



सत्यमेव जयते

**RULES OF
PROCEDURE AND
CONDUCT OF
BUSINESS IN
ASSAM LEGISLATIVE ASSEMBLY**

FOURTEENTH EDITION

ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT
DISPUR

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PREFACE

Article 208 of the Constitution of India empowers the Legislatures of States to make rules for regulating, subject to the provisions of the Constitution, their procedure and the conduct of business.

The Rules Committee of the Fourteenth Assam Legislative Assembly, 2016, convened on three occasions to review and potentially update the existing procedural framework governing the Assam Legislative Assembly. In their first meeting convened on 18th July, 2016, the Rules Committee initiated a discussion on the existing sitting hours of the House. Hon'ble Members of the Rules Committee, after a comprehensive review of the above matter, unanimously decided to amend rule 11 and presented the Report, with the recommendations, to the House on 19th July, 2016.

During the second meeting of the Rules Committee convened on 17th August, 2017, Hon'ble Members focused on discussing certain matters that required amendments, as well as consequential insertions and additions in the Rules. In the course of their discussion, the Committee considered rules 23, 31, 48 and 301 for amendments and after a thorough consideration, presented the Report, with the recommendations, to the House on 4th September, 2017.

The Rules Committee of the Fifteenth Assembly, 2021 first convened on 9th July, 2021 in the backdrop of the Assam Official Language (Amendment) Bill, 2020 passed by the Assembly on 30th December, 2020 with a view to making Bodo language as an associate official language. After a threadbare

discussion, the Committee recommended that the business of the Assembly shall be transacted in Bodo language also. The Committee recommended for playing the National Anthem on the first day of each session and the State Anthem at the end of the last day of each session. The report of the Committee was presented to the House on 12th July, 2021.

In their second sitting held on 27th August, 2024, the Rules Committee considered the proposals submitted by the Committee of Officers of the Assam Legislative Assembly constituted by the Speaker for taking a comprehensive review of the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly.

The Rules Committee approved the proposals submitted by the Committee of Officers on 22nd August, 2024, with certain amendments/modifications. They also recommended that patent errors of grammatical or consequential nature, if any, which might have gone unnoticed, may be incorporated in the Rules under the direction of the Speaker when the revised edition of the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly is printed.

While many of the amendments recommended by the Committee aimed at making the rules gender neutral; bringing the Rules in consonance with the provisions of the Constitution; correcting grammatical and patent errors to bring precision; ensuring that notices, etc. may be given online under the Rules; and sending of Assembly papers online to Members, some of the key amendments recommended by the Rules Committee and agreed to by the House on 28th August, 2024 are as follows:-

(a) The expression “Private Members’ Business” shall be

- incorporated in the Rules to include Private Members' Bills, Private Members' Resolutions and Members' Hour.
- (b) The sitting of the House shall ordinarily commence at 9:30 AM and conclude at 2:00 PM on all weekdays, unless the Speaker otherwise directs.
 - (c) The text of the address by the Governor shall not be altered.
 - (d) All Assembly papers, except Bills and record of proceedings, shall be made available to Members in Bodo language also.
 - (e) Insertion of a new rule 35A to provide clarity on fate of questions and their answers in case of cancellation of Question Hour; adjournment of the House without transacting any business or if Question Hour is interrupted or if last sitting or sittings of session are cancelled.
 - (f) Insertion of a new provision in rule 43 to empower the Speaker to direct that answers of questions of Members who are not present may be given without a request from any other Member.
 - (g) Insertion of a new rule 65AA to provide that the recommendation of the President or the Governor on Bills shall be communicated to the Principal Secretary by the Minister concerned.
 - (h) Notifications, rules, regulations, etc. to be laid before the Assembly for a total period of 15 days, if period of laying is not specified in the statute, and shall be subject to modification by the Assembly.
 - (i) Omission of the words "House of Commons in the United Kingdom" in rule 172.
 - (j) Insertion of new provisions for division by automatic vote

recording machine or by NeVa system or by distribution of slips or by going into the lobbies.

I express my profound gratitude to the Hon'ble Speaker, Assam Legislative Assembly, Shri Biswajit Daimary for his invaluable guidance, direction and constant advice to the Committee of Officers of the Assam Legislative Assembly during the process of redrafting of the Rules. I am also greatly indebted to the Hon'ble Speaker for his unwavering support in the publication of this revised Fourteenth Edition of the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly. This revised Fourteenth Edition incorporates the amendments/additions as well as correction of patent errors of grammatical or consequential nature as recommended by the Rules Committee, and adopted by the House on 28th August, 2024.

It is my sincere belief that this Fourteenth Edition of the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly will be of immense use to the Hon'ble Members of the Assam Legislative Assembly, officials of the Government of Assam and those who want to acquaint themselves with the procedural framework governing the Assam Legislative Assembly.

Dispur

18th November, 2024

Dulal Pegu

Secretary,

Assam Legislative Assembly

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CHAPTER I

Short Title and Definitions

Short Title. 1. These rules may be called “the Rules of Procedure and Conduct of Business in Assam Legislative Assembly”.

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

(a) “Assembly” or “House” means the Assam Legislative Assembly;

(b) “Assembly Committee” means Committee which is appointed or elected by the House or nominated by the Speaker and which works under the direction of the Speaker and presents its report to the House or to the Speaker and the Secretariat for which is provided by the Assembly Secretariat;

(c) “Bulletin” means the Bulletin of the House containing (i) a brief record of the proceedings of the House at each of its sittings; (ii) information on any matter relating to or connected with the business of the House or Assembly Committee or any other matter which in the opinion of the Speaker may be included therein;

(d) “circulation” in relation to notices, papers, etc. in connection with business of House shall include circulation of soft copies thereof through NeVA portal or such other electronic means as the Speaker may direct;

* Amendment of Rule 2 (h), now re-numbered as 2(m), adopted on 10th July, 2006. New definitions inserted and re-numbered alphabetically *vide* amendments adopted on 28th August, 2024.

- (e) “Constitution” means the Constitution of India;
- (f) “Finance Minister” means the Minister-in-charge of the Finance Department or any other Minister authorised to perform her/his functions;
- (g) “Gazette” means the Gazette of Assam;
- (h) “in writing” in relation to any notice, paper, letter, etc. in connection with business of House shall include submissions given through NeVA portal or such other electronic means as the Speaker may direct;
- (i) “Leader of the House” means the Chief Minister, or any other Minister nominated as such by the Chief Minister to function as Leader of the House and recognised by the Speaker;
- (j) “Leader of the Opposition” means the Leader of the single largest recognised party in the Opposition and recognised as such by the Speaker;
- (k) “Lobby” means the Division Lobbies or any other place specified by the Speaker within the precincts of the Assembly premises;
- (l) ”Member-in-charge of the Bill” means in the case of a Government Bill any Minister acting on behalf of the Government and in any other case the Member who has introduced the Bill;
- (m) ”Minister” means a Member of the Council of Ministers, a Minister of State or a Deputy Minister;

(n) “precincts of the House” means the Chamber, the Lobbies, the Galleries, the Libraries and such other places as the Speaker may from time to time specify;

(o) “Principal Secretary” means the Principal Secretary to the Assembly and, in the absence of Principal Secretary due to vacancy, resignation or otherwise, the Secretary, Assembly Secretariat or any other person for the time being authorized by the Speaker to perform the duties of the Principal Secretary;

(p) “Private Member” means a Member other than a Minister;

(q) “Private Members’ Business” means Private Members’ Bills, Private Members’ Resolutions and Members’ Hour;

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

(s) “Table” means the Table of the House.

(2) Words and expressions used in the Constitution and not defined above shall, in these rules, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER II

Summons to Members, Seating, Oath or Affirmation and Roll of Members

*3A.

*3B.

Summons to Members.

3. (1) The Chief Minister shall in consultation with the Speaker, advise the Governor for summoning the Assembly under article 174 of the Constitution.

(2) On issue of summon by the Governor, the Principal Secretary shall issue a summon to each Member specifying the date and place for a Session of the House at least ten days before the date of commencement of the Session:

Provided that when a session is called at a 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 Members may be informed through NeVA portal or such other means as the Speaker may direct.

Seating of Members.

4. The Members shall sit in such order as the Speaker may determine.

*5A.

*5B.

* Rules 3A and 3B re-numbered as Rule 3 and 5A and 5B re-numbered as Rule 5 *vide* amendments adopted on 28th August, 2024.

***Oath or
affirmation.***

5. (1) 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 during the sitting of the Assembly, as the Speaker may direct, after giving previous notice in writing to the Principal Secretary.

(2) No Member shall be entitled to take part in any proceedings of the House unless she/he has made and subscribed an oath or affirmation in pursuance of article 188 of the Constitution.

***Roll of
Members.***

6. There shall be a Roll of Members of the Assembly which shall be signed in the presence of the Principal Secretary by every Member, after taking the oath or affirmation and before taking one's own seat.

* CHAPTER III

Election of Speaker and Deputy Speaker and Panel of Chairpersons

Election of Speaker by the Assembly.

7.(1) When at the beginning of the new Assembly or owing to a vacancy in the office of the Speaker, the election of a Speaker is necessary, the Governor shall fix a date for holding of the election and the Principal Secretary shall send to every Member notice of the date so fixed.

(2) At any time before 3-30 p.m. on the day preceding the date so fixed, any Member may nominate another Member for election by delivering to the Principal Secretary a nomination paper signed by herself/himself as proposer and by a third Member as seconder and stating-

(a) the name of the Member nominated; and

(b) that the proposer has ascertained that such Member is willing to serve as Speaker, if elected.

(3) The nomination paper shall be delivered to the Principal Secretary either by the candidate herself/himself or by the proposer or seconder in person.

* Amendments to Chapter III to make provisions gender neutral adopted on 28th August, 2024.

(4) In the case of a new Assembly, the Member appointed by the Governor to perform the duties of the office of Speaker pending the election of a Speaker and, in any other case, the Deputy Speaker or other Member presiding shall read out to the Assembly the names of the Members who have been duly nominated together with those of the proposers and seconders and, if only one Member has been so nominated, shall declare the Member to be elected. If more than one Member has been so nominated, the Assembly shall proceed to elect a Speaker by ballot, and in case of two candidates, the candidate obtaining the larger number of votes shall be declared elected. In case of equality of votes, it shall be determined by the drawing of lots.

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

(6) Where more than two candidates have been nominated and at the first ballot-

(a) one of such candidates, obtains more votes than the aggregate votes obtained by the other candidates, she/he shall be declared elected;

(b) if no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained smallest number of votes shall be excluded from the election and the 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 the remaining candidate or than the aggregate votes of the remaining candidate as the case may be.

(7) Where at any ballot, any of three or more candidates obtain equal number of votes and one of them has to be excluded from the election under sub-rule (6), the determination as between the candidate whose votes are equal of the candidate who is to be excluded shall be by drawing of lots.

(8) A nomination paper may be withdrawn by the candidate or the proposer before the Assembly meets on the day fixed for the election of the Speaker.

***Election of
Deputy Speaker.***

8(1). When either at the beginning of a new Assembly or owing to the existence of any vacancy in the office of a Deputy Speaker at any time during the life of an Assembly, the election of a Deputy Speaker is necessary, the Governor, when there is no Speaker, or the Speaker when there is a Speaker, shall fix a date for the holding of the election and

the Principal Secretary shall send to every Member notice of the date so fixed, unless the same is announced to the House by the Speaker in the later case.

(2) At any time before 3.30 p.m. on the day preceding the date so fixed, any Member may nominate another Member for election by delivering to the Principal Secretary a nomination paper signed by herself/himself as proposer and by a third Member as seconder and stating –

(a) the name of the Member nominated;
and

(b) that the proposer has ascertained that such Member is willing to serve as Deputy Speaker, if elected.

(3) Nomination paper shall be delivered to the Principal Secretary either by the candidate herself/himself or by the proposer or seconder in person.

(4) The election shall take place at a meeting of the Assembly.

(5) On the date fixed for election, the Speaker or the person presiding shall read out to the Assembly the names of the Members who have been duly proposed together with the names of their proposer and seconders and, if only one Member has been so proposed for election, shall declare that person duly elected. If more than one person has been so proposed, the Assembly shall proceed to

elect a Deputy Speaker by ballot and, in case of two candidates, the candidate obtaining the larger number of votes shall be declared elected.

(6) For the purpose of sub-rule (5), a Member shall not be deemed to have been duly nominated or be entitled to vote if she/he and her/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.

(7) Where more than two candidates have been nominated and at the first ballot-

(a) one of such candidates obtains more votes than the aggregate votes obtained by the other candidates, she/he shall be declared elected;

(b) if 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 the 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 the remaining candidates or than the aggregate votes of the remaining candidates, as the case may be.

(8) Where at any ballot any of the three or more candidates obtain an equal number of votes and one of them has to be excluded from the

election under sub-rule (7), the determination as between the candidates whose votes are equal of the candidate who is to be excluded, shall be by drawing of lots.

(9) A nomination paper may be withdrawn by the candidate or the proposer before the Assembly meets on the day fixed for the election of the Deputy Speaker.

***Panel of
Chairpersons.***

*9.(1) At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate from amongst the Members, a panel of not more than four Chairpersons, any one of whom may preside over the House in the absence of the Speaker and the Deputy Speaker when so requested by the Speaker or, in the absence of the Speaker, by the Deputy Speaker.

(2) A Chairperson nominated under sub-rule (1) shall hold office until a new panel of Chairpersons is nominated.

***Power of
persons
presiding.***

*10. The Deputy Speaker or any other Member competent to preside over a sitting of the House 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.

* Amendment of Rules 9(1) and (2) and 10 were adopted by the House on 28th August, 2024.

Delegation of powers to the Deputy Speaker. 10A. The Speaker may, by order in writing, delegate to the Deputy Speaker such of her/his powers and functions as she/he may deem fit and for such period as may be determined by the Speaker.

CHAPTER IV

Sitting of the House

Hours of Sitting.

- *11. Unless the Speaker otherwise directs,--
- (i) the sitting of the House shall ordinarily commence at 9:30 AM and conclude at 2:00 PM on all weekdays;
 - (ii) there shall be no sitting of the House on Saturdays:

Provided that the Speaker may, according to the exigencies of the business, adjourn earlier or extend the hour of sitting.

When is sitting of the House duly constituted.

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

11B. **

Rastriya Sangeet and Jatiya Sangeet.

11C. The Rastriya Sangeet on the first day of each Session and the Jatiya Sangeet at the end of the last day of each Session shall be played.

Adjournment of House.

*12. (1) The Speaker shall determine the time when a sitting of the House shall be adjourned *sine-die* or to a particular day, or to an hour or part of the day:

* Amendments of Rules 11 and 12 were adopted on 28th August, 2024.

** Rule 11B omitted *vide* amendment adopted on 28th August, 2024.

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

(2) In case the House, after being adjourned is reconvened under the proviso to sub-rule (1), the Principal Secretary shall communicate to each Member the date, time, place and duration of the next part of the session.

CHAPTER V

Governor's Address and Message to the Assembly

***Governor's
Address.***

*13.(1) At the commencement of the first session after each general election to the Assembly and at the commencement of the first session of each year, the Governor shall address the Assembly as required by article 176 (1) of the Constitution:

Provided that in the case of a first session held after each general election to the Assembly, the making of the prescribed oath or affirmation by Members and the election of the Speaker shall precede the Governor's Address.

(2) After the Address by the Governor, the Speaker shall report to the Assembly that the Governor had been pleased to address the Assembly and shall lay a copy of the Address on the Table.

***Scope of
discussion.***

*14. (1) The Speaker shall, in consultation with the Leader of the House and the Business Advisory Committee, if any, allot time for the discussion of the matters referred to in the Governor's Address.

(2) On such day or days or part of any day, the House shall be at liberty to discuss matters referred to in such Address on a Motion of Thanks moved by a Member and seconded by another Member.

* Rules 13 and 14 were amended and Rule 14A was inserted *vide* amendments adopted on 28th August, 2024.

*Amendments-
conditions of
admissibility.*

*14A. (1) Amendments may be moved to such Motion of Thanks in such form as may be considered appropriate by the Speaker.

(2) In order that notice of amendment to the Motion of Thanks may be admissible, it shall satisfy the following conditions, namely:-

(i) it shall not seek to alter text of the Governor's Address;

(ii) it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputation, epithets or defamatory statements;

(iii) it shall not refer to a matter which is not primarily the concern of the Government of Assam;

(iv) it shall be confined to one specific matter which shall be stated in precise terms;

(v) it shall not be inconsistent with the provisions of the Constitution;

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

(vii) it shall not relate to a matter which is under the jurisdiction of the Election Commission;

(viii) it shall not cast reflection on any decision of the House;

(ix) it shall not be defamatory or vague in nature; and

(x) it shall not relate to a trivial matter.

Presentation of Motion of Thanks to Governor. 15. The Motion of Thanks having been adopted with or without amendment shall be forthwith communicated to the Governor by the Speaker.

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 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 Assembly 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.

(3) The discussion on the Address may be interrupted in the course of a sitting by an adjournment motion under Rule 61.

Government's right of reply. 17. (1) The Chief Minister or any other Minister shall, whether previously taken part in the discussion or not, have on behalf of the Government a general right of explaining the position of the Government at the end of the discussion and the Speaker may enquire how much time will be required for the speech so that the Speaker may fix the hour by which the discussion shall conclude.

* (2) 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.

Time limit for speeches. 18. The Speaker may, if thinks fit, prescribe a time limit for speeches after taking the sense of the House.

Governor's Address under article 175(1). 19. 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.

Message from Governor. 20. Where a message from the Governor for the Assembly under article 175(2) of the Constitution is received by the Speaker, she/he shall read the message to the Assembly and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the rules to such extent as may be necessary.

* Rule 17 (2) inserted *vide* amendment adopted on 28th August, 2024.

CHAPTER VI

Arrangement of Business, Provisional Programme and List of Business.

(a) Arrangement of Business

Arrangement of Government Business. 21. On days allotted for the transaction of Government business, such business shall have precedence and the Principal Secretary shall arrange that business in such order as the Speaker may, after consultation with the Leader of the House, determine:

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.

Precedence of Private Members' Bills. 22. (1) 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 motion is that leave be granted to introduce the Bill;

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

(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 has been presented;

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

* Rule 22 (b) was amended *vide* amendment adopted on 28th August, 2024.

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

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

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

(3) The Speaker may, by special order, make such variations in the relative precedence of Bills set out in sub-rule (1) as the Speaker may consider necessary or convenient.

***Precedence
of Private
Members’
Resolutions.***

22A. 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.

***Allotment of
time for Private
Members’
Business and
precedence of
Business.***

*23. Unless the Speaker otherwise directs, whole of the time after Question Hour of a sitting on Friday shall be allotted for the transaction of Private Members’ Business:

Provided that the Speaker may, while exercising discretion, allot any other day, if Friday is a holiday or if any Government Business is allotted on Friday:

* Rule 23 was amended and Rules 23A and 23B were inserted *vide* amendments adopted on 28th August, 2024. Rule 23B was earlier sub-rules 2(i) to 2(ix) of Rule 23, which was inserted *vide* amendment adopted on 4th September, 2017.

Provided further that the Speaker may allot Friday or part of Friday for disposal of Government business in case there is no Private Members' Business or not sufficient Private Members' Business, as the case may be, to be transacted on Friday and the time may be allotted by the Speaker in consultation with the Leader of the House and the Leader of the Opposition:

Provided further that during the period from the date of presentation of the Budget till the passing of the same, the Speaker may, in consultation with the Business Advisory Committee, allot any one or more of the days for Private Members' Business for various stages of discussion on the Budget.

***Private
Members'
Business
outstanding at
end of day.***

*23A. Private Members' Business set down for the day allotted for such 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:

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

***Members'
Hour.***

*23B. (1) On every Friday, after termination of the Question Hour and before commencement of other business listed for the day, the House shall take up subjects listed under Members' Hour.

* Amendment of the Rules 23B (7) to (10), Rule 24 and Rule 26 (2) were adopted by the House on 28th August, 2024

(2) A Member with the permission of the Speaker shall be allowed to raise a matter of urgent public importance of one's constituency for not more than ten minutes in duration.

(3) A Member desiring to raise such matter shall give notice in writing to the Principal Secretary stating clearly and precisely not more than three major issues pertaining to one's constituency having serious public importance and urgent character which deserve special attention of the Government.

(4) The period of such notice by a Member shall be at least seven clear days from the date on which the matter is proposed to be raised.

(5) The Speaker shall decide whether a notice or part thereof is admissible under these rules and disallow any notice when in the opinion of the Speaker it is not found conforming to the rules of procedure of the House.

(6) The Speaker shall select notices of not more than two Members, preferably first time Members, both from the Ruling and the Opposition parties, for raising the matter. The concerned Minister/Ministers may, with the permission of the Speaker, make a reply, not exceeding ten minutes in duration. However, if the required information is not available with the Minister/ Ministers at the time of reply, the information in respect of the matter raised shall be sent by the Minister within a period of ten days from the date of raising the matter in the House to the Member concerned directly with a copy to the Principal Secretary.

