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## **RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE METROPOLITAN COUNCIL OF DELHI**

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## **RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE METROPOLITAN COUNCIL OF DELHI**

# RULES OF PROCEDURE AND CONDUCT OF BUSINESS THE METROPOLITAN COUNCIL OF DELHI

## CHAPTER 1

### SHORT TITLE AND DEFINITIONS

#### **1. Short title :-**

These rules may be called Rules of Procedure and Conduct of Business in the Metropolitan Council of Delhi.

#### **2. Commencement :-**

These rules shall come into force the date they are notified in the Delhi Gazette.

#### **3. Definitions :-**

(1) In these rules, unless the context otherwise requires

(a) "Act" means the Delhi Administration Act, 1966 (19 of 1966);

(b) "administration" means the administration of the Union Territory of Delhi;

(c) "bulletin" means the bulletin of the Council containing (i) a brief record of the proceedings of the Council at each of its sittings, and (ii) information on any matter relating to or connected with the business of the Council or other matter which, in the opinion of the Chairman, may be included therein;

(d) "Committee" means any committee elected or constituted by the Council or nominated by the Chairman for any specific or general purpose and which works under the direction of the Chairman and presents its report to the Council or to the Chairman;

(e) "Chairman" means the Chairman of the Metropolitan Council unless the context otherwise requires;

(i) "Council" means the Metropolitan Council of Delhi;

(g) "division" means taking of votes by sending the members to lobbies or by adopting such other method under which lists of members voting on either side are provided;

(h) "Executive Councillor" means a member of the Executive Council and includes the Chief Executive Councillor;

(i) "lobby" means the covered corridor immediately adjoining the Council Chamber and co-terminus with it;



- (j) "member" means a member of the Council;
- (k) "motion" means a proposal made by a member for the consideration of the Council and includes a resolution and an amendment to a motion;
- (l) "member in charge" means, as respects an official Bill, an Executive Councillor and as respects other Bills, the member who has introduced the Bill;
- (m) "precincts of the Council" means and includes the Council Chamber, the lobbies, the galleries and such other places as the Chairman may from time to time specify;
- (n) "private member" means a member other than an Executive Councillor;
- (o) "prorogue" and derivative "prorogation" mean the ending of a session by an order of the Administrator under sub-section (2) of section 11;
- (p) "Secretary" means Secretary to the Council and includes any other person for the time being performing the duties of the Secretary;
- (q) "Section" means a section of the Act;
- (r) "sitting" means the sitting together of the members of the Council for transacting business on any day from its commencement till the Council rises for the day unless the Council otherwise requires;
- (s) "table" means the table of the Council.

#### CHAPTER 2

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

#### **4. Summons of Members :-**

- (1) Subject to the provisions of sub-section (1) of section 11, the Council shall be summoned by the Administrator from time to time to meet at such time and place as he may appoint.
- (2) The summons to members shall ordinarily be issued by the Secretary 15 days before the date so appointed under sub-rule (1) : Provided that a short notice session of the Council may be summoned at three days notice.

(3) When a session is called emergently, summons may not be issued to each member separately but an announcement of the date, time and place of the session shall be published in the Press and members informed by telegram or otherwise.

**5. Seating of Members :-**

The members shall sit in such order as the Chairman may determine.

**6. Oath or Affirmation :-**

A member who has not already made and subscribed an oath or affirmation in pursuance of section 16 shall, before taking his seat, make and subscribe before the Administrator or some person appointed in this behalf by him an oath or affirmation according to the form set out for the purpose in the schedule to the Act.

**7. Attendance Register :-**

A record of attendance of members in the meetings of the Council shall be kept by the Secretary and for this purpose, an attendance register shall be maintained. It will be placed in the lobbies before the commencement of a meeting and the members, other than the Chairman, the Deputy Chairman and Executive Councillors shall sign it before the meeting is adjourned. No member who has not signed the Register shall be treated as present : Provided that the Chairman, if he is satisfied, may order that a member, who attended a meeting but failed to sign the Register, may be marked as present.

**CHAPTER 3**

ELECTION OF CHAIRMAN, DEPUTY CHAIRMAN AND NOMINATION OF A PANEL OF VICE-CHAIRMEN

**8. Election of Chairman by the Council :-**

(1) The election of a Chairman shall be held on such date as the Administrator may fix and the Secretary shall send notice thereof to every member.

