

**RULES FOR THE CONDUCT OF BUSINESS AT A MEETING OF
MANDAL PARISHAD, ZILLA PARISHAD OR A STANDING
COMMITTEE OF A ZILLA PARISHAD**

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RULES FOR THE CONDUCT OF BUSINESS AT A MEETING OF MANDAL PARISHAD, ZILLA PARISHAD OR A STANDING COMMITTEE OF A ZILLA PARISHAD

In exercise of the powers conferred by sub section (1) of Section 268 read with Section 160, 187 and 190 of the A.P. Panchayati Raj Act, 1994 (Act No. 13 of 1994), the Governor of Andhra Pradesh hereby makes the following rules for the conduct of business at a meeting of Mandal Parishad, Zilla Parishad or a Standing Committee of a Zilla Parishad constituted under the said Act, namely

PART 1

Preliminary

1. In these rules unless the context otherwise requires :-

(i) "Act" means the Andhra Pradesh Panchayat Raj Act, 1994 (Act No. 13 of 1994);

(ii) "Section" means a Section of the Act; and

(iii) Words and expressions used but not defined in these, rules shall have the respective meanings assigned to them in the Act.

PART 2

Mandal Parishads and Zilla Parishads

2. . :-

(1) A meeting of every Mandal Parishad Zilla Parishad shall be convened once in every month for the transaction of business upon such dates and at such times as it may arrange and also at other times as often as the meeting is called by the President of the Mandal Parishad Chairman of the Zilla Parishad.

(2) The Mandal Parishad Development Officer Chief Executive Officer shall, with the approval or on the direction of the President Chairman concerned, convene the meetings of the Mandal Parishad Zilla Parishad as above.

Provided that where the President Chairman fails to give his approval for convening the meeting within a period of 90 days from the last meeting the Mandal Parishad Development Officer Chief

Executive Officer may himself convene the meeting after issuing notices to the members and permanent invitees immediately in respect of the meetings to be held and also inform the President Chairman in the matter immediately.

Provided further that if any Mandal Parishad Development Officer Chief Executive Officer fails to convene the meeting within a period of 90 days from the last meeting, he shall be liable for disciplinary action under the relevant rules.

3. . :-

No meeting shall ordinarily be held on any day during the period when the State Legislative Assembly or either House of Parliament is in session. However, a meeting may be convened on a holiday, if the State Legislative Assembly or either House of Parliament is in session.

4. . :-

(1) No meeting shall be held unless notice of the place, date and time of the meeting and of the business to be transacted thereat, is given at least six clear days before the date of the meeting. The meetings of the Mandal Parishads, Zilla Parishads and Standing Committees of the Zilla Parishads shall be held in their respective Head Quarters offices only.

(2) In case of urgency, the President Chairman may convene a meeting giving at least two days notice.

5. . :-

The agenda for the meeting, with notes on each item along with the issues that require consideration shall, as far as possible, be prepared in Telugu by the Mandal Parishad Development Officer Chief Executive Officer in consultation with the President Chairman. The Mandal Parishad Development Officer Chief Executive Officer may include in the agenda any subject which in his opinion should be considered by the Mandal Parishad Zilla Parishad and shall include therein subject specified by the President Chairman.

6. . :-

(1) The President Chairman shall, on receipt of a requisition in writing signed by not less than one third of the members then on the Mandal Parishad Zilla Parishad specifying the resolution, which is proposed to be moved by all for a special meeting.

(2) The draft notice of the meeting called by the members signing the requisition shall be signed by such members and the notices of that meeting addressed to individual member shall be authenticated by the Mandal Parishad Development Officer.

(3) If, the President Chairman fails within three days from the delivery of such requisition to call a meeting on the day specified therein, meeting may be called by the members signing the requisition subject to the provisions of Rule 7.

7. . :-

(1) No special meeting shall be held unless at least seven clear days notice specifying the purpose for which such meeting is to be held and the place, the date and time thereof has been given by separate communication addressed to each member.

(2) A properly convened meeting of a Mandal Parishad or Zilla Parishad shall not be postponed to a later date except on a written request signed by not less than one half of the total number of members than on the Mandal Parishad or Zilla Parishad.

