00] p.m. on the allotted day, or, as the case may be, the last of the allotted days, forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days has or have been allotted.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches at all or any of the stages for which a day or days has been allotted under the preceding sub-rule.

(4) The debate on an Appropriation Bill shall be restricted to matters of public importance or administrative policy implied in the grants covered by the Bill which have not already been raised while the relevant demands for grants were under consideration.

(5) 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 of the points as in his opinion appear to be repetitions of the matters discussed on a demand for grant or as may not be of sufficient public importance.

(6) If an Appropriation Bill is in pursuance of a supplementary grant in respect of an existing service, the discussions shall be confined to the items constituting the same and no discussion shall be raised on the original grant or the policy underlying it save in so far as may be necessary to explain or illustrate a particular item under discussion.

## Finance Bill

<sup>2</sup>[153A. (1) In this rule “Finance Bill” means the Bill ordinarily introduced to give effect to the financial proposals of the Government of Kerala for the next following financial year and includes a Bill to give effect to supplementary financial proposals for any period.

<sup>1</sup> Sub. as per Sl. No.12 of Amendment in Bulletin Part II No. 517 dated 24-6-2018

<sup>2</sup> Ins. as per para 19 of Bulletin Part II No. 651 dated 31-3-2010

(2) At any time after the introduction in the House of a Finance Bill, the Speaker may allot a day or days, jointly or severally for the completion of all or any of the stages involved in the passage of the Bill by the House, and when such allotment has been made, the Speaker may, at the specified hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every questions necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted :

Provided that if a Minister has a right of reply to the debate on the motion which is under discussion an hour before the specified hour and has not commenced his reply at that hour, the Speaker shall inquire how much time not exceeding one hour he requires for his reply, and shall call upon any Member for the time being addressing the House to resume his seat at such time as will leave available before the specified hour the amount of time which the Minister has stated that he requires for his reply.

(3) Where the question on one of the questions required by sub-rule (2) to be put at the specified hour on the allotted day or the last of the allotted days is that the Bill be passed, sub-rule (2) shall have effect notwithstanding that amendments to the Bill have been made.

(4) Subject to the provision to sub-rule (2), the Speaker may, if he thinks fit, prescribe a time limit for speeches at all or any of the stages for which a day or days have been allotted under that sub-rules.

(5) On a motion that the Finance Bill be taken into consideration, a Member may discuss matters relating to general administration, local grievances within the sphere of the responsibility of Government of Kerala or monetary or financial policy of Government.

(6) In other respects the Rules applicable to Bill in Chapter XIV of these Rules shall apply.]



CHAPTER XIX  
QUESTIONS OF PRIVILEGE

**Questions of privilege**

154. A Member may, with the consent of the Speaker raise a question involving a breach of privilege either of a Member, or of the Assembly or of a Committee thereof.

**Notice of question of privilege**

155. A Member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document.

**Conditions of admissibility of questions of privilege**

156. The right to raise a question of privilege shall be governed by the following conditions, namely:—

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

**Mode of raising a question of privilege**

157. (1) The Speaker if he gives consent under Rule 154 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the Members concerned who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto.

(2) Where the Speaker has refused his consent under Rule 154 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order :

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

(3) If objection to leave being granted is taken, the Speaker shall request those Members who are in favour of leave being granted to rise in their places, and if not less than fifteen Members rise accordingly, the Speaker shall intimate that leave is granted. If less than fifteen Members rise, the Speaker shall inform the Member that he has not the leave of the Assembly.

158. If the leave under Rule 157 is granted, the Assembly may consider the question and come to a decision or refer it to the Committee of Privileges and Ethics on a motion made by the Leader of the House or any other Member to whom he may delegate his function under this Rule.

159. Notwithstanding anything contained in these Rules, the Speaker may refer any question of privilege to the Committee of Privileges and Ethics for examination, investigation or report.

160. The Speaker may issue such directions as may be necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privilege either in the Committee of Privileges and Ethics or in the Assembly.

161. When a Member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under the executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the Member in the appropriate form set out in the Third Schedule.

162. When a Member is arrested and after conviction released on bail pending an appeal or otherwise released, such fact shall also be intimated to the Speaker by the concerned authority in the appropriate form set out in the Third Schedule.

163. As soon as may be, the Speaker shall, after he has received a communication referred to in Rule 161 or Rule 162, read it out in the Assembly if in session, or if the Assembly is not in session direct that it may be published in the Assembly Bulletin for the information of the Members :

**Consideration of question of privilege to which leave is granted**

**Reference of question of privilege to Committee by Speaker**

**Power of Speaker to give directions**

**Intimation to Speaker by Magistrate of arrest, detention etc., of a Member**

**Intimation to Speaker on release of a Member**

**Treatment of communications received from Magistrate**

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

**Arrest within the precincts of the Assembly**

164. No arrest shall be made within the precincts of the Assembly without obtaining the permission of the Speaker.

**Service of legal process**

165. A legal process, civil or criminal, shall not be served within the precincts of the Assembly without obtaining the permission of the Speaker.

CHAPTER XX

SUBORDINATE LEGISLATION

**Laying of Regulation, Rule, etc., on the Table**

166. (1) All Regulations, Rules, sub-Rules, bye-Laws etc., framed in pursuance of the Constitution or the Legislative functions delegated by an Act of Parliament to the State Government, or by the Assembly to a subordinate authority shall be laid before the Legislative Assembly for the period specified in the Constitution or the relevant Act :

Provided, however, that where the relevant act does not contain any provision for laying the Regulations, Rules, sub-Rules, bye-Laws, etc., before the Legislative Assembly or does not so specify the periods, such Regulations, Rules, sub-Rules, bye-Laws, etc., shall be laid before the Legislative Assembly for a period of fourteen days.

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

**Time limit for laying of Regulations, Rules, sub-Rules, bye-Laws etc.**

<sup>1</sup>[166A. All Regulations, Rules, sub-rules, bye-Laws etc., referred under sub-rule(1) of Rule 166 shall be made available for laying before the Assembly at the earliest and in any case not later than two months from the date of issuance of the

<sup>1</sup>Ins. as per Sl.No.13 of Bulletin Part II No. 574 dated 24-6-2018

same. In case, any department fails to furnish any such documents within this specified time, the Minister concerned shall lay on the Table, a statement showing the reasons thereof for such delay along with the Rules, sub-Rule, bye-Laws etc.

166B (1) The Annual Report/Audit Report of Companies/Autonomous bodies/Board/Corporation etc. shall be laid on the Table of the House within the time specified in the appropriate Acts or Rules.

(2) The concerned provision of the Act or Rules under which the Annual Report/Audit Report is being laid on the Table shall be specified in the preface of the report so laid.

(3) The Annual Report/Audit Report of all Companies/Autonomous bodies/Board/Corporation etc. unless otherwise specified in any Act or Rules in this regard, shall be laid on the Table of the House within nine months after the completion of the financial year. In case, any department fails to lay the Annual Report/Audit Report within the specified time, the reason thereof shall be laid along with Annual Report/Audit Report on the Table of the House by the Minister concerned not later than thirty days after the expiry of the time so specified or at the commencement of next session of the Assembly whichever comes later.

(4) The Autonomous bodies which are bound to lay annual reports alone shall lay the same on the Table of the House within six months after the expiry of the financial year.

(5) The annual report and audit report of the Non-Governmental Organizations receiving one-time grant-in-aid of Fifty Lakh Rupees or more and those receiving recurring grant-in-aid of Twenty Five Lakh Rupees or more from the State Government, shall be laid on the Table of the House within six months after the expiry of the financial year.]

167. The Speaker shall <sup>1</sup>[ ] fix a day or days or part of a day as he may think fit for the consideration and passing of an amendment to such Regulation, Rule, sub-Rule, bye-Laws, etc., of which notice may be given by a Member :

**Laying of Annual Report/Audit report of Companies/Autonomous bodies/Board/Corporation etc. on the Table**

**Allotment of time for the discussion of amendment**

<sup>1</sup>The Words "In consultation with the Leader of the House" omitted as per para 20 of Bulletin Part II No. 651 dated 31-3-2010

Provided that no notice of an amendment to a Regulation, Rule, sub-Rule, bye-Law, etc., framed by the State Government in pursuance of the provisions contained in an Act of Parliament the subject matter of which relates to an entry or entries contained in the Union List mentioned in the Seventh Schedule to the Constitution shall be admitted.

**Regulation,  
Rule, etc., as  
amended to be  
laid on the  
Table**

168. If a Regulation, Rule, sub-Rule, bye-Law, etc., is modified in accordance with the amendment passed by the Assembly, the amended Regulation, Rule, sub-Rule, bye-Law, etc., shall be laid on the Table.

## CHAPTER XXI

### RESIGNATION AND VACATION OF SEATS IN THE ASSEMBLY AND LEAVE OF ABSENCE FROM MEETINGS OF THE ASSEMBLY

**Resignation of  
seats in the  
Assembly**

169. (1) A Member who desires to resign his seat in the Assembly shall intimate, in writing under his hand, addressed to the Speaker, his intention to resign his seat in the Assembly in the following form and shall not give any reason for his resignation :

Place.....

Date.....

To

The Speaker,  
Kerala Legislative Assembly,  
Thiruvananthapuram.

Sir,

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

Yours faithfully,  
Member of the Assembly.

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

<sup>1</sup>[(2) If a Member hands over the letter of resignation to the Speaker personally and informs him that the resignation is voluntary and genuine and the Speaker has no information or knowledge to the contrary, the Speaker may accept the resignation immediately.

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

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

(5) As soon as may be, the Speaker shall after he has received an intimation in writing from a Member under his hand resigning his seat in the Assembly, inform the Assembly that such and such a Member has resigned his seat in the Assembly :

Provided that when the Assembly is not in session, the Speaker shall inform the Assembly immediately after the Assembly reassembles that such and such a Member has resigned his seat in the Assembly during the inter-session period.

(6) The Secretary shall, as soon as may be, after the Speaker has received such intimation from a Member resigning his seat in the Assembly, cause the information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused:

<sup>1</sup>Ins. as per para 21 of Bulletin Part II No. 651 dated 31-3-2010

<sup>1</sup>[Provided that when the resignation is to take effect from a future date, the information shall be published in the Bulletin and in the Gazette not earlier than the date from which it is to take effect.]

**Permission to remain absent from meetings of the Assembly**

170. (1) A Member desiring permission of the Assembly to remain absent from meetings thereof under clause (4) of Article 190 of the Constitution shall make an application in writing to the Speaker.

(2) An application under sub-Rule (1) shall specify the period for which leave of absence is required, indicating also the date of commencement and of termination of such leave of absence and the grounds for it:

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

(3) After the receipt of an application under sub-rule (1) of this Rule the Speaker shall, as soon as may be read out the application to the Assembly and ask : “Is it the pleasure of the Assembly that permission be granted to such and such a Member for remaining absent from all meetings of the Assembly for such and such a period”. If no one dissents, the Speaker shall say “Permission to remain absent is granted”. But if any dissentient voice is heard, the Speaker shall take the sense of the Assembly and thereupon declare the decision of the Assembly.

(4) No discussion shall take place on any question before the Assembly under this Rule.

(5) The Secretary shall, as soon as may be, after a decision has been signified by the Assembly, communicate it to the Member.

(6) If a Member, who has been granted leave of absence under sub-rule (2), attends the session of the Assembly during the period of his leave the unexpired portion of the leave from the date of his resumed attendance shall lapse.

**Vacation of seats in the Assembly**

171. (1) The seat of a Member may be declared vacant under clause (4) of Article 190 of the Constitution on a motion by the Leader of the House or by such other Member to whom he may delegate his functions in this behalf.

<sup>1</sup>Ins. as per para 21 of Bulletin Part II No. 651 dated 31-3-2010

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

<sup>1</sup>[172. A Member other than the Speaker, the Deputy Speaker, the Chief Minister, the Ministers, the Leader of Opposition and the Government Chief Whip shall record his attendance on the days of sittings of the Assembly either marking in attendance book maintained by the Secretary or electronically and if any such Member failed to record his attendance on any day, he shall be presumed to have been absent from the Assembly on that day.]

**Record of attendance of Members**

CHAPTER XXII

COMMUNICATIONS BETWEEN THE GOVERNOR AND THE ASSEMBLY

173. Communications from the Governor to the Assembly shall be made to the Speaker by written message signed by the Governor.

**Communications from the Governor to the Assembly**

174. Communications from the Assembly to the Governor shall be made by formal address, after motion made and carried in the Assembly and through the Speaker.

**Communications from the Assembly to the Governor**

CHAPTER XXIII

SECRET SITTING OF THE ASSEMBLY

175. (1) On a request made by the Leader of the House, the Speaker shall fix a day or part thereof for sitting of the Assembly in secret.

**Secret sitting**

(2) When the Assembly sits in secret, no stranger shall be permitted to be present in the Chamber, Lobby or Galleries :

<sup>1</sup>Sub. as per SL No.14 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

Provided that persons authorised by the Speaker may be present in the Chamber, Lobby or Galleries.

### **Report of the Proceedings**

176. 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 present shall keep a note or record of any proceedings or decisions of a secret sitting, whether in part or full, or issue any report of, or purport to describe such proceedings.

### **Procedure in other respects**

177. The procedure in all other respects in connection with a secret sitting shall be in accordance with such directions as the Speaker may give.

### **Lifting ban of Secrecy**

178. (1) Where it is considered that the necessity for maintaining secrecy in regard to the proceedings of a secret sitting has ceased to exist and subject to the consent of the Speaker, a motion may be moved by the Leader of the House or any Member authorised by him that the proceedings in the Assembly during a secret sitting be no longer treated as secret.

(2) On adoption by the Assembly of the motion under sub-Rule (1), the Secretary shall cause to be prepared a report of the proceedings of the secret sitting and shall, as soon as practicable publish it in such form and manner as the Speaker may direct.

### **Disclosure of Proceedings or decisions**

179. Subject to the provisions of Rule 178, disclosure of proceedings or decisions of a secret sitting by any person in any manner shall be treated as a gross breach of privilege of the Assembly.

## **CHAPTER XXIV**

### **LEGISLATURE COMMITTEES**

#### **(a) GENERAL**

### **Appointment of Legislature Committees**

180. (1) The Members of a Legislature Committee shall be appointed or elected by the Assembly or nominated by the Speaker, as the case may be.

(2) No Member shall be appointed to a Committee if he is not willing to serve on it. The proposer shall ascertain whether the Member whose name is proposed by him is willing to serve on the Committee.

(3) Casual vacancies in a Committee shall be filled by appointment or election by the Assembly or nomination by the Speaker, as the case may be, and any Member appointed, elected or nominated to fill such vacancy shall hold office for the unexpired portion of the term for which the Member in whose place he is appointed, elected or nominated would have normally held office.

181. Where an objection is taken to the inclusion of a Member in a Committee on the ground that the Member has a personal, pecuniary or direct interest of such an intimate character that it may prejudicially affect the consideration of any matters to be considered by the Committee, the procedure shall be as follows:—

(a) the Member who has taken objection shall precisely state the ground of his objection and the nature of the alleged interest, whether personal, pecuniary or direct, of the proposed Member in the matter coming up before the Committee ;

(b) after the objection has been stated, the Speaker shall give an opportunity to the Member proposed on the Committee against whom the objection has been taken, to state the position ;

(c) if there is dispute on facts, the Speaker may call upon the Member taking objection and the Member against whose appointment on the Committee objection has been taken, to produce documentary or other evidence in support of their respective case ;

(d) after the Speaker has considered the evidence so tendered before him, he shall give his decision which shall be final ;

(e) until the Speaker has given his decision the Member against whose appointment on the Committee objection has been taken, shall continue to be a Member thereof if elected, appointed or nominated ;

(f) if the Speaker holds that the Member against whose appointment objection has been taken has a personal, pecuniary or direct interest in the matter before the Committee, he shall cease to be a Member thereof forthwith :

### **Objection to membership of Committee**



Provided that the proceedings of the sittings of the Committee at which such Member was present shall not in any way be affected by the decision of the Speaker.

*Explanation:*—For the purpose of this Rule the interest of the Member should be direct, personal or pecuniary and separately belong to the person whose inclusion in the Committee is objected to and not in common with the public in general or with any class or section thereof or on a matter of State Policy.

**Term of Office of Committee nominated by the Speaker**

182. A Committee nominated by the Speaker shall, unless otherwise specified in the Rules contained in this Chapter, hold office for the period specified by him or until a new Committee is nominated.

**Resignation from Committee**

183. A Member may resign his seat from a Committee by writing under his hand addressed to the Speaker.

**Chairman of Committee**

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

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

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

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

**Quorum**

185. (1) Unless otherwise fixed, the quorum to constitute a sitting of a Committee shall be, as near as may be, one-third of the total number of Members of the Committee.

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

(3) When the Committee has been adjourned in pursuance of sub-Rule (2) on two successive dates fixed for sittings of the Committee, the Chairman shall report the fact to the Assembly :

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

186. If a Member is absent from two or more consecutive sittings of a Committee without the permission of the Chairman, a motion may be moved in the Assembly for the discharge of such Member from the Committee :

**Discharge of Members absent from sitting of Committee**

Provided that where the Members of the Committee are nominated by the Speaker such Member may be discharged by the Speaker.

187. All questions at any sitting of a Committee shall be determined by a majority of votes of the Members present and voting.

**Voting in Committee**

188. In the case of an equality of votes on any matter, the Chairman, or the person acting as such, shall have a second or casting vote.