(7) The Principal Secretary, with the permission of the Speaker, shall inform in writing the Members selected for raising the matters five days before the matters are to be taken up by the House and also inform the Minister/Ministers in writing about the matters to be raised.

(8) The Members selected under sub-rule (7) shall submit the full text, if not already submitted with the notice, of the matters, not exceeding 750 words for each matter, to the Speaker at least three days before the matters are to be taken up by the House.

(9) Unless the Speaker otherwise directs, there shall be no Zero Hour, Calling Attention under rule 54 or Special Mention under rule 301 or any other business on the day allotted for transaction of Private Members' Business.

(10) Other items of Private Members' Business listed for the day shall be taken up after Members' Hour.

*Business
outstanding at
end of day.*

*24. All business appointed for any day and not disposed of on that day shall stand over until the next day of the session available for business of that class.

(b) Provisional Programme and List of Business

*Provisional
programme.*

25. A provisional programme of business for the session shall be circulated to each of the Members of the Assembly by the Principal Secretary at least seven days ahead of the commencement of the Assembly:

Provided that the Speaker may relax the rule in exceptional circumstances.

*List of
Business.*

26. (1) A list of business for the day shall be prepared by the Principal Secretary and shall be circulated to all Members on the previous day.

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

(3) No business not included in the list of business for the day shall be transacted at any meeting without the leave of the Speaker.

CHAPTER VII

Meetings and language of the Assembly

*Language
of the
Assembly.*

*27.

*28.(1) The business of the Assembly shall be transacted in any of the languages, namely, Assamese, Bengali, Bodo, English or Hindi:

Provided that a Member desirous of making a speech in any language other than Assamese, Bengali, Bodo, English or Hindi shall submit in advance to the Principal Secretary two authenticated copies of the translation of her/his speech in Assamese or Bengali or Bodo or English or Hindi for use of the interpreters and later incorporation in the official report of the proceedings of the House:

Provided further that where a Member does not furnish such translation, the fact that the Member spoke in a language other than Assamese or Bengali or Bodo or English or Hindi shall be mentioned in the official report of the proceedings of the House with the remark that the Member did not furnish the translation of the speech made in Assamese or Bengali or Bodo or English or Hindi.

(2) Notwithstanding anything in sub-rule (1), the Principal Secretary shall make available all papers like List of Business, Bulletins, etc. concerning the business of the Assembly, except Bills and record

* Rule 27 was omitted and Rule 28 was amended *vide* amendments adopted on 28th August, 2024.

of proceedings of the Assembly, to the Members in Assamese, Bodo and English languages.

Proceedings not invalid for failure to comply with rules. 29. No proceedings of the Assembly shall be deemed to be, or ever to have been, invalid by reason of any rule not being, or not having been complied with but in case of any such non-compliance, any Member may raise a point of order.

Correction of speech. 29A. A manuscript copy of the speech made by the Member concerned will be supplied to the Member within five days of making the speech and the Member concerned will correct the speech and return the same within fifteen days. If the speech is not corrected and returned within the aforesaid time, it may be printed without correction and no objection regarding the correctness of the speech will be entertained.

CHAPTER VIII

(a) Questions

Question Hour. 30. Unless the Speaker otherwise directs, the first hour of every sitting shall be available for the asking and answering of questions.

Period of notice. *31. Unless the Speaker otherwise directs, not less than fifteen and not more than twenty-one clear days notice of a question shall be given.

Form of notice. 32. (1) Notice of a question shall be given in writing to the Principal 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.

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

Starred and Unstarred questions. 33. (1) Questions may be either “Starred” or “Unstarred”.

(2) Unless the Speaker otherwise directs, no question shall be placed on the list of questions for answer until five days have expired from the day when notice of such question was given by the Principal Secretary to the Minister to whom it was addressed.

* Amendment of Rule 31 was adopted by the House on 4th September, 2017.

(3) Separate notices shall be given for “Starred” and “Unstarred” questions:

Provided that questions requiring elaborate statistical information or reports may not be “Starred”.

(4) A Member who desires an oral answer to her/his question shall distinguish it by an asterisk. If she/he does not distinguish it by an asterisk, the question shall be placed on the list of questions for written answer.

Supplementary questions.

34. (1) No discussion shall be permitted during the time for questions under rule 32 in respect of any question or of any answer given to a question.

(2) Any Member when called by the Speaker may ask a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that the Speaker shall disallow any supplementary question, if, in her/his opinion, it infringes the rules regarding questions.

Limit of number of questions.

*35. (1) Not more than one question distinguished by asterisk by the same Member and not more than twenty questions in all shall be placed on the list of questions for oral answer on any one day:

Provided that the Speaker in her/his discretion may allow not more than three questions distinguished by an asterisk by the same Member, if the exigencies of situation justify:

* Rule 35 was amended and Rule 35A was inserted *vide* amendments adopted on 28th August, 2024.

Provided further that when a question is postponed or transferred from the list of questions for oral answer to another, more than one question may stand in the name of one Member and the total number of questions may exceed by such postponed or transferred question.

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

Unstarred questions.

*35A. (1) If a question is not distinguished by an asterisk, or if a 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, a written answer to such question shall be deemed to have been laid on the Table at the end of the Question Hour or as soon as the questions for oral answers have been disposed of, as the case may be, by the Minister to whom the question is addressed:

Provided that if a Member, on being called by the Speaker, states that it is not her/his intention to ask the question standing in her/his name, the question shall be treated as having been withdrawn and no written answer thereto shall be deemed to have been laid on the Table.

(2) If there is no Question Hour owing to the cancellation of a sitting or its adjournment without transacting any business, the answers to

questions included in the lists of questions for oral as well as written answer shall be deemed to have been laid on the Table by the Ministers to whom such questions are addressed at the next sitting of the House after the Question Hour and form part of the proceedings of that day.

(3) If the Question Hour on any day is dispensed with for any reason, the answers to questions included in the lists of questions for oral as well as written answers for that day shall be deemed to have been laid on the Table by the Ministers to whom such questions are addressed and shall form part of the proceedings of the day:

Provided that if the House does not continue with its sitting after dispensing with the Question Hour, the answers to questions included in the lists of questions for oral as well as written answer for that day shall be deemed to have been laid on the Table after the Question Hour at the next sitting of the House and shall form part of the proceedings of that day:

Provided further that if the Question Hour is interrupted after having taken up the list of questions for oral answers and the list is partly disposed of and the sitting continues, answers to remaining questions in the list of questions for oral answer and answers to questions in the list of questions for written answer shall be deemed to have been laid on the Table one hour after the commencement of the Question Hour and form part of the proceedings of the day.

(4) If the last sitting or sittings of a session are cancelled, the questions in the lists of questions for oral as well as written answer for that day or those days shall lapse.

(5) Generally, no oral reply shall be required to a question to which a written answer is given and no supplementary questions shall be asked in respect thereof.

Rotational allotment of days for questions.

36. 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 has been allotted on that day shall be placed on the list of questions for oral answer.

Conditions of admissibility of questions.

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

(2) The right to ask a question shall be governed by the following conditions, namely:—

- (i) it shall be clearly and precisely expressed and shall not be too general so as to make it incapable of any specific answer or in the nature of a leading question;

* Rule 37 was amended *vide* amendment adopted on 28th August, 2024.

- (ii) it shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (iii) if it contains a statement, the Member asking it shall make herself/himself responsible for the accuracy of the statement;
- (iv) it shall not contain arguments, inferences, ironical or offensive expressions, imputations, epithets or defamatory statements;
- (v) it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;
- (vi) it shall not refer to the character or conduct of any person except in that person's official or public capacity;
- (vii) it shall not ordinarily exceed 150 words;
- (viii) it shall not repeat in the same session in substance questions already answered or to which an answer has been refused;
- (ix) it shall not ask for information set-forth in easily available documents or in ordinary works of reference;
- (x) it shall not ask for information on a matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (xi) 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 statutory authority or commission or court of enquiry;

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

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

(xiv) it shall not ask for information on trivial, vague or meaningless matters;

(xv) it shall not ordinarily ask for information on matters of past history;

(xvi) it shall not relate to a matter with which a Minister is not officially concerned;

(xviii) it shall not refer to proceedings of the current session;

(xix) it shall not criticise the decisions of the Assembly;

(xvii) it shall not relate to day-to-day administration of local bodies or other semi-autonomous bodies. The Speaker may, however, allow questions which arise out of their relation with the

Government or refer to breaches of law or rules or relate to important matters involving general welfare;

(xx) it shall not seek information about matters which, in their nature, are secret such as decisions or proceedings of the Cabinet, advice given to the Governor by law officers and other subjects, the disclosure of which is against public interest;

(xxi) it shall not ask for information on matters before Assembly Committees or within the jurisdiction of the Chairpersons of Assembly Committees or the authorities of the House;

(xxii) it shall not refer discourteously to a friendly foreign country;

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

(xxiv) it shall not relate to a matter which is not primarily the concern of the Government of Assam; and

(xxv) it shall not raise matters under the control of bodies or persons not primarily responsible to the Government of Assam.

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

*Speaker
to decide
admissibility.*

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 which, or a part thereof, when in her/his opinion, it is an abuse of the right of questioning or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

(2) Subject to the provisions of rule 36, 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 her/his notice, if she/he is of the opinion that a longer period is necessary to decide whether the question is or is not admissible.

*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 answer is of such a nature that 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 she/he thinks fit, call upon the Member who has given notice of a question for oral answer to state in brief her/his reasons for desiring an oral answer and, after considering the same, may direct that the question be included in the list of questions for written answer.

*Power to
disallow
questions.*

40. The Speaker may, within the period of notice, disallow any question or any part of the question on the ground that it relates to a matter which is not primarily the concern of the Government of the State and if she/he

List of questions.

does so, the question or part of the question shall not be placed on the list of questions.

41. (1) Questions which have not been disallowed, shall be entered in the list of questions for the day for oral or written answer, as the case may be, in accordance with the orders of the Speaker.

(2) Questions for oral answers shall be called, if the time made available for questions permits, in the order in which they stand on the list before any other business is entered upon at the sitting:

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 she/he desires to give a reply.

Questions to Private Members.

42. A question may be addressed by a Member to a Private Member provided the subject matter of the question relates to some Bills, resolutions or other matter connected with business of the House for which that Member is responsible and the procedure in regard to such question 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.

Mode of asking questions.

*43. (1) Questions shall be put and answers given in such manner as the Speaker may, in her/his discretion determine.

* Rule 43, which was amended *vide* amendment adopted on 7th April, 2000, was further amended *vide* amendment adopted on 28th August, 2024.

(2) When the time for asking questions arrives, the Speaker shall call successively each Member in whose name a question appears on the list of questions.

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

(4) If on a question being called, it is not asked or the Member in whose name it stands is absent, the Speaker may direct that the answer to it be given.

(5) The replies to oral questions shall be provided to Members in such manner as the Speaker may direct, an hour before the commencement of the sitting of the House each day:

Provided that the Minister in whose name the replies to the oral questions stand shall not read the answers but reply to the supplementaries for elucidating matter of fact regarding which an answer is given:

Provided further that the Speaker may while exercising discretion regulate the asking of supplementary questions and replies thereto by Ministers.

*44.

*45.

Withdrawal or postponement of question. 46. A Member may, by notice given at any time before the sitting for which her/his question has been placed on the list, withdraw her/

* Rules 44 and 45 were omitted *vide* amendments adopted on 28th August, 2024.

his question or postpone it to a later day, the question shall, subject to the provisions of rule 38, be placed on the list after all questions which have not been so postponed:

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

Unanswered starred questions on last day of session.
Lapse of pending questions referred to Members.

47. Replies to any starred questions which remain unanswered on the last day of the session, shall be circulated to the Members, and such replies shall form part of the proceedings of the last day.

47A. Where a reference is made to a Member in connection with the notice of the question and no reply is received or a reply received from her/him is too late for the consideration of the Speaker and the placing of the question, if admitted, on the list of questions for an appropriate date, such notice shall be deemed to have lapsed.

Prohibition of advance publicity of answers.

47B. Answers to questions which Ministers propose to give in the House shall not be released for publication until the answers have actually been given on the floor of the House or laid on the Table.

(b) Short Notice Questions

Short notice questions.

*48 (1). A question relating to a matter of public importance that occurred after the

* Amendment of Rule 48 was adopted by the House on 1st February, 2011 and 4th September, 2017.

expiry of the period of notice of both starred and unstarred questions under rule 31 may be asked with notice not shorter than seven clear days from the last day of the sitting of the Assembly stating clearly the reasons of urgency and public importance and, if the Speaker is of opinion that the question is of an urgent character, Speaker shall fix a day for the reply to such a question.

(2) Such question will be called immediately after the starred questions listed for the day have been disposed of, and, if the question hour has either been dispensed with or has not been provided for, it may be called for answer as the first item of business and, if there is any new Member to take oath or affirmation then immediately thereafter.

(3) If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, the Speaker may direct that the question to be placed as the first question in the list of Starred Questions of the Member concerned for the day on which it shall be due for answer in normal course. When a short notice question of such a Member is admitted by the Speaker as Starred Question, the other short notice question of the Member, if already included in the list, shall be deleted.

(4) Where two or more Members give short notice question on the same subject and one of the questions is accepted for answer at short notice, the names of the other Members shall be bracketed with name of the Member whose question has been accepted for answer:

Provided that the Speaker may direct that all notices be consolidated into a single notice, if in her/his opinion it is desirable to have a single self contained question covering all the important points raised by Members and the Minister shall then give her/his reply to the consolidated question:

Provided further that in the case of a consolidated question, the names of all the Members concerned may be bracketed and shown against the question in the order of priority of their notice.

(5) Where a Member desires an oral answer to a question at a shorter notice, she/he shall also be required to briefly state the reasons for asking the question with short notice for oral answer, and where no reasons have been assigned in the notice of the question, such short notice question seeking oral answer shall be returned to the Member.

(6) The Member who has given notice of the question shall be in her/his seat to read the question when called by the Speaker and the Minister concerned shall give reply immediately:

Provided that when a question is shown in the names of more than one Member, the Speaker shall call the name of the first Member, or in her/his absence, any other name:

Provided further that, if none of the Members whose name appear for such short notice question is present and if no Member has been authorized on her/his behalf, the Speaker may direct the answer to be laid on the Table:

Provided further that, if the Minister concerned has sought permission to answer orally the short notice question on the ground that it is of urgent public importance, the Speaker may allow the Minister to do so:

Provided further that the Member in whose name such short notice question stands may ask two supplementary only and other Members may ask one supplementary each only, if permitted by the Speaker.

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

CHAPTER IX

Half-an-Hour Discussion on matter arising out of answer to question.

Discussion on a matter of public importance arising out of answer to question.

49. (1) The Speaker shall allot half-an-hour or such time as she/he deems fit for raising discussion on a matter of sufficient public importance which has been the subject of a recent question, oral or written, and the answer to which needs elucidation on a matter of fact.

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

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

Provided further that the notice shall be supported by the signature of at least another Member:

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

(3) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion, and may not admit a notice which, in her/his opinion, seeks to revise

the policy of Government and not more than one such matter shall be raised on a particular day.

(4) If more than two notices have been received and admitted by the Speaker, the notice which is prior in point of time shall have precedence:

Provided that, if any matter put down for discussion on a particular day, is not disposed of on that day, it shall not be set down for any other day, unless the Member so desires, in which case it shall be included in the ballot for the next available day.

(5) There shall be no formal motion before the House nor voting. The Member who has given notice may make a short statement and it will be open for discussion. The Minister concerned shall give a short reply:

Provided that, if the Member who has given notice is absent, the other Member who has supported the notice may, with the permission of the Speaker, initiate the discussion.

CHAPTER X

Discussion on a matter of urgent public importance for short duration

Notice of raising discussion.

*50. Any Member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Principal Secretary specifying clearly and precisely the matter to be raised:

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

Speaker to decide admissibility.

51. If the Speaker is satisfied, after calling for such information from the Member who has given notice and from the Minister concerned as the Speaker may consider necessary, that the matter is urgent and is of sufficient importance to be raised in the House at an early date, the Speaker may admit the notice and in consultation with the Leader of the House fix the date on which such matter may be taken up for discussion and allow such time for discussion not exceeding two and a half hours as the Speaker may consider appropriate in the circumstances:

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

* Rule 50 was amended *vide* amendment adopted on 28th August, 2024.

No formal motion. 52. There shall be no formal motion before the House nor voting. The Member who has given notice may make a short statement and the Minister shall reply shortly. Any Member desirous of taking part in the discussion may be permitted to do so by the Speaker.

Time limit for speeches. 53. The Speaker, if thinks fit, may prescribe a time limit for the speeches.

CHAPTER XA

Calling attention to a matter of urgent public importance

- Calling attention to a matter of urgent public importance.* * 54. (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 of recent occurrence 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.
- (3) Unless the Speaker otherwise directs, not more than one such matter shall be raised at the same sitting.
- (4) In the event of more than one matter being presented for the same day, priority shall be given to the matter which, in the opinion of the Speaker, is more urgent and important.
- (5) Unless the Speaker otherwise directs, the proposed matter shall be raised after the Question Hour and before the list of business is entered upon and at no other time during the sitting of the House.
- (6) Where a notice is signed by more than one Member, it shall be deemed to have been given by the first signatory only.

* Rule 54, which was amended on 1st February, 2011, was further amended *vide* amendment adopted on 28th August, 2024

(7) A Member wishing to raise a matter shall give notice to the Principal Secretary seven days in advance of the day on which the matter is proposed to be raised, and shall briefly specify the points to be raised and the Member shall be permitted to raise it, only after the Speaker gives the consent, at such time and date as the Speaker may fix.

CHAPTER XI

Statement made by a Minister

*Statement
by a
Minister.*

55. A statement may be made by a Minister on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made.

CHAPTER XII

Motion for adjournment on a matter of public importance

Motion for adjournment. 56. (1) 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.

(2) The Speaker shall decide whether the matter to be discussed is definite and whether it is of urgent public importance.

Restrictions on power to make motion. 57. 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:-

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

(ii) not more than one matter can be discussed on the same motion and the motion must be restricted to a specific matter of recent occurrence;

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

(iv) the motion must not anticipate a matter which has been previously appointed for consideration or with reference to which a notice of motion has been previously given, regard being had to the probability of the matter anticipated being brought before the House within a reasonable time;

- (v) the motion must not deal with matter on which a resolution could not be moved;
- (vi) the motion shall not deal with any matter which is under adjudication by a Court of Law having jurisdiction in any part of India;
- (vii) the motion shall not raise a question of privilege; and
- (viii) that it must not relate to a matter which is not primarily the concern of the Government of the State.

Method of giving notice

*58. Notice of an adjournment motion shall be given at least an hour before the commencement of the sitting on the day on which the motion is proposed to be made to the Principal Secretary and copies thereof shall be endorsed to:-

- (i) the Speaker;
- (ii) the Minister concerned; and
- (iii) the Minister of Parliamentary Affairs:

Provided that notices received after the time specified in this rule shall be deemed to have been received an hour before the commencement of the sitting on the next day on which the House sits:

Provided further that no Member shall give more than one such notice for any one sitting.

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

(ii) A ballot shall be held to determine the relative priority of all notices on the same subject for the sitting for which they are valid.

* Rule 58 was amended *vide* amendment adopted on 28th August, 2024.

Motion for discussion on matter before tribunals, commissions, etc. 59. 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 her/his discretion allow such matter being raised in the House 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. *60. (1) The Speaker, if gives consent under rule 56 and holds that the matter proposed to be discussed is in order, shall after the Question Hour and before the list of business is entered upon, call the Member concerned who shall rise in one's own place and ask for leave to move the adjournment of the House:

Provided that where the Speaker has refused consent under rule 56 or is of the opinion that the matter proposed to be discussed is not in order, the Speaker may, if thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as being not in order.

(2) If objection to leave being granted is taken, the Speaker shall request those Members who

* Amendment of Rules 60 (1) and (2), 61 and 62 were adopted by the House on 28th August, 2024

are in favour of leave being granted to rise in their places, and if not less than one-tenth of the total number of Members of the House rise accordingly, the Speaker shall intimate that leave is granted. If less than one-tenth of the total number of Members of the House rise, the Speaker shall inform that the Member does not have the leave of the House.

Time for taking up motion.

*61. The motion 'that the House do now adjourn' shall be taken up at such hour as the Speaker may decide.

Closure of debate.

*62. The Speaker, if satisfied that there has been adequate debate, may put the question at such hour as the Speaker decides, but such debate shall not continue for more than four hours.

Time limit for speeches.

63. The Speaker shall prescribe time limit for speeches.

CHAPTER XIII

Legislation

(a) Introduction

***Publication
of Bills before
introduction.***

*64. The Speaker, on a request being made, may order the publication of any Bill (together with the Statement of Objects and Reasons, the memorandum regarding delegation of legislative power and the financial memorandum accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill. In that case, it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

***Notice of
motion for leave
to introduce***

***Private
Members' Bills.***

65. (1) Any Member, other than a Minister, desiring to move for leave to introduce a Bill, shall give notice of her/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 argument:

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

(2) If the Bill is a Bill, which under the Constitution cannot be introduced without the previous sanction or recommendation of the President or the Governor, the Member shall annex to the notice such sanction or

* Rule 64 was amended and Rule 65AA was inserted *vide* amendments adopted on 28th August, 2024.

recommendation to be obtained and conveyed through a Minister 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 one month unless the Speaker allows the motion to be made at shorter notice.