8. . :-

Every meeting shall be presided over by the President Chairman and in his absence by the Vice President, Vice Chairman and in the absence of both the President and the Vice President the Chairman and the Vice Chairman, by a member chosen by the members present at the meeting.

9. . :-

Whenever the President Chairman finds it necessary to temporarily leave the chair, he may call on the Vice President Vice Chairman or in the latter s absence some other member to preside.

10. . :-

If the Offices of the President and the Vice President the Chairman and the Vice Chairman are vacant, the duties assigned to the President Chairman under rules 4 and 5 of these rules shall be performed by the Mandal Parishad Development Officer Chief Executive Officer.

11. . :-

All the meetings of Mandal Parishads Zilla Parishads shall be open to the public.

Provided that the presiding member and in the case of a meeting

for the consideration of a motion expressing want of confidence convened under Section 245 of the Act, the District Collector in the case of Zilla Parishad or any Officer authorised by him to preside over the meeting of Mandal Parishad as the case may be, may in any particular case direct that the public generally or any particular person shall withdraw.

12. . :-

In the case of any resolution not carried unanimously, the names of the members who vote for and against shall be recorded.

13. Quorum :-

No business shall be transacted at a meeting of the Mandal Parishad Zilla Parishad unless there be present atleast one third of the number of members then on the Mandal Parishad Zilla Parishad.

14. . :-

(1) If, within half an hour after the time appointed for a meeting, there is no quorum, the meeting shall stand adjourned to a later hour on the same day or to the same time on the following day, as may be specified by the Presiding Member.

(2) Adjournment for want of quorum: If at any time it is brought to the notice of the Presiding Member that there is no quorum, the Presiding Member may, then ring a quorum bell and if after an interval of not less that 15 minutes quorum is not constituted, the Presiding Member shall adjourn the meeting to a later hour on the same day or a time on the next day to be specified by him.

(3) If there is no quorum in the adjourned meeting a fresh meeting may be convened following the procedure prescribed in Rule (4).

15. . :-

No resolution of a Mandal Parishad Zilla Parishad shall be modified or cancelled within three months after the passing thereof except at a meeting specially convened in that behalf and by a resolution of Mandal Parishad Zilla Parishad supported by not less than one half of the number of members then on the Mandal Parishad Zilla Parishads.

16. . :-

(1) The proceedings of the meeting of the Mandal Parishad Zilla Parishad shall be in Telugu as far as possible.

(2)

(i) The minutes of the proceedings of every meeting of Mandal Parishad shall be drawn up and entered in a book to be kept for the purpose and shall be signed by the Presiding Member after each meeting.

(ii) The minutes of the proceedings of every meeting of Zilla Parishad shall be drawn up and entered in a book to be kept for the purpose and shall be signed by the Presiding Member after each meeting.

(iii) The minutes of the proceedings of every Standing Committee shall be drawn up and entered in a book maintained separately for each Standing Committee meeting for the purpose and shall be signed by the Presiding Member after each meeting.

(3) The minutes of the proceedings of every meeting shall contain a record of the following, among other matters:

(i) Names of Members who stage a walk out at any time during the meeting;

(ii) If a member who attends the meeting later or leaves the meeting early, as the case may be, wishes that the time of his arrival or departure maybe recorded, he shall announce to the Presiding Member and the Mandal Parishad Development Officer Chief Executive Officer shall, accordingly, comply with it. The Mandal Parishad Development Officer Chief Executive Officer shall, in all such cases, note the item on the agenda which is being discussed at the time of such late arrival or early depature of any member.

(4) The permanent invitees to the meetings of the Mandal Parishad Zilla Parishad, as provided in the Act, shall be entitled to participate in the meetings of the Mandal Parishad General Body of the Zilla Parishad without right to vote.

(5) The Mandal Parishad Development Officer Chief Executive Officer shall forward a copy of minutes of the proceedings of each meeting of the Mandal Parishad Zilla Parishad to the Commissioner, Panchayat Raj within 7 days of each meeting.

(6) Any member present at a meeting and wishing to submit his minute of dissent shall do so in respect of the proceeding immediately after conclusion of discussion on the subject. The

minute of the dissent shall form part of the proceedings of the meeting.