**Casting vote of Chairman**

189. (1) A Committee may, subject to the approval of the Speaker, appoint one or more Sub-Committees, each having the powers of the undivided Committee, to examine any matters that may be referred to them, and the reports of such Sub-Committees shall be deemed to be the reports of the whole Committee if they are approved at a sitting of the whole Committee.

**Power to appoint Sub-Committees**

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

190. The sittings of a Committee shall be held on such days and at such hours as the Chairman of the Committee may fix.

**Date and time of sittings of Committee**

191. The sitting of a Committee shall be held in private.

**Sittings of a Committee in private**

192. The sittings of a Committee shall be held within the precincts of the Legislature Secretariat Buildings and if it becomes necessary to change the place of sitting outside the Legislature Secretariat Buildings, the matter shall be referred to the Speaker whose decision shall be final.

**Venue of sittings**

**All strangers to withdraw when Committee deliberates**

193. All persons other than Members of the Committee and officers whose services are required by the Committee shall withdraw whenever the Committee is deliberating.

**Power to take evidence or call for documents**

194. (1) A witness may be summoned by an order signed by the Secretary and shall also produce such documents as are required for the use of a Committee.

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

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

**Power to send for persons, papers and records**

195. A Committee shall have power to send for persons, papers and records :

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

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

**Counsel for a witness**

196. A Committee may, under the direction of the Speaker, permit a witness to be heard by a counsel appointed by him and approved by the Committee.

**Evidence on Oath**

197. (1) A Committee may administer oath or affirmation to a witness examined before it.

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

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

198. The examination of witnesses before a Committee shall be conducted as follows :

(i) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be asked of the witness.

(ii) The Chairman of the Committee may first ask the witness such question or questions as he may consider necessary with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure mentioned in clause (i) of this rule.

(iii) The Chairman may call other Members of the Committee one by one to ask any other questions.

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

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

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

199. A record of minutes of the meetings of a Committee approved by the Chairman, shall be maintained and circulated to Members of the Committee.

200. (1) A Committee may direct that the whole or part of the evidence or a summary thereof may be laid on the Table.

(2) The evidence given before a Committee shall not be published by any Member of the Committee or by any other person until it has been laid on the Table :

Provided that the Speaker may, in his discretion, direct that such evidence be confidentially made available to Members before it is formally laid on the Table.

**Procedure for examining witnesses**

**Record of decisions**

**Evidence, report and proceedings treated as confidential**

**Special reports**

201. A Committee, if it thinks fit, may make a special report on any matter that arises or comes to light in the course of its work which it may consider necessary to bring to the notice of the Speaker or the Assembly, notwithstanding that such matter is not directly connected with, or does not fall within or is not incidental to, its terms of reference.

**Report of Committee**

202. (1) Reports may be either preliminary or final.

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

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

**Availability of report to Government before presentation**

203. A Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the Assembly. Such reports shall be treated as confidential until presented to the Assembly.

**Presentation of reports**

204. (1) The report of a Committee shall be presented to the Assembly by the Chairman or in his absence by any Member of the Committee.

(2) In presenting the report, the Chairman or, in his absence, the Member presenting the report shall, if he makes any remarks, confine himself to a brief statement of fact, but there shall be no debate on that statement at this stage.

**Printing, publication or circulation of report prior to its presentation to Assembly**

205. The Speaker may, on a request being made to him and when the Assembly is not in session, order the printing, publication or circulation of a report of a Committee although it has not been presented to the Assembly. In that case the report shall be presented to the Assembly during the next session at the first convenient opportunity.

**Furnishing of reply to the recommendations contained in the report**

<sup>1</sup>[205 A. The recommendations contained in the report of a Committee other than Subject Committees shall be examined by the Government and statement of action taken on such recommendations shall be furnished by the Government within the time limit specified in the report. In cases where no time limit is specified in the report, the action taken statement shall be furnished within 2 months from the date of receipt of the report by the Government.]

<sup>1</sup> Ins. as per para 23 of Bulletin Part II No. 651 dated 31-3-2010

<sup>1</sup>[205 B. (1) The Speaker may allot an hour on one day in a week for raising discussion on a matter of sufficient public importance which has been the subject of report of a Committee.

**Discussion on a matter contained in the report**

(2) A Member wishing to raise discussion on such a matter shall give notice in writing to the Secretary three clear days before the day in which the matter is desired to be raised.

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

(4) There shall be no formal motion before the Assembly nor voting.

(5) If the Member who has given notice is absent any other Member authorised by him in writing in his behalf may, with the permission of the Speaker, initiate the discussion.]

206. A Committee shall have power to pass resolution on matters of procedure relating to that Committee for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.

**Power to make suggestions on procedure**

207. A Committee may, with the approval of the Speaker make detailed Rules of Procedure to supplement the provisions contained in the Rules in this Chapter.

**Power of Committee to make detailed Rules**

208. (1) The Speaker may, from time to time, issue such direction to the Chairman of a Committee as he may consider necessary for regulating its procedure and the organisation of its work.

**Power of Speaker to give directions**

(2) If any doubt arises on any point of procedure or otherwise, the Chairman may if he thinks fit, refer the point to the Speaker whose decision shall be final.

209. Any business pending before a Committee shall not lapse by reason only of the prorogation of the Assembly and the Committee shall continue to function notwithstanding such prorogation.

**Business before Committee not to lapse on prorogation of Assembly**

<sup>1</sup> Ins. as per para 24 of Bulletin Part II No. 651 dated 31-3-2010



**Unfinished work of Committee**

210. A Committee which is unable to complete its work before the expiration of its term or before the dissolution of the Assembly may report to the Assembly that the Committee has not been able to complete its work. Any preliminary report, memorandum or note that the Committee may have prepared or any evidence that the Committee may have taken shall be made available to the new Committee.

**Applicability of general rules to Committees**

211. Except for matters for which special provision is made in the Rules relating to any particular Committee, the general rules in this Chapter shall apply to all Committees; and if and so far as any provision in the special Rules relating to a Committee is inconsistent with the general Rules, the former Rules shall prevail.

(b) CONSTITUTION AND FUNCTIONS OF THE COMMITTEES

(i) **Business Advisory Committee :**

**Constitution of Business Advisory Committee**

212. At the commencement of the Assembly or from time to time, as the case may be, the Speaker may nominate a Committee called the Business Advisory Committee consisting of not more than nine Members including the Speaker who shall be Chairman of the Committee.

**Functions of Business Advisory Committee**

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

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

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

*Explanation:*—The expression “other business” referred to in this rule means business other than Private Member’s Bills and Resolutions under Rule 220.

**Report of Committee**

214. The recommendations of the Committee shall be presented to the House in the form of a report.

215. At any time after the report has been presented to the House, a motion may be moved that the House agrees or agrees with amendments or disagrees with the report :

**Consideration of Report**

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

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

216. The allocation of time in respect of Bills and other business as approved by the House shall take effect as if it were an order of the House and shall be notified in the Bulletin.

**Allotment of time Order**

217. At the appointed hour, in accordance with allocation of time order for the completion of a particular stage of a Bill, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill.

**Disposal of outstanding matters at the appointed hour**

218. No variation in the allocation of Time Order shall be made except on a motion made with the consent of the Speaker and accepted by the House :

**Variation in the allocation of Time Order**

Provided that the Speaker may, after taking the sense of the House, increase the time, without any motion being moved.

(ii) **Committee on Private Members’ Bills and Resolutions :**

219. (1) There shall be a Committee on Private Members’ Bills and Resolutions consisting of not more than seven Members.

**Constitution of Committee on Private Members’ Bills and Resolutions**

(2) The Committee shall be nominated by the Speaker at the commencement of the Assembly or from time to time, as the case may be.

**Functions of  
Committee on  
Private  
Members' Bills  
and Resolutions**

220. (1) The functions of the Committee shall be,—

(a) to examine all Private Members' Bills after they are introduced and before they are taken up for consideration in the Assembly and to classify them according to their nature, urgency and importance ;

(b) to recommend the time that should be allocated for the discussion of the stage or stages of each Private Members' Bill and also to indicate in the time-table so drawn up the different hours at which the various stages of the Bill in a day shall be completed ;

(c) to examine every Private Members' Bill which is opposed in the Assembly on the ground that the Bill initiates legislation outside the legislative competence of the Assembly, and the Speaker considers such objection *prima facie* tenable ;

(d) to recommend time limit for the discussion of Private Members' Resolutions and other ancillary matters ;

(e) to examine and report to the Assembly whether—

(i) the resolutions passed by the Assembly from time to time have been implemented and where implemented whether such implementation has taken place within the minimum time necessary for the purpose ; and

(ii) the assurances, promises, undertakings etc., given by Ministers, from time to time, on the floor of the Assembly relating to Private Members' Bills or Private Members' Resolutions have been implemented and where implemented such implementation has taken place within the minimum time necessary for the purpose.

(2) The Committee shall perform such other functions in respect of Private Members' Bills and Resolutions as may be assigned to it by the Speaker from time to time.

(3) The mover of the non-official Bill or Resolution may be allowed to take part in the discussions of the Committee relating to the Bill or Resolution of which he is the mover, but he shall not be considered to be a Member of the Committee, nor shall he be allowed to vote if any voting becomes necessary.

221. At any time after a report on any matter mentioned in clauses (b), (c) and (d) of sub-Rule (1) of Rule 220 has been presented to the Assembly, a motion may be moved that the Assembly agrees or agrees with amendments or disagrees with the Report :

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

Provided further that an amendment may be moved that the Report be referred back to the Committee without limitation or with reference to any particular matter.

222. At the appointed hour, in accordance with the allocation of time, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the completion of a particular stage of the Bill.

(iii) **Committee on Petitions :**

223. At the commencement of the Assembly, or from time to time as the case may be, the Speaker shall nominate a Committee on Petitions consisting of not more than nine Members :

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

224. (1) The Committee shall examine every petition referred to it, and if the petition complies with these Rules, the Committee may direct that it be circulated. Where circulation of the petition has not been directed, the Speaker may at any time direct that the petition be circulated.

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

**Motion moved in  
Assembly on the  
Report**

**Disposal of  
outstanding  
matters at the  
appointed hour**

**Constitution of  
Committee on  
Petitions**

**Functions of the  
Committee on  
Petitions**

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

(4) The Committee may also consider representations, letters and telegrams from individuals and associations, which are not covered by the Rules relating to petitions and give directions for their disposal :

Provided that representations which fall in the following categories shall not be considered by the Committee :

(i) anonymous letters or letters on which names and/or addresses of senders are not given or are illegible ;

(ii) endorsement copies of letters addressed to authorities other than the Speaker or the House unless there is a specific request on such a copy praying for redress of the grievance ;

(iii) representations ventilating the grievances of employees of State or Central Government ;

(iv) representations on matters which fall within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body or a commission; and

(v) representations of a frivolous nature or those not couched in respectful, decorous or temperate language.

(iv) *Select Committee on Bills :*

**Constitution of Select Committee**

225. The Members of a Select Committee on a Bill shall be appointed by the Assembly when a motion that the Bill be referred to a Select Committee is made.

**Other members may be present at a sitting**

226. Members who are not Members of the Select Committee may be present during the deliberations of Committee, but shall not address the Committee nor sit in the body of the Committee :

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

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

**Notice of amendments and general procedure**

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

228. When a Bill has been referred to a Select Committee, any notice given by a Member of any amendment to a clause in the Bill, shall stand referred to the Committee provided that where notice of an amendment is received from a Member who is not a Member of the Select Committee such amendment shall not be taken up by the Committee unless moved by a Member of the Committee.

**Notice of amendments by Members other than members of Committee**

229. A Select Committee may hear expert evidence and representatives of special interests affected by the measure before them.

**Power of Committee to take evidence**

230. (1) As soon as may be, after a Bill has been referred to a Select Committee, the Select Committee shall meet from time to time to consider the Bill and shall make a report thereon within the time fixed by the Assembly :

**Report of Committee**

Provided that where the Assembly has not fixed any time for the presentation of the report by the Select Committee, the report shall be presented before the expiry of three months from the date on which the Assembly adopted the motion for the reference of the Bill to the Select Committee :

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

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

(3) When a Bill has been altered, the Select Committee, may if they think fit, include in their report a recommendation to the Member-in-charge of the Bill that his next motion should be a motion for circulation or where the Bill has already been circulated, for re-circulation.

(4) Any Member of the Select Committee may report a minute of dissent on any matter or matters connected with the Bill or dealt with in the report.

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

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

#### Printing and Publication of reports

231. (1) The Secretary shall cause every report of a Select Committee to be printed and a copy of the report shall be made available for the use of every Member of the Assembly. The Report and the Bill as reported by the Select Committees shall be published in the Gazette.

(2) If any Member is unacquainted with English the Secretary shall also, if requested, cause the report to be translated for his use into Malayalam or Tamil or Kannada.

#### (v) *Subject Committees :*

#### Subject Committees

232. (1) There shall be <sup>1</sup>[fourteen] Subject Committees as enumerated in the Fifth Schedule.

(2) Each Subject Committee shall deal with the Subjects shown against it in the Fifth Schedule and/or matters relating to them :

<sup>1</sup>Sub. as per para 25 of Bulletin Part II No. 651 dated 31-3-2010

Provided that the Speaker may in consultation with the Leader of the House modify or vary the allocation of subjects to the Subject Committees, from time to time.

233. (1) Each Subject Committee shall consist of not more than <sup>1</sup>[eleven] Members and not less than <sup>2</sup>[seven] Members who shall be nominated by the Speaker, as soon as may be, after the commencement of the Assembly or from time to time, as the case may be.

(2) No Member shall be a Member of more than one Subject Committee:

Provided that a Minister shall be ex-officio Member of every Committee in respect of which the subject/subjects allocated to such Committee may fall within his responsibility.

(3) The term of the Subject Committee shall be thirty months from the date of constitution of the Committee or until a new Committee is nominated.

234. The Speaker may nominate one of the Members of the Committee to be its Chairman.

235. (1) The functions of the Subject Committee shall be,—

- (i) to scrutinize the demands for grants ;
- (ii) to examine legislation ;
- (iii) to study and report on a specified area of Governmental activity in the wider public interest, or a project, scheme or undertaking intended for the general welfare ;
- (iv) to advise Government on a question of policy or legislation on which Government may consult a Committee ;
- (v) to discuss generally and formulate views on,—
  - (a) State's Five Year Plan Programmes and their implementation ;
  - (b) Centre-State relations in so far as they concern the State of Kerala ;

#### Constitution of Subject Committee

#### Chairman of the Subject Committee

#### Functions of the Subject Committee

<sup>1</sup> Sub. as per para 26 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup> Ibid.

- (c) Reports of Public Service Commission ;
- (d) Reports of Public Undertakings ;
- (e) Reports of any statutory or other body, including any Commission of Inquiry, which are laid before the Assembly ;
- <sup>1</sup>[(f) Annual Performance Report of Government Departments; and]
- (vi) to consider the draft Rules to be framed by,—
  - (a) the Government or other authority in pursuance of the powers delegated by an Act of the Legislature ;
  - (b) the Government in pursuance of the powers delegated by an Act of Parliament.

*Explanation :* For the purpose of clause (vi) of this sub-Rule the expression “draft Rules” includes the draft of any Scheme or the First Statutes to be framed by the Government in pursuance of the powers delegated by an Act of the Legislature or the Parliament.

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

#### Meetings of the Committee

<sup>2</sup>[235 A. Besides the meetings for scrutiny of demands for grants, examination of legislation and examination of draft statutory Rules, each Subject Committee shall, when the Legislative Assembly is not in session, hold at least one meeting every month to discuss any of the matters referred to in Rule 235 (1) (iii) & (v).]

#### Power of the Committee in respect of demands for grants

236. (1) Each Subject Committee shall, at the conclusion of the discussion referred to in Rule 141, scrutinize the demands for grants falling within its purview. Such scrutiny shall ordinarily be confined to variations in the demands from the previous year, more particularly increases, the need for economy and efficiency, new services, and relationship of expenditure to needs.

(2) The Subject Committee shall complete the scrutiny of all the demands for grants within a period not exceeding four weeks from the date of completion of the discussion referred to in Rule 141.

<sup>1</sup> Ins. as per para 27 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup> Ins. as per para 28 of Bulletin Part II No. 651 dated 31-3-2010

(3) The recommendation of the Subject Committees after the scrutiny of the demands for grants shall be considered by the Government in the same financial year. When the recommendations are for the allotment of additional funds to any department, or variation, the action taken or proposed to be taken on such recommendations shall be intimated to the House through a statement by the Minister for Finance. If such recommendation could not be implemented the reason therefore shall also be intimated. Such statement shall be circulated among the Members as soon as the motion for the demand is moved by the Minister.

*Explanation :* For the purpose of this sub-Rule a copy each of the report of the Subject Committee on the scrutiny of demands for grants shall be made available to the Finance Department as a confidential document.

(4) At the end of the scrutiny referred to in sub-Rule (2), each Subject Committee, shall as soon as may be, report to the House the result of such scrutiny and forward a copy of the report to the Minister concerned.

<sup>1</sup>[(5) The report of action taken by the Government on the recommendations of the Committee on scrutiny of demands for grants for each year shall be presented by the Chairman of each Subject Committee as soon as the financial year is over or in the Assembly Session immediately after the close of the financial year. In case if any Government Department fails to furnish the action taken statement to the Committee, the reason thereof shall be laid on the Table by the Minister concerned within fifteen days of the presentation of the Report of the Committee or on the commencement of the next session of the Assembly whichever is earlier. <sup>2</sup>[The Subject Committee shall examine whether the reason thereof, put forth for the delay in furnishing the action taken statement is satisfactory]

(6) The Annual Performance Report on the Expenditure of the Budget allocation of a year shall be laid on the Table not later than four months after the completion of the financial year. <sup>2</sup>[If any of the Government department fails to lay the Annual, Performance Report in time, the same shall be laid on the Table by the Minister concerned along with a statement showing the reason thereof, for the delay, at the earliest. The Subject Committee shall examine whether the reason thereof, put forth for the delay in furnishing the Annual Performance Report is satisfactory.]