(4) The Speaker may disallow a notice of a Bill in case the Bill does not comply with the requirements of sub-rule (1) of rule 66 or rule 67.

Notice of identical Bill.

65A. When a Bill is pending before the House, notice of an identical Bill, whether received before or after the introduction of the pending Bill, shall be removed from or not entered in the list of pending notices, as the case may be, unless the Speaker otherwise directs.

Communication of Governor's or President's recommendation.

*65AA. The order of the President or the Governor granting or withholding the sanction or recommendation to the introduction or consideration of a Bill shall be communicated to the Principal Secretary by the Minister concerned in writing.

Introduction of a Bill dependent on another Bill pending before the House.

65B. A Bill, which is dependent wholly or partly upon another Bill pending before the House, may be introduced in the House in anticipation of the passing of the Bill on which it is dependent:

Provided that the second Bill shall be taken up for consideration and passing in the House only after the first Bill has been passed

by the House and assented to by the Governor or the President, as the case may be.

Financial memorandum.

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

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

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

Explanatory memorandum to Bills delegating legislative power.

67. A Bill involving proposals for the delegation of legislative power 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.

Discussion of Governor's ordinances.

68. As soon as possible, after the Governor has promulgated an Ordinance under clause (1) of article 213 of the Constitution, printed copies of such Ordinance shall be made available to the Members of the Assembly. Within six weeks from the re-assembly of the Assembly, any Member may, after giving three clear days' notice to the Principal Secretary, move a resolution disapproving the Ordinance.

Statement in connection with ordinance.

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

(2) Whenever an Ordinance which embodies wholly or partly or with modification the provisions of a Bill pending before the House 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.

Motion for leave to introduce a Bill.

*70. (1) Motion for leave to introduce a Bill may be opposed only on the ground that the Bill initiates legislation outside the legislative competence of the House, or the provisions of the Bill are *ultra vires* to the Constitution.

(2) When a motion for leave to introduce a Bill is opposed, the Speaker, if she/he thinks fit, after permitting brief statements from the Member who opposes the motion and the Member who moved the motion, may, without further debate, put the question:

Provided that if the Speaker is of the opinion that the question raised by the Member opposing the introduction needs further elucidation, the Speaker may permit a full discussion thereon:

* Rule 70 was amended *vide* amendment adopted on 28th August, 2024.

Provided further that the Speaker shall forthwith put to vote the motion for leave to introduce an Appropriation Bill.

(3) Notice to oppose introduction of a Bill shall be addressed to the Principal Secretary specifying clearly and precisely the objections to be raised and given by at least one hour before the commencement of the sitting on the day on which the motion for leave to introduce the Bill is included in the list of business.

Publication.

71. 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.

(b) Motions after introduction

Motions after introduction.

*72. When a 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 taken into consideration; or
- (b) that it be referred to a Select Committee composed of such Members of the House and with instructions to report on or before such date as may be specified in the motion; or
- (c) that it be circulated for the purpose of eliciting opinion thereon:

* Rules 72 was amended *vide* amendments adopted on 28th August, 2024.

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of Members, and that any Member may object to any such motion being made unless copies of the Bill have been so made available for two days before the motion is made and such objection shall prevail unless the Speaker, while exercising discretion, allows a motion to be made.

***Discussion of
principle of Bill.***

*73. (1) On a motion referred to in rule 72 being made, the principle of the Bill and its provisions may be discussed generally, but the details of the Bill shall not be discussed further than is necessary to explain its principles.

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

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

Provided that if an amendment or a motion for appointment of a Select Committee has been moved under this rule, any Member may move that the House gives instructions to the Select Committee to which the Bill is proposed to be referred, to make some particular or additional provision in the Bill and if necessary or convenient to consider

* Rules 73 and 74 were amended *vide* amendments adopted on 28th August, 2024.

and report on amendments which may be proposed to the original Act which the Bill seeks to amend;

(b) be referred to a Select Committee, any Member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion, by a date as may be mentioned in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion has been carried in the Assembly and the Bill has been circulated in accordance with that direction and opinions have been received thereon by the date mentioned in the motion, the Member-in-charge, if she/he wishes to proceed with the Bill thereafter, shall move that the Bill be referred to a Select Committee, unless the Speaker, in her/his discretion, allows a motion to be made that the Bill be taken into consideration.

***Members
entitled to move
motions in
respect of Bills.***

*74. 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 or by any other Member authorized by her/him and permitted to do so by the Speaker and no motion that a Bill be referred to a Select Committee or be circulated or re-circulated for the purpose of eliciting opinion thereon shall be made by any Member other than the Member-in-charge except by way of amendment to a motion made by Member-in-charge.

Explanation- For the purposes of this rule 'Member-in-charge of the Bill' means, in the case of a Government Bill any Minister acting on behalf of the Government and in any other case, the Member who has introduced the Bill.

Procedure after presentation of report.

*75. (1) After the presentation of the final report of a Select Committee on a Bill, the Member-in-charge may move—

(i) that the Bill, as reported by the Select Committee, 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 at least two days before the day on which the motion is made and such objection shall prevail, unless the Speaker allows the motion to be made; or

(ii) that the Bill be recommitted, either—

(a) without limitation, or

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

(c) with instructions to the Select Committee to make some particular or additional provision in the Bill.

(2) If the Member-in-charge moves that the Bill, as reported by the Select Committee, be taken into consideration, any Member may move, as an amendment, that the Bill be recommitted.

* Rules 75 and 77 were amended *vide* amendments adopted on 28th August, 2024.

*Scope of
debate on
report of Select
Committee.*

76. The debate on a motion that the Bill, as reported by the Select Committee, 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.

**(c) Amendments to clauses etc. and clause
by clause consideration of Bills.**

*Notice of
amendment.*

*77. (1) If notice of a proposed amendment to a clause or a schedule of a Bill has not been given two clear days 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:

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

*Conditions of
admissibility of
amendments.*

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

- (i) an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates.
- (ii) an amendment shall not be inconsistent with any previous decision of the House 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 shall determine the place at which an amendment shall be moved;
- (vi) the Speaker may disallow an amendment which is, in her/his opinion, frivolous or meaningless;
- (vii) an amendment may be moved to an amendment which has already been proposed by the Speaker.

Sanction or recommendation of the President or the Governor to be annexed to notice of amendments.

79. If any Member desires to move an amendment which under the Constitution cannot be moved without the previous sanction or recommendation of the President or the Governor, the Principal Secretary shall forward the same to the Minister concerned for necessary sanction or recommendation and the amendment shall not be moved unless such sanction or recommendation is received:

Provided that no previous sanction or recommendation of the Governor shall be required, if an amendment seeks to-

- (a) abolish or reduce the limits of the tax proposed in the Bill or amendment, or
- (b) increase such tax upto the limits of an existing tax.

Communication of sanction or recommendation of President or Governor in respect of amendments to Bills.

80. The order of the President or the Governor granting or withholding the sanction or recommendation to an amendment to a Bill shall be communicated to the Principal Secretary by the Minister concerned in writing.

Selection of new clauses or amendments.

81. The Speaker shall have power to select the new clauses or amendments to be proposed and may, if she/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 her/him to form judgement upon it.

Arrangement of amendments.

82. 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 notices thereof are received.

Order of amendments.

*83. 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 do stand part of the Bill.”

Mode of moving amendments.

*84. 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 clause or schedule, as the case may be, of the Bill of which that Member has previously given notice:

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

Withdrawal of amendments.

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

Submission of Bill clause by clause.

86. 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 House clause by clause. The Speaker may call each clause separately, and, when the amendments relating to it have been dealt

* Rules 83 and 84 were amended *vide* amendments adopted on 28th August, 2024.

with, shall put the question: “That this clause (or, that this clause, as amended, as the case may be) do stand part of the Bill”.

Postponement of clause. 87. The Speaker may, if thinks fit, postpone the consideration of a clause.

Consideration of schedule. 88. The consideration of the schedule or schedules, if any, shall follow the consideration of clauses. Schedules shall be put from the Chair, and may be amended, in the same manner as clauses, and the consideration of new schedules shall follow the consideration of the original schedules. The question shall then be put “that this schedule (or, that this schedule as amended, as the case may be) do 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 or along with a clause or otherwise as she/he may think fit.

Voting on group of clauses and schedules. 89. The Speaker may, if thinks fit, put as one question clauses and or schedules, or clauses and or schedules as amended, as the case may be, together to the vote of the House:

Provided that if a Member requests that any clause or schedule, or any clause or schedule as amended, as the case may be, put separately, the Speaker shall put that clause or schedule, or clause or schedule as amended, as the case may be, separately.

*Clause one,
Enacting
Formula,
Preamble and
Title of Bill.*

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 that clause one, Enacting Formula, Preamble or Title as amended, as the case may be) do stand part of the Bill.'

(d) Adjournment of debate on Bills and withdrawal of Bills.

*Adjournment of
debate on Bills.*

91. At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker.

*Withdrawal of
Bills.*

92. The Member-in-charge of a Bill may at any stage of 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 is under consideration by a Select Committee of the House, 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.

Procedure when withdrawal of Bill opposed. *93. If a motion for leave to withdraw a Bill is opposed, the Speaker, if thinks fit, may permit the Member who opposes the motion and the Member who moved the motion to make brief explanatory statements and may thereafter, without further debate, put the question.

Removal of Bill from Register of Bills. *93A. (1) Where any of the following motions made by the Member-in-charge under these rules in regard to a Bill is rejected by the House, no further motion shall be made with reference to the Bill and such Bill shall be removed from the Register of Bills pending in the House:—

- (i) that leave be granted to introduce the Bill;
 - (ii) that the Bill be referred to a Select Committee;
 - (iii) that the Bill be taken into consideration;
 - (iv) that the Bill, as reported by the Select Committee, be taken into consideration;
- and

* Rules 93 and 94 were amended and new Rules 93A and 93B were inserted *vide* amendments adopted on 28th August, 2024.

(v) that the Bill (or, that the Bill as amended, as the case may be) be passed.

(2) A Bill pending before the House shall also be removed from the Register of Bills pending in the House in case a Bill substantially identical is passed by the House or the Bill is withdrawn under rule 93.

Explanation.—A Bill pending before the House shall include a Bill returned by the Governor with a message under article 200 or 201 of the Constitution.

Additional provision for removal of Private Member's Bill from Register of Bills.

*93B. A Private Member's Bill pending before the House shall also be removed from the Register of Bills pending in the House in case—

- (a) the Member-in-charge ceases to be a Member of the House;
- (b) the Member-in-charge is appointed a Minister.

(e) Passing of Bills

Motion for passing of Bill.

*94. (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.

(2) Where a Bill has undergone amendments, the motion that the Bill, as amended, be passed shall not be moved on the same day on which the consideration of the Bill is concluded, unless the Speaker allows the motion to be made.

(3) 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.

95. The discussion on a motion that the Bill or the Bill, as amended, as the case may be, be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making her/his speech, a Member shall not refer to the details of the Bill further than is necessary for the purpose of her/his arguments which shall be of general character.

Correction of patent errors.

*96. (1) Where a Bill is passed by the House, the Speaker shall have power to correct patent errors and make such other changes in the Bill as are consequential upon the amendments accepted by the House.

(2) The Bill passed or the Bill passed and so revised, as the case may be, shall be signed in duplicate by the Speaker.

(3) In case the Bill passed is a Money Bill, the Speaker shall sign and certify the same in accordance with the provision of clause (4) of article 199 of the Constitution.

(4) After a Bill has been so authenticated by the Speaker, the Principal Secretary shall send the authenticated copy to the Governor for assent.

* Rule 96 was amended *vide* amendment adopted on 28th August, 2024.

(5) One copy of the Bill so assented to and received from the Governor shall be preserved for verification and record and shall not be allowed to pass out of the custody of the House without the permission of the Speaker.

(f) Reconsideration of Bills returned by the Governor

Reconsideration of Bills returned by the Governor. 97. (1) When a Bill passed by the Assembly is returned to the Assembly by the Governor with a message requesting that the Assembly do reconsider the Bill or any specified provisions thereof or any such amendments as are recommended in her/his message, the Speaker shall read the message of the Governor in the Assembly if in session, or if the Assembly is not in session direct that it may be circulated for the information of the Members.

(2) The Bill as passed by the Assembly and returned by the Governor for reconsideration shall thereafter be laid on the Table.

Notice of motion for consideration of amendments. 98. At any time after the Bill has been so laid on the Table, any Minister in the case of a Government Bill or in any other case, any Member may give notice of her/his intention to move that the amendments recommended by the Governor be taken into consideration.

Motion for consideration. 99. On the day on which the motion for consideration is set down in the list of business which shall, unless the Speaker otherwise directs, be not less than two days from the receipt of the notice, the Member giving notice may move that the amendments be taken into consideration.

Scope of debate. 100. 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.

Consideration of amendments. 101. If the motion that the amendments recommended by the Governor be taken into consideration is carried, the Speaker shall put the amendments to the House in such manner as she/he thinks most convenient for consideration.

Procedure for consideration of amendments. 102. An amendment relevant to the subject matter of an amendment recommended by the Governor may be moved, but no further amendment shall be moved to the Bill unless it is consequential upon, incidental or alternative to an amendment recommended by the Governor.

Passing again of Bill. 103. When all the amendments have been disposed of, the Member giving notice of the motion under rule 98 may move that the Bill as originally passed by the Assembly be passed again, or passed again as amended, as the case may be.

Disagreement of the House with message. 104. If the motion that the amendments recommended by the Governor be taken into consideration is not carried, the Member giving notice of the motion under rule 98 may at once move that the Bill as originally passed by the Assembly be passed again without amendment.

CHAPTER XIV

Petitions

Scope of petitions.

105. 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 64 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 Parliament or any other State Legislature;

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

(d) for which remedy is available under the laws including rules, regulations, bye-laws made by the Central or State Government or an authority to whom power to make such rules, regulations, etc. is delegated.

- General form of petition.*** *106. (1) The general form of petition set out in the First Schedule, 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.
- (3) Every petition shall be in Assamese, Bengali, Bodo, English or Hindi. If any petition in any other Indian language is made, it shall be accompanied by a translation in Assamese, Bengali, Bodo, English or Hindi and signed by the petitioner.
- Authentication of petition.*** 107. The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by her/his signature, and if illiterate by her/his thumb impression.
- Documents not to be attached.*** 108. Letters, affidavits or other documents shall not be attached to any petition.
- Counter signature.*** *109. (1) Every petition shall, if presented by a Member, be countersigned by her/him. If a petition is made in any Indian language other than Assamese, Bengali, Bodo, English or Hindi, its translation in Assamese, Bengali, Bodo, English or Hindi shall also be countersigned by the Member presenting it.
- (2) A Member shall not present a petition for herself/himself.
- Petition to be addressed to House.*** 110. Every petition shall be addressed to the Assembly and shall conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

* Rules 106 and 109 were amended *vide* amendments adopted on 28th August, 2024.

Notice of presentation.

111. A Member shall give advance intimation to the Principal Secretary of her/his intention to present a petition.

Presentation of petition.

112. A petition may either be presented by a Member or be forwarded to the Principal Secretary, if the Member does not present it herself/himself and the Principal Secretary shall report it to the Assembly. The report shall be made in the form set out in the Second Schedule. No debate shall be permitted on the presentation, or the making of such report.

Form of petition.

113. A Member presenting a petition shall confine herself/himself to a statement in the following form-

“Sir, I beg to present a petition signed by

petitioner(s) regarding”

And no debate shall be permitted on this statement.

Reference to Committee on Petitions.

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

CHAPTER XV

Resolutions

Notice of resolutions and order of moving them. *115. (1) A Member other than a Minister who wishes to move a resolution shall give 10 clear days' notice before the date appointed for the disposal of Private Members' resolutions and shall together with the notice submit a copy of the resolution which she/he wishes to move.

(2) No Member shall, except with the permission of the Speaker, be permitted to give notice of more than five resolutions during one session of the Assembly.

(3) Every resolution of which 10 clear days' notice has been given, shall be included in the ballot to be held, as hereinafter provided in these rules:

Provided that not more than one resolution standing in the name of a Member and not more than ten resolutions in all shall be included in the list of business on a day allotted for transaction of Private Members' Business.

Form of resolution. 116. A resolution may be in the form of a declaration of opinion or a recommendation or may be in the form so as to record either approval or disapproval by the House of an act or policy of Government, or convey a message, or recommend, urge or request for

* Rule 115 was amended and a new Rule 117A was inserted vide amendments adopted on 28th August, 2024.

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.

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

Admissibility of resolutions.

*117A. 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 one definite issue;
 - (b) it shall not contain arguments, inferences, ironical expressions, imputation, innuendoes or defamatory statements;
 - (c) it shall not refer to the conduct or character of any person except in her/his official or public capacity;
 - (d) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India;
 - (e) it shall not reflect upon the conduct of the President as distinct from the Government of India or any Governor as distinct from the State Government;
 - (f) it shall not reflect upon the conduct in the exercise of her/his or its judicial functions, of any Judge or court of law having jurisdiction in any part of India;
- and

(g) it shall not refer to a matter which is not primarily the concern of the State Government.

Ballot for determining relative precedence.

118. For the purpose of determining the relative precedence of Private Members' resolutions of which 10 clear days' notice has been given, the Principal Secretary shall prepare a numbered list of all such resolutions and on such day as the Speaker may appoint, a ballot will be held by the Principal Secretary at which any Member who wishes to attend may do so.

Speaker to decide admissibility of resolution.

119. The Speaker shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in her/his opinion it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

Raising discussion on matters before tribunals, etc.

120. No resolution which seeks to raise discussion on 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 her/his discretion, allow such matter being raised in the House 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.

Moving or withdrawal of resolutions.

121. (1) A Member in whose name a resolution appears on the list of business shall, when called on, either-

(a) decline to move the resolution, in which case she/he shall confine herself/himself to a mere statement to that effect, or

(b) move the resolution, in which case she/he shall commence her/his speech by a formal motion in the terms appearing on the list of business.

(2) If the Member when called on is absent, the resolution standing in her/his name shall be deemed to have been withdrawn:

Provided that if the same resolution stands lower in the list of business in the name of another Member present in the House, such Member may be permitted by the Speaker to move that resolution:

Provided further that with the consent of such absent Member and with the permission of the Speaker, any other Member may move the resolution.

Limit of discussion. Amendments.

122. The discussion on a resolution shall be strictly limited to the subject of the resolution.

*123. After a resolution has been moved, any Member may, subject to the rules relating

* Rules 123 and 124 were amended *vide* amendments adopted on 28th August, 2024.

to resolutions, move an amendment to such resolution.

Notice of amendments.

*124. (1) If notice of an amendment to a resolution has not been given at least one clear day before the day fixed for the discussion of the resolution, any Member may object to the moving of the amendment, and such objection shall prevail unless the Speaker allows the amendment to be moved.

(2) The Principal Secretary shall, if time permits, cause every amendment to be circulated to all Members.

Time limit for speeches.

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

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

Withdrawal of resolution.

126. (1) A Member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the House.

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

Resolution not discussed.

127. A resolution which has been listed for discussion on a particular day, if it is not discussed on that day, shall be renumbered with other resolutions of which 10 clear days' notice is given and listed for discussion

on the next private Members' day after their priority is determined by a fresh ballot held in accordance with these rules.

Splitting of resolution.

128. 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 she/he may think fit.

*129.

Repetition of resolution.

*129A. 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:

Provided that when a resolution has been withdrawn with the leave of the House, no resolution raising substantially the same question shall be moved during the same session.

Resolution passed to be sent to Minister.

*130. A copy of every resolution which has been passed by the Assembly shall be forwarded to the Minister concerned.

* Rule 129 was omitted, a new Rule 129A was inserted and Rule 130 was amended *vide* amendments adopted on 28th August, 2024

CHAPTER XVA

Special Motions

***Special
Motions to
get precedence
over other
motions.***

*130A. (1) Whenever any report or any matter of urgent public importance and of recent occurrence, not being a report or matter dealt with by an Assembly Committee and laid on the Table of the House unless otherwise permitted by the Speaker, is brought before the House, any Member may give notice to move a motion for the discussion of that matter. Such a motion shall get precedence over motions under rule 131.

(2) The Speaker shall, in consultation with the Business Advisory Committee, fix the date and time for discussion of such a motion.

* Rule 130A was amended *vide* amendments adopted on 28th August, 2024

CHAPTER XVI

Motions

Discussion on matters of public interest. *131. (1) Save in so far as is provided by the Constitution or by these rules, a motion on a matter of general public interest can be discussed only with the consent of the Speaker. (2) A Statement made by a Minister under rule 55 may also be the subject matter of the motion under this rule.