(7) Where a decision taken in matters connected with law, procedure, standing orders of the Government and the like is not in consonance of the advice rendered at the meeting by the Mandal Parishad Development Officer Chief Executive Officer, a record of the advice rendered by him shall form part of the proceedings.

17. . :-

A member, while speaking, shall not

(1) comment on any matter on which a judicial decision is pending;

(2) Make a personal charge against a member or an official.

(3) Use offensive language about the conduct or proceedings of the Parliament or of the Legislature of any State or of any Zilla Parishad or Mandal Parishad.

(4) utter defamatory words; or

(5) use his right of speech for the purpose of obstructing the business of the Mandal Parishad Zilla Parishad.

18. . :-

A member who has once addressed the meeting on a motion shall not subsequently move or second an amendment thereto or otherwise take part in the debate.

19. . :-

No member shall speak on a motion after it has been put to vote by the presiding member.

20. . :-

No member may speak more than once on a motion except the mover who has the right of reply. After the mover's reply, no member shall speak on the motion. If the mover of a motion speaks on an amendment thereto, he loses his right of reply.

21. . :-

No speech, except with the permission of the Presiding Member, shall exceed five minutes in duration:

Provided that the mover of a resolution in moving the same may speak for ten minutes.

22. . :-

(1) No member shall vote on, or take part in, the discussion of any subject coming up for consideration at a meeting of the Mandal Parishad Zilla Parishad, if the subject is one in which apart from its general application to the public, he has any direct or indirect pecuniary interest by himself or as partner of a firm.

(2) The Presiding Member may prohibit any member from voting, and, or taking part in, the discussion of any subject in which he believes such member to have pecuniary interest, or he may require such member to absent himself during the discussions.

(3) Such member may challenge the decision of the Presiding Member, who shall there upon put the question to the meeting. The decision of the meeting shall be final.

(4) If the Presiding Member is believed by any member present at the meeting to have any such peuniary interest in any subject under discussion, the Presiding Member, may if a motion to that effect is carried, be required to absent himself from the meeting during such discussion.

(5) The member concerned shall not be entitled to vote on the question referred to in sub rule (3) and the presiding member shall not be entitled to vote on the motion referred to in sub rule (4).

23. . :-

A list of business for the day shall be prepared by the presiding member in the following order:

(1) Interpellations and questions.

(2) Papers to be laid on the table of the Mandal Parishad Zilla Parishad for the first time (no discussion shall be allowed on these papers on that day).

(3) Election of members to the Standing Committee in the case of Zilla Parishad.

(4) Matters relating to urgent official business brought forward by the presiding member.

(5) Any motion regarding change of order of business.

(6) Proceedings of Standing Committees of Zilla Parishads.

(7) Resolutions.

(8) Other official business.

24. . :-

The members shall sit in such order as the Presiding Member may appoint. The members shall speak only from their places.

25. . :-

A member desiring to speak on any matter before the Mandal Parishad Zilla Parishad shall rise from his place, but shall not speak before the Presiding Member calls the name of the speaker, when he shall address the Presiding Member. If two or more members rise simultaneously to speak, the presiding member shall call the member who first caught his eye to speak first. The other member or members shall immediately resume their seats. At any time the Presiding Member rises in his seat, any member speaking shall resume his seat.

26. . :-

When a member is called to order to sit by the Presiding Member such member shall immediately sit down.

27. . :-

(1) No business, not included in the list of business for the day shall be transacted at any sitting and without the leave of the Presiding Member and of the Mandal Parishad Zilla Parishad, except in the form of a motion.

(2)

(i) Not more than one such motion shall be made at any one sitting.

(ii) Not more than one matter shall be discussed on the same motion and the motion shall be restricted to a specific matter of recent occurrence.

(iii) The motion shall not raise discussion on a matter which has been discussed at a meeting of the Mandal Parishad Zilla Parishad during the previous three months.

(iv) The motion shall not anticipate a matter which has been previously appointed for consideration or with reference to which a notice of motion has been previously given.

(v) The motion shall not deal with a matter on which a resolution could not be moved.

28. . :-

Leave to make such a motion must be asked for after questions of the ordinary meetings; and at other meetings before the business for the day is entered upon.

29. . :-

The members making such a motion shall hand over to the Presiding Member a written statement containing the motion before the meeting commences but he shall not speak thereon.