<sup>1</sup> Ins. as per SI.No.29 of 'Amendments' in Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup> Ins. as per SI.No.15 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018



### Powers of the Committee in respect of Bills

237. (1) Every Bill, other than an Appropriation Bill, unless referred to a Select Committee, shall after its general principles are approved by the House, on a motion adopted in that behalf, stand referred to the Subject Committee, within whose jurisdiction the subject matter of the Bill falls, for detailed examination, together with the amendments, if any, received thereto.

<sup>1</sup>[(2) There shall be at least one clear day in between the day of reference of a Bill to the Subject Committee and the date of meeting of the Subject Committee for the purpose, unless the Speaker, in his discretion allows the meeting to be convened.]

(3) In other respects, the procedure applicable to the Select Committee on a Bill shall apply to the Subject Committee when they consider legislation.

### Powers of the Committee as respect statutory Rules

238. (1) In every case where—

(a) an Act of the Legislature confers powers to make Rules on the Government or other statutory authority, all such Rules shall be placed before the appropriate Subject Committee in draft form for its scrutiny ;

(b) an Act of Parliament delegates powers to the State Government to make Rules, all such Rules framed by the Government shall be placed before the appropriate Subject Committee in draft form for its scrutiny :

Provided that where the exigencies of a given situation so require and immediate action is called for in the public interest, a Rule or Rules may be issued in exercise of powers conferred under a statute without placing the said Rule or Rules in draft form before the Subject Committee :

Provided further that every such Rule or Rules shall, when so issued, be simultaneously transmitted to the appropriate Subject Committee together with an explanation as to the reasons which necessitated the issue thereof without prior scrutiny by the Committee. <sup>2</sup>[In case if any Government department fails to do so in time, the reason thereof, shall be furnished to the Subject Committee and the Subject Committee shall examine whether the reason given in the delay statement is reasonable.]

<sup>1</sup> Ins. as per para 30 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup> Ins. as per Sl.No.16 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

<sup>1</sup>[(2)] The draft Rules <sup>3</sup>[ ] which are to be framed pursuant to powers conferred under a statute shall be prepared and forwarded to the concerned Subject Committee with utmost expedition and in any case not later than ninety days from the date of publication of said Act in the Gazette. The Subject Committee shall consider the draft Rules <sup>3</sup>[ ] within three months from the date of receipt of such Rules <sup>3</sup>[ ]

*Explanation :* For the purpose of this Rule the expression "Rule" and the expression "Rule or Rules" include the draft of any scheme or the First Statutes to be framed by the Government in pursuance of the powers delegated by an Act of the Legislature or the Parliament.

239. (1) Subject to sub-Rules (2), (3) and (4) each Subject Committee shall submit periodical reports to the Assembly.

### Report of Subject Committee

(2) A Subject Committee may, <sup>4</sup>[if it desires to present a report to the House] in regard to matters referred to in items (iii) and (iv) of sub-Rule (1) of Rule 235, forward its report to the Chief Minister in the first instance, if in the opinion of the Committee public interest will be better served by so doing.

(3) Each Subject Committee shall, in regard to matters specified in item (v) of sub-Rule (1) of Rule 235 present to the House from time to time, a resume of its discussions thereon and forward a copy thereof to the Chief Minister.

(4) Each Subject Committee shall, in regard to item (vi) of sub-Rule (1) of Rule 235, forward its report to the Chief Minister.

<sup>4</sup>[(5) Each Subject Committee may, if it desires so, present a report to the Assembly on the basis of the discussion held under Rule 235A]

240. (1) The proceedings of the meetings of the Subject Committee shall not be open to Press.

### Secrecy of Proceedings of Committee

(2) A verbatim proceedings of the meetings of Committee shall be kept in the Legislature Library for perusal by the Members of the Assembly.

241. Without prejudice to the generality of the powers conferred under Rule 314, the Speaker may, from time to time, issue such direction as may be necessary for the efficient conduct of the work of the Subject Committees.

### Powers of Speaker to issue Directions

<sup>1</sup> Ins. as per para 31 of Bulletin Part II No. 651 dated 31-3-2010.

<sup>2</sup> Substituted as per Sl.No.16 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

<sup>3</sup> Omitted as per Sl.No.16 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

<sup>4</sup> Ins. as per Sl.No.17 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018

### Functions of Committee on Public Accounts

#### (vi) *Committee on Public Accounts :*

242. (1) There shall be a Committee on Public Accounts for the examination of accounts showing the appropriation of sums granted by the Assembly for the expenditure of the Government of Kerala, the annual finance accounts of the Government of Kerala and such other accounts laid before the Assembly as the Committee may think fit.

(2) In scrutinising the Appropriation Accounts of the Government of Kerala and the Report of the Comptroller and Auditor General thereon, it shall be the duty of the Committee to satisfy itself,—

(a) that the moneys shown in the accounts as having been disbursed were legally available for, and applicable to, the service or purpose to which they have been applied or charged ;

(b) that the expenditure conforms to the authority which governs it ; and

(c) that every re-appropriation has been made in accordance with the provisions made in this behalf under Rules framed by competent authority.

(3) It shall also be the duty of the Committee—

(a) to examine the statements of accounts showing the income and expenditure of state corporations, trading and manufacturing schemes, concerns and projects together with the balance sheets and statements of profit and loss account which the Governor may have required to be prepared or are prepared under the provisions of the statutory Rules regulating the financing of a particular corporation, trading or manufacturing scheme or concern or project and the Report of the Comptroller and Auditor General thereon ;

(b) to examine the statements of accounts showing the income and expenditure of autonomous and semi-autonomous bodies, the audit of which may be conducted by the Comptroller and Auditor General either under the direction of the Governor or by a Statute of the Legislature ; and

(c) to consider the report of the Comptroller and Auditor General in cases where the Governor may have required him to conduct an audit of any receipts or to examine the accounts of stores and stocks.

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

Provided that the Committee shall not exercise its functions in relation to such Public Undertakings specified in the Fourth Schedule and such other public undertakings as may be notified by the Government as such from time to time :

<sup>1</sup>[Provided further that the committee shall not exercise its functions in relation to:—

(a) the statement of accounts showing the income and expenditure of all Municipal Corporations, Municipalities, Panchayats, Universities, Development Authorities and such other Local Authorities or a Local Fund included in the Schedule under section 3(1) of the Kerala Local Fund Audit Act, 1994 (Act 14 of 1994) ;

(b) the Reports of the Comptroller and Auditor General of India relating to the accounts of the Local Self Government Institutions, which are laid annually before the Legislative Assembly ; and

(c) such other functions in respect of the Audit Reports of the Local Bodies audited by the Comptroller and Auditor General of India, as may be assigned to the Committee of Local Fund Accounts by the Speaker from time to time.]

243. The Committee shall consist of eleven members who shall be elected by the Assembly <sup>2</sup>[ ], for a period of thirty months from among its Members according to the principle of proportional representation by means of the single transferable vote:

### Constitution of Committee on Public Accounts

<sup>1</sup> Ins. as per para 2 of Bulletin Part II No. 435 dated 4-12-2008.

<sup>2</sup> Omitted as per SI. No. 18 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

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

(vii) *Committee on Estimates :*

**Functions of Committee on Estimates**

244. There shall be a Committee on Estimates for the examination of such of the estimates as may deem fit to the Committee or are specially referred to it by the Assembly or the Speaker. The functions of the Committee shall be—

(a) to report what economies, improvements in organization, efficiency or administrative reform 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 Assembly :

Provided that the Committee shall not exercise the functions in relation to Public Undertakings specified in the Fourth Schedule and such other Public Undertakings as may be notified by the Government as such, from time to time.

**Constitution of Committee on Estimates**

245. The Committee shall consist of eleven members who shall be elected by the Assembly <sup>1</sup>[ ] for a period of thirty months, from among its Members according to the principle of proportional representation by means of single transferable vote :

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

246. The Committee may continue the examination of the estimates from time to time, throughout the financial year and report to the Assembly as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimates of any one year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.

**Examination of Estimates by Committee**

(viii) *Committee on Public Undertakings :*

247. There shall be a Committee on Public Undertakings for the examination of the working of the Public Undertakings specified in the Fourth Schedule and such other Public Undertakings as may be notified by the Government as such from time to time.

**Functions of Committee on Public Undertakings**

The functions of the Committee shall be—

(a) to examine the reports and accounts of the Public Undertakings specified in the Fourth Schedule, and with the permission of the Speaker to examine such other Public undertakings as may be notified by the Government as such from time to time ;

(b) to examine the reports if any, of the audit on Public Undertakings ;

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

(d) to exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates in relation to the Public Undertakings specified in the Fourth Schedule as are not covered by sub-clause (a), (b) and (c) above and as may be allotted to the Committee by the Speaker from time to time :

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

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

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

<sup>1</sup> Omitted as per Sl. No. 19 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.



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

*Note:*—"Public Undertakings" for the purpose of Rules 247 and 248 means Company in which not less than 51% of the paid up share capital is held by the State Government and includes Statutory Corporation and Boards constituted by the State Government.

#### **Constitution of Committee on Public Undertakings**

248. The Committee shall consist of eleven members who shall be elected by the Assembly <sup>2</sup>[ ] for a period of thirty months from amongst its Members according to the principle of proportional representation by means of the single transferable vote :

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

#### **(ix) Committee of Privileges and Ethics :**

#### **Constitution of Committee of Privileges and Ethics**

249. At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate a Committee of Privileges and Ethics consisting of not more than nine members.

#### **Functions of Committee of Privileges and Ethics**

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

(2) The Committee shall also examine the cases involving the moral, ethical and other misconduct of Members inside and outside the House, as may be referred to it by the Speaker.

<sup>1</sup>[(3) The Committee shall have the following functions also, namely:—

(a) to oversee moral and ethical conduct of Members with reference to the Code of Conduct enumerated in the Annexure-II.

(b) to revise the Code of Conduct for Members and to suggest amendments or additions to the Code from time to time ; and

(c) to examine cases concerning the alleged breach of the Code of Conduct by the Members as may be referred to it by the Speaker and to recommend suggestions in the form of reports.]

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

251. (1) After the report has been presented, the Chairman or any Member of the Committee or any other Member may move that the report be taken into consideration whereupon the Speaker may put the question to the Assembly.

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

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

252. A motion that the report of the Committee be taken into consideration shall be accorded the priority assigned to a matter of privilege under sub-Rule (1) of Rule 157, unless there has been undue delay in bringing it forward :

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

#### **Consideration of Report**

#### **Priority for Consideration**

<sup>1</sup> Ins. as per para 32 of Bulletin Part II No. 651 dated 31-3-2010.

<sup>2</sup> Omitted as per Sl. No. 18 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

(x) **Committee on Subordinate Legislation :****Functions of Committee on Subordinate Legislation**

253. There shall be a Committee on Subordinate Legislation to scrutinise and report to the Assembly whether the powers to make Regulations, Rules, sub-Rules, bye-Laws etc., conferred by the Constitution or delegated by the Legislature or by the Parliament on the State Government are being properly exercised within such delegation.

**Constitution of Committee on Subordinate Legislation**

254. At the commencement of the Assembly or from time to time, as the case may be the Speaker shall nominate a Committee on Subordinate Legislation consisting of not more than nine members :

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

**Numbering and Publication of Orders**

255. Each Regulation, Rule, sub-Rule, bye-Law, etc., framed in pursuance of the provisions of the Constitution or the legislative functions delegated by the Parliament to the State Government or by the Legislature to a subordinate authority hereinafter referred to as "Order", <sup>1</sup>[ ] be numbered and published in the Gazette immediately after it is promulgated.

**Duties of Committee**

256. After each such Order referred to in Rule 255 is published in the Gazette, the Committee shall in particular, consider—

(i) whether it is in accord with the general objects of the Constitution or the Act pursuant to which it is made ;

(ii) whether it contains matter, which in the opinion of the Committee, should more properly be dealt with in an Act of the Legislature ;

(iii) whether it contains imposition of any tax ;

(iv) whether it directly or indirectly bars the jurisdiction of the Courts ;

(v) whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power ;

(vi) whether it involves expenditure from the Consolidated Fund of the State of Kerala or the public revenues ;

(vii) whether it appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made ;

(viii) whether there appears to have been unjustifiable delay in its publication or in laying it before the Legislature ; and

(ix) whether for any reason its form or purport calls for any elucidation.

257. (1) If the Committee is of opinion that an order should be annulled wholly or in part, or should be amended in any respect, it shall report that opinion and the grounds thereof to the Assembly.

**Report of Committee**

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

(xi) **Committee on Government Assurances :**

258. (1) There shall be a Committee on Government Assurances to scrutinise the assurances, promises, undertakings, etc., given by Ministers, from time to time, on the floor of the Assembly other than the assurances, promises, undertakings etc., relating to Private Members' Bills or Private Members' Resolutions and to report on—

**Functions of Committee on Government Assurances**

(a) the extent to which such assurances, promises, undertakings etc., have been implemented ; and

(b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

<sup>1</sup>[(2) It shall also be the duty of the Committee,—

(a) to examine whether there has been any unreasonable delay in the implementation of assurances ; and

<sup>1</sup> Omitted as per serial No. 21 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

<sup>1</sup> Ins. as per para 33 of Bulletin Part II No. 651 dated 31-3-2010.

(b) to examine complaints against the non implementation of an assurance.

(3) If the Committee is of opinion that there has been unjustifiable delay in the implementation of an assurance, the Committee may recommend to furnish reasons for the delay.

(4) The recommendation of the Committee under sub-Rule (3) shall be considered by the Government and periodical statements showing the reasons for delay shall be laid on the Table once in six months.]

**Constitution of Committee on Government Assurances**

259. At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate a Committee on Government Assurance consisting of not more than nine members:

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

(xiA) **Committee on Papers Laid on the Table :**

**Constitution of the Committee on Papers Laid on the Table**

259A. There shall be a Committee on Papers Laid on the Table consisting of not more than nine members to be nominated by the Speaker :

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

**Functions of the Committee on Papers Laid on the Table**

259B. The functions of the Committee shall be,—

(1) to examine all papers laid on the Table of the House by Ministers and to report to the House on,—

(a) whether there has been compliance of the provisions of the Constitution, the 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 delay has been laid on the Table of the House and whether those reasons are satisfactory.

(2) the Committee shall perform such other functions in respect of papers laid on the Table as may be assigned to it by the Speaker from time to time.

(xii) **Committee on the Welfare of Scheduled Castes and Scheduled Tribes**

260. There shall be a Committee on the Welfare of Scheduled Castes and Scheduled Tribes to examine matters concerning the Welfare of Scheduled Castes and Scheduled Tribes which fall within the purview of the State Government. The functions of the Committee shall be—

**Functions of Committee on the Welfare of Scheduled Castes and Scheduled Tribes**

(1) to examine the measures taken by the State Government, to secure due representation of the Scheduled Castes and Scheduled Tribes in services and posts under its control (including appointments in public undertakings, statutory and semi-Government bodies) having regard to the provisions of Article 335 of the Constitution ;

(2) to review the progress and implementation of welfare programmes and other ameliorative measures as also constitutional safeguards for the Scheduled Castes and Scheduled Tribes ;

(3) to suggest ways and means of realising the objective of Government policy to bring about improvement in the conditions of Scheduled Castes and Scheduled Tribes ;

(4) to examine such other matters as may deem fit to the Committee or are specifically referred to it by the House or the Speaker.

261. At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate a Committee on the Welfare of Scheduled Castes and Scheduled Tribes consisting of not more than eleven members, of which seven shall be from Members belonging to Scheduled Castes and Scheduled Tribes:

**Constitution of Committee on the Welfare of Scheduled Castes and Scheduled Tribes**

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

(xiiA) *Committee on the Welfare of <sup>1</sup>[Women, Transgenders, Children and Differently Abled] :*

**Constitution of Committee on the Welfare of Women, Transgenders, Children and Differently Abled**

261A. At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate a Committee on the Welfare of <sup>1</sup>[Women, Transgenders, Children and Differently Abled] consisting of not more than nine members:

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

**Functions of the Committee on the Welfare of Women, Transgenders, Children and Differently Abled**

261B. The functions of the Committee shall be,—

- (1) to examine complaints regarding,—
  - (a) the atrocities, violence or unfair practice perpetrated on or the exploitation of <sup>2</sup>[women, transgenders and children] in the State;
  - (b) torture, exploitation, suicide or murder of women in connection with dowry problems which has taken place in the State;
  - (c) the employment of children below fourteen years of age in hotels or in any arduous or hazardous labour in factories, mines or agricultural operations or the children being subjected to inhuman activities or forced labour, in the State;
  - (d) the atrocities, violence, torture, exploitation and unfair practice imposed on <sup>2</sup>[differently abled] persons and mentally disabled persons.

<sup>1</sup> Sub. as per sl. No. 22 of 'Amendments' in Bulletin Part II No.517 dated 24-6-2018.

<sup>2</sup> Sub. as per sl. No. 23 of 'Amendments' in Bulletin Part II No.517 dated 24-6-2018.