(2) At any time before noon on the day preceding the day fixed under sub-rule (1), any member may give notice in writing addressed to the Secretary of a motion that another member be chosen as the Chairman of the Council and the notice shall be seconded by a third member and shall be accompanied by a statement by the member whose name is proposed in the notice that he is willing to serve as Chairman, if elected :

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

(3) While the offices of both the Chairman and the Deputy Chairman are vacant, the duties of the Office shall be performed by such member of the Council as the Administrator may appoint for the purpose.

(4) A member in whose name a motion stands on the list of business may, when called, move the motion or withdraw the motion, in which case he shall confine himself to a mere statement to that effect.

(5) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved and decided, if necessary, by division. If any motion is carried, the person presiding shall, without putting later motions, declare that the member proposed in the motion which has been carried, has been chosen as the Chairman of the Council.

#### **9. Election of Deputy Chairman by the Council :-**

(1) The election of Deputy Chairman shall be held on such date as the Chairman may fix, and the Secretary shall send notice thereof to every member.

(2) At any time before noon on the day preceding the day so fixed, any member may give notice in writing addressed to the Secretary, of a motion that another member be chosen as the Deputy Chairman of the Council, and the notice shall be seconded by a third member and shall be accompanied by a statement by the member whose name is proposed in the notice that he is willing to serve as Deputy Chairman, if elected :

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

(3) A member in whose name a motion stands on the list of business may, when called, move the motion or withdraw the motion, in which case he shall confine himself to a mere statement to that effect.

(4) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved and

decided, if necessary, by division. If any motion is carried, the person presiding shall, without putting later motions, declare that the member proposed in the motion which has been carried, has been chosen as the Deputy Chairman of the Council.

**10. Panel of Vice-Chairmen :-**

(1) At the commencement of the Council or from time to time, as the case may be, the Chairman shall nominate from amongst the members a panel of not more than three Vice-Chairmen, anyone of whom may preside over the Council in the absence of the Chairman, and the Deputy Chairman when so requested by the Chairman, or in his absence, by the Deputy Chairman.

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

**11. Election of Chairman in the absence of the Chairman, Deputy Chairman and panel of Vice-Chairmen :-**

If the Chairman and the Deputy Chairmen are both absent and there is no member of the panel of Vice-Chairmen duly authorised to preside over the sitting of the council, the Council shall proceed to elect a Chairman for the meeting in the following way

"A member addressing himself to the Secretary, shall propose to the House some other member then present and move that the said member do take the Chair of the Chairman till such time as a person competent to preside under the Act or rule arrives, and such a motion is seconded by another member, then the Secretary shall put the motion or motions to the vote of the House. The member so selected shall occupy the Chair."

**12. Powers of Deputy Chairman or other member presiding over the sittings of the Council :-**

The Deputy Chairman or other member competent to preside over a sitting of the Council under these rules, when so presiding, shall have the powers as the Chairman when presiding over the Council and all references to the Chairman under these rules shall, in these circumstances, be deemed to be references to any such person so presiding.

**13. Delegation of powers to Deputy Chairman :-**

The Chairman may at any time, by order in writing delegate to the Deputy Chairman all or any of his powers under these Rules and may likewise revoke any such delegation.

## CHAPTER 4

### SITTINGS OF THE COUNCIL

#### **14. When is sitting of the Council duly constituted :-**

A sitting of the Council is duly constituted when it is presided over by the Chairman or other member competent to preside over a sitting of the Council under these rules.

#### **15. Commencement of sitting :-**

Sitting of the Council shall commence at such hour as the Chairman may direct.

#### **16. Sittings of the Council :-**

The Council shall sit on such days as the Chairman, having regard to the state of business of the Council, may from time to time direct :

Provided that there will be no meetings ordinarily on Saturdays and other Public Holidays.

#### **17. Conclusion of sitting :-**

The Chairman shall determine the time when a sitting of the Council shall be adjourned sine die or to a particular day, or to an hour or part of the same day :

Provided that the Chairman may, if he thinks fit, call a sitting of the Council before the date or time to which it has been adjourned or at any time after the Council has been adjourned sine die. But 10 days notice shall be necessary to resummon the Council when it has been adjourned sine die.

#### **18. Effect of prorogation. When the Council is prorogued :-**

(a) all pending notices, other than notice of intention to move for leave to initiate any legislative proposal, shall lapse and fresh notices shall be given for the next session :

Provided that the questions which have been entered within the list of business but were postponed and remained pending for answer at the close of the preceding sessions shall not lapse;

(b) any business pending before a committee shall not lapse;

(c) any motion, resolution or amendment which has been moved and is pending in the Council shall not lapse.