Notice of motion. *131A. Notice of a motion shall be given in writing addressed to the Principal Secretary:

Provided that no Member shall, except with the permission of the Speaker, be permitted to give notice of more than three motions during the session:

Provided further that if the number of notices of motions admitted by the Speaker is more than one, a ballot shall be held to determine the relative precedence of motions.

Admissibility of motions. *131B. In order that a motion may be admissible, it shall satisfy the following conditions, namely:-

- (i) it shall raise substantially one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions, imputation or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;

* Rule 131 was amended and Rules 131A to 131D were inserted vide amendments adopted on 28th August, 2024

- (iv) it shall be restricted to a matter of recent occurrence;
- (v) it shall not raise a question of privilege;
- (vi) it shall not revive discussion of a matter which has been discussed in the same session;
- (vii) it shall not anticipate discussion of a matter which is likely to be discussed in the same session;
- (viii) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India; and
- (ix) it shall not relate to a matter which is not primarily the concern of the Government of the State;

Speaker to decide admissibility.

*131C. The Speaker shall decide the admissibility of a motion and may disallow a motion or part thereof.

Time limit for speeches.

*131D. The Speaker may, if thinks fit, prescribe a time limit for speeches.

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

132. 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 her/his discretion, allow such matter being raised in the House 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.

CHAPTER XVII

*** Motion of No-Confidence in Council of Ministers, censure motion and statement by Minister who has resigned**

Motion of no-confidence. *133. (1) A motion expressing want of confidence in the Council of Ministers or a motion censuring a Minister or a group of Ministers or a motion disapproving the actions of a Minister may be made with the consent of the Speaker:

Provided that no motion expressing want of confidence shall be made against an individual Minister or a group of Ministers.

(2) The Speaker shall not give consent to make any of the motion under sub-rule(1), unless the following conditions are fulfilled, namely:-

- (a) The Member desiring to move the Motion has, at least an hour before the commencement of the sitting of the day, given a written notice to the Principal Secretary of her/his intention to move the motion together with a copy of the motion;
- (b) Leave to make the motion shall be asked for by the Member when called by the Speaker after the Question Hour and before the list of business of the day is entered upon:

* Amendment of Rule 133(2) (a) was adopted on 11th December, 1996. Chapter heading and Rule 133 were further amended *vide* amendments adopted on 28th August, 2024.

Provided that in case of notices of a censure motion or a motion disapproving the actions of a Minister, the Speaker may refer such notice to the Minister concerned for her/his comments.

(3) If the Speaker is of opinion that the motion is in order, she/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 one-tenth of the total number of Members of the House rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being more than ten days and not less than twenty-four hours from the time at which leave is asked, as she/he may appoint.

(4) If less than one-tenth of the total number of Members of the House rise, the Speaker shall inform the Member that she/he has not the leave of the Assembly.

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

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

***Personal
statement by
Minister on
resignation.***

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

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

(3) 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 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 made.

(4) On such statement, no debate shall be allowed:

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

CHAPTER XVIII

Removal of Speaker and Deputy Speaker

*Resolution
for removal
of Speaker
or Deputy
Speaker.*

135. A resolution to remove the Speaker or the Deputy Speaker from office, of which at least fourteen days' notice as required under article 179 of the Constitution has been given, shall be read to the Assembly by the person presiding who shall then request the Members who are in favour of leave being granted to move the resolution to rise in their places, and if not less than one-fifth of the total number of Members of the House rise accordingly, the person presiding shall declare that leave has been granted. If less than one-fifth of the total number of Members of the House rise, the person presiding shall inform the Member who has given the notice that she/he has not the leave of the Assembly to move it.

*Leave of
House to take
up resolution.*

136. (1) Subject to the provisions of article 181 of the Constitution, the Speaker or the 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 rule 135 is taken up for consideration.

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

Inclusion of resolution in the list of business. 137. 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.

Time limit for speeches. 138. Except with the permission of the Speaker or the person presiding, a speech on the resolution shall not exceed fifteen minutes in duration:

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

CHAPTER XIX

(a) Budget

Presentation of Budget. *139. The Annual Financial Statement or the statement of the estimated receipts and expenditure of the State in respect of every financial year, hereinafter referred to as 'the Budget' shall be presented to the Assembly on such day as the Governor may direct.

No discussion on day of presentation. *140. There shall be no discussion of the Budget on the day on which it is presented to the House.

Demands for Grants, details of new scheme, etc. to be supplied to Members. 141. (1) A separate demand shall ordinarily be made in respect of the grant proposed for each Department of the Government, provided that the Minister in-charge of the Finance Department may include in one demand, grants proposed for two or more Departments, or make a demand in respect of expenditure, such as famine, relief and insurance and interest, which cannot readily be classified under particular Departments.
(2) Each demand shall contain, first a statement of the total grant proposed, and then a statement of the detailed estimates under each grant, divided into items.

* Rules 139, 140 and 142 were amended *vide* amendments adopted on 28th August, 2024.

(3) Subject to these rules, the Budget shall be presented in such form as the Minister-in-charge of the Finance Department may consider best fitted for its consideration by the Assembly.

(4) When a demand or any part of it relates to any new scheme or revision of scale of pay or allowances or creation of a new appointment, all material details of such scheme of revision or appointment, shall as far (all material details) as practicable be supplied to all Members at least five clear days before the demand is made.

***Stages of
Budget debate.***

*142. The Budget shall be dealt with by the Assembly in two stages, namely:—

- (i) general discussion; and
- (ii) discussion and voting on demands for grants.

(b) General Discussion

***General
discussion and
right of reply
by Finance
Minister.***

143. (1) On a day or days 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 the vote of the Assembly.

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

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

(c) Demands for Grants

*Discussion
and voting of
demands.*

*144. (1) The discussion and voting of demands for grants shall take place on such days as the Speaker in consultation with the Leader of the House and the Business Advisory Committee may allot for the purpose.

(2) On a day allotted under sub-rule (1) for the discussion and voting of demands for grants, no other business shall be taken up except with the consent of the Speaker:

Provided that nothing in this rule shall prohibit the asking and answering of questions during the time fixed for Question Hour under these rules.

(3) On the last day of the days so allotted, at 2.00 p.m. or at such other hour as the Speaker may fix in advance, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matter in connection with the demands for grants; and the consideration thereof shall not be interrupted by any motion for adjournment or in any manner, whatsoever, nor shall any dilatory motion be moved in regard thereto.

* Amendment of Rule 144 (2) was adopted on 13th July, 2009. Rule 144 was further amended *vide* amendment adopted on 28th August, 2024.

(4) The outstanding demands included in the list of business for vote of the House shall be assumed to have been moved and proposed from the Chair.

(5) Motions may be moved to reduce any demand for grant.

(6) No amendments to motions to reduce any demand for grant shall be permissible.

Cut motions.

145. (1) A motion may be moved to reduce the amount of a demand in any of the following ways:-

(a) “that the amount of the demand be reduced to Re. 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 motion shall indicate in precise terms the particular of policy which she/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 specified amount” representing the economy that can be effected. Such specified amount may be either a lumpsum 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 Rs. 100” in order to ventilate a specific grievance which is within the sphere of the responsibility of the Government of the State. Such a motion shall be known as “Token Cut” and the discussion thereon shall be confined to the particular grievance specified in the motion.

(2) The three motions mentioned in clauses (a), (b) and (c) of the preceding sub-rule will have priority in the order they have been mentioned.

Conditions of admissibility of cut motions. 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, inferences, ironical expression, imputations, innuendoes 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 the State;
- (vii) it shall not relate to expenditure charged on the Consolidated Fund of State;
- (viii) it shall not relate to a matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (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 her/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 her/his opinion it is an abuse of the right of moving cut motion or it 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 demand for grant has not been given three clear days previous to the day on which the demand is under consideration, any Member may object to the moving of motion and such objection shall prevail unless the Speaker allows the motion to be made.

***Votes on
credit and
exceptional
grants.***

149. (1) Notwithstanding anything contained in the preceding rules, motions may be made for grants in advance in respect of the estimated expenditure or unexpected or exceptional grants under article 206 of the Constitution.

(2) Such demands shall be dealt with by the Assembly in the same manner as demands for grants in connection with the Budget and the rules on the subject shall apply to such demands subject to such modifications as the Speaker may deem necessary.

***Vote on
account.***

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

* Rule 148 was amended *vide* amendment adopted on 28th August, 2024.

(2) Discussion of a general character may be allowed on the motion but the details of the grant shall not be discussed further than is necessary to develop the general points.

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

151. 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.

Scope of discussion on supplementary grants.

152. 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 nor policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion.

Token grants.

153. 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.

(d) Appropriation Bill

Appropriation Bill.

154. (1) As soon as may be after the grants have been made by the Assembly, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the State of all moneys required to meet:-

(i) the grants so made by the Assembly; and

(ii) the expenditure charged on the Consolidated Fund of the State, but not exceeding in any case the amount shown in the Budget presented to the Assembly.

(2) The provisions of the rules relating to the Bills shall apply to the Appropriation Bills introduced under this rule:

Provided that no amendment shall be proposed to any such Bill which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State and decision of the Speaker as to whether an amendment is inadmissible under this sub-rule shall be final:

Provided further that the Speaker may suspend the operation of any such rule for the timely completion of the financial business.

(3) The debate on 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.

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

(5) If an Appropriation Bill is in pursuance of a supplementary grant in respect of an existing service, the discussion shall be confined to the items constituting the same, and no discussion shall be raised on the original grant nor the policy underlying it save in so far as it may be necessary to explain or illustrate a particular item under discussion.

(6) The Speaker may fix the time limit for the discussion of the Appropriation Bill.

(e) Finance Bill

Finance Bill.

*155. (1) In this rule, “Finance Bill” means the Bill ordinarily introduced in each year to give effect to the financial proposal of the Government of Assam for the next following financial year and includes a Bill to give effect to supplementary financial proposal for any period.

(2) At any time after the introduction in the Assembly 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 Assembly, and when such allotment has been made, the Speaker shall at 14.00 hours on the allotted day or the last of the allotted days, as the case may be, 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 have been allotted:

* Amendment of Rule 155 (2) was adopted on 13th July, 2009. Rule 155 (2) was further amended *vide* amendment adopted on 28th August, 2024.

Provided that, if a Minister has a right of reply to the debate on the motion which is under discussion at 13:00 hours on that day and has not commenced her/his reply at that hour, the Speaker shall enquire how much time not exceeding one hour she/he requires for her/his reply, and shall call upon any Member for the time being addressing the Assembly to resume her/his seat at such time as will leave available before 14:00 hours the amount of time which the Minister has stated that she/he requires for her/his reply.

(3) Where the question or one of the questions required by sub-rule (2) to be put at 14:00 hours on the allotted day or the last of 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 thinks fit, prescribes a time limit for speeches at all or any of the stages for which a day or days have been allotted under that sub-rule.

(5) On a motion that the Finance Bill be taken into consideration, a Member may discuss matters relating to general administration, local grievances so far as it relates to any provision of the Finance Bill within the sphere of the responsibility of the Government of Assam, or monetary or financial policy of the Government.

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

Time limit for disposal of financial business.

(6) In other respects, the rules applicable to Bills in Chapter XIII of these rules shall apply.

156. Notwithstanding that a day has been allotted for other business under rules 143, 144, 154 or 155, 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 with the permission of the Speaker before the Assembly enters on the business for which the day has been allotted.

157. In addition to the powers exercisable under the rules, the Speaker may exercise all such powers as are necessary for the purpose of the timely completion of all financial business including allotment of time for disposal of various kinds of such business, and where time is so allotted, she/he shall, at the appointed hour, put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which time has been allotted.

Explanation- Financial business includes any business which the Speaker holds as coming within this category under the Constitution.

*157A

* Amendment of Chapter XIXA dealing with Budget committee under Rule 157A was transferred to APPENDIX I *vide* amendment adopted on 28th August, 2024.

CHAPTER XX

Question of Privilege

Breach of privilege how brought to the notice of the House. 158. A breach of privilege, either of a Member or of the House or of a Committee thereof may with the consent of the Speaker be brought to the notice of the House:

- (i) by a complaint from a Member;
- (ii) by a petition; or
- (iii) by a report from a Committee:

Provided that if the breach is committed in actual view of the House, the House may take action without complaint.

A. Complaint by a Member

Notice of a complaint by a Member. *159. A Member wishing to make a complaint of a breach of privilege shall give notice in writing to the Principal Secretary at least an hour before the commencement of the sitting on the day on which it is proposed to be made. If the complaint is founded upon a document, the original thereof shall accompany the notice.

Conditions for admissibility of a question of privilege. 160. The right to raise a question of privilege shall be governed by the following conditions-

- (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; and
- (iii) the matter requires the intervention of the House.

* Amendment of Rule 159 was adopted by the House on 11th December, 1996.

Presentation of complaint.

*161. If the Speaker gives consent under rule 158, the Member making the complaint shall, after the Question Hour and before the list of business is entered upon, read the complaint and may make a short statement relevant thereto. If the complaint is founded upon a document, it shall also be read by the Member complaining. The Speaker, after hearing any other Member, if necessary, shall decide whether the complaint is in order or not:

Provided that the Speaker may, if satisfied about the urgency of the matter, allow a question of privilege to be raised at any time.

Speaker to refer the matter to the Committee of Privileges.

*162. If the Speaker holds the matter proposed to be raised is in order, the Speaker shall refer it to the Committee of Privileges for report within a period to be specified, unless the Speaker is of the opinion that the matter is such as may be disposed of by the House without reference to the Committee, in which case the Member making the complaint shall make a motion that the matter be taken into consideration forthwith or at some future time.

Power of Speaker to give directions.

163. 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 or in the House.

* Rules 161, 162 and 164 were amended *vide* amendments adopted on 28th August, 2024.

B. Complaint by a Petition

Complaint by a petition. *164. When a petition complaining breach of privilege has been received and after the Speaker gives consent thereto, the petition or such portion thereof as relates to breach of privilege shall be read to the House by the Principal Secretary. The House may forthwith take the petition into consideration or at some future time, within which it may be printed and copies of it supplied to Members, or refer it to the Committee of Privileges for a report within a period to be specified.

C. Complaint by a Committee

Complaint by a Committee. 165. After the presentation of the report of a Committee of the House containing a complaint of breach of privilege, the Chairperson or in her/his absence, any other Member of the Committee may move that the question of the breach of privilege be taken into consideration forthwith or at some future time.

Substantive motion. 166. After any of the following motions is agreed to by the House:-

- (1) Motion under rule 162 that the matter be taken into consideration; or
- (2) Motion that the report of the Privileges Committee be taken into consideration; or
- (3) Motion under rule 164 that the petition be taken into consideration; or
- (4) Motion under rule 165 that the question of the breach of privilege as contained in the report of the Committee, be taken into consideration,

any Member may move a substitute motion indicating the commission of a breach of privilege and also suggesting the action to be taken by the House, and any other Member may move an amendment to the said motion. After a brief discussion of the motion, and amendments, if any, the Speaker shall put the question.

D. Special procedure relating to complaint against Members

Notice to Member complained against.

*167. Where the complaint is to be made against a Member, that Member shall be given prior notice of the complaint by the Member making the complaint or, by the Principal Secretary, in case a petition or a report of a Committee contains a complaint against that Member. In case no prior notice is given, the House may adjourn the consideration of the matter till notice is given to the Member concerned or the House may decline to entertain the complaint. The Member against whom the complaint has been made shall attend the House on the day fixed by the House or proposed by the complainant, as the case may be. If the Member against whom the complaint has been made is unable to attend, the House may postpone the consideration of the matter; but if such Member, in the opinion of the House, wilfully absent herself /himself, the House may proceed with the matter in her/his absence.

* Rule 167 was amended *vide* amendment adopted on 28th August, 2024.

Member to be heard. 168. As soon as the question of the motion founded on the complaint is proposed by the Speaker, the Member complained against shall be given an opportunity to be heard in explanation or exculpation. In the case of a complaint founded upon document, she/he may be given that opportunity immediately after the document is read. If the Member complained against wants to offer an explanation at an earlier stage, it will be in the discretion of the Speaker to permit her/him to do so.

Discussion on motion. 169. The House shall then proceed to discuss the motion and the Member complained against may remain in the House but shall not take part in the discussion unless called upon to offer any further explanation or apology.

E. General

Opportunity to person charged. 170. Except where the breach of privilege is committed in the actual view of the House or of a committee, the House shall at some proper stage of the proceedings before the sentence is passed give an opportunity to the person charged to be heard in explanation or exculpation of the offence complained against her/him:

Provided that if the matter has been referred to the Privileges Committee and the person charged has been heard before the Committee, it will not be necessary for the House to give her/him that opportunity unless the House directs otherwise.

Summoning the party charged. 171. The Speaker may summon the party charged by notice or warrant to appear before the House or the Committee of Privileges at any stage of the proceedings.

Punishment. *172. The House has power under article 194 of the Constitution to inflict amongst others the following punishments:

- (1) admonition,
- (2) reprimand,
- (3) imprisonment, for such term as may be decided by the House but it shall not extend beyond the prorogation or dissolution of the House, whichever is earlier, and
- (4) suspension or expulsion of a Member for a period not exceeding 30 days or till prorogation or dissolution of the House, whichever is earlier.

*173.

Execution of order of the House. 174. The Speaker, or any person authorised by the Speaker in this behalf, shall have the power to execute all the orders passed and sentences inflicted by the House.

Brevity of debate. 175. The debate at all stages on question involving breach of privilege shall be brief.

Power of Speaker to refer question of privilege to Committee. 176. Notwithstanding anything contained in these rules, the Speaker may refer any question of privilege to the Committee of Privilege for examination, investigation and report.

* Rules 172 and 179 were amended and Rule 173 was omitted *vide* amendment adopted on 28th August, 2024.

F. Intimation to Speaker of arrest, detention, etc. and release of a Member

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

177. 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 an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reason 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.

Intimation to Speaker on release of a Member.

178. 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 authority concerned in the appropriate form set out in the Third Schedule.

Treatment of communications regarding arrest, detention, release, etc.

*179. As soon as may be, the Speaker shall, after receiving a communication referred to in rule 177 or rule 178, read it out in the House if in session, or if the House is not in session, direct that it may be published in the Bulletin for the information of the Members:

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

**G. Procedure regarding service of legal
process and arrest within the precincts of the
Assembly**

*Arrest within
the precincts
of House.* 180. No arrest shall be made within the precincts
of the House without obtaining the permission
of the Speaker.

*Services of
legal process.* 181. A legal process, civil or criminal, shall not
be served within the precincts of the House
without the permission of the Speaker.

CHAPTER XXI

Subordinate Legislation

*Laying of
regulation,
rule, etc. on the
Table.*

*182. (1) Every regulation, rule, bye-law, order, notification, etc. framed in pursuance of the provisions of the Constitution or the Legislative functions delegated by the Assembly to a subordinate authority shall be laid before the House.

(2) The period specified in the Constitution or the relevant Act for which such regulation, rule, bye-law, order, notification, etc. is required to be laid may be comprised in one session or in two or more successive sessions of the House:

Provided that where no period is specified in the Constitution or the relevant Act, the regulation, rule, bye-law, order, notification, etc. shall be laid for a total period of fifteen days which may be comprised in one session or in two or more successive sessions of the House.

(3) If, before the expiry of the session immediately following the session or the successive sessions aforesaid, the Assembly agrees in making any modification in the regulation, rule, bye-law, order, notification, etc. or the Assembly agrees that the regulation, rule, bye-law, order, notification, etc. should not be made, the regulation, rule, bye-law, order,

* Rules 182 and 183 were amended *vide* amendments adopted on 28th August, 2024.

notification, etc. shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Order.

***Allotment
of time for
discussion of
amendment.***

*183. The Speaker shall, in consultation with the Leader of the House, fix a day or days or part of a day, as the Speaker may think fit, for the consideration and passing of an amendment to or annulment of such regulation, rule, sub-rule, bye-law, order, notification, etc., of which notice may be given by a Member:

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

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

184. 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.

[For rules relating to Committee on Subordinate Legislation, see chapter XXV of these Rules.]

CHAPTER XXII

Resignation and Vacation of Seats in the House

*Resignation
of seats in
Assembly.*

*184A. (1) A Member who desires to resign one's seat in the House shall intimate in writing under one's own hand addressed to the Speaker, such intention to resign the seat in the following form and shall not give any reason for the resignation:

To

The Speaker, Assam Legislative Assembly,
Dispur, Guwahati.

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

Place....

Yours faithfully,

Date.....

Member of the
Assembly.

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

(2) If a Member hands over the letter of resignation to the Speaker personally and informs 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.

* Rule 186 was amended and re-numbered as Rule 184A *vide* amendments adopted on 28th August, 2024.

(3) If the Speaker receives the letter of resignation either by post or through someone else, the Speaker may make such inquiry as is considered necessary to get satisfied that the resignation is voluntary and genuine. If the Speaker, after making a summary enquiry, either by oneself or through the agency of the Assembly Secretariat or through such other agency, as the Speaker may deem fit, is satisfied that the resignation is not voluntary or genuine, the Speaker shall not accept the resignation.

