

# RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE INDRAPRASTHA LEGISLATIVE ASSEMBLY

## SHORT TITLE AND DEFINITIONS

### 1. Short Title

These rules may be called the Rules of Procedure and Conduct of Business in the Indraprastha Legislative Assembly, 2019.

### 2. Definitions

- I. In these rules, unless the context otherwise requires—
- a. **“Assembly”** means the Indraprastha Legislative Assembly;
  - b. **“Bulletin”** means the Bulletin of the House containing;
    - i. a brief record of proceedings of the House of each of its sittings; and
    - ii. information on any matter relating to or connected with the business of the House or other matter which, in the opinion of the Speaker, may be included therein
  - c. **“Constitution”** means Constitution of India;
  - d. **“Deputy Speaker”** means the Deputy Speaker of the Assembly;
  - e. **“Division”** means the recording of votes by any method as determined by the Speaker;
  - f. **“Government”** means the Government of Indraprastha;
  - g. **“Governor”** means the Governor of Indraprastha appointed by the President under the Constitution;
  - h. **“House”** means the Assembly;
  - i. **“Leader of House”** means the Chief Minister if he is the member of the house or a Minister who is the member of the house and is nominated by the Chief Minister to function as the leader of the house.
  - j. **“Leader of Opposition”** means the Leader of the House of the party in opposition to the Government having the greatest numerical strength and recognized as such by the Speaker
  - k. **“Legislature”** means the Assembly;
  - l. **“Lobby”** means the covered corridors immediately adjoining the Assembly Hall and co-terminus with it;
  - m. **“Member”** means a member of the Assembly and also includes a Minister;
  - n. **“Member-in-charge of the Bill”** means as respects a Government Bill, any Minister, and as respects other Bills, the member who has introduced the Bill or a member authorised in writing by such member to act on his behalf;
  - o. **“Member-in-charge”** in relation to a resolution or motion means the member who has moved such a resolution or motion;
  - p. **“Minister”** means a member of Council of Ministers;
  - q. **“Motion”** means a proposal made by a member for consideration of the Assembly and includes an amendment to a resolution or a motion;
  - r. **“Naming a Member”** means drawing by the Speaker the attention of the House to the conduct of a member with a view to action being taken against him;

- s. **“Precincts of the House”** means the Assembly Hall, the lobbies, the galleries, the rooms in the occupation of the Assembly Secretariat, the Speaker's room, the Deputy Speaker's and also such other places as the Speaker may from time to time specify;
  - t. **“President”** means the President of India;
  - u. **“Private member”** means a member other than a Minister;
  - v. **“Resolution”** means a proposal for the purpose of discussing a matter of general Public interest.
  - w. **“Roll of Members”** means a register in which newly elected members sign after making and subscribing the oath or affirmation and before taking their seats for the first time in the House;
  - x. **“Rule”** means a rule of the Rules of Procedure and Conduct of Business in the Assembly;
  - y. **“Secretariat”** means the Assembly's Secretariat;
  - z. **“Secretary”** means the Secretary to the Legislative Assembly and includes any other person as is empowered by the Speaker to perform the functions of the Secretary;
  - aa. **“Speaker”** means the Speaker of the Assembly;
  - bb. **“Table”** means the Table of the House; and
  - cc. **“Whip”** means that member of the Legislative Assembly, who is, for the time being, declared by the party to be the Whip in the House and recognized as such by the Speaker of the Legislative Assembly
- II. Words and expressions used in the Constitution of India and not defined herein shall, unless the context otherwise requires, have the meaning assigned to them in the Constitution.

### **COMMENCEMENT OF BUSINESS**

3. **Summoning:** The Assembly shall be summoned by the Governor from time to time to meet at such time and place as he may appoint.
4. **Powers of the Speaker:** The Speaker shall preside over the House and conduct the business set down in the list of business. If any doubt arises as to interpretation of any of the provisions of these rules, the decision of the Speaker shall be final. No decision of the Speaker in respect of any matter shall be questioned.
5. **Powers of the Deputy Speaker and other Presiding Member:** The Deputy Speaker or any member elected by the House to preside over a sitting of the Assembly in the absence of the Speaker 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 such a case, be deemed to be references to the person so presiding.
6. **Seating:** The members shall sit in the House in the order as the Speaker may determine.
7. **Oath or Affirmation:** Every member of the House shall, make and subscribe before the Speaker, an oath or affirmation according to the form prescribed.