(2) to examine,—

- (a) the functioning of any orphanage, poor home, welfare home, hospital, asylum, educational institution, boarding house, prison, police lock up, factory or any place of calling or avocation where women and children are generally admitted or any rescue home, shelter home, abalamandir, maternity and child welfare home, borstal school or any other similar institution exclusively meant for women and children and such other premises as the Committee may determine, from time to time, in consultation with the Speaker ;
  - (b) any matter arising out of the discussion in the House relating to the atrocities, violence or unfair practice perpetrated on or the exploitation of <sup>1</sup>[women, transgenders and children] in the State ;
  - (c) the impact of addiction to alcohol, intoxicating or narcotic drug or psychotropic substances or other materials of similar nature, in <sup>1</sup>[women, transgenders and children] and to suggest remedial measures thereto ;
  - (d) the functioning of the institutions and Government Departments dealing with the welfare of <sup>1</sup>[women, transgenders and children] ;
  - (e) the functioning of Government Department and Institutions meant for the education, medical aid, employment or any other welfare measure for the <sup>1</sup>[differently abled] and mentally disabled.
- <sup>2</sup>[(f) any discrimination against transgenders by the Government Departments and public authorities in providing education, public transport, health, social security and other services.”;]
- (3) to suggest measures for,—
- (a) the rehabilitation of unmarried or deserted mothers and the aged and destitute women and desolate widows <sup>2</sup>[and transgenders] ;
  - (b) making the mentally retarded, the infirm and the <sup>1</sup>[differently abled] persons self-sufficient <sup>3</sup>[ ] ;

<sup>1</sup> Sub. as per sl. No. 23 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

<sup>2</sup> Ins. as per sl. No. 23 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

<sup>3</sup> Omitted as per sl. No. 23 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

- (c) the rehabilitation of juvenile delinquents and <sup>1</sup>[woman and transgender] prisoners who are set free after the period of their sentence ;
- (d) the welfare of disorganised group of women engaged in household labour and similar other occupations ;
- (e) exploring innovative ways for providing suitable employment and other facilities for improving the overall living standard of the <sup>1</sup>[differently abled] persons and mentally disabled persons.
- <sup>2</sup>[(f) ensuring formal education and employment for the transgenders so that the community shall be brought into the mainstream.]

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

(xiiB) ***Committee on Environment :***

**Constitution of Committee on Environment**

261C. There shall be a Committee on Environment consisting of not more than nine members to be nominated by the Speaker:

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

**Functions of the Committee on Environment**

261D. The functions of the Committee shall be,

- (i) to study the environmental problems within the State and to recommend remedial measures thereto ;
- (ii) to examine the nature, degree and extent of the environmental imbalances caused by different kinds of pollution in the State like water pollution, air pollution, noise pollution and the like, the results of such pollution and to suggest remedial measures for the prevention and control thereof ;
- (iii) to examine the working and activities of the Department/Board or the industrial establishments situated in the State in relation to environment ;

- (iv) to review the implementation of the plans and programmes (both Central and State) relating to maintenance of environmental balance as regards the State ;
- (v) to report what economies, improvements in organisation, efficiency or administrative reform consistent with the policy approved by State Legislature may be effected ;
- (vi) to examine the annual reports of the Department/ Board relating to the State as respects environment with a view to find out whether the expenditure incurred was commensurate with the results achieved ;
- (vii) to report to the Assembly on the action taken by the State Government on different measures suggested by the Committee ;
- (viii) to examine such other matters as may be deemed fit by the Committee or specially referred to it by the House or by the Speaker.

(xii C) ***Committee on the Welfare of Backward Class Communities :***

261E. (1) There shall be a Committee on the Welfare of the Backward Class Communities consisting of <sup>1</sup>[not more than] nine Members of whom six shall be from Members belonging to Backward Class Communities.

(2) The Committee shall be nominated by the Speaker at the Commencement of the Assembly or from time to time, as the case may be :

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

**Constitution of Committee on the Welfare of Backward Class Communities**

<sup>1</sup> Sub. as per sl. No. 23 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

<sup>2</sup> Ins. as per sl. No. 23 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

<sup>1</sup> Ins. as per para 34 of Bulletin Part II No. 651 dated 31-3-2010



**Functions of the Committee on the Welfare of Backward Class Communities**

261F. The functions of the Committee shall be,—

- (i) to examine whether there is prescribed representation to all or any of the Backward Class Communities in the posts and services of,—
  - (a) the State in connection with the affairs thereof ;
  - (b) the Public Undertakings under the control of the State Government ;
  - (c) the local bodies or other authorities under the control of the State Government ;
  - (d) the Universities established by an Act of the State Legislature and financed from the Consolidated Fund of the State ;
  - (e) the autonomous bodies under the control of the State Government financed from the Consolidated Fund of the State ; and
  - (f) such other institutions coming under the control of the State Government as may be taken up by the Committee with the permission of the Speaker or referred to it by the House ;

and to suggest measures for ensuring due representation to them or it in case they or it does not have proper representation therein ;

(ii) to review the social, economic and educational progress of all or any of the Backward Class Communities in general and in particular to assess the adequacy of the quantum of admission available to all or any of the Backward Class Communities in educational institutions,—

- (a) owned by the State Government ; or
- (b) controlled by the State Government where they have by general or special order, reserved seats for the Socially and Educationally Backward Classes of citizens ; or

- (c) where admission to any specified percentage of seats is regulated by or left to the Government under any special or general order of the Government ;

and to suggest measures for improvement in cases where the Committee considers that it is necessary so to do ;

(iii) to consider any representation received from any person belonging to any of the Backward Class Communities on any matter referred to in sub-Rules (i) and (ii) of this Rule.

*Note I :—*For the purpose of this Rule,—

(a) “prescribed representation” means the representation prescribed for Backward Class Communities in Rules 14 to 17 of the Kerala State and Subordinate Services Rules, 1958, or, as the case may be, the representation specified by the Government by any general or special order.

(b) “Public Undertakings” means the Public Undertakings specified in the Fourth Schedule to these Rules and such other Public Undertakings as may be notified by the Government as such from time to time.

*Note II :—*For the purposes of this Rule and Rule 261E the term ‘Backward Class Communities’ means the communities mentioned in List III appended to the Schedule to Part I of the Kerala State and Subordinate Services Rules, 1958 as amended from time to time.

(xii D) **Committee on Local Fund Accounts :**

261G. (1) There shall be a Committee on Local Fund Accounts for the examination of accounts showing the appropriation of sums granted by the Legislative Assembly for local bodies/authorities in the State of Kerala and such other accounts relating to local bodies laid before the Assembly as the Committee may think fit.

(2) In scrutinising the Appropriation Accounts of local bodies and authorities and the Consolidated Report of the Director of Local Fund Audit thereon, it shall be the duty of the Committee to satisfy itself,—

**Functions of the Committee on Local Fund Accounts**

(a) that the moneys shown in the accounts as having been disbursed were legally available for, and applicable to, the service or purpose for which they have been applied or charged ;

(b) that the expenditure conforms to the authority which governs it.

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

(a) to examine the statement of accounts showing the income and expenditure of all Municipal Corporations, Municipalities, Panchayats, Universities, Development Authorities and such other Local Authorities or a Local Fund included in the Schedule under section 3 (1) of the Kerala Local Fund Audit Act, 1994 (Act 14 of 1994) ;

(b) to examine the statement of accounts showing the income and expenditure of autonomous and semi-autonomous bodies, the audit of which are conducted by the Director of Local Funds by a statute of the Legislature ;

(c) to consider the Audit Report of the Director of Local Funds and accounts of a fund administered by a local authority which, though not part of a Government department has been established by or under law or orders of the Government or any other fund which the Government may by notification in the Gazette declare to be a Local Fund ;

(d) to examine the Consolidated Report of the accounts audited by the Director of Local Fund Audit, which is laid annually before the Legislative Assembly. The Committee shall perform such other functions in respect of the Audit Reports of the Local Bodies audited by the Director of Local Fund Audit as may be assigned to it by the Speaker from time to time.

<sup>1</sup>[(e) to examine the Reports of the Comptroller and Auditor General of India, relating to the accounts of the Local Self Government Institutions, which are laid annually before the Legislative Assembly. The Committee shall perform such other functions in respect of the Audit Reports of the Local Bodies audited by the Comptroller and Auditor General of India as may be assigned to it by the Speaker from time to time.]

<sup>1</sup> Ins. as per para 1 of Bulletin Part II No. 435 dated 4-12-2008.

261H. <sup>1</sup>[The Committee shall consist of eleven members who shall be elected by the Assembly from among its Members according to the principle of proportional representation by means of single transferable vote :]

**Constitution of the Committee on Local Fund Accounts**

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

(xii E) *Committee on Official Language :*

261I. There shall be a Committee on Official Language consisting of not more than nine Members, to be nominated by the Speaker :

**Constitution of Committee on Official Language**

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

261J. The functions of the Committee shall be,—

**Functions of the Committee on Official Language**

(1) to evaluate the progress in the use of Malayalam as Official Language for Official purposes and to suggest measures based on its findings ;

(2) to ensure strict compliance of the government orders regarding use of Malayalam as official language ;

(3) to examine the action taken for the implementation of the Official Language Policy of the Government in various departments and to review the progress achieved thereon ;

(4) to identify the impediments in using Malayalam as official language in administrative matters and to suggest suitable steps to overcome such impediments on a time-bound basis ;

<sup>1</sup> Sub. as per para 35 of Bulletin Part II No. 651 dated 31-3-2010.



(5) to ensure whether the Codes, Manuals and Forms pertaining to those departments where Malayalam has been declared as official language are translated in time and whether the Government Orders so far issued have been translated ;

(6) to ensure publication of an updated glossary of frequently used official Malayalam terms ;

(7) to suggest necessary improvements in the syllabus for Official Language Training Programme ;

(8) to suggest measures for the use of Malayalam as court and official language in Consumer Redressal Forums, the office of the Ombudsman, Women's Commission etc. ;

<sup>1</sup>[(8A) (i) to examine the complaints regarding,—

(a) personal grievances due to the usage of languages other than Malayalam in the certificates, orders, minutes of meetings, letters, circulars etc., issued from the various Government institutions, quasi-Government institutions, public sector undertakings and such other institutions where Malayalam has been declared as official language;

(b) the non-availability of application forms and guidelines relating to the services and other benefits from Government in Malayalam language,—

which may be received by the committee directly or referred by the speaker from time to time;

(ii) to seek report or explanation from the Government Secretaries concerned on the basis of a complaint under Clause (i) or otherwise;

(iii) to suggest remedial measures on matters contained in any or all of such complaints;]

(9) to perform such other functions in respect of official language as may be assigned to it by the Speaker from time to time.

<sup>1</sup> Ins as per serial No. 24 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

<sup>1</sup>[(xiiF) ***Committee on the Welfare of Fishermen and Allied Workers :***

261K. There shall be a Committee on the Welfare of Fishermen and Allied Workers consisting of not more than nine members, to be nominated by the Speaker :

**Constitution of the Committee on the Welfare of Fishermen and Allied Workers**

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

261L. The functions of the Committee shall be,—

**Functions of the Committee on the Welfare of Fishermen and Allied Workers**

(1) to study the various problems of fishermen and allied workers within the State and to recommend the remedial measures thereto ;

(2) to examine the working and activities of the Fisheries Department/Kerala Fishermen's Welfare Fund Board/Kerala State Co-Operative Federation for Fisheries Development Ltd. the industrial establishments under the control of the State Government situated within the State;

(3) to review the implementation of the plans and programmes (both Central and State) relating to Fisheries Department and fishermen and allied workers' welfare ;

(4) to examine the Annual Report of the Fisheries Department/Fishermen's Welfare Fund Board relating to the State with a view to find out whether the funds allotted and expenditure incurred was commensurate with the results achieved ;

<sup>1</sup> Rules 261K, 261L, 261M, 261N, 261O, 261P, 261Q, 261R, Inserted as per para 36 of Bulletin Part II No. dated 31-3-2010.

(5) to examine such other matters as may be deemed fit by the Committee ;

(6) to consider any petitions/representations received from the individuals or organisations relating to fisheries or allied subjects ;

(7) to report to the Assembly on the action taken by the State Government on different measures suggested by the Committee ;

(8) to examine such other matters specially referred to it by the House or by the Speaker.

(xii G) ***Committee on the Welfare of Non-Resident Keralites (Pravasi Malayalees) :***

**Constitution of Committee on the Welfare of Non-Resident Keralites (Pravasi Malayalees)**

261M. There shall be a Committee on the Welfare of Non-Resident Keralites consisting of not more than nine members, to be nominated by the Speaker :

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

**Functions of Committee on the Welfare of Non-Resident Keralites (Pravasi Malayalees)**

261N. The functions of the Committee shall be,—

(1) To examine, the complaints regarding:—

(a) the various problems of non-resident Keralites in India and abroad relating to domestic and international job market;

(b) the dispute between the employer and the prospective candidates;

(c) the work relating to guidance in VISA formalities and travel regulations;

(d) the work relating to air ticket booking in domestic and international flights to the best satisfaction of the customers;

(e) the atrocities, violence, torture, exploitation and unfair practice ; cheating or any fraudulent activities against any persons belonging to Kerala, workers or employees in flights who travel to foreign countries on being employed or return to their place of work after enjoying leave in their native place;

(f) the repatriation of dead bodies and to streamline the process of the transfer of dead bodies to their relatives or legal heirs;

(g) the financial assistance to the legal heirs of the deceased/injured persons and subsequent claims related to the deceased/injured persons;

(h) the rehabilitation or job opportunities of the returnees;

(i) the functioning of The Non-Kerala Resident Keralites' Welfare Board;

(j) to check the unlawful activities of private agencies engaged in job recruitments abroad and all other agencies who are engaged in the welfare of Non-Resident Keralites.

(2) to suggest remedial measures for any or all of the above mentioned complaints.

(3) to examine such other matters as may be deemed fit by the Committee or specially referred to it by the House or by the Speaker.

(xii H) ***Committee on the Welfare of Youth and Youth Affairs :***

261O. There shall be a Committee on the Welfare of Youth and Youth Affairs consisting of not more than nine members, to be nominated by the Speaker :

**Constitution of the Committee on the Welfare of Youth and Youth Affairs**

**Functions of the Committee on the Welfare of Youth and Youth Affairs**

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

261 P. The functions of the Committee shall be,—

(1) to examine, the complaints regarding :—

(a) the functioning of various schemes implemented through the Kerala State Youth Welfare Board in the State;

(b) any matter arising out of the discussion in the House relating to Youth and Youth welfare;

(c) the petitions/representations received from individuals/organisations relating to Youth and Youth affairs.

(2) to suggest remedial measures for any or all of the above mentioned complaints.

(3) to ensure that the funds allotted by the Government for youth welfare are fully utilised exactly for the same purpose for which it was intended. To prevent any misuse of funds by the Government Departments or agencies earmarked for the purpose of youth welfare activities.

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

(xii I) *Committee on the Welfare of Senior Citizens :*

**Constitution of the Committee on the Welfare of Senior Citizens**

261Q. There shall be a Committee on the Welfare of Senior Citizens consisting of not more than nine members, to be nominated by the Speaker :

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

**Functions of the Committee on the Welfare of Senior Citizens**

261R. The functions of the Committee shall be:—

(1) to examine, the complaints regarding ,—

(a) the functioning of various schemes implemented through State Council and District Council for Senior Citizens in the State.

(b) the functioning of the Old Age Homes conducted by the State and private organisations.

(2) to ensure that the funds allotted by the Government for senior citizens are fully utilised exactly for the same purpose for which it was intended.

(3) to suggest remedial measures for any or all of the above mentioned complaints.

(4) to examine such other matters as may be deemed fit by the Committee or specially referred to it by the House or by the Speaker.]

(xiii) *Rules Committee :*

262. There shall be a Committee on Rules to consider matters of procedure and conduct of business in the Assembly and to recommend any amendments or additions to these Rules that may be deemed necessary.

**Functions of Rules Committee**

263. The Committee on Rules shall be nominated by the Speaker and shall consist of eleven members including the Chairman of the Committee. The Speaker shall be the *ex-officio* Chairman of the Committee.

**Constitution of Rules Committee**

264. (1) The recommendations of the Committee shall be laid on the Table and within a period of seven days, beginning with the day on which they are so laid, any Member may give notice of any amendment to such recommendations.

**Laying Report on the Table**

(2) Any notice given by a Member, of any amendment to the recommendations of the Committee shall stand referred to the Committee who shall consider it and make such changes in their recommendations as the Committee may consider fit. The final report of the Committee, after taking into consideration the amendments suggested by the Members, shall be laid on the Table.

Thereafter, on the Assembly agreeing to the report on a motion made by a member of the Committee the amendments to the Rules as approved by the Assembly, shall be promulgated by the Speaker in the Bulletin.

(3) If notice of such amendments has not been given within seven days, the recommendations of the Committee shall be deemed to have been approved by the Assembly and on the expiry of the said period the Speaker shall promulgate in the Bulletin the amendments to the Rules as recommended by the Committee.

(4) The amendments to the Rules shall come into force on their publication in the Gazette.

#### CHAPTER XXV

#### GENERAL RULES OF PROCEDURE

##### Notices by Members

265. (1) Every notice <sup>1</sup>[except notices of questions] required by these Rules shall be given in writing addressed to the Secretary and signed by the Member giving notice and shall be left at the Assembly Office which shall be open for this purpose between the hours of 10.15 a.m. and 3 p.m. on every day except Sunday or a public holiday.

(2) Notices left when the office is closed or after 3 p.m. shall be treated as given on the next open day.

##### Restriction on publicity of notices

266. A notice shall not be given publicly by any Member or other person until it has been admitted by the Speaker and circulated to Members:

Provided that notice of question shall not be given any publicity until the day on which the question is answered in the House.