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

(5) The Speaker shall, as soon as may be, after accepting the resignation of a Member, inform the House about resignation of the seat by the Member and acceptance of such resignation:

Provided that when the House is not in session, the Speaker shall inform the House immediately after the House reassembles.

(6) The Principal Secretary shall, as soon as may be, after the Speaker has accepted the resignation of a Member, cause the information to be published in the Bulletin and the Gazette and forward a copy of the notification to the Governor and the Election Commission:

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

***Vacation
of seats in
House.***

*185. (1) The seat of a Member shall be declared vacant under clause (4) of article 190 of the Constitution on a motion by the Leader of the House or by such other Member to whom the functions are delegated in this behalf by the Leader of the House.

(2) If the motion referred to in sub-rule (1) is carried, the Principal Secretary shall cause the information to be published in the Official Gazette and shall forward a copy of the notification to the Governor and to the Election Commission.

* Rule 185 was amended *vide* amendment adopted on 28th August, 2024.

CHAPTER XXIIA

Leave of Absence from the sitting of the House

Leave of absence from the sitting of the House. 185A. (1) A Member desiring permission of the House to remain absent from the sitting 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 time shall not exceed a period of sixty days.

*186.

* Rule 186 was amended and re-numbered as Rule 184A *vide* amendments adopted on 28th August, 2024.

CHAPTER XXIII

Communications between the Governor and the Assembly

- Communications from the Governor to the Assembly and from the Assembly to the Governor.* 187. (1) Communications from the Governor to the Assembly shall be made to the Speaker by written message signed by the Governor or if the Governor is absent from the place of meeting of the Assembly, the message shall be conveyed to the Speaker through the Leader of the House or through such person as the Leader may delegate.
- (2) Communications from the Assembly to the Governor shall be made
- (i) by formal address, after motion made and carried in the Assembly; and
 - (ii) through the Speaker.

CHAPTER XXIV

Secret sitting of the Assembly

Secret sittings.

188. (1) On a request being made for a secret sitting of the Assembly by any Member, the Speaker in consultation with the Leader of the House, will decide necessity of such a sitting and if it is so decided, fix a day or part thereof for sitting of, the Assembly in secret.

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

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

Report of the proceedings.

189. The Speaker may cause a report of the proceedings of a secret sitting to be issued in such manner as she/he thinks fit, but no other person present shall keep a note or record of any proceedings or decision of a secret sitting, whether in part or full or issue any report of, or purport to describe, such proceedings.

Procedure in other respects.

190. 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 of ban of secrecy.

191. (1) When 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

authorized by her/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 Principal 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. 192. Subject to the provisions of rule 191, 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 House.

CHAPTER XXV

Assembly Committees

(a) General

Committee to include Assembly Committee. *193. In this Chapter, unless the context otherwise requires, ‘Committee’ means ‘Assembly Committee’ as defined in sub-rule (1) of rule 2.

Appointment of Committee. *194. (1) The Members of a Committee shall be appointed or elected by the Assembly on a motion made or nominated by the Speaker, as the case may be.

(2) No Member shall be appointed to a Committee if unwilling to serve on it. The proposer shall ascertain whether the Member whose name is proposed by her/him is willing to serve on the Committee.

(3) Casual vacancies in a Committee shall be filled by appointment or election by the Assembly on a motion made, 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 a Member to fill the casual vacancy is appointed, elected or nominated would have normally held office.

* Rules 193 to 195 were amended *vide* amendments adopted on 28th August, 2024..

***Objection to the
Membership of
Committee.***

*195. 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 matter 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 such objection and the nature of the alleged interest, whether personal, pecuniary or direct, of the proposed Member in the matters 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 cases;
- (d) after the Speaker has considered the evidence so tendered, the Speaker shall give the decision, which shall be final;
- (e) until the Speaker has given the decision, the Member, against whose appointment on the Committee objection has been taken, shall continue to be a Member

thereof if elected or nominated and take part in discussion, but shall not be entitled to vote; and

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

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 purposes 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.***

*196. Except as otherwise provided in rule 242, 244, 260A and 260B, 260C and 260D and 260F and 260G, the term of office of a Committee shall be for a period of one year from the date of constituting the Committee or till a new Committee is constituted in accordance with these Rules:

Provided that the term of office of a Select Committee shall terminate on presentation of report to the House.

* Amendment of Rule 196 was adopted on 24th March, 1992. Rule 196 was further amended and Rules 197, 198 and 200 were amended *vide* amendments adopted on 28th August, 2024.

***Resignation
from
Committee.***

*197. (1) A Member may resign one's seat from a Committee by writing under own hand, addressed to the Speaker in the following form:
'To

The Speaker,
Assam Legislative Assembly,
Dispur.

Madam/Sir,

I hereby tender my resignation from the Membership of the Committee on..... with effect from.....

Place..... Yours faithfully,
Date..... (Name of the Member)'

(2) The resignation shall take effect from the date of resignation specified in the letter of resignation.

(3) If the date from which the resignation should take effect is not specified in the letter, the resignation shall take effect from the date of the letter.

(4) If the letter of resignation does not bear any date, the resignation shall take effect from the date of receipt of the letter in the Assembly Secretariat.

***Chairperson of
Committee.***

*198. (1) The Chairperson 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, she/he shall be appointed Chairperson of the Committee.

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

Principal Secretary of Committee.

(3) If the Chairperson is absent from any sitting, the Committee shall choose another Member to act as Chairperson for that sitting. 199. The Principal Secretary of the Assembly shall be the Principal Secretary of all Assembly Committees.

Quorum.

*200. (1) The quorum to constitute a sitting of a Committee shall be, as near as may be, one-third of the total number of Members of the Committee.

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

(3) When the Committee has been adjourned in pursuance of sub-rule (2) on two successive dates fixed for sitting of the Committee, the Chairperson shall report the fact to the House:

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

Discharge of Members absent from sittings of Committee.

*201. If a Member is absent from two or more consecutive sittings of a Committee without the permission of the Chairperson, a motion may be moved in the House for the discharge of such Member from the Committee:

* Rules 201, 203, 205, 206 and 208 were amended *vide* amendments adopted on 28th August, 2024.

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

*Voting in
Committee.*

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

*Casting vote of
Chairperson.*

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

*Power to
appoint sub-
committees.*

204. (1) A Committee may appoint one or more sub-committees, each having the powers of the undivided Committee, to examine any matter 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.

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

*Sittings of
Committee.*

*205. The sittings of a Committee shall be held on such days and at such hour as the Chairperson of the Committee may fix:

Provided that, if the Chairperson of the Committee is not readily available, the Principal Secretary may fix the date and time of a sitting:

Provided further that in the case of Select Committee on a Bill, if the Chairperson of the Committee is not readily available, the Principal Secretary may in consultation with the Minister concerned with the Bill fix the date and time of a sitting.

Committee may sit whilst Assembly is sitting.

*206. A Committee may sit whilst the Assembly is sitting, provided that on a division being called in the Assembly, the Chairperson of the Committee shall suspend the proceedings in the Committee for such time as will in her/his opinion enable the Members to vote in a division.

Sitting of Committee in private.

207. The sittings of a Committee shall be held in private. No person shall disclose the proceedings of any Committee.

Venue of sittings.

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

All strangers to withdraw when Committee deliberates.

209. All persons other than Members of the Committee and officers of the Assembly Secretariat shall withdraw whenever the Committee is deliberating.

Power to take evidence or call for documents.

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

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

(3) No document submitted to the Committee shall be withdrawn nor altered without the knowledge and approval of the Committee.

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

211. 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
witness.***

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

***Evidence on
oath.***

*213. (1) A Committee may administer an oath or affirmation to a witness examined before it. (2) The form of the oath or affirmation shall be as follows:

“I, A.B., swear in the name of God (or 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.”

* Rules 212 to 214 were amended *vide* amendments adopted on 28th August, 2024.

*Procedure for
examining
witnesses.*

*214. The examination of witness before a Committee shall be conducted as follows: -

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

(ii) The Chairperson of the Committee may first ask the witness such question or questions, as is considered necessary by the Chairperson, with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure decided under clause (i) of this rule.

(iii) The Chairperson 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.

Record of decisions of Committees.

*215. A record of the decisions of a Committee shall be maintained and circulated to Members of the Committee under the direction of the Chairperson.

Evidence, report and proceedings treated as confidential.

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

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

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

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

Special report.

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

* Rules 215, 220 and 221 were amended *vide* amendments adopted on 28th August, 2024.

***Report of
Committee.***

218. (1) Where the House has not fixed any time for the presentation of report by a Committee, the report shall be presented within one month of the date on which reference to the Committee was made:

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

(2) Reports may be either preliminary or final.

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

Provided that in case the Chairperson 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.***

219. A Committee may, if 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
report.***

*220. (1) The report of a Committee shall be presented to the Assembly by the Chairperson or in the absence of the Chairperson by any Member of the Committee.

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

Printing, publication and circulation of report prior to its presentation to Assembly. *221. The Speaker may, on a request being made 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 its next session at the first convenient opportunity.

Power to make suggestions on procedure. 222. A Committee shall have power to pass resolutions on matters of procedure relating to that Committee for the consideration of the Speaker, who may make such variations in procedure as she/he may consider necessary.

Power of Committee to make detailed rules. 223. 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 Speaker to give directions. *224.(1) The Speaker may, from time to time, issue such directions to the Chairperson of a Committee, as the Speaker considers necessary, for regulating its procedure and the organisation of its work.

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

* Amendment of Rule 228 was adopted on 24th March, 1992, 31st August, 1997 and again on 28th August, 2024. Rules 224 and 230 were also amended *vide* amendments adopted on 28th August, 2024.

*Business before
Committee
not to lapse on
prorogation of
House.*

225. 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.

*Unfinished
work of
Committee.*

226. 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 House 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.*

227. 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 any provision in the special rules relating to a Committee is inconsistent with the general rules, the former rules shall prevail.

(b) Business Advisory Committee

*Constitution
of the Business
Advisory
Committee.*

*228. At the commencement of the House or from time to time, as the case may be, the Speaker may nominate a Committee consisting of not more than thirteen Members including the Speaker who shall be the Chairperson of the Committee.

***Functions of
Committee.***

229. (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 be completed.

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

***Report of
Committee.***

*230. The time table in regard to business as settled by the Committee shall be reported by the Speaker to the Assembly and published in the Bulletin for information of Members.

***Allocation of
Time order.***

*231. As soon as may be, after the report has been made to the House, a motion may be moved by a Member of the Committee designated by the Speaker, “that this Assembly agrees with the allocation of time proposed by the Committee in regard to such and such Bill or Bills or other business” and if such a motion is agreed to by the House, it shall take effect as if it were an order of the House and shall be notified in the Bulletin:

* Rules 231 to 235 were amended *vide* amendments adopted on 28th August, 2024.

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.

Disposal of outstanding matter at the appointed hour.

*232. At the appointed hour, in accordance with the Allocation of Time Order for the completion of a particular stage of a Bill or other business, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill or other business.

Variation in the Allocation of Time order.

*233. 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:

Provided that the Speaker may, after taking the sense of the House, increase the time, not exceeding one hour, without any motion being moved.

(c) Select Committees

Composition of Select Committee.

*234. (1) In case of a Government Bill, the Minister-in-charge and, in case of a Private Member's Bill, the Member who introduced the Bill as well as the Minister concerned, shall be Members of the Committee.

(2) The other Members of the Select Committee shall be named in the motion proposing reference to the Committee and their appointment shall be subject to the vote of the Assembly:

Provided that one or more Members may, upon the motion of the Minister-in-charge or of the Member who introduced the Bill, be added to the Committee at a subsequent meeting of the Assembly.

Members other than Members of Committee may be present at a meeting.

*235. A Member who is not Member of a Select Committee may, with the permission of the Chairperson, be present during the deliberation of the 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 Chairperson, address the Committee of which that Minister may not be a Member.

(d) Report by Select Committee

Report of Committee.

236. (1) As soon as may be, after a Bill has been referred to a Select Committee, the Select Committee shall meet from time to time, in accordance with rule 205, to consider the Bill and shall make a report thereon within the time fixed by the Assembly.

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.

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

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

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

Presentation of report. *237. The report of the Select Committee on a Bill together with the minutes of dissent, if any, shall be presented to the Assembly by the Chairperson or in absence of the Chairperson, by any Member of the Committee.

* Rule 236(3) was omitted and Rule 237 was amended *vide* amendments adopted on 28th August, 2024.

Printing and publication of report.

238. The Principal Secretary shall cause every report of a Select Committee to be printed, and 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 Committee, shall be published in the Gazette.

(e) Committee on Petitions

Constitution of Committee on Petitions.

*239. 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 less than thirteen Members:

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

Functions of Committee.

240. (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.

* Amendments to Rule 239 were adopted on 24th March, 1992 and 21st August, 1997 and 28th August, 2024.

(3) It shall also be the duty of the Committee to report to the House 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.

(f) Committee on Public Accounts

Functions of Committee on Public Accounts.

241. (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 Assam, the annual finance accounts of the Government of Assam and such other accounts laid before the Assembly as the Committee may think fit.

(2) In scrutinizing the Appropriation Accounts of the Government of Assam and the report of the Comptroller and Auditor General thereon, it shall be the duty of the Committee to satisfy itself:-

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

(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 statement of accounts showing the income and expenditure of State Corporation, trading and manufacturing schemes, concerns and projects together with the balance sheets and statements of profit and loss accounts 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 statement of accounts showing the income and expenditure of autonomous and semi-autonomous bodies, the audit of which may be conducted by the Comptroller and Auditor General of India either under the directions of the Governor or by a statute of the State Assembly; and
 - (c) to consider the report of the Comptroller and Auditor General in cases where the Governor may have required her/him to conduct and audit of any receipt or 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 House for that purpose, the Committee shall examine with reference to the facts of each case the circumstances leading to such an excess and make such recommendation as it may deem fit.

Constitution of Committee.

*242. (1) The Committee shall consist of not more than thirteen Members, who shall be elected by the House 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 a Member of the Committee, and if a Member, after election to the Committee, is appointed a Minister, such Member shall cease to be a Member of the Committee from the date of such appointment.

(2) The term of office of Members of the Committee shall not exceed 30 months from the date of its first formation.

(g) Committee on Estimates

Functions of Committee on Estimates.

243. There shall be a Committee on Estimates for the examination of such of the estimates as may deem fit to the Committee or are specifically referred to it by the House or the Speaker. The functions of the Committee shall be:

* Amendments to Rule 242 were adopted on 24th March, 1992 and 28th August, 2024.

- (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.

**Constitution of *244. (1) The Committee shall consist of
Committee.** not more than thirteen Members who shall be elected by the House 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 a Member of the Committee, and if a Member, after election to the Committee, is appointed a Minister, such Member shall cease to be a Member of the Committee from the date of such appointment.

(2) The term of office of Members of the Committee shall not exceed 30 months from the date of its first formation.

* Amendment of Rules 244(1) and 246 was adopted on 24th March, 1992 and 21st August, 1997, respectively. Rules 244 and 248 were amended *vide* amendments adopted on 28th August, 2024.

Examination of estimates by Committee. 245. The Committee may continue the examination of the estimates from time to time throughout the financial year and report to the House 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 Committee has made no report.

(h) Committee of Privileges

Constitution of Committee of Privileges. *246. At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate a Committee of Privileges consisting of not more than thirteen Members.

Examination of question by Committee. 247. (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 recommendation as it may deem fit.

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

Consideration of report. *248. (1) After the report has been presented, the Chairperson 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 House.

(3) After the motion made under sub-rule (1) is agreed to, the Chairperson or any Member of the Committee or other Member as the case may be, may move that the Assembly agrees or disagrees or agrees with amendments, with recommendations contained in the report.

Priority for consideration of report of Committee.

249. A motion that the report of the Committee be taken into consideration shall be accorded the priority assigned to a matter of privilege under rule 161, 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.

(h-i) Committee on Ethics

Constitution of the Committee on Ethics.

*249A. (1) At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate a Committee on Ethics consisting of not more than thirteen Members of the House.

* Amendments for insertion of Rules 249A and 249B were adopted on 3rd October, 2002. Amendment of Rule 251 was adopted on 21st August, 1997. Rules 249A and 251 were further amended *vide* amendments adopted on 28th August, 2024.

(2) The Chairperson of the Committee on Ethics shall be appointed by the Speaker from amongst the Members of the Committee on Ethics.

Functions of the Committee.

*249B. The functions of the Committee on Ethics shall be:-

- (i) to frame guidelines for ethical behavior of Members both inside and outside the House as well as for etiquette and code of conduct of the Members;
- (ii) to oversee the moral and ethical conduct of the Members;
- (iii) to examine the cases referred to it by the Speaker or by the House, from time to time, with reference to ethical and other misconduct of the Members;
- (iv) to consider all the cases relating to code of conduct and etiquette of the Members;
- (v) to report with recommendation(s) to the House.

(i) Committee on Subordinate Legislation

Functions of Committee on Subordinate Legislation.

250. There shall be a Committee on Subordinate Legislation to scrutinize 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 Assembly are being properly exercised within such delegation.

Constitution of Committee.

*251. The Committee shall consist of not more than thirteen Members who shall be nominated by the Speaker:

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

***Numbering
and publication
of orders.***

252. Each regulation, rule, sub-rule, bye-law, etc. framed in pursuance of the provisions of the Constitution or legislative functions delegated by the Assembly to a subordinate authority and which is required to be laid before the House, hereinafter referred to as "Order", shall, subject to such rule as the Speaker may in consultation with the Leader of the House prescribe, be numbered centrally and published in the Gazette immediately after it is promulgated.

***Duties of
Committee.***

253. After each such Order referred to in rule 252 is laid before the House, the Committee shall, in particular, consider-

- (i) whether it is in accordance with the general object 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 within an Act of the Assembly;
- (iii) whether it contains imposition of any tax;
- (iv) whether it directly or indirectly bars the jurisdiction of the courts;

- (v) whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;
- (vi) whether it involves expenditure from the Consolidated Fund of the State or the public revenues;
- (vii) whether it appears to make some unusual or unexpected use of the powers conferred by the Constitution or an 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 Assembly; and
- (ix) whether for any reason its form or purport calls for any elucidation.

***Report of
Committee.***

254. (1) If the Committee is of the opinion that any order should be annulled wholly or in part or should be amended in any respect, it shall report opinion and the grounds thereof to the Assembly.

(2) If the Committee is of the 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.

***Power of
Speaker to give
directions.***

255. The Speaker may issue such directions as she/he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of any question of subordinate legislation either in the Committee or in the Assembly.

(j) Committee on Government Assurances

Functions of Committee on Government Assurances.

256. There shall be a Committee on Government Assurances to scrutinize the assurances, promises, undertakings, etc. given by Ministers from time to time on the floor of the Assembly and to report on-

(a) the extent to which such assurances, promises, undertakings, etc. have been implemented; and

(b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

Constitution of Committee.

*257. The Committee shall consist of not more than thirteen Members who shall be nominated by the Speaker:

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

(k) Rules Committee

Functions of Rules Committee.

258. There shall be a Rules Committee 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.

* Amendments to Rules 257 and 259 were adopted on 24th March, 1992, 21st August, 1997 and on 28th August, 2024.

Constitution of Committee. *259. The Rules Committee shall be nominated by the Speaker and shall consist of thirteen Members including the Chairperson of the Committee. The Speaker shall be ex-officio Chairperson of the Committee.

Laying of report on the Table. *260. (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.

(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 House 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 circulated to the Members and published in the Gazette.

(3) If a notice of such amendment has not been given within seven days, the recommendations of the Committee shall be deemed to have been approved by the House and on the expiry of the said period, the Speaker shall cause the amendments to the rules as recommended by

* Amendment of Rule 260 was adopted *vide* amendments adopted on 28th August, 2024.

the Committee to be published in the Bulletin and also cause them to be published in the Gazette.

(4) The amendments to the rules shall come into force on their publication in the Bulletin and the Gazette unless otherwise specified.

(1) Committee on Public Undertakings

Functions of Committee on Public Undertakings.

260A. There shall be a Committee on Public Undertakings for the examination of the working of the Public Undertakings specified in the Fourth Schedule. The functions of the Committee shall be –

- (a) to examine the reports and accounts of the Public Undertakings specified in the Fourth Schedule;
- (b) to examine the reports, if any, of the Comptroller and Auditor General on the Public Undertakings;
- (c) to examine, the context of the autonomy and efficiency of the Public Undertakings, whether the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices; and
- (d) to exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates in relation to the Public Undertakings specified in the Fourth Schedule as are not covered by

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

Constitution of the Committee. *260B. (1) The Committee shall consist of not more than thirteen Members who shall be elected by the House 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 a Member of the Committee, and if a Member, after election to the Committee, is appointed a Minister, such Member shall cease to be a Member of the Committee from the date of such appointment.

(2) The term of office of Members of the Committee shall not exceed 30 months from the date of its first formation.

* Amendments of Rules 260B and 260D were adopted on 24th March, 1992. These two Rules were further amended and Rule 260C was also amended *vide* amendments adopted on 28th August, 2024.