8. **Roll of Members:** All members shall sign the Roll of Members placed in the lobbies, each day for attendance.
9. **Governor's Address:** At the commencement of the session the Governor shall address the House and inform them of the causes of the summons.
10. **Motion of Thanks to the Governor's Address:** At the first sitting after the Governor's Address a Minister shall move the following Motion: "That this House expresses its gratitude to Hon'ble Governor for his address delivered to the Assembly on \_\_\_\_\_(date of the Governor's Address)". The House shall be at liberty to discuss the Motion of Thanks moved by a Minister. Other Members can participate in the discussion with the permission of the Speaker.
11. **Amendments to the Motion of Thanks:** Amendments may be moved to the Motion of Thanks with the permission of the Speaker.
12. **Governments' Right to Reply:** On the conclusion of the discussion and before the voting on the Motion of Thanks, the Chief Minister shall reply on behalf of the Government to the Motion.
13. **Time Limit to Speeches:** The time limit for speeches shall be determined by the Speaker.

#### **CONDUCT OF BUSINESS IN THE HOUSE**

14. **Sitting of the Assembly:** The sitting of the Assembly is duly constituted only when it is presided over by the Speaker.
15. **Peace and Order in the House:** The Speaker shall be responsible for maintaining the order within the House. The Speaker shall preserve order and may direct any member whose conduct in his opinion is disorderly or is defiant to withdraw immediately from the House and the member so ordered shall withdraw forthwith and shall be absent during the remainder of the day's sitting. The Speaker may, in the case of grave disorder arising in the House, suspend a sitting for a time to be determined by him. Whenever the Speaker rises to speak, he shall be heard in silence. No member shall leave his seat when the Speaker is addressing the House.
16. **Adjournment of the House:** The Speaker can on consideration adjourn the House before the conclusion of the business to another day, or an hour or part of the same day.
17. **Quorum:** The quorum to constitute a sitting of the Assembly shall be one-third of the total number of members of the House. If at any time fixed for commencement or re-assembly of the sitting of the House there is no quorum, even ten minutes after the time fixed for such sitting or re-assembly despite continuous ringing of the quorum bell, the Secretary on being directed by the Speaker shall announce adjournment of the sitting for a specified time on the same day or the next scheduled meeting of the House.

**18. List of Business:** A list of business for each day shall be prepared by the Secretary with the approval of the Speaker and provided to the members before the session begins. No business shall be undertaken which is not specified within the list of business, except with the permission of the Speaker.

## QUESTIONS

**19. Question Hour:** The questions for oral answers by the Ministers shall be taken up at the hour assigned by the Speaker.

**20. Subject Matter of Question:** The question must relate to a subject for which the government is responsible. The purpose of such questions shall be to elicit information or provide suggestions on matters of public importance.

**21. Admissibility of Questions:** The questions shall not contain arguments, inferences, ironical or offensive expressions, imputations, particular opinion or defamatory statements. It shall not ask for an opinion or solution to legal problem. It shall relate to one specific subject and not be too lengthy or large to be dealt within the Question Hour. It shall not exceed 70 words in length. The Speaker may disallow any notice which in his opinion is not in conformity to the rules. He may also amend a question to bring it into conformity with the rules.

**22. Limitation on Question:** Subject to the availability of time, a maximum of ten questions shall be taken up on a day. A member can give notice for one question for a day. The Speaker shall determine the order of precedence of the questions.

**23. Mode of Asking Questions:** A member, who wishes to raise a question, shall give notice in writing addressed to the Secretary in the prescribed form; provided that no member shall give more than one notice for any one sitting. The notice should be submitted through email by 6:30 PM at [dyp.delhiassembly@gmail.com](mailto:dyp.delhiassembly@gmail.com) one day prior to the date of the sitting on which the question is to be raised. The relative precedence of the questions to be raised in the House shall be determined by ballot, to be held in accordance with the directions of the Speaker. During the Question Hour, the Speaker shall successively call each member in whose name the question is listed. The member called upon shall rise and ask the question.

**24. Answering a Question:** A copy of the question shall also be sent to the concerned Minister. The Minister shall rise and answer the question when called upon by the Speaker during Question Hour. The answer should be brief and relevant to the question.

**25. Supplementary Question:** No discussion shall be permitted during Question Hour. A member, may, with permission of the Speaker, put forth a supplementary question for further elucidating facts related to the matter. The supplementary question shall be related directly to the questions. The Speaker is not obliged to call on every supplementary question and may curtail them to continue onto the next business. The Speaker may disallow supplementary question in accordance with rule 18.

## SPECIAL MENTION

**26. Notice:** A member who wishes to mention a matter of public importance in the House shall give notice in writing addressed to the Secretary in the prescribed form; provided that no member shall give more than one notice for any one sitting.

**27. Conditions of Admissibility:** In order that a notice may be admissible, it shall satisfy the following conditions, namely—

- i. it shall be accompanied by a text of the special mention not exceeding 250 words;
- ii. it shall not refer to a matter which is not primarily the concern of the Government;
- iii. it shall not raise more than one issue and the issue shall not pertain to trivial matters;
- iv. it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- v. it shall be restricted to a matter of recent occurrence;
- vi. it shall not refer to the conduct or character of persons except in their public capacity; and
- vii. it shall not refer discourteously to a friendly foreign country.