##### Circulation of notices & papers to Members

267. (1) The Secretary shall make every effort to circulate to each Member a copy of every notice or other paper which is required by these Rules to be made available for the use of the Members.

<sup>1</sup>Ins. as per para 37 of Bulletin Part II No. 651 dated 31-3-2010.

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

268. On the Prorogation of the Assembly, all pending notices other than notices of intention to move for leave to introduce a Bill shall lapse and fresh notices shall be given for the next session:

Provided that a fresh notice shall be 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.

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

270. If in the opinion of the Speaker, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose or otherwise inappropriate, he may in his discretion, amend such notice before it is circulated.

271. A motion shall not raise a question substantially identical with one on which the Assembly has given a decision in the same session.

272. (1) A Member who has made a motion may withdraw the same by leave of the Assembly.

(2) The leave shall be signified not upon question but by the Speaker taking the pleasure of the Assembly. The Speaker shall ask: "Is it your pleasure that the motion be withdrawn". If no one dissents, the Speaker shall say: "The motion is by leave withdrawn". But if any dissentient voice be heard or a Member rises to continue the debate, the Speaker shall forthwith put the motion:

**Lapse of pending notices on prorogation of Assembly**

**Motion, resolution or amendment moved not to lapse**

**Speaker to amend notices of questions, motions etc.**

**Repetition of motions**

**Withdrawal of motion**

Provided that if an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of.

(3) No discussion shall be permitted on a request for leave to withdraw, except with the permission of the Speaker.

**Adjournment  
of debate on  
motion**

273. At any time after a motion has been made, a Member may move that the debate on the motion be adjourned.

**Dilatory motion  
in abuse of the  
Rules of the  
assembly**

274. (1) If the Speaker is of opinion that a motion for the adjournment of debate is an abuse of the Rules, he may either forthwith put the question thereon or decline to propose the question.

(2) If the Speaker is of opinion that a motion for re-circulation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the Rules in as much as the original circulation was adequate or comprehensive or that no circumstance has arisen, since the previous circulation to warrant the re-circulation of the Bill, he may forthwith put the question thereon or decline to propose the question.

(3) If the Speaker is of opinion that a motion for re-committal of a Bill to a Select Committee or a Subject-Committee of the Assembly or circulation or re-circulation of the Bill after the Select Committee or the Subject Committee, as the case may be, of the Assembly has reported thereon, is in the nature of a dilatory motion in abuse of the Rules in as much as the Select Committee or the Subject Committee, as the case may be, of the Assembly has dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since the Bill emerged from such Committee, he may forthwith put the question thereon or decline to propose the question.

275. A motion that the Policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the Assembly, but the Assembly shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at the conclusion of the debate at the appointed hour unless a Member moves a substantive motion in appropriate terms to be approved by the Speaker and the vote of the Assembly shall be taken on such motion.

**Motion that  
Policy or  
situation or  
Statement or  
any other matter  
be taken into  
consideration**

276. No Member shall anticipate the discussion of any subject of which notice has been given provided that in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the Assembly within reasonable time.

**Anticipating  
discussion**

277. Notice of an amendment to a motion shall be given one clear day before the day on which the motion is to be considered, unless the Speaker allows the amendment to be moved without such notice.

**Notice of  
Amendments**

278. (1) An amendment shall be relevant to, and within the scope of the motion to which it is proposed.

**Scope of  
Amendments**

(2) An amendment shall not be moved which has merely the effect of a negative vote.

(3) An amendment on a question shall not be inconsistent with a previous decision on the same question.

279. The Speaker shall have power to select the amendments to be proposed, and may, if he thinks fit, call upon any Member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment upon it.

**Selection of  
Amendments**

280. The Speaker may put amendments in such order as he may think fit:

**Putting of  
Amendments**

Provided that the Speaker may refuse to put an amendment which in his opinion is frivolous.



**Rules to be observed by Members while present in the Assembly**

281. Whilst the Assembly is sitting, a Member—

- (i) shall not read any book, newspaper or letter except in connection with the business of the Assembly;
- (ii) shall not interrupt any Member while speaking by disorderly expression or noises or in any other disorderly manner;
- (iii) shall bow to the Chair while entering or leaving the Assembly, and also when taking or leaving his seat;
- (iv) shall not pass between the Chair and any Member who is speaking;
- (v) shall not leave his seat when the Speaker is addressing the Assembly;
- (vi) shall always address the Chair;
- (vii) shall keep to his usual seat while addressing the Assembly;
- (viii) shall maintain silence when not speaking in the Assembly;
- (ix) shall not obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when speeches are being made in the Assembly;
- (x) shall not applaud when a stranger enters any of the galleries; and
- (xi) shall not, while speaking, make any reference to the strangers in any of the galleries.

**Member to speak when called by speaker**

282. When a Member rises to speak, his name shall be called by the Speaker. If more Members than one rise at the same time, the Member whose name is so called shall be entitled to speak.

**Mode of addressing the Assembly**

283. A Member desiring to make any observations on any matter before the Assembly shall speak from his place shall rise when he speaks and shall address the Speaker. At any time, if the Speaker rises, any Member speaking shall resume his seat:

Provided that a Member disabled by sickness or infirmity may be permitted to speak sitting.

284. A Member while speaking shall not —

- (i) refer to any matter of fact on which a judicial decision is pending;
- (ii) <sup>1</sup>[make a personal charge by way of making an allegation imputing a motive to or questioning the *bona fides* of other Members of the House unless it be imperatively necessary for the purpose of the debate being itself a matter in issue or relevant thereto;]
- (iii) use offensive expressions about the conduct or proceedings of the Indian Parliament or any State Legislature;
- (iv) reflect on any determination of the Assembly except on a motion for rescinding it;
- (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms;

**Rules to be observed while speaking**

*Explanation :—*The words “persons in high authority” means persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct, in the opinion of the Speaker, should be discussed on a substantive motion drawn in terms to be approved by him;

- (vi) use the name of the President of India or any Governor for the purpose of influencing the debate;
- (vii) utter treasonable, seditious or defamatory words;
- (viii) use his right of speech for the purpose of obstructing the business of the Assembly;

<sup>1</sup> Sub. as per para 38 of Bulletin Part II No. 651 dated 31-3-2010.

- <sup>1</sup>[(ix) refer to Government officials by name without a prior notice to the Speaker and a copy of the same to the concerned Minister;
- (x) read a written speech except with the previous permission of the Chair; and
- (xi) question or comment on the ruling of the Speaker.]

**Procedure regarding allegation against a person**

285. No allegation of a defamatory or incriminatory nature shall be made by a Member against any person unless the Member has given <sup>2</sup>[prior notice] to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of reply:

Provided that the Speaker may at any time prohibit any Member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the Assembly or that no public interest is served by making such allegation.

**Questions to be asked through the Speaker**

286. When for the purposes of explanation during discussion or for any other sufficient reason, any Member has occasion to ask a question of another member on any matter than under the consideration of the Assembly, he shall ask the question through the Speaker.

**Irrelevance or repetition**

287. The Speaker, after having called the attention of the Assembly to the conduct of a Member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct him to discontinue his speech.

**Personal Explanation**

288. A Member may, with the permission of the Speaker, make a personal explanation although there is no question before the Assembly, but in this case no debatable matter may be brought forward, and no debate shall arise.

**Order of speeches and right of reply**

289. (1) After the Member who moves a motion has spoken, other Members may speak on the motion in such order as the Speaker may call upon them. If any Member who is so called upon does not speak, he shall not be entitled, except by the permission of the Speaker, to speak on the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by these Rules, no Member shall speak more than once on any motion, except with the permission of the Speaker.

(3) A Member who has moved a motion may speak again by way of reply and if the motion is moved by a private Member, the Minister concerned may with the permission of the Speaker, speak (whether he has previously spoken in the debate or not) after the mover has replied:

Provided that nothing in this sub-Rule shall be deemed to give any right of reply to the mover of a motion to reduce any demand for grant or to the mover of an amendment to a Bill or a resolution save with the permission of the speaker.

290. Subject to the provision of Rule 289 (3) the reply of the mover of the original motion shall in all cases conclude the debate.

**Mover's reply concludes debate**

291. The Speaker may himself or on a point being raised or on a request made by a Member, address the Assembly at any time or a matter under consideration in the Assembly with a view to aid Members in their deliberations and such expression of views shall not be taken to be in the nature of a decision.

**Address by the Speaker**

292. (1) Whenever the Speaker rises, he shall be heard in silence and any Member who is then speaking or offering to speak shall immediately sit down.

**Procedure when Speaker rises**

(2) No Member shall leave his seat while the Speaker is addressing the Assembly.

293. (1) At any time after a motion has been made any Member may move, "That the question be now put" and, unless it appears to the Speaker that the motion is an abuse of these Rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion, "That the question be now put".

**Closure**

(2) Where the motion, "That the question be now put" has been carried, the question or questions consequent thereon shall be put forthwith without further debate:

<sup>1</sup>Ins. as per para 38 of Bulletin Part II No. 651 dated 31-3-2010

<sup>2</sup>Sub. as per para 39 of Bulletin Part II No. 651 dated 31-3-2010



Provided that the Speaker may allow any Member any right of reply which he may have under these Rules.

**Limitation of debate**

294. (1) Whenever the debate on any motion in connection with a Bill or on any other motion becomes unduly protracted, the Speaker may after taking the sense of the House, fix a time limit for the conclusion of discussion on any stage or all stages of the Bill or the motion, as the case may be.

(2) At the appointed hour, in accordance with the time limit fixed for the completion of particular stage of a Bill or a motion, the Speaker shall, unless the debate is sooner concluded, forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage of the Bill or the motion.

**Papers quoted to be laid on the Table**

295. If a Minister quotes in the Assembly a despatch or other State paper which has not been presented to the Assembly, he shall lay the relevant paper on the Table:

Provided that this Rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest:

Provided further that where a Minister gives in his own words a summary or gist of such despatch or State paper it shall not be necessary to lay the relevant papers on the Table.

**Treatment of Papers laid on the Table**

296. (1) A paper or document to be laid on the Table shall be duly authenticated by the Member presenting it.

(2) All papers and documents laid on the Table shall be considered public.

**Procedure when a Minister discloses source of advice or opinion given to him**

297. If, in answer to a question or during debate a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice or a summary thereof on the Table.

298. A matter requiring the decision of the Assembly shall be decided by means of a question put by the Speaker.

**Procedure for obtaining decision of the Assembly**

299. When a motion has been made, the Speaker shall propose the question for the consideration and put it for the decision of the Assembly. If a motion embodies two or more separate propositions, those propositions may be proposed by the Speaker as separate questions.

**Proposal and putting of questions**

300. A statement may be made by a Minister on a matter of public importance with the consent of the Speaker, but no questions shall be asked at the time the statement is made.

**Statement made by a Minister**

301. (1) Votes may be taken by voice or division and shall be taken by division if any Member so desires. The Speaker shall determine the method of taking votes by division.

**Division**

<sup>1</sup>[(2) Where the Speaker directs that the vote be recorded by operating the electronic vote recorder, it shall be put into operation and the Members shall cast their votes from the seats respectively allotted to them by pressing the buttons provided for the purpose.

(3) After the result of the voting appears on the indicator board, the result of the division shall be announced by the Speaker.

(4) A Member who is not able to cast his vote by pressing the button provided for the purpose due to any reason considered sufficient by the Speaker, may with the permission of the Speaker, have his vote recorded verbally by stating whether he is in favour of or against the motion, before the result of the division is announced.

(5) If a Member finds that he has voted by mistake by pressing the wrong button, he may be allowed to correct his mistake provided he brings it to the notice of the Speaker before the result of the division is announced.]

(6) The result of a division shall be announced by the Speaker and shall not be challenged.

<sup>1</sup>Ins. as per para 40 of Bulletin Part II No. 651 dated 31-3-2010.

**Power to order withdrawal of Member**

302. (1) The speaker shall preserve order and have all powers necessary for the purpose of enforcing his decisions.

(2) He may direct any Member whose conduct is, in his opinion, grossly disorderly to withdraw immediately from the Assembly, 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 same session, the Speaker may direct the Member to absent himself from the meetings of the Assembly for any period not longer than the remainder of the session, and the Member so directed shall absent himself accordingly. The Member so directed to be absent shall not be deemed to be absent for the purpose of clause (4) of Article 190 of the Constitution.

(3) The Speaker may in the case of grave disorder arising in the Assembly suspend any sitting for a time to be named by him.

**Point of order and decisions thereon**

303. (1) A point of order shall relate to the interpretation or enforcement of these Rules or such Articles of the Constitution as regulate the business of the Assembly, and shall raise a question which is within the cognizance of the Speaker.

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

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

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

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

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

(6) A Member shall not raise a point of order,—

- (a) to ask for information; or
- (b) to explain his position; or
- (c) when a question on any motion is being put to the Assembly; or
- (d) which may be hypothetical; or
- (e) that Division Bells did not ring or were not heard.

304. (1) A Member, who wishes to bring to the notice of the Assembly any matter which is not a point of order shall give notice to the Secretary in writing stating briefly the point which he wishes to raise in the Assembly together with reasons for wishing to raise it, and he shall be permitted to raise it only after the Speaker has given consent and at such time and date as the Speaker may fix.

**Raising a matter which is not a point of order**

<sup>1</sup>[(2) In order that a notice under sub-Rule (1) may be admissible, it shall satisfy the following conditions, namely:—

- (i) It shall not refer to a matter which is not primarily the concern of the Government of Kerala;
- (ii) It shall not relate to a matter which has been discussed in the same session or which is substantially to the matter already raised by a Member under this Rule during the session;
- (iii) It shall not raise more than one issue;
- (iv) It shall not contain inferences, ironical expression, imputations, epithets or defamatory statements; and

<sup>1</sup>Ins. as per para 41 of Bulletin Part II No. 651 dated 31-3-2010.

- (v) It shall not refer to proceedings of a Legislature Committee.

(3) Not more than ten such notices shall be permitted on each day except on Fridays, where it shall be limited to <sup>1</sup>[four.]

### Language of the Assembly

305. (1) The business of the Assembly shall be transacted in Malayalam, Tamil, Kannada or English.

(2) The official records of the proceedings of the Assembly shall be kept in English or in the language in which such proceedings are conducted in the Assembly.

### Report of proceedings

306. The Secretary shall cause to be prepared a full report of the proceedings of the Assembly at each of its meetings, and shall, as soon as practicable, publish it in such form and manner as the Speaker may, from time to time, direct.

### Expunging of words from debates

307. (1) If the Speaker is of opinion that a word or words has or have been used in debate which is or are defamatory or indecent or unparliamentary or undignified, he may in his discretion order that such word or words be expunged from the proceedings of the Assembly.

(2) The portion of the proceedings so expunged shall be marked by asterisks and an explanatory footnote shall be inserted in the proceedings as follows:—

“Expunged as ordered by the Chair.”

### Duties of Secretary

308. The Secretary shall be bound to perform the following duties in addition to those specified in these Rules:—

- (i) to take charge of the records of the Assembly ;
- (ii) to attend all meetings and to take minutes of the proceedings;
- (iii) to prepare and publish full reports of the proceeding of the Assembly under the direction of the Speaker and to superintend the printing of all papers ordered to be printed;

- (iv) to prepare and revise the marginal abstracts of Bill and the headings and arrangements of chapters and the numbering of the clause thereof and to check and correct the references to the numbers of the clauses etc., made in Bills;

- (v) to note the questions and resolutions which are not admissible under these Rules; and

- (vi) to carry on correspondence under the orders of the Assembly and generally to assist the Assembly.

309. The admission of strangers during the sitting of the Assembly to those portions of the Assembly Chamber which are not reserved for the exclusive use of Members shall be regulated in accordance with orders made by the Speaker.

### Admission of strangers

310. The Speaker, wherever he thinks fit, may order the withdrawal of strangers from any part of the Assembly Chamber.

### Withdrawal of strangers

311. An officer of the Secretariat authorised in this behalf by the Speaker shall remove from the precincts of the House or take into custody any stranger whom he may see or who may be reported to him to be, in any portion of the precincts of the House which is reserved for the exclusive use of Members and also any stranger, who having been admitted into any portion of the precincts of the House misconducts himself or willfully infringes the regulation made by the Speaker under Rule 309 or does not withdraw when the strangers are directed to withdraw under Rule 310 while the House is sitting.

### Removal and taking into custody of strangers

312. The Assembly Chamber shall not be used for any purpose other than the sittings of the Assembly and of its Committees.

### Use of Assembly Chamber

313. Any Member may, with the consent of the Speaker, move that any Rule may be suspended in its application to a particular motion before the Assembly and if the motion is carried, the Rule in question shall be suspended for the time being.

### Suspension of Rules

<sup>1</sup> Sub. as per Serial No. 25 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

**Residuary  
powers**

314. All matters not specifically provided for in these Rules and all questions relating to the detailed working of these Rules shall be regulated in such manner as the Speaker may, from time to time, direct.

FIRST SCHEDULE  
FORM OF PETITION  
(See Rule 108)

To

THE LEGISLATIVE ASSEMBLY

The humble petition of

(Here insert name and designation or description of petitioner or petitioners in concise form e.g., “A, B, and others” or “the inhabitants of .....” or “the municipality of .....” etc.)

showeth

(here insert concise statement of case)

and accordingly your petitioner (or petitioners) pray that (here insert “that the Bill be or be not be not proceeded with” or “that special provision be made in the Bill to meet the case of your petitioner” or any other appropriate prayer regarding the Bill or matter before the Assembly or a matter of general public interest).

and your petitioner(s) as in duty bound will ever pray.