**(m) Committee on the Welfare of
Scheduled Castes and Scheduled Tribes**

*Functions of
Committee on
the Welfare
of Scheduled
Castes and
Scheduled
Tribes.*

*260C. There shall be a Committee on the Welfare of Schedule Castes and Scheduled Tribes. The functions of the Committee shall be:-

- (i) to consider the reports submitted by the National Commission for the Scheduled Castes and the National Commission for the Scheduled Tribes under articles 338 and 338A, respectively, of the Constitution in so far as they relate to the State of Assam and report to the House as to the measures that should be taken by the State Government in respect of the matters within the purview of the State Government;
- (ii) to report on the action taken by the State Government on the measures proposed by the Committee;
- (iii) to examine the measures taken by the State Government to secure due representation of the Scheduled Castes and the Scheduled Tribes in services and posts under the control of the State Government (including the appointments in the Public Sector Undertakings, Statutory and Semi Government Bodies) having regard to the provisions of article 335 of the Constitution;

(iv) to report to the House on the working of the welfare programmes for the Scheduled Castes and the Scheduled Tribes in the State;

(v) to consider generally and to report to the House on all matters concerning the welfare of the Scheduled Castes and the Scheduled Tribes which fall within the purview of the State Government;

(vi) to examine such other matters as may deem fit to the Committee or are specifically referred to it by the House or the Speaker.

Constitution of Committee. *260D. (1) The Committee shall consist of not more than thirteen Members who shall be elected by the House 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 a Member of the Committee, and if a Member, after election to the Committee, is appointed a Minister, such Member shall cease to be a Member of the Committee from the date of such appointment.

(2) The term of office of Members of the Committee shall not exceed 30 months from the date of its first formation.

(3) In all other respects, the Rules of Procedure and Conduct of Business in Assam Legislative Assembly relating to Assembly Committees shall apply with such variations and modifications as the Speaker may make.

(n) Enquiry Committee of the House

Enquiry Committee.

*260E. (1) On a consensus in the House and after satisfaction of the Speaker that the matter that has been raised in the House is very serious requiring enquiry, the Speaker may constitute an Assembly Committee to be called an Enquiry Committee to enquire into that matter.

(2) The Committee shall consist of such number of Members, to be nominated by the Speaker, as the Speaker may deem appropriate.

(3) The Speaker shall, in consultation with the Leader of the House and the Leader of the Opposition or the Leader of the single largest party in opposition, as the case may be, also specify the terms of reference of the Enquiry Committee so constituted.

(4) The Enquiry Committee shall have all powers like any other Assembly Committee.

(5) The Enquiry Committee shall function from the date of its constitution for a period as stipulated in the notification issued in this behalf and shall cease to exist after presentation of its report to the House.

(o) Committee on the Welfare of the Other Backward Classes and More Other Backward Classes

Functions of Committee.

260F. There shall be Committee on the Welfare of Other Backward Classes and More

* Rule 260E was amended *vide* amendment adopted on 28th August, 2024. Rule 260G was amended *vide* amendments adopted on 24th March, 1992 and 28th August, 2024.

Other Backward Classes. The functions of the Committee shall be –

(i) to examine the matters pertaining to the welfare of the Other Backward Classes and More Other Backward Classes which fall within the purview of the State Government;

(ii) to examine and consider the measures taken by the State Government to secure due representation in services and posts under the control of the State Government in Public Sector Undertakings;

(iii) to review the progress and implementation of the welfare measures;

(iv) to examine and consider such other matters as may deem fit to the Committee or are specifically referred to it by the House or the Speaker.

Constitution of Committee. *260G. (1) The Committee shall consist of not more than thirteen Members who shall be elected by the House 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 a Member of the Committee, and if a Member, after election to the Committee, is appointed a Minister, such Member shall cease to be a Member of the Committee from the date of such appointment.

(2) The term of the office of Members of the Committee shall not exceed 30 months from the date of its first formation.

(3) In all other respects, the Rules of Procedure and Conduct of Business in Assam Legislative Assembly relating to Assembly Committees shall apply with such variations and modifications as the Speaker may make.

(oi) Committee on Welfare of Women and Children

Constitution of Committee. *260GA. (1) There shall be a Committee on the Welfare of Women and Children consisting of not more than 15 Members to be nominated by the Speaker:

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

(2) The Chairperson of the Committee shall be appointed by the Speaker from amongst the Members nominated to the Committee.

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

Functions. *260GB. The functions of the Committee shall be:-

(a) to review and monitor the measures taken by the State Government in

* Rules 312A, which was amended *vide* amendments adopted on 22nd December, 2003, was further amended and re-numbered as Rules 260GA and 260GB *vide* amendments adopted on 28th August, 2024.

securing equality, status and dignity of women in all matters;

(b) to suggest necessary corrective measures for improving the status/condition of women in respect of matters within the purview of the State Government;

(c) to examine the measures taken by the State Government for comprehensive education and adequate representation of women in Local Bodies, Services and other fields;

(d) to review the progress and implementation of the welfare programmes and other ameliorative measures of women and children;

(e) to review 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;

(f) implementation of any suggestion made or any resolution passed in the House relating to the atrocities, violence or unfair practice perpetrated on or the exploitation of women and children in the State;

(g) to look after the functioning of the institutions and Government Departments dealing with the welfare of women or children;

(h) to monitor social security measures for mentally retarded, the infirm and the physically handicapped children in order to make them self-sufficient and ensure their meaningful participation in the society;

(i) 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.

(oii) Employment Review Committee

Constitution of Employment Review Committee. *260GC. (1) At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall constitute the Employment Review Committee consisting of not more than thirteen Members to be nominated by the Speaker for a period of one year from the date of constituting the committee or till a new committee is constituted in accordance with these Rules.

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

(2) The Chairperson of the Committee shall be appointed by the Speaker from amongst the Members of the Committee.

* Rules 312B and 312C which were inserted *vide* amendments adopted on 13th July, 2009, were further amended and re-numbered as Rules 260GC and 260GD *vide* amendments adopted on 28th August, 2024.

Functions of Committee.

*260GD. The functions of the Committee shall be :-

- (i) to review the employment position of the people of the State in various Government Departments/public and private sector industries and undertakings in the State of Assam;
- (ii) to improve the relationship between the people and the various public sector and private sector industries and undertakings;
- (iii) to examine the cases referred to it by the Speaker or by the House from time to time with reference to employment position in the private and public sector industries and Government undertakings;
- (iv) to report with recommendations to the House.

***(p) Departmentally Related Standing Committees.**

Standing Committees.

260H. (1) There shall be departmentally related Standing Committees of the House (to be called the Standing Committees).

(2) The Departments under the jurisdiction of each of the Standing Committees shall be covered as specified in the Fifth Schedule:

* Rules 260H to 260R were inserted *vide* amendments adopted on 11th December, 1996. Rule 260I was amended *vide* amendments adopted on 21st August, 1997 and 28th August, 2024. Rule 260J was amended *vide* amendment adopted on 28th August, 2024.

Provided that the Speaker may alter the said Schedule from time to time in consultation with the Business Advisory Committee.

Constitution of Committees.

260I. (1) Each of the Standing Committees constituted under rule 260H (1) shall consist of not more than fifteen Members to be nominated by the Speaker from amongst the Members of the Assembly.

[As per recommendation of Rules Committee adopted by House on 28th August, 2024, rule 260I(1) regarding number of Members of the committee shall come into force on a date to be notified by the Speaker. So far, no date has been notified. Therefore, rule 260I (1), which reads “Each of the Standing Committees constituted under rule 260H(1) shall consist of not less than 15 (fifteen) and not more than 25 (twenty-five) Members to be nominated by the Speaker from amongst the Members of the Assembly.” is presently in force.]

(2) A Minister shall not be nominated as a Member of the Committee, and if a Member after nomination to the Committee is appointed a Minister, such Member shall cease to be a Member of the Committee from the date of such appointment.

(3) The Chairperson of the Committee shall be appointed by the Speaker from amongst the Members of the Committee.

(4) The term of office of the Members of the Committee shall not exceed one year.

Functions.

260J. (1) The functions of each of the Standing Committees shall be:-

- (a) to consider the Demands for Grants of the concerned Departments and make a report on the same to the House. The Report shall not suggest anything of the nature of cut motions;
- (b) to consider annual report(s), if any, of Departments and make reports thereon; and
- (c) to consider basic long term policy documents of the State Government presented to the House when referred to the Committee by the Speaker, and make report(s) thereon.

(2) The Standing Committees shall not consider the matters of day-to-day administration of the concerned Departments.

Applicability of provisions relating to functions.

260K. Each of the functions of these Committees as provided in rule 260 J shall be applicable to the Committees from the date as may be notified by the Speaker in respect of applicability of a particular function.

Procedure relating to Demands for Grants.

260L. The following procedure shall be followed by the Standing Committees in their consideration of the Demands for Grants and making reports thereon to the House:-

- (a) after the general discussion on the Budget in the House is over, the House shall be adjourned for a fixed period as determined by the Speaker or the Business Advisory Committee, as the case may be;

(b) the Committees shall consider the Demands for Grants of the concerned Departments during the aforesaid period;

(c) the Committees shall make their reports within the period and shall not ask for more time;

(d) the Demands for Grants shall be considered by the House in the light of the reports of the Committees; and

(e) there shall be a separate report on the Demands for Grants of each Department.

***Reports of
Committees.***

260M. (1) The reports of the Committees shall be based on broad consensus.

(2) A Member of the Standing Committee may give a note of dissent on the Report of the Committee.

(3) The note of dissent shall be presented to the House alongwith the Report(s).

***Applicability
of general
rules.***

260N. Except for matters for which special provision is made in the rules relating to the Standing Committees, the general rules applicable to other Assembly Committees shall apply to the Standing Committees as specified in the Fifth Schedule.

***Venue of
sittings.***

260O. The Standing Committees shall not work in any other place except the precincts of the House unless otherwise specifically permitted by the Speaker.

Power to have expert opinion. 260P. The Committees may avail of the expert opinion or the public opinion to make the reports.

Matters not to be considered. 260Q. The Standing Committees shall not generally consider the matters which are considered by other Assembly Committees.

Reports to have persuasive value. 260R. The reports of the Standing Committees shall have persuasive value and shall be treated as considered advice given by the Committees.

(q) Committee on Local Fund Accounts

Functions of Committee *260S. (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 Assam and such other accounts relating to local bodies laid before the Assembly as the Committee may think fit.

(2) In scrutinizing 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:-

(a) that the money 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; and

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

* Insertion of Rules 260S and 260T was adopted on 1st March, 2012.

- (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, Town Committee, Panchayats, Development Authorities and such other Local Authorities or a Local Fund;
 - (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; and

(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 Assembly. The Committee shall perform such other functions in respect of the Audit Reports of Local Bodies audited by the Comptroller and Auditor General of India as may be assigned to it by the Speaker from time to time.

Constitution of the Committee. *260T (1). The Committee shall consist of not more than thirteen Members, who shall be nominated by the Speaker from amongst the Members of the House:

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

(2) The term of office of Members of the Committee shall be one year from the date of constituting the Committee or till a new Committee is constituted.

(3) The Chairperson of the Committee shall be appointed by the Speaker from amongst the Members of the Committee.

**260V.

** Omission of Rule 260V was adopted by the House on 28th August, 2024.

CHAPTER XXVI

General Rules of Procedure

Notices

Notices by Members.

261. (1) Every notice required by these rules shall be given in writing addressed to the Principal Secretary, and signed by the Member giving notice, and shall be left at the Assembly Notice Office which shall be kept open for the purpose between the hours to be notified from time to time on every day except Sunday or a public holiday.

(2) Notice left at the Assembly Notice Office after the hours notified under sub-rule (1) shall be treated as given on the next open day.

Circulation of notices and papers to Members.

262. (1) The Principal Secretary shall circulate to each Member a copy of every notice or other paper which is required by these rules to be made available for the use of Members.

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

Lapse of pending notices on prorogation of Assembly.

263. 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.

Motion, resolution or amendment moved not to lapse. *264. A motion, resolution or an amendment which has been moved and is pending in the House shall not lapse by reason only of the prorogation of the Assembly.

Power of Speaker to amend notices. *265. If in the opinion of the Speaker, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose or otherwise inappropriate, the Speaker may, while exercising discretion, amend such notice before it is circulated.

Motions

Identical motions. *266. A motion shall not raise a question substantially identical with one on which the Assembly has given a decision in the same session.

Withdrawal of motion. *267. (1) A member who has moved an original motion or an amendment, may withdraw the same by the leave of the House.

(2) The leave shall be signified not upon question but by the Speaker taking the pleasure of the House. 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

* Rules 264 to 267 were amended *vide* amendments adopted on 28th August, 2024.

withdrawn. But if any dissent voice be heard or a Member rises to continue the debate the Speaker shall forthwith put the motion:

Provided that if an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of.

*268.

Adjournment of debate on motion. 269. At any time after a motion has been made, a Member may move that the debate on the motion be adjourned.

Motion in abuse of rules or dilatory motion. 270. (1) If the Speaker is of the opinion that a motion for the adjournment of debate is an abuse of the rules of the Assembly, the Speaker may either forthwith put the question thereon or decline to propose the question.

(2) If the Speaker is of the opinion that a motion for recirculation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the rules of the House in as much as the original circulation was adequate or comprehensive or that no circumstances have arisen since the previous circulation to warrant the re-circulation of the Bill, the Speaker may forthwith put the question thereon or decline to propose the question.

(3) If the Speaker is of the opinion that a motion for recommittal of a Bill to a Select Committee of the House or circulation or re-circulation of the Bill after the Select Committee of the House has reported thereon, is in the nature of a dilatory

* Omission of Rule 268, amendment of Rule 271 and insertion of Rule 271A were made *vide* amendments adopted on 28th August, 2024.

motion in abuse of the rules of the Assembly in as much as the Select Committee of the House has dealt with the Bill in proper manner or that no unforeseen or new circumstances have arisen since the Bill emerged from such Committee, the Speaker may forthwith put the question thereon or decline to propose the question.

Amendments

Rules as to amendments.

*271. (1) An amendment shall be relevant to, and within the scope of the motion to which it is proposed.

(2) An amendment shall not be moved which has merely the effect of a negative vote.

(3) After a decision has been given on an amendment to any part of the motion, an earlier part shall not be amended.

(4) An amendment on a motion must not be inconsistent with the previous decision on the same motion given at the same stage of any Bill or motion.

(5) An amendment to an amendment may be moved with the permission of the Speaker.

(6) The Speaker may put amendments in such order as may be considered appropriate:

Provided that the Speaker may refuse to put an amendment which in the opinion of the Speaker is frivolous.

Notice of amendment.

*271A. Notice of an amendment to a motion shall be given two days before the day on which the motion is to be considered, unless the Speaker allows the amendment to be moved without such notice.

Selection of amendment. 272. The Speaker shall have power to select the amendment to be proposed in respect of any motion and may, if 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 her/him to form a judgement upon it.

*273

Division of motion. 274. When any motion involving several points has been discussed, it shall be in the discretion of the Speaker to divide the motion and put each or any point separately to the vote as she/he may think fit.

Rules to be observed by Members

Rules to be observed by Members. *275. While the House is sitting, a Member -

- (i) shall not read any book, newspaper or letter except in connection with the business of the House;
- (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 House, and also when taking or leaving one's own seat;
- (iv) shall not pass between the Chair and any Member who is speaking;
- (v) shall not leave the House when the Speaker is addressing the House;
- (vi) shall always address the Chair;

* Rule 275 was amended *vide* amendment adopted on 1st February, 2011. Rule 273, 275 (x) and (xxvii) and 275(1) and (2) were omitted and Rule 275 was further amended *vide* amendments adopted on 28th August, 2024.

- (vii) shall keep to one's own usual seat while addressing the House;
- (viii) shall maintain silence when not speaking in the House;
- (ix) shall not applaud when a stranger enters any of the Galleries or the Special Box;
- *(x)
- (xi) shall not obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when another Member is speaking;
- (xii) shall not shout slogans in the House;
- (xiii) shall not sit or stand with back towards the Chair;
- (xiv) shall not approach the Chair personally in the House. The Member may send chits to the officers at the Table, if necessary;
- (xv) shall not wear to display badges of any kind in the House except the National Flag in the form of a lapel pin or a badge;
- (xvi) shall not bring or display arms in the House;
- (xvii) shall not display flags, emblems or any exhibits in the House;
- (xviii) shall not leave the House immediately after delivering her/his speech;
- (xix) shall not distribute within the precincts of the House any literature, questionnaire, pamphlets, press notes, leaflets, etc. not connected with the business of the House;
- (xx) shall not place one's hat/cap on the desk in the House, bring board in the Chamber for

keeping files or for writing purposes, smoke or enter the House with her/his coat hanging on the arms.

(xxi) shall not carry walking stick into the House unless permitted by the Speaker on health grounds;

(xxii) shall not tear off documents in the House in protest;

(xxiii) shall not play any device so as to cause disturbance or distraction;

(xxiv) shall avoid talking or laughing in the Lobby loud enough to be heard in the House;

(xxv) shall refrain from transgressing into the Table of the Speaker;

(xxvi) shall not attempt to manhandle any other Member.

*(xxvii)

*275 (1) and (2)

Minister to remain in the House when her/his portfolio is discussed.

275A. The Minister concerned, when a matter relating to her/his portfolio is under discussion in the House, shall not leave the House without the previous permission of the Speaker.

Only Member called by Speaker entitled to speak.

*276. When a Member rises to speak, the name of such Member 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.

* Rules 276 to 278 were amended *vide* amendments adopted on 28th August, 2024

***Mode of
addressing
the House.***

*277. A Member desiring to make any observations on any matter before the House shall speak from one's own place, shall rise when speaking and shall address the Speaker:

Provided that a Member disabled by sickness or infirmity may be permitted to speak while sitting.

***Rules of
debate.***

*278. A Member while speaking shall not-

- (i) refer to any matter of fact on which a judicial decision is pending;
- (ii) make a personal charge against 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 Parliament or Assam Legislative Assembly or any other State 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 discussion is based on a substantive motion drawn in proper terms.

Explanation: The expression "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 the Speaker;

- (vi) use the President's or the Governor's name for the purpose of influencing the debate;
- (vii) utter treasonable, seditious or defamatory words;
- (viii) use the 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) refer to Government officials by name; and
- (xi) read a written speech except with the previous permission of the Chair.

Procedure regarding allegation against a person.

279. No allegation of a defamatory or incriminatory nature shall be made by a Member against any person unless the Member has given previous intimation 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 she/he is of the opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

Question to be asked through the Speaker.

280. When, for the purpose of explanation during the discussion or for any other sufficient reasons, any Member has occasion to ask a question of another Member on any matter then under the consideration of the Assembly, she/he shall ask the question through the Speaker.

Irrelevance or repetition. 281. The Speaker, after having called the attention of the House to the conduct of Member who persists in irrelevance or in tedious repetition either of her/his own arguments or of the arguments used by other Member in debate, may direct her/him to discontinue her/his speech.

Personal explanation. 282. A Member may, with the permission of the Speaker, make personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward and no debate shall arise.

Order of speeches and right of reply

Order of speeches and right of reply. *283. (1) After the Member who moves a motion has spoken, other Members may speak to the motion in such order as the Speaker may call upon them. If any Member, who is so called upon, does not speak, such Member shall not be entitled except with the permission of the Speaker, to speak on the motion at any later stage of the debate.

(2) Except in exercise of a right of reply or as otherwise provided by these rules, no Member shall speak more than once to 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, whether previously spoken in the debate or not, may with the permission of the Speaker, speak after the mover has replied:

* Rules 283, 286 and 287 were amended *vide* amendments adopted on 28th August, 2024

Provided that nothing in this sub-rule shall be deemed to give any right of reply to the mover of an amendment to a Bill or a resolution save with the permission of the Speaker.

*Mover's
reply
concludes
debate.*

284. Subject to the provisions of sub-rule (3) of rule 283, the reply of the mover of the original motion shall in all cases conclude the debate.

Address by Speaker

*Address by
Speaker.*

285. The Speaker may herself/himself, or on a point being raised or on a request made by a Member, address the House at any time on a matter under consideration in the House with a view to aid Members in their deliberation, and such expression of views shall not be taken to be in the nature of a decision.

Procedure when Speaker rises

*Procedure
when
Speaker rises.*

*286. (1) The Speaker shall, whenever she/he rises, be heard in silence and any Member who is then speaking or offering to speak shall immediately sit down.

(2) No Member shall leave one's own seat while the Speaker is addressing the House.

Closure

Closure.

*287. (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 the rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion "That the question be now put".

(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 but after allowing the mover and the Minister concerned to speak in the manner laid down in sub-rule (3) of rule 283.

Limitation of debate.

288. (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 a 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 that stage of the Bill or the motion.

Decision of the House

Procedure for obtaining decision of the House.

*289. A matter requiring the decision of the Assembly shall be decided by means of a question put by the Speaker on a motion proposed by a Member.

Proposal and putting of question.