30. . :-

The Presiding Member if he is of opinion that the motion is in order shall read the same to the Mandal Parishad Zilla Parishad and ask the Mandal Parishad Zilla Parishad if it gives leave. If majority of the members present and voting signify their assent the Presiding Member shall announce that the motion will be taken up in that meeting.

31. . :-

The debate on such motion shall automatically terminate that day after which no question can be put.

32. . :-

Any member may move resolution relating to matter concerning the administration of the Mandal Parishad Zilla Parishad.

33. . :-

(1) The presiding member shall decide on the admissibility of a resolution and shall disallow any resolution which in his opinion contravenes the provisions of the Act or the rules made thereunder and his decision shall be final subject to the provisions of a Section 246.

(2) If the resolution relates to a matter unconnected with the administration of the Mandal Parishad Zilla Parishad and if the Presiding Member is of the opinion that it may lead to an unseemly controversy he may disallow the resolution.

34. . :-

Every resolution shall be clearly and precisely expressed and shall raise a definite issue.

35. . :-

Resolutions shall not contain arguments, inference , ironical expressions or defamatory statements, nor shall they refer to the conduct or character of persons except in their official or public

capacity.

36. . :-

Resolution shall be of an affirmative character.

37. . :-

Notice of resolution shall be in writing and signed by the mover.

38. . :-

A member who wishes to move a resolution shall give atleast eight clear days notice of his intention and shall together with the notice submit a copy of the resolution which he wishes to move, but the Presiding Member may allow, for reasons to be stated by him, a resolution to be entered on the list of business with shorter notice then eight days.

39. . :-

The relative precedence of resolutions given notices of by members for being moved of meaning of the Mandal Parishad Zilla Parishad shall be determined by ballot, if necessary.

40. . :-

No member shall be entitled to ballot for more than one resolution at a time.

41. . :-

Resolution be allotted but not reached or disposed of shall lapse.

42. . :-

A member shall be at liberty to give fresh notice in respect of resolutions which have lapsed.

43. . :-

Not more than ten resolutions according to the order of priority determined by ballot shall ordinarily be set down for every meeting.

44. . :-

A member in whose name a resolution appears on the list of business shall, when called on either

(1) move the resolution, or

(2) withdraw the resolution, in which case he shall confine himself to a mere statement to that effect.

45. . :-

If the member when called on is absent, the resolution standing in

his name shall be considered to have been withdrawn.

46. . :-

Every resolution which has been moved shall be seconded, otherwise, it shall not be discussed, nor shall any question be put on it.

47. . :-

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

48. . :-

When any resolution involving several points has been discussed it shall be in the discretion of the Presiding Member to divide the resolution, and put each or any point to vote separately as he may think fit.

49. . :-

Routine resolutions, namely, regarding periodical statements and proceedings of the Standing Committees and the like, may be put to the meeting by the Presiding Member without their having been moved or seconded.

50. . :-

The Presiding Member has the same right of moving or seconding or speaking on a resolution or motion as any other member.

51. . :-

Notice of a question shall be given at least fifteen clear days before the sitting of the Mandal Parishad Zilla Parishad at which it is to be asked, and a copy of the question shall be submitted with the notice.

Provided that the Presiding Member may allow a question to be asked with shorter notice than fifteen days, or may extend the time for answering a question. The Mandal Parishad Development Officer Chief Executive Officer or any other officer concerned with the subject with the permission of the Presiding Member may answer interpellations and supplementary questions thereon.

52. . :-

A question may be asked for the purpose of obtaining information on any matter pertaining to the administration of the Mandal Parishad Zilla Parishad.

53. . :-

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

- (1) It shall not contain any name or statement not strictly necessary to make the question intelligible.
- (2) If a question contains a statement, the member asking shall make himself responsible for the accuracy of the statement.
- (3) It shall not contain arguments, inferences, ironical expressions or defamatory statements.
- (4) It shall not ask for the expression of opinion or the solution or an abstract or of a hypothetical proposition.
- (5) It shall not ask about the character or conduct of any person except in his official or public capacity.
- (6) It shall not pertain to the individual grievances or complaints of members of the Mandal Parishad Zilla Parishad or of the employees of the Mandal Parishad Zilla Parishad or Government.
- (7) It shall not be of excessive length.
- (8) A question once fully answered shall not be asked again.