**28. Time for Tabling Notices and their Validity:** Notices received upto 6.30 p.m. on [dyp.delhiassembly@gmail.com](mailto:dyp.delhiassembly@gmail.com), one day prior to the sitting, shall be placed before the Speaker, for his consideration, for the next sitting of the House. Notices on subjects that have not been selected for a particular day shall lapse. Members concerned may revive their notice(s) for the following day if they so desire by giving a fresh notice. Total number of Special Mentions to be admitted for a day shall not ordinarily exceed twenty.

**29. Members to Associate:** Any member who proposes to associate himself with a particular Special Mention may do so with the permission of the Chairperson stating, "I associate myself with the Special Mention made by —————" and such a member shall not make a speech thereon.

## RESOLUTIONS

**30. Form:** 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 command, urge or request an action, or call attention to a matter or situation for consideration by Government or in such form as the Speaker may consider appropriate.

**31. Moving of Resolution:** A member in whose name a resolution appears on the List of Business shall move the resolution with the leave of the House. He shall commence his speech by a formal motion in the terms appearing on the list of business. The debate shall begin after the moving of resolution. A member may speak only once during the resolution.

- 32. Amendments:** When a resolution is under discussion any member may, subject to the rules relating to resolutions and with the permission of the Chair, move an amendment to such a resolution.
- 33. Notice for Amendment:** Notice of such amendment shall be submitted one day prior to the day on which the resolution is to be moved through email at [dyp.delhiassembly@gmail.com](mailto:dyp.delhiassembly@gmail.com) by 6:30 PM.
- 34. Scope of Discussion:** The discussion shall be relevant to and within the scope of the resolution. The Minister concerned shall reply to the discussion.
- 35. Vote on Amendments and Resolutions:** After discussion within the House, the amendments, if any, and the resolution shall be put to vote.
- 36. Withdrawal of Resolution:** A member, who has moved a resolution or an amendment to a resolution, shall not withdraw the same except by leave of the House.

## **BILLS**

- 37. Circulation of Bill:** The Secretary shall, with the approval of the Speaker, circulate the copies of the Bill amongst the members before the motion for its introduction.
- 38. Motion for Leave to Introduce and Copies of Bills to Members:** Leave of the House shall be obtained before introducing any Bill, by a motion in that behalf. If such a motion is opposed, the Speaker after permitting, if he thinks fit, brief explanatory statement from the member who moved the motion and the member who opposes the motion may without further debate, put the question. No motion that a Bill be introduced or taken into consideration or be passed shall be made by any member other than the member-in-charge of the Bill.
- 39. Introduction of Bill:** After the completion of the procedure set out in rule 38, the Bill shall be introduced by the member in charge of the Bill.
- 40. Discussion on the Bill:** On a motion referred to in rule 38 being made, the principle of the Bill and its provisions may be discussed by the members.
- 41. Scope of Debate:** The member-in-charge of the Bill shall explain the general principles of the Bill at the time of introduction. Other members may participate in the discussion with the permission of the Chair. The discussion shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. No separate discussion shall be allowed at the time of consideration and passing. However, members may seek clarifications from the member-in-charge at any stage with the permission of the Chair.

- 42. Amendments:** When a Bill is under discussion any member may, subject to the rules relating to Bills and with the permission of the Chair, propose an amendment to such a Bill.
- 43. Admissibility of Amendments:** An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates. An amendment shall not be such as to make the clause, which it proposes to amend unintelligible or ungrammatical. The Speaker may refuse to allow an amendment, which in his opinion, is frivolous or meaningless. An amendment may be moved to an amendment which has already been allowed by the Speaker.
- 44. Notice for Amendment:** A notice of amendment shall be submitted one day prior to the day on which the Bill is discussed, through email at [dyp.delhiassembly@gmail.com](mailto:dyp.delhiassembly@gmail.com) by 6:30 PM.
- 45. Moving of Amendments:** When a motion that a Bill be taken into consideration has been carried, any member may, when called upon by the Speaker, move an amendment to the Bill of which that member has previously given notice. Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate.
- 46. Withdrawal of Amendments:** An amendment moved, may be withdrawn by leave of the House on the request of the member moving it.
- 47. Submission of Bill clause by clause:** When a motion that the Bill be taken into consideration is passed, the motion "that this clause do stand part of the Bill" shall be deemed to have been made in respect of each clause of the Bill. Notwithstanding anything in these rules it shall be in the discretion of the Speaker, to submit the Bill or any part of the Bill to the House clause by clause. In case an amendment has been moved to a clause, the Speaker, shall call each clause separately, and when the amendments relating to it have been disposed of in accordance with the provisions of the rules, he shall put the question: "that this clause (or, 'that this clause as amended', as the case may be) do stand part of the Bill".
- 48. Motion on Passing of a Bill:** 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. Where a Bill has undergone amendments, the motion that the Bill as amended be passed, shall be made.