290. When a motion has been made, the Speaker shall propose the question for consideration and put it for the decision of the House. If a motion embodies two or more separate propositions, those propositions may be proposed by the Speaker as separate questions.

* Rules 289 and 292 were amended and Rule 292A was inserted *vide* amendments adopted on 28th August, 2024

*No speech
after voices
collected.*

291. A Member shall not speak on a question after the Speaker has collected the voices both of the Ayes and of the Noes on the question.

Division

Division.

*292. (1) On the conclusion of a debate, the Speaker shall put the question and invite those who are in favour of the motion to say 'Aye' and those against the motion to say 'No'.

(2) The Speaker shall then say: 'I think the (Ayes or the Noes, as the case may be) have it'. If the opinion of the Speaker as to the decision of a question is not challenged, the Speaker shall say twice: 'The Ayes (or the Noes, as the case may be) have it' and the question before the House shall be determined accordingly.

(3) (a) If the opinion of the Speaker as to the decision of a question is challenged, the Speaker shall order that the Lobby be cleared.

(b) After the lapse of five minutes, the Speaker shall put the question a second time and declare whether in the opinion of the Speaker the 'Ayes' or the 'Noes' have it.

(c) If the opinion so declared is again challenged, the Speaker shall direct that the votes be recorded either by operating the automatic vote recorder or NeVA system or by using 'Aye' and 'No' Slips in the House or by the Members going into the Lobbies:

Provided that the Speaker may, if is of the opinion that the Division is unnecessarily claimed, ask the Members who are for 'Aye' and those for

‘No’ respectively to rise in their places and, on a count being taken, may declare the determination of the House. In such a case, the names of the Members shall not be recorded.

*Division by
automatic
vote recorder/
NeVa.*

*292A. (1) Where the Speaker directs under clause (c) of sub-rule (3) of rule 292 that the votes be recorded by operating the automatic vote recorder or through NeVA, 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.

(2) After the result of the voting appears on the indicator board, the result of the Division shall be announced by the Speaker and it shall not be challenged.

(3) A Member, who is not able to cast one’s own 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 the vote recorded on paper slip to be provided by Division Clerk stating whether she or he is in favour of or against the motion, before the result of the Division is announced.

(4) If a Member finds having voted by mistake by pressing the wrong button, such Member may be allowed to correct the mistake on correction slip to be provided by the Division Clerk provided it is brought to the notice of the Speaker by the Member before the result of the Division is announced.

***Division by
distribution
of ‘Aye’ and
‘No’ slips.***

*292B. (1) Where the Speaker directs under clause (c) of sub-rule (3) of rule 292 that the votes shall be recorded by Members on ‘Aye’ and ‘No’ slips, the Division Clerks shall supply to such Members at their seats, ‘Aye’ or ‘No’ slips, according to the choice indicated by a Member. A Member shall record the vote on the slip by signing and indicating one’s own Division Number thereon.

(2) After the Members have recorded their votes, the Division Clerks shall collect the ‘Aye’ and ‘No’ slips and bring them to the Table where the votes shall be counted by the officers at the Table and the totals of ‘Ayes’ and ‘Noes’ presented to the Speaker.

(3) The result of the Division shall be announced by the Speaker and it shall not be challenged.

***Division by
going into
Lobbies.***

*292C. (1) Where the Speaker directs under clause (c) of sub-rule (3) of rule 292 that the votes shall be recorded by the Members going into the Lobbies, the Speaker shall direct the ‘Ayes’ to go into the “Ayes” Lobby and the ‘Noes’ into the “Noes” Lobby. In the ‘Ayes’ or ‘Noes’ Lobby, as the case may be, each Member shall state one’s own Division Number and the Division Clerk, while marking off the number on the Division List, shall simultaneously call out the name of the Member.

(2) After voting in the Lobbies is completed, the Division Clerks shall bring the Division Lists to the Table where the votes shall be counted by the officers at the Table and the totals of ‘Ayes’ and ‘Noes’ presented to the Speaker.

* Rules 292B and 292C were inserted *vide* amendments adopted on 28th August, 2024

(3) The result of the Division shall be announced by the Speaker and it shall not be challenged.

(4) A Member who is unable to go to the Division Lobby owing to sickness or infirmity may, with the permission of the Speaker, have the vote recorded either at the allotted seat of such Member or in the Lobby before the result of the Division is announced.

(5) If a Member finds having voted by mistake in the wrong Lobby, such Member may be allowed to correct the mistake, provided it is brought to the notice of the Speaker by the Member before the result of the Division is announced.

(6) When the Division Clerks have brought the Division Lists to the Table, a Member who has not upto that time recorded one's own vote but who then wishes to have the vote recorded may do so with the permission of the Speaker before the result of the Division is announced.

Papers quoted to be laid on the Table

***Papers
quoted to be
laid on the
Table.***

293. If a Minister quotes in the House a despatch or other State paper which has not been presented to the House, the Minister 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 one's own words a summary or gist of such despatch or State paper, it shall not be necessary to lay the relevant paper on the Table.

Treatment of papers laid on the Table. 294. (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 sources of advice or opinion given to her/him

Procedure when a Minister discloses sources of advice or opinion given. 295. If, in answer to a question or during debate, a Minister discloses the advice or opinion given to her//him by any officer of the Government or by any other person or authority, she/he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on the Table.

Objection to vote of a Member on grounds of Personal, Pecuniary or Direct Interest

Objection to vote of a Member. 296. If the vote of Member in a division in the House is challenged on the ground of personal, pecuniary or direct interest in the matter to be decided, the Speaker may, if she/he considers necessary, call upon the Member making the challenge to state precisely the grounds of her/his objection and the Member whose vote has been challenged to state her/his case and shall decide whether the vote of the Member should be disallowed or not and her/his decision shall be final:

Provided that the vote of a Member or Members shall be challenged immediately after the division is over and before result is announced by 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 Member whose vote is questioned and not in common with the public in general or with any class or section thereof or on a matter of State Policy.

Withdrawal, Naming and Suspension of Members

Withdrawal. *297. The Speaker, if of the opinion that the conduct of any Member is grossly disorderly, may direct such Member to withdraw immediately from the House, and any Member so ordered to withdraw shall do so forthwith and shall remain absent during the remainder of the day's sitting.

Naming and suspension of a Member. *298. (1) The Speaker may, if deems it necessary, name a Member who disregards the authority of the Chair or abuses the rules of the House by persistently and wilfully obstructing the business thereof.

(2) If a Member is so named by the Speaker, the Speaker shall forthwith put the question that the Member (naming such Member) be suspended from the service of the House for a period not exceeding the remainder of the session:

Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.

(3) A Member suspended under this rule shall forthwith quit the precincts of the House. 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.

* Rules 297 to 299 were amended *vide* amendments adopted on 28th August, 2024

Suspension of sitting

Suspension of sitting.

*299. In the case of grave disorder arising in the House, the Speaker may, if thinks it necessary to do so, adjourn the House or suspend any sitting for a time to be fixed by the Speaker, but in no case the adjournment shall exceed one week.

Point of order

Point of order and decisions thereon.

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

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

(3) Subject to 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 of a point of order and if so, give her/his decision thereon, which shall be final.

(4) No debate shall be allowed on a point of order, but the Speaker may, if thinks fit, hear Members before giving the 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 her/his position; or

- (c) when a question on any motion is being put to the House; or
- (d) which may be hypothetical; or
- (e) that Division Bells did not ring or were not heard.

Special Mention

Raising a matter which is not a point of order. *301. (1) A Member who wishes to bring to the notice of the House a matter which is not a point of order shall give notice in writing to the Principal Secretary specifying clearly and precisely the text of the matter, not exceeding the word limit prescribed under clause (iii) of rule 301A, to be raised. The Member shall be permitted to raise the matter, only after the Speaker has given the consent and at such time and date, as the Speaker may fix.

(2) (a) Unless the Speaker otherwise directs, not more than five matters shall be allowed to be raised and the Member who is called upon by the Speaker shall raise the matter by reading the text of the matter as approved by the Speaker.

(b) The Minister concerned, if desires to respond to the matter in the House or if the Speaker specially directs, shall do so within five minutes duration. If, however, the relevant information is not available with the Minister, the Minister may, with the permission of the Speaker, send the reply to

* Rule 301A was inserted *vide* amendment adopted on 26th February, 2007. Rules 300 and 300A were amended *vide* amendments adopted on 4th September, 2017. Rule 301 was amended and Rule 301A was further amended *vide* amendments adopted on 28th August, 2024.

the matter raised to the Member concerned within a period of ten days along with a copy to the Principal Secretary.

Conditions of admissibility.

*301A. In order that a notice may be admissible, it shall satisfy the following conditions: -

- (i) it shall not refer to a matter which is not primarily the concern of the Government of Assam;
- (ii) it shall not relate to a matter which has been discussed in the same session or which is substantially identical to the matter already raised by any Member under this rule during the session;
- (iii) it shall not exceed 250 words;
- (iv) it shall not raise more than one issue;
- (v) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements; and
- (vi) it shall not refer to proceedings of an Assembly or a consultative Committee.

Time for tabling notices and their validity.

*301B. (1) Notices received during a week commencing from its first sitting till 16.00 hours on the penultimate working day of the week on which the House sits shall be valid for that week.
(2) Notices received thereafter, i.e., after 16:00 hours of the penultimate working day of the week shall be valid for the next week of the Session.

* Rules 301B and 301C were inserted *vide* amendments adopted on 26th February, 2007. Rule 301B was amended *vide* amendment adopted on 4th September, 2017. Rules 301C and 304 were amended *vide* amendments adopted on 28th August, 2024.

(3) Notices not selected during the week for which they have been tabled shall lapse at the end of the week:

Provided that a notice referred for facts under the order of the Speaker shall not lapse till it is finally disposed of.

Restrictions on raising matters.

*301C. (1) No Member shall raise more than one matter during a week.

(2) Only the text approved by the Speaker shall go on record.

Maintenance of Order

Speaker to preserve order and enforce decisions.

302. The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing her/his decision.

Proceedings of the House, Assembly Papers and Custody of Papers

Proceedings of the Assembly.

303. (1) The relevant copies of the proceedings of the Assembly shall be furnished to the Members concerned for the purpose of correction and return in accordance with rule 29A. Correction of speeches shall be confined to grammatical mistakes and there shall be no material alteration.

(2) Thereafter, the Principal Secretary shall cause to be prepared a full report of the proceedings of the House at each of its sittings and shall as soon as practicable, publish it in such form and manner as the Speaker may from time to time, direct:

Provided that the speeches not corrected by the Members shall be indicated by a footnote in the proceedings.

(3) A copy of the proceedings so published shall be sent to the Governor.

*Expunction
of words
from debates.*

*304. If the Speaker is of the opinion that words have been used in debates which are defamatory or indecent or unparliamentary or undignified, the Speaker may, while exercising discretion, order that such words be expunged from the proceedings of the House.

*Indication
in printed
debates of
expunged
proceedings.*

305. The portion of the proceedings of the House so expunged shall be marked by asterisk and an explanatory footnote shall be inserted in the proceedings as follows: "Expunged as ordered by the Chair"

*Printing and
publication
of Assembly
papers.*

306. (1) The Speaker may authorize printing, publication, distribution or sale of any paper, document or report in connection with the business of the House or any paper, document or report laid on the Table or presented to the House or a Committee thereof.

(2) A paper, document or report printed, published, distributed or sold in pursuance of sub-rule (1) shall be deemed to have been printed, published, distributed or sold under the authority of the House within the meaning of clause (2) of article 194 of the Constitution.

(3) If a question arises whether a paper, document or report is in connection with the business of the House or not, the question shall be referred to the Speaker whose decision shall be final.

Custody of papers. *307. The Principal Secretary shall have custody of all records, documents and papers belonging to the House or any of its Committees or Assembly Secretariat and shall not permit any such records, documents or papers to be taken from the precincts of the House without the permission of the Speaker:

Provided that in the absence of the Speaker from the headquarters, the Deputy Speaker may accord such permission.

*308.

Chamber of Assembly

Restriction on use of Chamber of Assembly. *309. Unless the Speaker otherwise direct, the Chamber of the Assembly shall not be used for any purpose other than the sittings of the Assembly, the Presiding Officers Conferences and Seminars for Members of the Assembly.

Admission of strangers

Admission of strangers. 310. The admission of persons, other than Members, to any part of the Assembly Chamber during the sitting of the Assembly shall be regulated in accordance with the orders made by the Speaker.

Power to order withdrawal of strangers. 311. The Speaker, whenever considers necessary, may order the Visitors or Press gallery to be cleared.

* Amendment of Rule 311A and insertion of Rule 311B was made *vide* amendment adopted on 24th March, 1992. Rules 307, 309 and 311A were amended, Rule 308 was omitted and Rule 311AA was inserted *vide* amendments adopted on 28th August, 2024.

General Purposes Committee

Constitution of Committee. *311A. (1) There shall be a General Purposes Committee not exceeding thirteen Members consisting of the Speaker, the Deputy Speaker, Leaders of recognised parties and groups in the Assembly and such other Members as may be nominated by the Speaker.

(2) The Speaker shall be the *ex-officio* Chairperson of the Committee.

Functions. *311AA. (1) The functions of the Committee shall be to consider and advise on such matters concerning the affairs of the House as may be referred to it by the Speaker from time to time.

(2) In other respects, the general rules applicable to the Assembly Committees given in Chapter XXV of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly shall apply with such adaptations, whether by way of modification, addition or omission, as the Speaker may consider necessary or convenient.

Act Implementation Committee

Constitution of Committee. *311B. There shall be an Act Implementation Committee not exceeding thirteen Members to be nominated by the Speaker:

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

Function of Committee. *311C. (1) The function of the Committee shall be to examine the Acts applicable to the State of Assam with a view to oversee that the provisions of such Acts are being implemented within reasonable time in their true spirit and submit reports thereon to the Speaker.

(2) The Speaker, on receipt of a report under sub-rule (1), shall, if thinks appropriate, forward the report to the Minister concerned.

(3) The Minister concerned shall, within three months from the receipt of the report from the Speaker, submit the reply on recommendations contained in the report to the Speaker and the Speaker shall cause the reply to be presented to the House through the Act Implementation Committee in the immediately following session.

(4) In other respects, the general rules applicable to the Assembly Committees given in Chapter XXV of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly shall apply with such adaptations, whether by way of modification, addition or omission, as the Speaker may consider necessary or convenient.

*312

*312A

* Rule 311C was amended *vide* amendment adopted on 28th August, 2024.

* Rule 312 with amendments providing for the House Committee was transferred to APPENDIX I *vide* amendment adopted on 28th August, 2024.

* Rule 312A, which was amended *vide* amendments adopted on 22nd December, 2003, was further amended and re-numbered as Rules 260GA and 260GB *vide* amendments adopted on 28th August, 2024.

*312B

*312C

*313.

***Facilities to
the Leader
of the
Opposition.***

313A. The Leader of the Opposition shall be provided with all facilities as the Speaker may consider necessary for the due performance of her/his duties.

* Rules 312B and 312C, which were inserted *vide* amendments adopted on 13th July, 2009, were further amended and re-numbered as Rules 260GC and 260GD *vide* amendments adopted on 28th August, 2024.

* Rule 313 with amendments providing for the Library Committee was transferred to APPENDIX I *vide* amendment adopted on 28th August, 2024.

CHAPTER XXVII

Interpretation of Rules

Interpretation. 314. If any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Speaker shall be final.

Residuary power. 315. 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.

Suspension of rules. 316. 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 House and if the motion is carried, the rule in question shall be suspended for the time being.

Schedules

FIRST SCHEDULE

Form of Petition

(See Rule 106)

To

Assam Legislative Assembly

The humble petition of

(Here insert name and designation or description of petitioner(s) in concise form, e.g., “A, B, and others” or “the inhabitants of or the Municipality” etc.)

Sheweth-

(Here insert concise statement of case) and accordingly your petitioner(s) pray that

(Here-insert “that the Bill be or be not proceeded with” or “that special provision be made in the Bill to meet the case of your petitioner(s)” or any other appropriate prayer regarding the Bill or matter before the House 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

Counter signature of Member presenting.....

SECOND SCHEDULE

Form of Report in Petition by the Principal Secretary (See Rule 112)

Sir,

Under Rule of the Rules of Procedure and Conduct of Business in Assam 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 Smti/Shri

STATEMENT

Petitions relating to (in case of Bills)

the Bill to provide for which was introduced in the Assembly on the 20.

Number of Signatories	District or town	State

THIRD SCHEDULE
(See Rules 177 and 178)

**Form of communication regarding arrest, detention or
release, as the case may be, of a Member**

Place

Date

To,

The Speaker,

Assam Legislative Assembly,

Dispur (Guwahati).

Dear Mr. Speaker,

A

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

Smti./Shri..... Member of the Assam Legislative Assembly be arrested/detained for (reasons, for the arrest or detention, as the case may be) Smti./Shri, M.L.A. 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 Smti/Shri
.....
..... Member of the Assam
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 her/him guilty of
..... and sentenced her/him imprisonment for
..... (period).

(Her/his application for leave to appeal to
..... is pending consideration).

Name of the Court,

C

I have the honour to inform you that Smti/Shri
.....
..... Member of the Assam Legislative Assembly, who was arrested/
detained/convicted on (date)
for (reasons for arrest/detention/
conviction) was released on (date) on
..... (grounds for release).

Yours faithfully,
(Judge, Magistrate or Executive authority)

FOURTH SCHEDULE

(See Rule 260A)

List of Public Undertakings

Part I

(Public undertakings established by State Acts)

1. The Assam State Electricity Board.
2. The Assam State Housing Board.
3. The Assam Khadi & Village Industries Board.
4. The Assam State Transport Corporation Ltd.
5. The Assam State Warehousing Corporation Ltd.
6. The Assam Financial Corporation Ltd.

Part II

(Public Undertakings which are Government Companies formed under the Companies Act).

1. The Assam Government Construction Corporation Ltd., Guwahati.
2. The Assam Tea Corporation Ltd., Guwahati.
3. The Assam Small Industries Development Corporation Ltd., Guwahati.
4. The Assam Hills Small Industries Development Corporation Ltd., Guwahati.
5. The Assam Government Marketing Corporation Ltd., Guwahati.
6. The Assam Spun Silk Mills Ltd., Jagiroad.
7. The Assam Gas Company Ltd., Duliajan.

8. The Assam Agro-Industries Development Corporation Ltd., Guwahati.
9. The Assam Seed Corporation Ltd., Guwahati.
10. The Assam State Film (Finance and Development Corporation), Guwahati.
11. The Assam Text Book Production and Publication Corporation Ltd., Guwahati.
12. The Assam Industrial Development Corporation Ltd., Guwahati.
13. The Assam Conductors and Tubes Ltd., (ASCON), Guwahati.
14. The Fertichem Ltd., Guwahati.
15. The Assam Petro-Chemicals Ltd., Guwahati.
16. The Cachar Sugar Mills, Ltd., Guwahati.
17. The Assam Syntex Ltd., Guwahati.
18. The Assam Electronics Development Corporation Ltd., Guwahati.
19. The Assam Fisheries Development Corporation, Guwahati.
20. The Assam Livestock and Poultry Development Corporation Ltd., Guwahati.
21. The Assam Minerals Development Corporation Ltd., Guwahati.
22. The Assam State Textile Corporation Ltd., Guwahati.
23. The Assam Polytex Ltd., Guwahati.
24. The Assam Plains Tribes Development Corporation Ltd. Guwahati.
25. The Assam State Development Corporation for other Backward Classes Ltd., Guwahati.
26. The Assam State Development Corporation for Scheduled Castes Ltd., Guwahati.

27. The Assam Minorities Development Corporation Ltd., Guwahati.
28. The Assam Plantation Crops Development Corporation Ltd., Guwahati.
29. The Assam Police Housing Corporation Ltd., Guwahati.
30. The Assam State Minor Irrigation Development Corporation Ltd., Guwahati.
31. The Assam State Fertilizer and Chemicals Ltd., Chandrapur.
32. The Assam Co-operative Sugar Mills Ltd., Jorhat.
33. The Assam Co-operative Jute Mills Ltd., Silghat.
34. The STATFED Ltd., Bhangagarh, Guwahati-5
35. The Nagaon Co-operative Sugar Mills Ltd., Nagaon.
36. The Swahid Kushal Konwar Samabai Sutakal Ltd., Golaghat.
37. The Assam Co-operative Spining Mills Ltd., Baitamari.
38. The Assam Polyester Co-operative Society Ltd., Chandmari.
39. The Ashok Paper Mills Ltd., Pub-Sarania, Guwahati.
40. The Assam Tourism Development Corporation Ltd., Panbazar.
41. The Assam Urban Water Supply and Sewage Board, Guwahati.
42. The ARTFED, Ambari, Guwahati.
43. The Assam State Weaving and Manufacturing Company.