54. . :-

The Presiding Member, may, within the period of notice, disallow any question or any part of question on the ground that it relates to a matter which is not primarily the concern of the Mandal Parishad Zilla Parishad and if he does so, the question or part of the question shall not be placed on the list of questions.

55. . :-

The Presiding Member shall decide on the admissibility of question and may disallow any question when, in his opinion, it is an abuse of the right of questioning or is in contravention of these rules or on the ground that it cannot be answered in the public interest.

56. . :-

(1) The questions which have not been disallowed shall be entered in the list of questions for the day, and shall be called if the time made available for questions permits, in the order in which they stand in the list, before any other business is entered upon at the meeting.

(2) If a question stands in the name of more than one member, the

Presiding Member may permit any one of such members present to ask the question. If none of the members who put the question is present, the question shall not be taken up.

57. . :-

The first thirty minutes of every ordinary meeting shall be, available for the asking and answering of questions.

58. . :-

Interpellations received at a particular meeting shall be disposed of in the same meeting and shall not be adjourned for the next or subsequent meetings.

59. . :-

Any member may, at any time, raise a point of order for the decision of the presiding member but in doing so, shall confine himself solely to stating the point.

60. . :-

After the debate on a question is concluded, the presiding member shall put the question to vote.

61. . :-

When a question is put to vote the presiding member shall call for a show of hands, and he shall count the hands shown for or against, and declare the result.

62. . :-

All questions which may come before the Mandal Parishad Zilla Parishad at any meeting shall be decided by a majority of the members present and voting at the meeting, and in every case of equality of votes, the presiding member shall have and exercise a second or casting vote.

63. . :-

An item of business may be passed over if no motion is proposed in reference thereto.

64. . :-

A member is guilty of breach of order, who

(1) uses objectionable or offensive words and refuses to withdraw them or offer any apology.

(2) Wilfully disturbs the peaceful and orderly conduct of the meeting;

(3) refuses to obey any order from the Chair; or

(4) does not resume his seat when the Presiding Member rises in his chair or when he is called upon to do so by the Presiding Member.

65. . :-

Any member may take objection to any offensive words.

66. . :-

A member may move a motion if he considers the words used by the other member are offensive, to declare it as offensive. If the motion is agreed, the Presiding Member shall direct the member who used them to withdraw the words.

67. . :-

Objections to offensive words shall be taken when the words are used and not after another member has begun to speak.

68. . :-

If the Presiding Member declares that the words used by a member are offensive and if the member does not withdraw the same after a direction has been given under rule 66 he shall be guilty of breach of order.

69. . :-

The Presiding Member, after having called the attention of the Mandal Parishad Zilla Parishad to the conduct of member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

70. . :-

The Presiding Member may direct any member, whose conduct, is in his opinion, is grossly disorderly, to withdraw immediately from the meeting and any member so ordered to withdraw shall do so forthwith and assent himself during the remainder of the day s meeting. If any member is so, directed by the Presiding Member for a second time, he may further order that the member shall be absent from meetings of the Mandal Parishad Zilla Parishad for a certain period not exceeding four months provided that such absence shall not be ground for purposes of disqualification.

71. . :-

The President Chairman may, in case of grave disorder arising in

the meeting of the Mandal Parishad Zilla Parishad, suspend any sitting for a time to be named by him.

72. . :-

At any time after a motion has been made and at the end of a speech, any member may move "that the question be now put" and unless it appears to the Presiding Member that such motion is an abuse of the rules of the, Mandal Parishad Zilla Parishad or an infringement of the right reasonable debate, the question "that the question be now put" shall be put forthwith and decided without amendment or debate. Should the motion be carried, the Presiding Member shall take the consensus of the meeting whether the mover be allowed to reply. If the mover is so allowed he shall bring his reply to a close, within five minutes. After that or should the reply by the mover be not allowed, the motion or amendment or amendments under the debate shall be at once put to vote.

PART 3

STANDING COMMITTEES OF ZILLA PARISHADS

73. . :-

Each Standing Committee shall meet at least once in two months at the Zilla Parishad Office on such date and time as the Chairperson of the Standing Committee concerned as the case may be may specify in consultation with the Chairman of the Zilla Parishad.