## CHAPTER 5

### ADMINISTRATORS ADDRESS TO THE COUNCIL

**19. Allotment of time for discussion of the Address :-**

The Chairman in consultation with the Chief Executive Councillor, shall allot time for the discussion of the matters referred to in the Administrator's Address to the Council under section 14.

**20. Scope of discussion :-**

On such day or days or part of any day, the Council shall be at liberty to discuss the matters referred to in such Address.

**21. Other business that may be taken up :-**

Notwithstanding that a day has been allotted for a discussion on the Administrator's Address,

(a) a motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day, and

(b) other business of a formal character may be transacted, on such day before the Council commences or continues the discussion on the Address.

**22. Postponement of discussion on Address :-**

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

**23. Right of reply :-**

The Chief Executive Councillor or any other Executive Councillor, whether he has previously taken part in the discussion or not, shall on behalf of the administration have a general right of explaining the position of the administration at the end of the discussion.

**24. Time limit for speeches :-**

The Chairman may, if he thinks fit, prescribe a time-limit for speeches after taking the sense of the Council.

**CHAPTER 6**

**ARRANGEMENT OF BUSINESS**

**25. Allotment of time for discussion on the Address :-**

On days allotted for the transaction of official business, such have precedence and the Secretary shall arrange that business in such order as the Chairman after consultation with the Chief Executive Councillor may determine : Provided that such order of business shall not be varied on the day that business is set down for disposal

unless the Chairman is satisfied that there is sufficient ground for such variation.

**26. Allotment of time for private members Business :-**

(1) Private members' business shall be taken upon on such days as may be fixed by the Chairman and shall have precedence over official business on those days unless the Chairman directs otherwise.

(2) Where the Chairman has under sub-rule (1) directed otherwise as aforesaid, he may, in consultation with the Chief Executive Councillor fix any other day for the transaction of private members' business.

**27. Precedence of private members Bills :-**

(1) The relative precedence of notice of Bills given by private members shall be determined by ballot, to be held in accordance with the orders made by the Chairman, on such day, not being less than seven days before the day with reference to which the ballot is held, as the Chairman may direct.

(2) The relative precedence of private members' Bills on a day allotted for the disposal of such Bills shall be in the following order, namely

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

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

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

**28. Precedence of private members resolution :-**

(1) The relative precedence of notices of resolution given by private members shall be determined by ballot, to be held in accordance with the orders made by the Chairman, on such day, not being less than seven days before the day with reference to which the ballot is held, as the Chairman may direct.

(2) The names of all members from whom such notices are received shall be balloted and those members who secure the first three places in the ballot for the day allotted for private members'

resolution shall be eligible to give notice of one resolution each within two days after-the date of the ballot.

**29. Business outstanding at the end of day :-**

Private members' business set down for the day allotted for that 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 25 and 28 any such business which is under discussion at the end of that day, shall have precedence over all other business set down for that day.

**30. Resolution of adjourned debate on private members Bills or resolution :-**

(1) When on a motion being carried the debate on a private member's Bill or resolution is adjourned to the next day allotted for private members' business in the same or next session, it will not be set down for further discussion unless it has gained priority at the ballot.

(2) When the debate on a private member's Bill or resolution is adjourned sine die, the member in charge of the Bill or the mover of the resolution, as the case may be, if he wishes to proceed with such Bill or resolution on a subsequent day allotted for private members' business may give notice for resumption of the adjourned debate and on receipt of such notice the relative precedence of such Bill or resolution shall be determined by ballot.

**31. List of business :-**

(1) A list of business for the day shall be prepared by the Secretary and a copy thereof shall be made available for the use of every member.

(2) Save as otherwise provided in these rules, no business not included in the list of business for the day shall be transacted at any sitting without the leave of the Chairman.

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



## **32. Relative precedence of different class of business before the Council :-**

Unless the Chairman otherwise directs on any particular occasion, the relative precedence of the class of business before the Council specified below shall be in the following order, namely :

- (i) Oath or affirmation.
- (ii) Obituary references.
- (iii) Question (including short notice question).
- (iv) Calling attention notices.
- (v) Papers to be laid on the Table.
- (vi) Communications of messages from the administration.
- (vii) Communications from Magistrates or other authorities regarding arrest or detention or release of members of the Council.
- (viii) Announcements by the Chairman regarding leave of absence of members from the sittings of the Council.
- (ix) Announcements by the Chairman regarding various matters, e.g., resignations of members of the Council, nominations to Panel of Vice-Chairmen, Committees, etc.
- (x) Rulings by the Chairman.
- (xi) Presentation of reports of committees.
- (xii) Laying of evidence before Select Committees on Bills.
- (xiii) Statements by Executive Councillors.
- (xiv) Personal explanations under rule 210 (if not made during the debate).
- (xv) Motions for election to Committees.
- (xvi) Motions for extension of time for presentation of reports of Select Committees on Bills.
- (xvi) Motions for adoption of Reports of Business Advisory Committee.
- (xviii) Motions for leave to move Resolution for removal of Chairman/Deputy Chairman.