*** FIFTH SCHEDULE**

(See Rule 260H)

**Departments under the jurisdiction of the Departmentally
Related Standing Committees.**

Sl. No.	Name of the Committee	Departments
1.	Committee on Education	i) Higher Education ii) Secondary Education iii) Elementary Education *** iv) Medical Education and Research *** v) Technical Education ** vi) Science, Technology & Climate Change *** vii) Cultural Affairs *** viii) Indigenous and Tribal Faith and Culture *** ix) Tourism
2.	Committee of Works Departments	*** i) Public Works Roads *** ii) Public Works Building and National Highways iii) Water Resources iv) Irrigation v) Public Health Engineering *** vi) Housing and Urban Affairs *** vii) Information, Public Relations & Printing & Stationary *** viii) Revenue & Disaster Management *** ix) Information Technology *** x) Act East Policy Affairs

* Insertion of Fifth Schedule was adopted by the House on 11th December, 1996.

** Insertion of Departments were adopted by the BAC on 28th February, 2003.

*** Insertion of Departments were adopted by the BAC on 17th August, 2022.

3.	Committee on Development (A) Departments	*** i) *** ii) iii) *** iv) *** v) *** vi) vii) ** viii) ** ix) ** x) *** xi) *** xii) *** xiii) *** xiv) *** xv) *** xvi)	Environment & Forest Industries, Commerce and Public Enterprises Power Food, Public Distribution and Consumer Affairs Mines & Minerals Tribal Affairs (Plain) Transport Sports & Youth Welfare Excise General Administration Women & Child Development Social Justice and Empowerment Tea Tribes Welfare Welfare of Bodoland Hill Areas Welfare of Minorities & Development
4.	Committee on Development (B) Department	i) ii) *** iii) iv) v) vi) vii) *** viii) ** ix) ** x) *** xi) *** xii) *** xiii)	Agriculture Panchayat & Rural Development Handloom, Textile and Sericulture Fishery Animal Husbandry & Veterinary Health & Family Welfare Co-operation Skill, Employment and Entrepreneurship Soil Conservation Home Political Labour Welfare Border Protection & Development

SIXTH SCHEDULE

(See Rules 32, 48, 49, 50, 54, 148 and 301)

(A)

STARRED QUESTION

Form of Notice (See Rule 32)

Subject
Date of Notice
Date of Answer
Priority if any
.....

Place :

Date :

From

Shri / Smt M.L.A.

To,

The Principal Secretary,
Assam Legislative Assembly, Dispur

Under Article 32 of the Rules of Procedure and Conduct
of Business, I give notice of the following Starred Question for
Answer on
.....

Your faithfully,

Member

Order of Preference

Will the Minister of to pleased to
state:

(B)
UNSTARRED QUESTION
Form of Notice (See Rule 32)

Subject

Date of Notice.....

Date of Answer

Priority if any

.....

Place :

Date :

From

Shri / Smt M.L.A.

To,

The Principal Secretary,
Assam Legislative Assembly, Dispur

Under Article 32 of the Rules of Procedure and Conduct of Business, I give notice of the following Unstarred Question for Answer on

Your faithfully,
Member

Order of Preference

Will the Minister of to pleased to state:

(C)

**Notice under Rule 48 of the Rules of Procedure and
Conduct of Business in Assam Legislative Assembly for
Short Notice Question.**

Form of Notice

To,

The Principal Secretary, Assam Legislative Assembly, Dispur.

Sir,

I beg to submit herewith the following Short Notice Question to be asked by me during the next Session of the Assam Legislative Assembly. Kindly acknowledge the same

Question: (1)

Will the Chief Minister/Minister

Be pleased to state –

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)

Explanatory Note : (2)

Full name of the Member

N.B.: (1) If the number of sub-question exceed the number shown on this page, additional sub-questions may be written on the overleaf by putting additional numbers consecutively.

(2) Here please state briefly the reasons for asking the question with a short Notice.

(D)

**Notice under Rule 49 of the Rules of Procedure and
Conduct of Business in the Assam Legislative Assembly
Form of Notice**

To,

The Principal Secretary,
Assam Legislative Assembly, Dispur.

Sir,

Under Rule 49 of the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly, I want to raise a half-an-hour discussion on the following matter of public importance. The matter was the subject matter of Starred/Unstarred.

Question No. replied by the Minister
on 20 and the same need further elucidation
on a matter of fact.

Explanatory Note:-

Signature of the Member supporting the notice.

Signature of Member

(Please state the reasons for raising discussion on the matter.)

(E)

**Notice under Rule 50 of the Rules of Procedure and
Conduct of Business in Assam Legislative Assembly
Form of Notice**

To,

The Principal Secretary,
Assam Legislative Assembly, Dispur.

Sir,

Under Rule 50 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly, I want to raise a discussion on the following matter of urgent public importance and of recent occurrence viz. (1)
.....
.....

Explanatory Note (2) :-

Signature of the Members supporting the notice

- 1.
- 2.

Signature of Member

(1) Here please state the subject matter on which the discussion is sought to be raised.

(2) Here please give an explanatory note stating the reasons for raising the discussion.

(F)

**Notice under Rule 54 of the Rules of Procedure and
Conduct of Business in Assam Legislative Assembly
Form of Notice**

To,

The Principal Secretary,
Assam Legislative Assembly, Dispur.

Sir,

Under Rule 54 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly, I beg to call the attention of the Minister-in-charge of to the following matter of urgent public importance, viz.,

(1)
.....
.....
.....

(2)
.....
.....
.....

Signature of Member

(1) Please give details of the matter of urgent public importance on which the attention is sought to be called.

(2) Here indicate the source of information about the matter.

(G)

**Notice under Rule 301 of the Rules of Procedure and
Conduct of Business in Assam Legislative Assembly
Form of Notice**

To,

The Principal Secretary, Assam Legislative Assembly,
Dispur.

Sir,

Under Rule 301 of the Rules of Procedure and Conduct
of Business in Assam Legislative Assembly, I beg to call the
following matter of urgent public importance, viz.,

.....
.....
.....
.....
.....
.....

Explanatory Note:-

Signature of Member

(Please state the reasons for raising the matter)

(H)
Form of Notice for Cut Motions
The Principal Secretary to the Legislative Assembly,
Assam

Sir,

I / We beg to give notice of the following motion:-

That the total provision of Rs.
under

Grant No.

Supplementary Demand No.

Major Head

Sub-Head

Detailed Head

at page of the Budget be reduced to List of
Supplementary Demands.

Rs. 1.00/Rs. 100.00 i.e. the amount of the whole grant of
supplementary demands.

Rs.do stand reduced to Rs. 1.00/Rs. 100.00

Object:-

Dated the 20

Signature

Member, Legislative Assembly, Assam

APPENDIX I

RULES RELATING TO COMMITTEES NOT MENTIONED IN THE RULES OF PROCEDURE

Budget Committee

- Constitution.* 1. There shall be a Budget Committee of the Assam Legislative Assembly consisting of five Members including the Chairperson of the Committee to be nominated by the Speaker. The Speaker shall be Ex-Officio Chairperson of the Committee.
- Function.* 2. The function of the Committee shall be to scrutinise the estimates and budget proposals of the Assembly and the Assembly Secretariat prepared by the Accounts Officer of the Assam Legislative Assembly. The Principal Secretary shall place the budget estimates before the Committee and the Committee shall finally scrutinise the budget estimates. After scrutiny, the Committee may approve the Budget Estimates with such modifications, as the Committee may deem necessary.
- Budget estimates to be forwarded to the Finance Department.* 3. The Budget Estimates as approved by the Committee shall be forwarded to the Finance Department for incorporation in the State Annual Budget. If the Finance Department has any suggestions to make, it shall be submitted to the Speaker for consideration.

*Provisions
applicable in
other respects.*

4. In all other respects, the general rules applicable to the Assembly Committees contained in Chapter XXV of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly shall apply with such adaptation, whether by way of modification, addition or omission, as the Speaker may consider necessary.

House Committee

*House
Committee.*

1. There shall be appointed at the commencement of the first session in each year a House Committee for one year to consider and advise upon all matters connected with the comfort and convenience of Members of the Assembly, which shall consist of thirteen Members to be nominated by the Speaker.

Functions.

2.(1) The functions of the Committee shall be:

(i) to deal with all questions relating to residential accommodation for Members of the Assembly;

(ii) to exercise supervision over facilities for accommodations, food, medical aid and other amenities accorded to Members in Members Hostels at Dispur (Guwahati);

(iii) to look into the comfort and convenience of the Members as well as maintenance of general discipline in the Hostel.

(2) The functions of the Committee shall be advisory.

(3) The Committee shall frame its own rules and the rules so framed shall be laid on the Table of the House.

***Provisions
applicable in
other respects.***

3. In all other respects, the general rules applicable to the Assembly Committees contained in Chapter XXV of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly shall apply with such adaptation, whether by way of modification, addition or omission, as the Speaker may consider necessary.

Library Committee

Constitution.

1. (1) There shall be a Library Committee consisting of thirteen Members to be nominated by the Speaker.

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

(3) The Chairperson of the Committee shall be appointed by the Speaker from amongst the Members of the Committee.

(4) The Members of the Committee shall hold office for a term not exceeding one year.

(5) Casual vacancies in the Committee shall be filled up by nomination by the Speaker.

Functions.

2. The functions of the Committee shall be:-

(a) to consider and advise on such matters concerning the library or on matters as may be referred to it by the Speaker from time to time;

(b) to consider suggestions or views of the Members of the Assembly for improvement of the library;

(c) to assist Members of the Assembly in fully utilising the service provided by the library; and

(d) to suggest improvements on research, reference and information services in the Assembly.

Provisions applicable in other respects.

3. In all other respects, the general rules applicable to the Assembly Committees contained in Chapter XXV of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly shall apply with such adaptation, whether by way of modification, addition or omission, as the Speaker may consider necessary.

APPENDIX II

THE MEMBERS OF THE ASSAM LEGISLATIVE ASSEMBLY (DISQUALIFICATION ON GROUND OF DEFECTION) RULES, 1986

In exercise of the power conferred by paragraph 8 of the Tenth Schedule to the Constitution of India, the Speaker Assam Legislative Assambly, hereby makes the following Rules, namely-

1. These Rules may be called the Members of the Assam Legislative Assambly (Disqualification on Ground of Defection) Rules, 1986. short title.
2. In these Rules, unless the context otherwise requires:- Definition.
 - (a) "Bulletin" means the bulletin of the House containing information of any matter relating to or connected with the business of the House or of the Committees or other matter which in the opinion of the Speaker may be included therein ;
 - (b) "Committee" means the Committee of Privileges of the House of the Legislative Assembly ;
 - (c) "Form" means a form appended to these Rules ;
 - (d) "Date of Commencement" in relation to these Rules, means the date on which these Rules take effect under sub-paragraph (2) of paragraph 8 of the tenth Schedule ;
 - (e) "House" means the Assam Legislative Assembly ;
 - (f) "Leader" in relation to a legislature Party, means a Member of the party chosen by it as its leader, and includes any other Member of the party authorised by the party to Act in the absence of the Leader, or

discharge the functions of the Leader of the party for the purpose of these Rules ;

(g) “Member” means a Member of the Legislative Assembly ;

(h) “Tenth Schedule” means the Tenth Schedule to the Constitution of India ;

(i) “Secretary” means Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary.

Information
to be
furnished
by Leader of
Legislature
Party

3.(1) The Leader of each Legislature Party (other than Legislature Party consisting of only one Member) shall, within thirty days after the first sitting of the House, or where such Legislature Party is formed after the first sitting, within thirty days after its formation, or in either case within such further period as the Speaker, may for sufficient cause allow, furnish the following to the Speaker, namely:-

- (a) a statement (in writing) containing the names of the Members of such Legislature Party together with other particulars regarding such Members as in Form-I and the names and designations of the Members of such party who have been authorised by it for communicating with the Speaker for purposes of these rules ;
- (b) a copy of the rules and regulations (whether known as such or as constitution or by any other name) of the political party concerned; and
- (c) where such Legislature Party has any separate set of rules and regulations (whether

known as such or as constitution or by any other name), also a copy of such rule and regulations.

- (2) Where a Legislature Party Consists of only one Member, such Member shall furnish a copy of the Rules and Regulations mentioned in clause. (b) of Sub-rule (1) to the Speaker within thirty days after the 1st sitting of the House or, where he has become a Member of the House after the first sitting within thirty days after he has taken his seat in the House, or in either case within such further period as the Speaker may for sufficient cause allow.
- (3) In the event of any increase in the strength-of a Legislature Party consisting of only one Member, the provision of sub-rule (1) shall apply in relation to such Legislature Party as if such Legislature Party had been formed on the first date on which its strength increased.
- (4) Whenever any change take place in the information furnished by the Leader of a Legislature Party under sub-rule (1) or by a Member under sub-rule (2), he shall within thirty days there after, or within such further period as the Speaker may for sufficient cause allow, furnish in writing information to the Speaker with respect to such change.
- (5) In the case of the House in existence on the date of commencement of these rules, the reference in sub-rule (1) and (2) to the date of the first sitting of the House shall be construed as a reference to the date of commencement of these Rules.

- (6) Where a Member belonging to any political party votes or abstains from voting in the House contrary to any direction issued by such political Party or by any person or authority authorised by it in this behalf, without obtainings, in either case the prior permission of such political party, person or authority, the Leader of the Legislature Party concerned or where such Member is the Leader or as the case may be, the sole Member of such Legislature, Party, such Members, shall as soon as may be after the expiry of fifteen days from the date of such voting or abstention, and in any case within thirty days from the date of such voting or abstention, inform the Speaker as in Form II whether such voting or abstention has or has not been condoned by such political party, person or authority.

Explanation :- A Member may be regarded as having abstained from voting only when he being entitled to vote voluntarily refrained from voting.

Information
etc. to be
furnished
by members

4. (1) Every Member who has taken his seat in the House before the date of commencement of these Rules shall furnish to Secretary within thirty days from such date or within such further, period as the Speaker may for sufficient cause allow, a statement of particulars and declaration as in Form III
- (2) Every Member who takes his seat in the House after the commencement of these Rules shall before making and subscribing on oath or affirmation under Article 188 of the Constitution and taking his seat

in the House, deposit with the Secretary, his election certificate or as the case may be, a certified copy of the Notification nominating him as a Member and also furnish to the Secretary a statement of particulars and declaration as in Form III

Explanation :- For, the purpose of this subrule “Election Certificate” means the certificate of election issued under the Representation of the Peoples Act, 1951 (43 of 1951) and the Rules made thereunder.

(3) A summary of information furnished by the Members under this rule shall be published in the Bulletin and if any discrepancy therein is pointed out to the satisfaction of the Speaker, necessary, corrigendum shall be published in the Bulletin.

Register of
information
as to
members

5. (1) The Secretary shall maintain, as in Form IV a register, based on the information furnished under Rules 3 and 4 in relation to the Members.

(2) The information in relation to each Member, shall be recorded on a separate page in the register.

Reference
to be by
petitions.

6.(1) No reference of any question as to whether a Member has become subject to disqualification under the Tenth Schedule shall be made except by a petition in relation to such Member made in accordance with the provisions of this Rule.

(2) A petition in relation to a Member may be

made in writing to the Speaker by any other Member:

Provided that a petition in relation to the Speaker shall be addressed to the Secretary.

- (3) The Secretary shall
 - (a) as soon as may be after the receipt of a petition under the proviso to sub-rule (2) make a report in respect thereof to the House ; and
 - (b) as soon as may be after the House has elected a Member in pursuance of the proviso to sub-paragraph (1) paragraph 6 of the Tenth Schedule place their petition before such Member.

(4) Before making any petition in relation to any Member, the petitioner shall satisfy himself that there are reasonable grounds for believing that a question has arisen as to whether such Member has become subject to disqualification under the Tenth Schedule

- (5) Every petition-
 - (a) shall contain a concise statement of the material facts on which the petitioner relies; and
 - (b) shall be accompanied by copies of the documentary evidence, if any on which the petitioner relies and where the petitioner relies on any information furnished to him by any person a statement containing the name and addresses of such persons and the gist of such information as furnished by each such person.

(6) Every petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil procedure. 1908 (5 of 1908) for the verification of Pleadings.

(7) Every annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition

7.(1) On receipt of petition under rule 6, the Speaker shall consider whether the petition complies with the requirements of that rule.

(2) If the petition does not comply with the requirements of rule 6, the Speaker shall dismiss the petition and intimate the petitioner accordingly.

(3) If the petition complies with the requirements of Rule 6 Speaker shall cause copies of the petition and of the annexures there to be forwarded :-

(a) to the Member in relation to whom the petition has been made and,

(b) Whether such Member belongs to any Legislature Party, and such petition has not been made by the Leader thereof; also to such Leader and such Member of Leader shall, within seven days of the receipt of such copies, or within such further period as the Speaker may for sufficient cause allow, forward his comments in writing thereon to the Speaker.

(4) After considering the comments, if any, in relation to the petition, received under sub-rule (3) with him the period allowed (whether originally or on extension under that sub-rule), the Speaker may either proceed to determine the question of, if he is satisfied, having regard to the nature

and circumstances of the case that it is necessary or expedient so to do, refer the petition to the Committee for making a preliminary inquiry and submitting a report to him.

(5) The Speaker shall as soon as may be, after refer in a petition to the Committee under sub-rule (4), intimate the petitioner accordingly and make an announcement with respect to such reference in the House or, if the House is not then in session cause the information as to the reference, to be published in the Bulletin.

(6) Whether the Speaker make a reference under sub-rule (4), to the Committee, he shall proceed to determine the question as soon as may be after receipt of the report from the Committee.

(7) The procedure which shall be followed by the Speaker for determining any question and the procedure which shall be followed by the Committee for the purpose of making a preliminary inquiry under sub-rule (4) shall be, so far as may be, the same as the procedure for inquiry and determination, by the Committee of any question as to breach of privilege of the House by a Member and neither the Speaker nor the Committee shall come to any finding that a Member has become subject to disqualification under the Tenth Schedule without affording a reasonable opportunity to such Member to present his case and to be heard in person.

(8) The provisions of sub-rule (1) to (7) shall apply with respect to a petition in relation to the Speaker as they apply with respect to a petition in relation to any other Member and for this purpose, reference to the Speaker in this sub-rules shall be construed

as including reference to the Member elected by the House under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule

8. (1) At the conclusion of the consideration of the petition, the Speaker or, as the case may be the Member elected under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule shall by order in writing:

(a) dismiss the petition, or

(b) declare that the Member in relation to whom the petition has been made has become subject to disqualification under the Tenth Schedule and cause copies of the order to be delivered or forwarded to the petitioner, the Member in relation to whom the petition has been made and to the Leader of the Legislature Party, if any concerned.

(2) Every decision declaring a Member to have become subject to disqualification under the Tenth Schedule shall be reported to the House forthwith if the House is in session, and if the House is not in session, immediately after the House reassembles,

(3) Every decision referred to in sub-rule (1) shall be published in the Bulletin and notified in the Official Gazette and copies of such decision forwarded by the Secretary to the Election Commission of India and the Government. The Speaker may from time to time issue such directions as he may consider necessary in regard to the detailed working of these Rules.

Directions as to detailed working of these rules.

9. The Speaker may from time to time, issue such directions as he may consider necessary in regard to the detailed working of these Rules.

FORM No. I
(See Rule 3 (1) (a))

Name of the Legislature Party :

Name of the corresponding Political Party :

Sl. No.	Name of the Members (in block letters)	Father's/husband's name	Permanent address	Name of the Constituency from which elected
1	2	3	4	5

Signature of the Leader of the Legislature Party ;

FORM No. II.
[See Rule 3(6)]

To

THE SPEAKER,
Assam Legislative Assembly,
DISPUR.

Sir,

At the sitting of the House held on..... (date)during
voting on (Subject matter)Shri.

..... M.L.A. I
(Division No) (Name of the Member)
..... Member of M.L.A.
(Division)(Name of political party) and No
.....

Member of Member of
.. (name of the (name of Legislative Party) political Party) and
leader of /sole Member of voted/abstained from
voting.

Contrary to the direction issue by (person/
authority/party) without obtaining the prior permission of the
said person/
authority/party.

2. On (date) the aforesaid matter was
considered by (person/authority/party) and the
said+voting/abstention was+condoned/was not condoned
by+him/it.

Date :

Yours faithfully,
(Signature)

+Strike out inappropriate words/portions
(here mention the name of the person/authority/party as the
case may be who had issued the direction.)

FORM No. III

(See Rule 4)

1. Name of the Member (in block letters) :
2. Father's/Husband's Name :
3. Permanent Address
4. Dispur Address ;
5. Date of election/nomination
6. Party affiliation as on
 - (i) Date of election/nomination :
 - (ii) Date of signing the form :

DECLARATION

I, hereby declare that the information given above is true and correct.

In the event of any change in the information above, I undertake to intimate the speaker immediately.

Date

Signature/thumb impression
of the Member

FORM No. IV

(See Rule 5 (1))

Sl. No.	Name of the Member (in block letters)	Fathers'/ husband's name	Permanent address	Dispur address	Name of the Constituency from which elected	Date of election/ nomination	Name of political party to which he belongs	Name of Legislatures party to which the belong	Remarks
1	2	3	4	5	6	7	8	9	10

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