Name of petitioner	Address	Signature or thumb impression

Countersignature of Member presenting.

## SECOND SCHEDULE

## FORM OF REPORT ON PETITION BY THE SECRETARY

(See Rule 113)

Sir, under Rule.....of the Rules of Procedure and Conduct of Business in the Legislative Assembly, I have to report that .....petitions as per statement laid on the Table have been received relating to .....(in case of Bills) the Bill to provide for.....which was introduced in the Assembly on the .....20.....by, Shri. ....

## STATEMENT

Petitions relating to ..... (in case of Bills) the Bill to provide for ..... which was introduced in the Legislative Assembly on the ..... 20.....

Number of signatories	Taluk	District

## THIRD SCHEDULE

(See Rules 161 and 162)

FORM OF COMMUNICATION REGARDING ARREST, DETENTION,  
CONVICTION OR RELEASE, AS THE CASE MAY BE,  
OF A MEMBER

Place:

Date :

To

The Speaker,  
Legislative Assembly, Thiruvananthapuram.

A

Sir,

I have the honour to inform you that I have found it my duty in the exercise of my powers under section.....of the..... (Act), to direct that Shri....., Member of the Legislative Assembly, be arrested/detained for.....(reasons for the arrest or detention as the case may be).

Shri.....Member, Legislative Assembly, was accordingly arrested/taken into custody at.....(time) on.....(date) and is at present lodged in the .....jail .....(place).

B

I have the honour to inform you that Shri.....Member of the Legislative Assembly, was tried at the .....Court before me on a charge (or charges) of.....(reasons for the conviction).

On.....(date) after a trial lasting for.....days, I found him guilty of.....and sentenced him to imprisonment for.....(period).

(His application for leave to appeal to\*..... pending consideration.)

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\*Name of the Court.

C

I have the honour to inform you that Shri..... (Member of the Legislative Assembly), who was convicted on..... (date) and imprisoned for.....(period) for..... (reasons for conviction) was released on bail pending appeal (or, as the case may be, released on the sentence being set aside on appeal on the .....(date).

Yours faithfully,

(Judge, Magistrate or  
Executive Authority)

#### FOURTH SCHEDULE

(See Rule 247)

#### \*LIST OF PUBLIC UNDERTAKING

##### Name of Concerns

#### A. Statutory Corporations, Board etc. :

1. Kerala Financial Corporation, Thiruvananthapuram.
2. Kerala Industrial Infrastructure Development Corporation, Thiruvananthapuram.
3. Kerala Khadi and Village Industries Board, Thiruvananthapuram.
4. Kerala State Electricity Board, Thiruvananthapuram.
5. Kerala State Housing Board, Thiruvananthapuram.
6. Kerala State Road Transport Corporation, Thiruvananthapuram.
7. Kerala State Warehousing Corporation, Ernakulam.
8. Kerala State Rural Development Board, Thiruvananthapuram (Dissolved)
9. Kerala Water Authority, Thiruvananthapuram.

#### B. Fully owned Government Companies:

10. Bekal Resorts Development Corporation Limited, Thiruvananthapuram.
11. Foam Matting (India) Limited, Alappuzha
12. Kerala Agro Machinery Corporation, Thrissur.
13. Kerala Artisans Development Corporation, Thiruvananthapuram.
14. Kerala Automobiles Limited, Thiruvananthapuram.
15. Kerala Clays and Ceramic Products Limited, Kannur.
16. Kerala Electrical and Allied Engineering Company Limited, Kochi.
17. Kerala Hitech Industries Limited, Thiruvananthapuram.
18. Kerala Livestock Development Board Limited, Thiruvananthapuram.
19. Kerala Police Housing and Construction Corporation Limited, Thiruvananthapuram.
20. Kerala School Teachers and Non Teaching Staff Welfare Corporation Limited, Thiruvananthapuram.

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\* Sub. as per para 3 of Bulletin Part II No. 435 dated 4-12-2008.



21. Kerala Small Industries Development Corporation Limited, Thiruvananthapuram.
22. Kerala Soaps and Oils Limited (closed down).
23. Kerala State Backward Classes Development Corporation Limited, Thiruvananthapuram.
24. Kerala State Bamboo Corporation Limited, Angamali.
25. Kerala State Beverages (Manufacturing and Marketing) Corporation Limited, Thiruvananthapuram.
26. Kerala State Coconut Development Corporation Limited, Thiruvananthapuram (Defunct).
27. Kerala State Construction Corporation Limited, Ernakulam.
28. Kerala State Detergents and Chemicals Limited (Closed).
29. Kerala State Development Corporation for Christian Converts from S.C. and the Recommended Communities Limited, Kottayam.
30. Kerala State Drugs and Pharmaceuticals Limited, Alappuzha.
31. Kerala State Ex-Servicemen Development and Rehabilitation Corporation, Thiruvananthapuram.
32. Kerala State Film Development Corporation Limited, Thiruvananthapuram.
33. Kerala State Horticultural Products Development Corporation Limited, Thiruvananthapuram.
34. Kerala State Industrial Enterprises Limited, Thiruvananthapuram.
35. Kerala State Industrial Products Trading Corporation Limited, Thiruvananthapuram.
36. Kerala State Maritime Development Corporation, Ernakulam.
37. Kerala State Mineral Development Corporation Limited, Thiruvananthapuram.
38. Kerala State Palmyra Products Development and Workers Welfare Corporation Limited, Thiruvananthapuram.
39. Kerala State Poultry Development Corporation Limited, Thiruvananthapuram.
40. Kerala State Power and Infrastructure Finance Corporation Limited, Thiruvananthapuram.

41. Kerala State Salicylates and Chemicals Limited, Thiruvananthapuram (Inactive).
  42. Kerala State Textile Corporation Limited, Thiruvananthapuram.
  43. Kerala Tourism Development Corporation Limited, Thiruvananthapuram.
  44. Kerala Transport Development Finance Corporation Limited, Thiruvananthapuram.
  45. Malabar Cements Limited, Palakkad.
  46. Meat Products of India Limited, Koothattukulam.
  47. Overseas Development and Employment Promotion Consultants Limited, Thiruvananthapuram.
  48. Roads and Bridges Development Corporation of Kerala Limited, Kochi.
  49. Scooters Kerala Limited, Alappuzha.
  50. Sitaram Textiles Limited, Thrissur.
  51. Steel and Industrial Forgings Limited, Thrissur.
  52. The Kerala Ceramics Limited, Kundara.
  53. The Kerala Minerals and Metals Limited, Kollam.
  54. The Kerala State Cashew Development Corporation Limited, Kollam.
  55. The Kerala State Civil Supplies Corporation Limited, Kochi.
  56. The Kerala State Coir Corporation Limited, Alappuzha.
  57. Kerala State Financial Enterprises Limited, Thrissur.
  58. Kerala State Handicapped Persons' Welfare Corporation Limited, Thiruvananthapuram.
  59. Metropolitan Engineering Company Limited, Thiruvananthapuram (Closed down).
  60. The Pharmaceutical Corporation (I.M.) Kerala Limited, Thrissur.
  61. The Plantation Corporation of Kerala Limited, Kottayam.
  62. The Travancore Plywood Industries Limited (Inactive).
  63. Trivandrum Spinning Mills Limited, Thiruvananthapuram.
- C. Subsidiary Companies of Fully owned Government Companies :**
64. Astral Watches Limited, Kasaragod (Subsidiary of KSIDC)-Defunct.
  65. Autokast Limited, Cherthala (Subsidiary of SILK).

66. Keltron Crystals Limited, Kannur (Subsidiary of KSEDC).
67. Keltron Magnetics Limited, Kannur (Subsidiary of KSEDC).
68. Keltron Power Devices Limited, Mulankunnathukavu, Thrissur (Subsidiary of KSEDC).
69. Keltron Rectifiers Limited (Subsidiary of KSEDC)—Closed down.
70. Keltron Resistors Limited, Kannur (Subsidiary of KSEDC).
71. Tourists Resorts (Kerala) Limited, Thiruvananthapuram (Subsidiary of KTDC).
72. Trivandrum Rubber Works Limited, Thiruvananthapuram (Subsidiary of the State Farming Corporation of Kerala Limited).
73. Keltron Components Complex Limited, Kannur (Subsidiary of KSEDC).
74. Keltron Electro Ceramics Limited, Kuttippuram (Subsidiary of KSEDC).
75. Keltron Counters Limited, Thiruvananthapuram (Subsidiary of KSEDC)—No Activity.
76. Kerala State wood Industries Limited, Malappuram (Subsidiary of Kerala State Forest Development Corporation Limited).
77. Steel Complex Limited, Kozhikode (Subsidiary of KSIDC).

**D. Majority Share holding Government Companies:**

78. Forest Industries (Travancore) Limited, Aluva.
79. Handicrafts Development Corporation of Kerala Limited, Thiruvananthapuram.
80. Kerala Feeds Limited, Thrissur.
81. Kerala Shipping and Inland Navigation Corporation Limited, Kochi.
82. Kerala State Women's Development Corporation Limited, Thiruvananthapuram.
83. Kerala Urban and Rural Development Finance Corporation Limited, Kozhikode.
84. Oil Palm India Limited, Kottayam.
85. The Rehabilitation Plantations Limited, Punalur.
86. The Kerala Agro Industries Corporation Limited, Thiruvananthapuram.
87. Kerala Land Development Corporation Limited, Thiruvananthapuram.
88. Kerala State Development Corporation for S.C. and S.T. Limited, Thrissur.
89. The Metal Industries Limited, Shornur.

90. The Travancore Cements Limited, Kottayam.
91. The Travancore Sugars and Chemicals Limited, Thiruvalla.
92. The Travancore-Cochin Chemicals Limited, Udyogamandal, Aluva.
93. Traco Cable Company Limited, Ernakulam.
94. Transformers and Electricals Kerala Limited, Angamali.
95. Travancore Titanium Products Limited, Thiruvananthapuram.
96. The United Electrical Industries Limited, Kollam.
97. Kerala Construction Components Limited (Closed down).
98. Kerala State Electronics Development Corporation Limited, Thiruvananthapuram.
99. Kerala State Industrial Development Corporation Limited, Thiruvananthapuram.
100. Steel Industries Kerala Limited, Thrissur.
101. The State Farming Corporation of Kerala Limited, Punalur.
102. Kerala Forest Development Corporation Limited, Kottayam.
103. Kerala State Handloom Development Corporation Limited, Kannur.

**E. Subsidiary of Majority Share holding Company:**

104. Kerala Garments Limited, Kannur (Subsidiary of Kerala State Handloom Development Corporation).

**F. Co-operative Societies:**

105. The Alleppey Co-operative Spinning Mills Limited, Kayamkulam.
106. The Cannanore Co-operative Spinning Mills Limited, Kannur.
107. CAPEX, Kollam.
108. Coirfed, Alappuzha.
109. The Co-operative Sugars Limited, Chittur.
110. HANTEX, Thiruvananthapuram.
111. The Malappuram Co-operative Spinning Mills Limited, Malappuram.
112. The Mannam Sugar Mills Co-operative Limited, Pandalam.
113. The Quilon Co-operative Spinning Mills Limited, Kollam

114. SERIFED, Thiruvananthapuram.
115. TEXTFED, Thiruvananthapuram.
116. The Trichur Co-operative Spinning Mills Limited, Vazhani.
117. Surabhi.
118. Kazhakuttom Co-operative Spinning Mill.
119. Priyadarsini Co-operative Spinning Mill, Kottayam.
120. Mala Co-operative Spinning Mill, Thrissur.
121. Malabar Co-operative Textile, MALCOTEX, Kuttipuram.

<sup>1</sup>FIFTH SCHEDULE

(See Rule 232)

## SUBJECT COMMITTEES

**Committee I—Agriculture, Animal Husbandry and Fisheries**

Agriculture

Soil and Water Conservation

Government Plantations

Commercial Crops

Special Agriculture Development Programme

Animal Husbandry

Dairy Development

Fisheries and Fishing Harbour

All Marine Products

**Committee II—Land Revenue and Devaswom**

Land Revenue

Land Reforms

Relief on Account of Natural Calamities

Land Revenue Commissionerate

Devaswom

<sup>2</sup>[ ]**Committee III—Water Resources**

Minor Irrigation

Major and Medium Irrigation

Command Area Development

Flood Control

Anti-sea erosion

Water Supply and Sewerage

<sup>1</sup>. Sub. as per para 42 of Bulletin Part II No. 651 dated 31-3-2010.<sup>2</sup>. Deleted as per Serial No. 26 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

**Committee IV—Industry and Minerals**

Large and Medium Industries  
 Village and small Industries  
 Small Scale Industries and Industrial Estates  
 Handloom and Powerloom  
 Khadi and Village Industries  
 Handicrafts  
 Coir  
 Cement, Iron and Steel  
 Bricks and Tiles  
 Mineral Development

<sup>1</sup>[ ]

**Committee V—Works, Transport and Communications**

Public Works (including roads and bridges)  
 Road Transport  
 Water Transport  
 Railways  
<sup>1</sup>[ ]  
 Communications  
 Ports, Light Houses and Shipping

**Committee VI—Education**

Education (including all Technical and Professional Education)  
 Arts and Culture  
<sup>1</sup>[ ]  
 Sports and Games

**Committee VII—Electricity, Labour and Labour Welfare**

Electricity  
 Labour (including Agricultural and Plantation Labour)  
 Employment and Unemployment  
 Employees' State Insurance

**Committee VIII—Economic Affairs**

Economic Development  
 Excise  
 Commercial Taxes and Agricultural Income Tax  
 Lotteries, Chitties and Chit Funds  
 Credit Institutions  
 Insurances  
 National Savings  
 Stamp and Registration

**Committee IX—Local Administration, Rural Development and Housing**

Municipal Corporations and Municipal Councils  
 Panchayats  
 Integrated Rural Development  
 Town Planning and Urban Development  
 Community Development  
 Urban and Rural Housing  
<sup>1</sup>[Welfare of Minorities]

**Committee X—Forest, Environment and Tourism**

Forests  
 Environment  
 Tourism

<sup>1</sup> Omitted as per sl. No. 26 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

<sup>1</sup> Ins. as per Sl. No. 26 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.

**Committee XI—Food, Civil Supplies and Co-operation**

Food and Civil Supplies

Co-operation

<sup>1</sup>[Legal Metrology]**Committee XII—Health and Family Welfare**

Health (including Hospitals and Maternity Services)

Family Planning

Women and Child Welfare

Nutrition

**Committee XIII—Social Services**

Welfare of Physically Handicapped

Old Age Pension

Social Justice

Welfare of Scheduled Castes/Scheduled Tribes and Welfare of the Backward Classes

**Committee XIV—Home Affairs**

Police and Jails

Administration of Justice

Elections (other than elections to Local bodies)

General Administration (including all service matters)

Information and Public Relations

<sup>2</sup>[ ]

Non-Resident Keralites Affairs

Parliamentary Affairs

<sup>3</sup>[Information Technology,

Air Transport,

Science and Technology (including Research)]

All other subjects not included in any other Committee.

<sup>1</sup> Ins. as per Sl. No. 26 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.<sup>2</sup> Omitted as per Sl. No. 26 of Bulletin Part II No. 517 dated 24-6-2018.<sup>3</sup> Ins. as per Sl. No. 26 of 'Amendments' in Bulletin Part II No. 517 dated 24-6-2018.**ANNEXURE I****DIRECTIONS**

Issued by the Speaker under the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

**Direction No. 1****QUESTIONS FOR ORAL ANSWERS—CIRCUMSTANCES UNDER WHICH THEY ARE TREATED AS UNSTARRED**

“In accordance with established practice the following types of questions which are given notice of as starred will be transferred to the unstarred list :

- (a) Questions asking for information of a statistical nature ;
- (b) Questions going into too many details and where it is obvious that the reply will be a long one, though not necessarily statistical in nature ;
- (c) Questions generally not of sufficient public importance but may be of interest only to a limited few ;
- (d) Questions which raise only matters of local interest ;
- (e) Questions of a sectional character which involve no fundamental question of policy for elucidation on the floor of the House ;
- (f) Questions relating to administrative matter such as the strength of staff in a Government office ;
- (g) Questions based on widely believed rumours or hearsay information which are admitted only for the purpose of informing public opinion and clearing popular misapprehension ;
- (h) Questions on which there would not be any scope for supplementaries ;
- (i) Questions asking for statements to be laid on the table; and
- (j) Starred questions from each member in excess of two admitted for answer on any particular day.”

Questions by members—Pertaining to the Legislature Secretariat

“Questions relating to the Legislature Secretariat or the Speaker are not ordinarily as a matter of convention answered on the floor of the House. Any information that members may desire about the Legislature Secretariat will be readily made available if only they contact the Secretary or the Speaker ”

(Issued by the Speaker on August 19, 1957).

**Direction No. 1—A**

PROCEDURE FOR INVITING ATTENTION OF THE HOUSE TO  
INCORRECT STATEMENTS MADE BY  
MINISTER OR MEMBERS

(i) A Member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other Member shall, before referring to the matter in the House, write to the speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

(ii) The Member may place before the Speaker such evidence as he may have in support of his allegation.

(iii) The Speaker may, if he thinks fit, bring the matter to the notice of the Minister or the Member concerned for the purpose of ascertaining the factual position in regard to the allegation made.

(iv) The Speaker may then, if he thinks it necessary, permit the Member who made the allegation to raise the matter in the House and the Member so permitted shall, before making the Statement, inform the Minister or the Member concerned.

(v) The Minister or the Member concerned may make a statement in reply with the permission of the Speaker and after having informed the other Member concerned.