(xix) Bills to be withdrawn,

(xx) Bills to be introduced.

#### CHAPTER 7

#### QUESTIONS AND SHORT NOTICE QUESTIONS

##### **33. Time for questions :-**

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

##### **34. Notice of questions :-**

Unless the Chairman otherwise directs, not less than ten clear days' notice of question shall be given.

##### **35. Form of notice of questions :-**

Notice of question shall be given in writing to the Secretary and shall specify

(a) the official designation of the Executive Councillor to whom it is addressed; and

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

Provided that all questions relating to matters in respect of which the Administrator is required by or under the Act, to exercise his functions, or any of them, in his discretion, or by or under any law to exercise any judicial or quasi-judicial function, shall be addressed to the Chief Executive Councillor.

##### **36. Notice of admission of questions to Executive Councillors :-**

Unless the Chairman otherwise directs, no question shall be placed on the day when notice of such question has been given by the Secretary to the Executive Councillor to whom it is addressed.

##### **37. Questions for oral answers to be distinguished by asterisks :-**

A member who desires an oral answer to his question shall distinguish it by an asterisk and if he does not distinguish it by an asterisk the question shall be printed in the list of questions for written answer.

##### **38. Member entitled to oral answers to three questions on a day :-**

(1) Not more than three questions distinguished by asterisks by the same member shall be placed on the list of questions for oral answer on any one day. Questions in excess of three shall be placed in the list of questions for written answer.

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

**39. Allotment of days for oral answers to questions :-**

The time available for answering questions may be allotted on different days in rotation for the answering of questions relating to such Department or Departments as the Chairman may from time to time, decide, and on each such day, unless the Chairman with the consent of the Executive Councillor concerned otherwise directs, only questions relating to the Department or Departments for which time on that day has been allotted shall be placed on the list of questions for oral answer.

**40. Written answers to questions not replied orally :-**

If any question placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day, the Executive Councillor to whom the question is addressed shall forthwith lay upon the table a written reply to the question, and no oral reply shall be required to such question and no supplementary questions shall be asked in respect thereof.

**41. Questions relating to more than one Department :-**

The Chairman may disallow any question which asks the information relating to more than one Department.

**42. Conditions of admissibility of questions :-**

(1) Subject to the provisions of sub-rule (2) of this rule, a question may be asked for the purpose of obtaining information on a matter of public importance in so far as it falls within the purview of the Council under sub-section (1) of section 22.

(2) The right to ask a question is governed by the following conditions

(i) it shall be clearly and precisely expressed;

- (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 shall make himself responsible for the accuracy of the statement;
- (iv) it shall not contain arguments, inferences ironical or offensive expressions or defamatory statements;
- (v) it shall not ask for an expression of opinion or the solution of a hypothetical proposition;
- (vi) it shall not relate to a statement by a private individual or a non-official body,
- (vii) it shall not be of excessive length;
- (viii) it shall ordinarily not relate to a matter which is not primarily the concern of the Administration;
- (ix) it shall not reflect on the character or conduct of any person nor relate to individual cases except in his official or public capacity or when a matter of principle is involved;
- (x) it shall not make or imply a charge of a personal character;
- (xi) it shall not raise question of policy too large to be dealt within the limit of an answer to a question;
- (xii) it shall not repeat in substance questions already answered or to which an answer has been refused;
- (xiii) it shall not ask for information on trivial, vague or meaningless matters, nor information of too many details;
- (xiv) it shall not ordinarily seek information on matters of past history;
- (xv) it shall not require information set forth in accessible documents or in ordinary works of reference;
- (xvi) it shall not raise matters under the control of bodies or persons not primarily responsible to the Administration;
- (xvii) 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;
- (xviii) it shall not refer to conduct of any judicial officer having

jurisdiction in any part of India in the exercise of his or its judicial function;

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

(xx) it shall not seek information about matters which are in their nature secret;