## GENERAL RULES AND PROCEDURES

- 49. Mode of Addressing the House:** A member desiring to make any observations on any matter before the House shall rise when he speaks and shall address the Speaker
- 50. Member to Speak when called by Speaker:** The member shall rise to speak, when the Speaker calls his name. When any member has to ask a question from another

member on any matter under the consideration of the Assembly, he shall ask the question through the Speaker.

**51. Duration of Speeches:** The Speaker shall determine the duration of speeches subject to the availability of time.

**52. Order of Speeches:** After the member who makes a motion has spoken, other members may speak on the motion in such order as the Speaker may determine. Except as otherwise provided, no member shall speak more than once on any motion. A member who has moved the original motion or an amendment thereto may speak again by way of reply. The Minister to whose department the matter under discussion relates shall have the right of speaking after the mover whether he has previously spoken in the debate or not. The reply of the mover of the original motion shall in all cases conclude the debate.

**53. Minister's Right to Make a Statement:** Subject to the permission of the Speaker, a Minister has the right to intervene in debates or make statements on matters for which the Minister is responsible.

**54. Decision:** Votes may be taken by voices or by division and shall be taken by division, if any member so desires. Provided that the Speaker may, if he is satisfied that division is unnecessarily claimed, avoid a division and take votes by show of hands. The results of a division shall at once be announced by the Speaker and shall not be challenged.

**55. Points of Order and Decisions thereon:**

- (i) A point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution that regulate the business of the House and shall raise a question which is within the cognizance of the Speaker.
- (ii) 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 the maintenance of order in or the arrangement of business before the House.
- (iii) Subject to the conditions referred to in sub-rules (1) and (2), a member may raise a point of order and the Speaker shall decide whether the point raised is a point of order and if so, give his decision thereon, which shall be final.
- (iv) No debate shall be allowed on a point of order, but the Speaker may, if he thinks fit, hear members before giving his decision.
- (v) A point of order is not a point of privilege.
- (vi) A member shall not raise a point of order—
  - (a) to ask for information, or
  - (b) to explain his position, or
  - (c) while a question on any motion is being put to the House, or
  - (d) which is hypothetical.

## 56. Code of Conduct for Members:

(1) A member, whilst the House is sitting, shall—

- (i) maintain absolute decorum and discipline;
- (ii) refrain from transgressing into the well of the House;
- (iii) resume his seat as soon as the Speaker rises to speak;
- (iv) keep to his usual seat while addressing the House;
- (v) maintain silence when not speaking in the House;
- (vi) avoid talking/laughing in the lobby loud enough to be heard in the house whilst the house is sitting

(2) A member, whilst the House is sitting, shall not—

- (i) sit or stand with his back towards the Chair;
- (ii) wear or display badges of any kind in the House;
- (iii) exhibit, display or distribute within the precincts of the House any literature, questionnaire, pamphlets, press notes, leaflets/advertising material etc. without the permission of the Speaker.
- (iv) smoke or tear off documents in protest;
- (v) remove or snatch any paper or document from the Chair or Minister or any other member of the House or Table functionaries of the House.
- (vi) bring any article in the House to interrupt the proceedings.
- (vii) stage any protest inside the House or anywhere within the precincts of the House;
- (viii) pass between the Chair and any member who is speaking;
- (ix) attempt to cause hurt or manhandle any other member;
- (x) raise a matter in the House without the permission of Speaker;
- (xi) take part in the proceedings or any matter if he/she has any personal, pecuniary or direct interest in a matter before the House, unless he/she has declared the nature of that interest.

(3) Every speech by a member must be strictly relevant to the matter under discussion and while speaking the member shall not—

- (i) give any evasive reply to any question;
- (ii) make a personal charge or accusation against a member;
- (iii) use offensive expressions about the conduct of business of Parliament or the legislature of any State;
- (iv) reflect on any decision of the House except when a motion for rescinding it is under consideration;
- (v) reflect upon the conduct of the President or any Governor or any Court of Justice;
- (vi) utter treasonable or defamatory words but he may, with the permission of the Speaker, quote them for the purposes of his argument;
- (vii) say anything which is derogatory to the Chair or to the House;
- (viii) refer to the Government officials by name; and
- (ix) read a written speech except with the prior permission of the Chair.

**57. Residuary Powers:** All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may from time to time direct.