(Issued by the Speaker on June 26, 1961)

**Direction No. 2**

ANSWERS TO STARRED QUESTIONS—STATEMENTS LAID  
ON THE TABLE

(i) When a Statement is to be laid on the Table of the House in answer to a question for oral answer, a copy of the statement together with a copy of the question shall be made available to the Member concerned fifteen minutes in advance of the question hour.

(ii) The copy of such a statement referred to in the answer to a question for oral answer shall be supplied only to the member in whose name the question stands or to the member who has been authorised by him to ask the question on his behalf or to any person who has been duly authorised by him in writing to receive the statement.

(iii) Copies of such statements shall be considered as confidential and shall not be released for publication till after the question is answered or the question hour is over, whichever is earlier. If for any reason such a statement is not laid on the Table or the answer is not given or the contents, thereof are altered by the Minister while answering the question in the House the original statement shall not be made public.

(Issued by the Speaker on June 28, 1967)

**Direction No. 3**

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE  
UNDER RULE 61\*

A Member desiring to give notice under Rule 61\* shall give a copy of the notice to the Minister concerned also.

(Issued by the Speaker on April 22, 1968)

**Direction No. 4**

ANSWERING OF QUESTION ON THE SAME SUBJECT RECEIVED FROM  
SEVERAL MEMBERS :

Where a large number of notices of questions are received from several Members on the same or allied subject, the Speaker may direct that all the notices be consolidated into a single notice, if in his opinion, it is desirable to have a single self-contained question covering all the important points raised by members :

Provided that in the case of such a consolidated question the names of all the Members concerned shall be bracketed and shown against the question in the order of priority of their notices.

**Direction No. 5**

COMMITTEE ON PETITIONS

1. (i) As soon as a petition is received, it shall be acknowledged.

(ii) Every petition before presentation to the House shall be examined in order to see whether it is:

- (a) in proper form;
- (b) couched in respectful, decorous and temperate language;

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\* Rule 62 of Amended Rules.



- (c) in conformity with the rules and decisions that may be taken from time to time.

(iii) After the petition has been examined and is found to be generally in order, it shall be presented to the House by the Secretary or the Member, as the case may be :

Provided that in the case of a petition on a Bill pending before the House, it shall be presented or reported to the House, as the case may be, as soon as possible after its receipt:

Provided further that in the case of a petition on a Bill pending before a Select Committee, the petition may be referred to that Committee without being presented to the House and the petitioner informed accordingly.

2. If a petition, after presentation, is found defective it may be withdrawn by an order of the Speaker and the petitioner informed accordingly.

3. (i) A petition shall be rejected or returned to the petitioner if it:—

- (a) relates to personnel or individual grievances; or
- (b) relates to matters specified in Clause (iii) of rule 105\* of the Rules of Procedure.

(ii) In case it is considered necessary to ascertain the facts from the Department of Government concerned, in order to determine the admissibility of the petition, a reference may be made to the Department and facts gathered, or action taken by them ascertained.

4. After the presentation of a petition to the House, the Committee on Petitions shall meet to consider it as early as possible:

Provided that in the case of a petition on a Bill pending before the House, it shall meet as soon as possible after it has been presented or reported to the House and submit its report to the House or direct the circulation of the petition to the Members, as the case may be, well in advance of the Bill being taken up in the House:

Provided further that in the case of a petition received on a Bill already under discussion in the House, the Committee shall meet to consider it immediately on its presentation, after its receipt, and submit its report or direct the circulation of the petition to the Members, as the case may be, well in advance of the Bill being disposed of by the House.

\* Rule 107 of the Amended Rules.

5. The Committee shall also meet as often as necessary to consider representations, letters and telegrams from individuals and associations, which are not covered by the rules relating to petitions and give directions for their disposal:

Provided that representations which fall in the following categories shall not be considered by the Committee, but shall be filed on receipt in the Secretariat.

- (i) anonymous letters or letters on which names and/or addresses of senders are not given or illegible;
- (ii) endorsement copies of letters addressed to authorities other than the Speaker or House unless there is specific request on such a copy praying for redress of the grievance;
- (iii) representations ventilating grievances of employees of State or Central Government;
- (iv) representations on matters which fall within the cognizance of a Court of Law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body or a commission; and
- (v) representations of a frivolous nature or those not couched in respectful, decorous or temperate language.

6. After the Report has been presented, the petitioner shall be informed about it.

(Issued by the Speaker on March 11, 1970)

#### **Direction No. 6**

#### **COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES**

The Committee on the Welfare of Scheduled Castes and Scheduled Tribes may consider representations received from individuals/associations belonging to Scheduled Castes and Scheduled Tribes containing suggestions for the welfare and improvement of the conditions of Scheduled Castes and Scheduled Tribes and those ventilating grievances pertaining to matters falling within the purview of the State Government:

Provided that representations falling under the following categories shall not be considered by the Committee:—

- (i) anonymous letters or letters on which names and/or addresses of senders are not given or illegible;

(ii) endorsement copies of letters addressed to authorities other than the Speaker or the House unless there is a specific request on such a copy praying for redressal of the grievance;

(iii) representations on matters which fall within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body or commission;

(iv) representations of a frivolous nature or those not couched in respectful, decorous or temperate language;

\*(v) representations ventilating grievances of employees belonging to Scheduled Castes and Scheduled Tribes in services under the State Government, Public Undertakings, Statutory and Semi-Government bodies unless they relate to non-implementation or defective implementation of reservation orders for Scheduled Castes and Scheduled Tribes.

(Issued by the Speaker on November 13, 1973)

## Direction No. 7

### SUBJECT COMMITTEES

#### 1. *Scrutiny of Demands for Grants*

(i) *Procedure for variations under sub heads.*—Under Article 203 (2) of the Constitution, while the Legislative Assembly may refuse to assent to a demand, or assent to it subject to a reduction of the amount specified therein, it may not increase the demand. Thus while a Subject Committee may, in examining a demand under its various sub-heads, recommend variations from one sub-head to another, such variations shall not have the effect of increasing the total allocation under the demand. If an increase is sought to be made under one sub-head, a corresponding saving has to be shown under another sub-head within the same demand. A Subject Committee may, however, recommend an enhancement or a new service, such enhancement or new service to be effected either by reappropriation where possible or through a supplementary demand. In making its recommendations, the Subject Committee shall keep in view also the resources constraint.

(ii) *Preparation of programme statements by Government Departments in relation to their respective Demands.*—In order to enable the Subject Committees to scrutinise the Demands for Grants purposefully and effectively, the Departments of Government may develop a system of preparing programme statements in relation to their respective budget demands. These should identify specific policy objectives, specify all the activities that contribute to the

\* See Direction No. 18 also.

objectives, identify the resources and costs required to achieve them, and contain measurements or assessments of outputs. In regard to projects involving capital outlay, the size of the project (physical targets, costs, etc.) its broad objectives, whether the work is to be undertaken on a phased programme, the steps suggested for monitoring progress and allied details may be given. If it is an on-going project, whether money allotted in the previous year was spent as scheduled, the programme for the current year cost escalation, if any, and a performance review may be presented. In the case of an industry/corporation, its capital structure (including loans, debentures, grants etc.) its field of activity, its rated capacity and actual production, details of financial position (including assets and liabilities and profit and loss account), relationship of productivity to cost, scheme if any for repayment of loan etc., may be given. In the case of a scheme, e.g. a welfare scheme, the objectives to be attained by the scheme, the class/classes of persons to be covered, their probable number, modalities of implementation, and the annual cost (payments to beneficiaries and/or cost of welfare programmes, and cost of administration of the scheme) may be clearly set out. In regard to subsidies and grants, the purport of such subsidy/grant, its basis, and the financial implications thereof will be stated. These are only illustrations and are intended to suggest a pattern. The financial figures in all these cases should be supplemented by analyses showing the objectives of individual spending programmes and the results of past programmes.

#### 2. *Attendance of Officers at meeting of Subject Committee*

Normally, only Special Secretaries/Secretaries/Commissioners and Heads of Departments (Managing Director in the case of an industry/corporation) shall attend Subject Committees. In addition, officers not below the rank of a Deputy Secretary, may also attend, where considered necessary.

#### 3. *Papers for circulation to members of Subject Committees*

Fifty copies each of all papers intended for circulation to members of a Subject Committee shall reach the Legislature Secretariat at least three days before the date fixed for a meeting of the Committee, and the members shall be supplied with such papers at least two days before the meeting.

#### 4. *Follow-up action on Reports of Subject Committees*

A quarterly report on action taken by Departments on the recommendations of the Subject Committees shall be sent by each Department to the concerned Subject Committee.

#### \*5. *Meeting to discuss matters referred to in rule 235 (1) (iii) & (v)*

Besides the meetings for scrutiny of Demands for Grants, examination of legislation and examination of draft statutory rules (Subordinate Legislation),

\* Included in Rules (Rule No. 235A as per Recommendation of the Committee on Revision of Rules of Procedure and conduct of Business in Kerala Legislative Assembly.

each Subject Committee may, when the Legislative Assembly is not in session, hold at least one meeting every month to discuss any of the matters referred to in rule 235 (1) (iii) & (v). The date and time for such meeting shall be fixed by the Speaker in consultation with the Chairman of the concerned Subject Committee.

(Issued by the Speaker on February 7, 1983)

### **Direction No. 8**

#### **SUBJECT COMMITTEES—ADOPTION OF REPORT ON SCRUTINY OF DEMANDS FOR GRANTS**

Sub-Rule (2) of rule 236 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly provides that the Subject Committee shall complete the scrutiny of all the demands for grants within a period not exceeding four weeks from the date of completion of the general discussion on the budget as provided in rule 141. It is hereby clarified that the scrutiny referred to in the said sub-Rule (2) of Rule 236 includes also the finalisation of the Report of every Subject Committee in respect of the demands for grants falling within its purview.

(Issued by the Speaker on August 2, 1984)

### **Direction No. 9\***

If there are notices of starred questions given notice of by more than one member are of same subject or similar subject and if the Speaker is of the opinion that it is more fit to make it as a single question by merging the important part of the questions (clubbing), he can give direction to do accordingly.

The names of the Members who had given notices of such questions shall be balloted, and the names of four members who have got the priority in ballot will be included in the order of precedence of the ballot in the list.

The Member who have got the first priority in the list of starred questions will be allowed to ask two supplementary questions and the others will be allowed to ask one supplementary question each.

(Issued by the Hon'ble Speaker on June 19, 2010)

\* The direction issued by the Speaker on June 19, 2010 to amend the direction issued on June 28, 1985

### **Direction No. 10**

#### **NOTICES OF RESOLUTIONS TO DISAPPROVE ORDINANCES AND NOTICE OF AMENDMENTS TO BILLS—ASSIGNMENT OF PRIORITY—PROCEDURE STREAMLINED**

##### *I. Procedure Regarding Notices of Disapproval of Ordinances*

(1) Notices of resolutions to disapprove the Ordinances in respect of the Bills coming up before the Assembly given in pursuance of Article 213 (2) (a) of the Constitution shall be deposited in the notice box at least two clear days, before the day on which the respective Bills will come up before the House.

(2) On the day on which the period of notice for giving notice of the Ordinance disapproval resolution is over, all the notices shall be balloted and those who secure the first and second ballots will be allowed to move or, as the case may be, to second the resolution and speak. However if, only one Member has given notice of the Ordinance disapproval resolution another Member may second the resolution. But that other Member shall not be allowed to speak.

(3) The other notices will be balloted and the names of Members who have secured the ballot will be entered in the list of Members who have given notice of disapproval resolutions in the order of priority. In the event of either one or both of the Members who are entitled to move or second the resolution being absent when called, the next Member in the list will be called to speak.

(4) Subject to the condition mentioned in paragraph 3 above the notices of all the Members other than those who have secured the first and second preference will be treated as notice of amendments to the respective Bill and the Members whose notices are treated accordingly will be called along with the Members who have given notice of amendment, on the basis of the priority secure among notices of amendments.

##### *II. Procedure Regarding Notices of Amendments to Bill*

(1) After a Bill is introduced, when a motion for the reference of that Bill to the appropriate Subject Committee or Select Committee comes up before the House (vide rule 76) or when a motion for the consideration of a Bill as reported by the appropriate Subject Committee or Select Committee comes up before the House [vide rule 79 (1)] the notice of amendments to such motion [vide rule 77 (2) and rule 79 (2)] shall be deposited in the notice box.

\*[(2) The relative precedence of members entitled to move the amendments or to speak on the amendments shall be determined by ballot held at 11 a.m. on the day prior to the day on which the respective Bill comes up before the House.]

\* Deleted as per Recommendation of the Committee on Revision of Rules of Procedure and conduct of Business in Kerala Legislative Assembly.

(3) Any member who secures precedence in the ballot may, with the permission of the Speaker, authorise any other member to move the amendment standing in his name or to speak on the basis thereof.

\*[(4) Notice of amendments proposing modifications to the clauses of a Bill will be received upto 3 p.m. on the day before the day on which that Bill comes up before the House for clause by clause consideration.]

The procedure mentioned above will come into force from November 10, 1986 onwards.

(Issued by the Speaker on November 6, 1986)

#### **Direction No. 11**

##### **SUBJECT COMMITTEES—AMENDMENT TO RULE 5 OF THE INTERNAL WORKING RULES**

In the Internal Working Rules of Subject Committees, the following shall be substituted for Rule 5:—

*Rule 5:—Time of sittings of the Committee.*—The date/dates and time of sittings of each Subject Committee shall be notified by the Secretary from time to time in consultation with the Chairman of the Committee according to the business before the Committee may warrant :

Provided that in fixing such date/dates and time for the meeting of the Committee the Chairman shall consult the ex-officio members of the Committee (Ministers) under whose jurisdiction the Subjects to be considered in that meeting come :

Provided further that items concerning a particular department will not normally be taken up for consideration in the absence of the Minister concerned :

Provided however that the schedule of discussion by the Committees on the Demands for Grants falling within the purview of each Committee shall be settled in advance and notified to the departments by the Secretary within two days of the presentation of the budget.

(Issued by the Speaker on February 15, 1988)

#### **Direction No. 12<sup>#</sup>**

##### **LAYING OF REGULATIONS, RULES ETC. ON THE TABLE**

Where there is a delay of more than two months in laying on the Table a Regulation, Rule, sub-Rule, Bye-law etc., framed in pursuance of the Constitution or the Legislative Functions delegated by an Act of Parliament to the State

\* Deleted as per Recommendation of the Committee on Revision of Rules of Procedure of conduct of Business in Kerala Legislative Assembly.

# See Direction No. 17 also.

Government or by the Assembly to a Subordinate Authority as required under Rule 166 (1), the Minister concerned shall lay on the Table, a statement showing the reasons for such delay also along with the Regulation, Rule, sub-Rule, Bye-law etc.

(Issued by the Speaker on April 15, 1988)

#### **Direction No. 13**

##### **LAYING OF BILLS AFTER ASSENT**

Every Bill passed by the House and assented to by the Governor under Article 200 and the President of India under article 201 of the Constitution shall be laid by the Secretary on the Table of the House.

(Issued by the Speaker on June 2, 1989)

#### **Direction No. 14**

##### **LEGISLATURE COMMITTEES—MAKING AVAILABLE REPORTS OF LEGISLATURE COMMITTEES TO GOVERNMENT IMMEDIATELY AFTER PRESENTATION**

A copy each of the Reports of all Legislature Committees shall be forwarded to the concerned Secretary to Government immediately after its presentation in the Assembly.

(Issued by the Speaker on January 9, 1991)

#### **Direction No. 15**

##### **ALLOTMENT OF ALTERNATE FRIDAYS FOR THE TRANSACTION OF BUSINESS RELATING TO PRIVATE MEMBERS' BILLS AND THAT RELATING TO PRIVATE MEMBERS' RESOLUTIONS—DIRECTION**

From the next Session onwards the days allotted for transacting Private Members' business shall be allotted in such a manner that the business relating to Private Members' Bills and that relating to Private Members' Resolutions shall be taken up for discussion on alternate Fridays commencing with the business relating to Private Members' Bills :

Provided, however, that if only one day has been allotted for Private Members' business during a Session that day shall be utilised for transacting the business relating to Private Members' Bills. Notwithstanding such allotment, the first of the days allotted for Private Members' business during the succeeding Session shall be set apart for transacting the business relating to Private Members' Bills :

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Provided further that in case there is no Private Members' Bill for discussion of a Friday set apart for that class of business, the business relating to Private Members' Resolutions may be taken up for that day after giving prior intimation to the Members in the matter :

Provided also that where the exigencies of the situation requires, so to do, the Speaker may, after giving prior intimation to the Members allot a day set apart for the transaction of the business relating to Private Members' Bills, for transacting the business relating to Private Members' Resolutions. In such a contingency there shall be no change in the class of business proposed to be set apart for the next day allotted for Private Members' business during the Session.

(Issued by the Speaker on May 10, 1993)

#### **Direction No. 16**

##### **SPEAKER EMPOWERED TO AMEND NOTICE**

Sometimes the points given notice by the Members of a Subject Committee to raise discussion therein might relate wholly to matters of day-to-day administration or partly to matters of policy and partly to matters of day-to-day administration. Sub-Rule (2) of Rule 235 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly stipulates that the Subject Committee shall not examine or investigate matters of day-to-day administration. Neither the Assembly Rules nor the Internal Working Rules of Subject Committees give powers to the Speaker to amend such notices in such a manner as to bring them in conformity with the Rules, in case it can be amended accordingly, so as to enable the Committee to consider such notices. Hence it is hereby directed that in cases where a notice to raise points for discussion in a Subject Committee contains matters wholly relating to day-to-day administration or partly to matters of policy and partly to matters of day-to-day administration the Speaker may amend such notices with a view to bring them in conformity with the rules, in case it can be amended accordingly, if the Member concerned makes a written request in this behalf. If, however, such notices cannot be amended accordingly the Speaker may disallow such notices and the Member concerned shall be informed of it.