74. . :-

The Chief Executive Officers shall convene the meetings of the Standing Committee of the Zilla Parishads according to the Schedule as specified under Rule 73.

75. . :-

(1) The rules applicable to the Mandal Parishad or Zilla Parishad meetings shall also be made applicable to the meetings of the Standing Committee unless specific provision is made in this part.

(2) The agenda for the meeting of the Standing Committee of the Zilla Parishad shall be prepared by the Chief Executive Officer in consultation with the Chairperson of the Standing Committee as the case may be concerned and the Chairman Zilla Parishad.

76. . :-

No business shall be transacted at any meeting of a Standing Committee unless there is a quorum of 1/3rd of the number of members then on the Standing Committee:

Provided that in the case of an adjourned meeting of a Standing Committee, the quorum shall be three members including the presiding member.

77. . :-

(1) All questions which may come before a Standing Committee at any meeting shall be decided by the majority of the members present and, voting at the meeting and in every case of quality of votes the presiding member shall have casting vote.

(2) Every subject which has to be disposed off by a Standing Committee shall be placed before the same by the Chief Executive Officer with a note for information of the members explaining all the salient aspects of the question which have a relevance to the decision to be taken together with his own specific remarks and recommendations in the nature of an advice as to the appropriate course of action he suggests in the light of the facts of the case law on the subject and precedents.

78. . :-

(1) All minutes of the proceedings shall be entered in a separate book for each Standing Committee and shall be signed by the presiding member concerned after each meeting.

(2) The minutes book shall be placed before the Zilla Parishad at such times as it may appoint.

(3) The Chief Executive Officer shall forward a copy of minutes of the proceedings of each meeting of every Standing Committee of the Zilla Parishad to the Commissioner of Panchayat Raj within seven days of such meeting.

79. . :-

In any case in which two or more Standing Committees have passed conflicting decisions and such conflict has not been resolved by a joint meeting of such committee, the Chief Executive Officer shall place the matter before the Zilla Parishad and pending its resolution he shall withhold all actions in regard to the matter at issue.

80. . :-

(1) A member of a Standing Committee of the Zilla Parishad who is also a member of Zilla Parishad other than the Chairman of the Zilla

Parishad shall cease to be a member of such Standing Committee if he had absented himself from three or more, consecutive meetings of such Standing Committee held within a period of not less than six months reckoned from the date of the first meeting of the Standing Committee or of the last meeting which he attended or of his restoration of his membership under sub rule (2).

(2) Where a person ceases to be a member under sub rule (1), the Chief Executive Officer of the Zilla Parishad shall at once intimate the fact to the member concerned and report the same to the Zilla Parishad at its next ordinary meeting. If such person applies for restoration of his membership to the Zilla Parishad within thirty days of the receipt of him of such intimation, he shall be deemed to have been restored to his membership and the Chief Executive Officer of the Zilla Parishad shall report the fact of such restoration to the Zilla Parishad at its next meeting pending such restoration the member shall be entitled to act as if he was not disqualified.

Provided that a member shall not be so deemed to have been restored more than once during his term of office;

Provided further that no meeting from which a member absented himself shall be counted against him under sub rule (1), or due notice of that meeting was not given to him in the prescribed manner or the meeting was adjourned without transacting any business either for want of quorum or for any other reason or the meeting was held before he makes the oath or affirmation as laid down in Section 252 of the Act.

81. . :-

Every Standing Committee of the Zilla Parishad may for transacting the business of the Standing Committee and for carrying out the purpose for which it is constituted, utilise the service of the staff of the Zilla Parishad.

PART 4

Miscellaneous

82. . :-

The Mandal Parishad Development Officer shall have the custody of the proceedings and records of the Mandal Parishad and the Chief Executive Officer shall have the custody of proceedings and records of Zilla Parishad and all the Standing Committee thereof.

83. . :-

The Mandal Parishad Development Officer Chief Executive Officer may grant copies of the proceedings and records of the Mandal Parishad Zilla Parishad and the Standing Committee on payment of such fees as the Mandal Parishad Zilla Parishad may prescribe.