(Issued by the Speaker on March 1, 1995)

#### **Direction No. 17**

##### **LAYING OF REGULATIONS, RULE ETC. ON THE TABLE—TIME LIMIT— PRESCRIBED**

All Regulations, Rules, sub-Rules, Bye-laws etc. framed in pursuance of the Constitution or the Legislative Functions delegated by an Act of

Parliament to the State Government or by the Assembly to a Subordinate Authority as required under Rule 166 (1) shall be made available for laying before the Assembly during the session immediately succeeding the issuance of such Regulations, Rules, sub-Rules, Bye-laws etc. or within two months of the issuance of such Regulations, Rules, sub-Rules, Bye-laws etc. whichever comes earlier.

In cases where there is a delay in laying on the Table a Regulation, Rule, sub-Rule, Bye-law etc., framed in pursuance of the Constitution or the Legislative Functions delegated by an Act of Parliament to the State Government or by the Assembly to a Subordinate Authority as required under Rule 166 (1) the Minister concerned shall lay on the Table, a statement showing the reasons for such delay also along with the Regulation, Rule, sub-Rule, Bye-law etc.

(Issued by the Speaker on September 10, 1998)

#### **Direction No. 18**

##### **COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES**

Proviso V to Direction No. 6 in the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly which states that "representations ventilating grievances of employees belonging to Scheduled Castes and Scheduled Tribes in services under the State Government, Public Undertakings, Statutory and Semi-Government bodies unless they relate to non-implementation or defective implementation of reservation orders for Scheduled Castes and Scheduled Tribes shall not be considered by the Committee" is deleted.

(Issued by the Speaker on September 25, 2001)

#### **Direction No. 19**

##### **SUBJECT COMMITTEES—SPECIAL INVITEES**

Rule 5 of the Internal Working Rules of Subject Committees (as amended by direction No. 11) stipulates that items concerning a particular department will not normally be taken up for consideration in the absence of the Minister concerned. Hence, in cases where a Minister is not an ex-officio member of a particular Subject Committee in which subjects under his portfolio are considered, he can also be invited and can attend that particular meeting of that Subject Committee as a special invitee.

(Issued by the Speaker on February 20, 2004)



**Direction No. 20****BAN ON EXPLOSIVE SUBSTANCES—LETHAL WEAPONS AND OTHER PROHIBITED ARTICLES**

Bringing in and exhibiting of explosive substances, Lethal Weapons and other prohibited articles in the Legislative Assembly is prohibited.

(Issued by the Speaker on July 8, 2005)

**Direction No. 21****LEGISLATURE COMMITTEES—PRIOR SANCTION OF SPEAKER IS NEEDED FOR TAKING EVIDENCE AND PREPARATION OF REPORTS UNDER RULE 201**

In cases of taking evidence and the preparation of reports by a Legislature Committee which are not specified either in the objectives of its constitution or empowered under the Internal Working Rules, the previous sanction of the Speaker is necessary. Similarly as per Rule 201 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly for taking evidence and for preparation of special reports the previous sanction of the Speaker shall be obtained.

(Issued by the Speaker on July 18, 2006)

**Direction No. 22**

It has been noticed that statutory rules approved in draft stage or ratified in notified stage by the Subject Committees are being subjected to amendment and notified as Government Orders or Circulars by the Government. It has also been noticed that such Government Orders or Circulars are not being furnished for the ratification of the Subject Committees as required under Rule 238. In order to avoid such practices in future, it is directed that when a statutory rule which has already been approved in draft form or ratified in the notified form is subjected to an amendment, such additions or omissions shall be published as SROs and shall be transmitted to the appropriate Subject Committee for ratification. If such notifications have been issued in exigency, a statement showing reason thereof shall also be submitted.

(Issued by the Speaker on August 12, 2008)

**Direction No. 23****SUBJECT COMMITTEES-NOTES REGARDING THE SCRUTINY OF DEMANDS FOR GRANTS**

Every Government Department has to submit detailed notes to the concerned Subject Committee for the scrutiny of the Demands for Grants as per

Rule 236. After the completion of the scrutiny of the Demands for Grants and the presentation of the Reports of the Subject Committees in the House, a copy each of the aforesaid notes submitted as per the Rule 7 of the Internal Working Rules of Subject Committees, shall be kept in the Legislature Library for future reference of the Members.

(Issued by the Speaker on August 30, 2018)

**Direction No. 24****PETITIONS SUBMITTED TO THE LEGISLATURE COMMITTEES BY THE MEMBERS - DIRECTION BY THE SPEAKER**

It has come to the notice that the Legislature Committees are receiving and thereafter considering petitions from Members regarding the breach of privileges/ rights entitled to them. Since Members have to submit such type of petitions directly to the Speaker, in future, it shall be submitted for the consideration of the Speaker as soon as they are received by a Committee.

(Issued by the Speaker on October 4, 2018)

**Direction No. 25****FIXATION OF TIME LIMIT FOR THE TRANSMISSION OF RULES ISSUED WITHOUT THE PRIOR SANCTION OF THE SUBJECT COMMITTEES UNDER RULE 238 FOR THE FURTHER RATIFICATION OF THE SUBJECT COMMITTEES-DIRECTION ISSUED**

As per Rule 238 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly, the Rules which were issued without prior scrutiny of the Subject Committee shall be transmitted to the concerned Subject Committee for ratification after the issuance of the rules. It is inserted in the second proviso of the Rule 238 that in case, if any Government Department fails to do so in time, the reason thereof shall be furnished to the Subject Committee.

As the Rule 238 does not stipulate a time limit for transmitting to the Subject Committee concerned the Rules which had been issued without the prior scrutiny of the Subject Committee, it is directed that the same shall be transmitted within 30 days from the issuance of the Rules and if ever the Rules are not transmitted within that 30 days it should be submitted along with a statement showing the reasons thereof for such delay and the Subject Committee shall consider the rules only if it is submitted with the aforesaid delay statement.

(Issued as Bulletin no. 2, dated December 2, 2018)



## ANNEXURE II

(See Rule 250)

\*CODE OF CONDUCT FOR THE MEMBERS OF THE KERALA  
LEGISLATIVE ASSEMBLY*Chapter I***Preliminary**

1. This Code may be called the Code of Conduct for Members of the Kerala Legislative Assembly.
2. The words and expressions used in this Code shall, unless the context otherwise requires, have the meaning assigned to them in the Constitution of India and the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

*Chapter II*

## CODE OF CONDUCT FOR MEMBERS INSIDE THE HOUSE

**General Rules**

3. A Member, whilst the House is sitting, shall:—
  - (i) bow to the Chair while entering or leaving the House and also when taking or leaving his seat ;
  - (ii) always address the Chair ;
  - (iii) keep to his usual seat while addressing the House ;
  - (iv) maintain silence when not speaking in the House ;
  - (v) avoid talking or laughing in Lobby loud enough to be heard in the House ;
  - (vi) maintain the inviolability of the Question Hour ;
  - (vii) refrain from transgressing into the well of the House ;
  - (viii) resume his seat as soon as the Speaker rises to speak.
4. A Member, whilst the House is sitting, shall not:—
  - (i) read any book, newspaper or letter except in connection with the business of the House ;

- (ii) interrupt any Member while speaking by disorderly expression or noises or in any other disorderly manner ;
  - (iii) pass between the Chair and any Member who is speaking ;
  - (iv) leave the House when the Speaker is addressing the House ;
  - (v) obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when another member is speaking ;
  - (vi) applaud when a stranger enters any of the Galleries, or the Special Box ;
  - (vii) shout slogans in the House ;
  - (viii) sit or stand with his back towards the Chair ;
  - (ix) approach the Chair personally in the House. He may send chits to the officers at the Table, if necessary ;
  - (x) wear or display badges of any kind in the House ;
  - (xi) bring or display arms in the House ;
  - (xii) display flags, emblems or any exhibits in the House ;
  - (xiii) leave the House immediately after delivering his speech ;
  - (xiv) distribute within the precincts of the House any literature, questionnaire, pamphlets, press notes, leaflets etc. not connected with the business of the House ;
  - (xv) or enter the House with his coat hanging on the arms.
  - (xvi) carry walking stick into the House unless permitted by the Speaker on health grounds ;
  - (xvii) tear off documents in the House in protest ;
  - (xviii) bring or play cassette or tape recorder in the House ;
  - (xix) sit on Satyagrah or Dharna inside the House or anywhere within the precincts of the House ;
  - (xx) use cellular phones or pagers in the House.
5. A Member, while speaking shall not—
    - (i) refer to any matter of fact on which a judicial decision is pending ;

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\* Ins. as per Para 43 of Bulletin Part II No. 651 dated 31-3-2010.

- (ii) make personal reference by way of making an allegation imputing a motive to or questioning the bona fide of any other member of the House unless it be imperatively necessary for the purpose of the debate being itself a matter in issue or relevant thereto ;
- (iii) use offensive expressions about the conduct or proceedings of Legislature ;
- (iv) reflect on any determination of the House except on a motion for rescinding it ;
- (v) reflect upon the conduct of persons in high authority unless the discussions is based on a substantive motion drawn in proper terms ;
- (vi) use the Governor's name for the purpose of influencing the debate ;
- (vii) utter treasonable, seditious or defamatory words ;
- (viii) use his right of speech for the purpose of obstructing the business of the House ;
- (ix) make any reference to the strangers in any of the galleries ;
- (x) read a written speech except with the previous permission of the Chair ;
- (xi) question or comment on the ruling of the Speaker ;
- (xii) use insinuation or offensive and unparliamentary expressions while addressing the Chair ;
- (xiii) speak unless called by the Speaker ;
- (xiv) speak unparliamentary words.

6. (a) If a private Member desires to lay a paper or document on the Table of the House, he shall supply a copy thereof to the Speaker in advance so as to enable him to decide whether permission should be given to lay the paper or document on the Table. If the Speaker permits the Member to lay the paper or document on the Table, the Member may at the appropriate time lay it on the Table.

(b) If a private Member, in the course of his speech wishes to quote from a secret Government document, in paper or report, he shall supply a copy thereof in advance to the Speaker and also indicate the portions thereof which he wishes to quote in order to enable the Speaker to decide whether

permissions should be given. If the Speaker permits the Member to quote from the document, the Member may do so at the appropriate time. If the Speaker does not accord the necessary permission, the Members shall not quote from the document nor refer to its contents.

7. (a) A Member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other Member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

(b) The member may place before the Speaker such evidence as he may have in support of his allegation.

8. No allegation of a defamatory or incriminatory nature shall be made by a Member against any person unless the Member has given adequate advance notice to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply :

Provided that the Speaker may at any time prohibit any Member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

9. Members shall not give any advance publicity to various notices given by them.

10. A Member having a personal, pecuniary or direct interest in a matter before the House, while taking part in the proceedings on that matter, shall declare the nature of that interest.

#### CODE OF CONDUCT FOR MEMBERS DURING GOVERNOR'S ADDRESS

11. It is imperative for each and every Member or any other person present on the occasion of the Governor's Address to observe solemnity, dignity and decorum.

12. If any Member or other person interrupts or obstructs the Governor's Address to the House either before or during or after the Address, while the Governor is in the Hall, with any speech or point of order or walk out or in any other manner, such interruption, obstruction or show of disrespect shall tantamount to an act of disorder and disrespect to the Governor and may be considered as a grossly disorderly conduct on the part of concerned member or other person and a contempt to the House which may be dealt with by the House subsequently on a motion moved by a Member.

## CODE OF CONDUCT FOR MEMBERS IN COMMITTEES

13. Where a member of a Committee has personal, pecuniary or direct interest in any matter which is to be considered by the Committee, he shall state his interest therein to the Speaker through the Chairman of the Committee.

14. Since the proceedings of a Committee are treated as confidential, it is not permissible for a member of the Committee or anyone who has access to its proceedings to communicate directly or indirectly to the press any information regarding its proceedings including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House.

15. Whenever a paper or document, marked 'secret' or confidential is circulated to the Members of the Committee, the contents of such paper or document shall not be divulged by any Member either in the minute of dissent or on the floor of the House, or otherwise, without the permission of the Speaker and where such permission has been obtained, any restriction imposed by the Speaker in regard to the manner in which, or the extent to which the information contained in the document may be divulged, shall be strictly observed.

16. The evidence given before a Committee shall not be published by any member of the Committee or by any other person until it has been laid on the Table.

## CODE OF CONDUCT FOR MEMBERS DURING STUDY TOURS OF COMMITTEES

17. Committees should not normally undertake tours unless it is absolutely necessary to undertake an on-the-spot study tour for proper examination of the subject before the Committee.

18. Where a Committee proposes to undertake a tour, prior permission of the Speaker should be taken in all cases.

19. During the tours, Committees should avoid visits to places not included in the official tour programme, except local sight seeing.

20. It is necessary that the expenditure on tours and the strain on the local administration and transport authorities should be kept to the minimum.

21. Terms of reference of the Committees on study tours should be precise and laid down in writing.

22. A study tour should be undertaken before the official evidence on the subject is taken by the Committee and not after the evidence.

23. A study tour should be undertaken for the absolutely, minimum necessary period, not exceeding three weeks at a time.

24. Sufficient notice of the tour programme should be given to the State Governments/other Departments or Undertakings concerned.

25. There should be no last minute changes in the tour programme as these result in considerable difficulties to the Railways, Airlines, concerned Government Departments and Officers.

26. Members shall avoid intermediate journeys during the tours. When transport is provided by Government/Undertakings during the tours of the Committee, such transport should be used for Committee work and not by individual members for distant private visits.

27. Members during tours, shall take particular care to maintain proper dignity and decorum so that no criticism is made of the Committee in any manner.

28. During the tour, if a member falls ill and the doctor advises him not to undertake further tour, he shall follow the doctor's advice.

29. No member shall give statements regarding Committee proceedings to the press. Whenever any briefing of the press is required to be done, the same should be done by the Chairman of the Committee.

30. The Committee while on tour, may accept invitation for official lunches or dinner no liquor should be allowed to be served as such occasions.

31. No Member shall take any other person during the official tours. An attendant or member's spouse may accompany a member on medical grounds with the prior permission of the Chairman of the Committee. In such cases, the Member shall bear all expenses including hotel charges in respect of his/her spouse or attendant.

32. The spouse or attendant of a Member in no case, shall accompany Committee members during official visit to any installation, undertakings, office or establishment and during discussions with officers of the concerned establishment, undertaking etc.

## CODE OF CONDUCT FOR THE MEMBERS OUTSIDE LEGISLATURE AND GENERAL ETHICAL PRINCIPLES

33. Information given to Members in confidence or by virtue of their being Members of Committees of Legislature shall not be divulged to any one nor used by them directly or indirectly in the profession in which they are

engaged, such as in their capacity as editors or correspondents of newspapers or proprietors or business firms and so on.

34. A Member shall not try to secure business from Government for a firm, company or organization with which he is directly or indirectly concerned.

35. A Member shall not give certificates which are not based on facts.

36. A Member shall not make profit out of Government residence allotted to him by sub-letting the premises.

37. A Member shall not unduly influence the Government officials or the Ministers in a case in which he is interested financially either directly or indirectly.

38. A Member shall not receive hospitality of any kind for any work that he desires or proposes to do from a person or organization on whose behalf the work is to be done by him.

39. A Member shall not in his capacity as a lawyer or a legal advisor or a counsel or a solicitor appear before a Minister or an executive officer exercising quasi-judicial powers.

40. A Member shall not proceed to take an action on behalf of his constituents on some insufficient or baseless facts.

41. A Member shall not permit himself to be used as a ready supporter of anybody's grievances or complaints without any bona fides.

42. A Member shall not endorse incorrect certificates on bills claiming amounts due to him.

43. A Member shall not elicit information from Government in an unauthorized manner by including a subordinate official to give information which in the course of his normal functions he should not do.

44. A Member shall not write recommendatory letter to Government officials for employment or business contact for any of his relatives.

#### GENERAL ETHICAL PRINCIPLES WITH WHICH MEMBERS SHOULD ABIDE

45. Members must utilise their position to advance general well being of the people.

46. In case of conflict between the personal interest of Members and public interest, they must resolve the conflict so that personal interest are subordinated to the duty of their public office.

47. Members shall resolve conflict between private financial interest/family interest and public interest in a manner that the public interest is not jeopardized.

48. Members holding public offices shall use public resources in such a manner as it may lead to public good.

49. Members shall keep uppermost in their mind the fundamental duties listed in Part-IV A of the Constitution.

50. Members shall maintain high standards of morality, dignity, decency and values in public life.

#### PROCEDURE FOR DEALING WITH COMPLAINTS REGARDING BREACH OF CODE OF CONDUCT

51. The Speaker may suo motu take up for consideration cases of breach of the Code that have taken place in the House.

52. In other cases the Speaker may refer complaints regarding violation of Code of Conduct to Committee on Privileges and Ethics for examination and report thereon.

#### PUNISHMENT FOR BREACH OF CODE OF CONDUCT

53. In case of violation of the Code of Conduct the Speaker can impose any of the following punishment/penalties :—

- (a) Admonition ;
- (b) Reprimand ;
- (c) Censure ;
- (d) Withdrawal from the House ;
- (e) Suspension from the service of the House for a specific period ; and
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