(xxi) it shall not ordinarily ask about matters pending before any statutory tribunal or other statutory authority performing any judicial or quasi-judicial functions or any commission or Court of Enquiry appointed to inquire into or investigate any matter but may refer to matters concerned with procedure or subject or stage of inquiry if it is not likely to prejudice the consideration of the matter by such Tribunal, Authority, Commission or Court of Enquiry,

(xxii) it shall not deal with matters which are under consideration of a committee;

(xxiii) it shall not in substance be a suggestion or request for any particular action in the matter raised by the member asking the question; and

#### **43. Questions on matters of correspondence between the Administration and the Government of India or the Government of a State :-**

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

#### **44. Chairman to decide admissibility of question :-**

(1) The Chairman shall decide whether a question or part thereof is or is not admissible under these rules or any rules made under the proviso to sub-section (1) of section 24 and may disallow any question or a part thereof when in his opinion it is an abuse of the right of questioning or calculated to obstruct or prejudicially affect the procedure of the Council or is in contravention of the said rules.

(2) Subject to the provisions of rule 39, the Chairman may direct that a question be placed on the list of questions for answer, on a date later than that specified by a member in his notice, if he is of the opinion that a longer period is necessary to decide whether the question is or is not admissible.

**45. Chairman to decide if a question is to be treated as starred or unstarred :-**

If in the opinion of the Chairman any question put down for oral answer is of such a nature that a written reply would be more appropriate, the Chairman may direct that such question be placed in the list of questions for written answer : Provided that the Chairman may, if he thinks fit, call upon the member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same, may direct that the question be included in the list of questions for written answer.

**46. List of questions :-**

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 Chairman.

**47. Order in which questions shall be called :-**

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

Provided that a question not reached for oral answer may be answered after the end of the Question Hour with the permission of the Chairman that the Question is one of special public interest to which he desires to give a reply.

**48. Withdrawal or postponement of questions :-**

A member may, by notice given at any time before the meeting for which his question has been placed on the list, withdraw his question, or postpone it to a later day to be specified in the notice, and on such later day the question shall, subject to the provisions of rule 42, 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 time when the notice of postponement has been received by the Secretary.

**49. Mode of asking questions :-**

(1) When the time for asking questions arrives, the Chairman shall call successively each member in whose name a question appears in the list of questions.

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

(3) If on a question being called, it is not put or the member in whose name it stands is absent, the Chairman, at the request of any member, if so authorised by him in writing may direct that the answer to it be given.

#### **50. Questions of absent members :-**

When all the questions for which an oral answer is desired have been called, the Chairman may, if time permits, call again any question which has not been asked by reason of the absence of the member in whose name it stands, and may also, at the request of any other member so authorised in writing direct that the answer to it be given.

#### **51. Supplementary questions :-**

(1) No discussion shall be permitted during the time for questions under rule 33 in respect of any question or of any answer given to a question..

(2) Any member when called by the Chairman may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given : Provided that the Chairman shall disallow any supplementary question if in his opinion, it infringes the rules regarding questions.

#### **52. Bracketing of names :-**

Where two or more members give notice of questions on the same subject and one of the questions is accepted for answer the names of the other members shall be bracketed with the name of the member whose question has been accepted for answer :

Provided that the Chairman may direct that all the notices be consolidated into a single notice, if in his opinion it is desirable to have a single self-contained question covering all the important points raised by members and the Executive Councillor shall then give 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.

### **53. . :-**

(1) A question relating to a matter of public importance may be asked with notice of three clear days and if the Chairman is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Executive Councillor concerned if he is in a position to reply and, if so, on what date.

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

(3) If the Executive Councillor is unable to answer the question at short notice and the Chairman is of opinion that the question is of sufficient public importance to be orally answered in the House, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer under rule 41 :

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

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

(5) The member who has given notice of the question shall be in his seat to read the question when called by the Chairman and the Executive Councillor concerned shall give a reply immediately :

Provided that when a question is shown in the names of more than one member, the Chairman shall call the name of the first member or, in his absence, any other name.

(6) In other respects, the procedure for short notice question shall be the same as for ordinary questions for oral answer, with such modifications as the Chairman may consider necessary or convenient.

### **54. No publicity of answers to questions in advance :-**

Answers to questions which Executive Councillors propose to give in the Council shall not be released for publication until the answers



have actually been given on the floor of the Council or laid on the Table.

**55. Asking for information to decide the admissibility of questions :-**

The Chairman may, for the purpose of proper admission of a question, require the notice given of the question to furnish such information or clarification as may be considered necessary and the notice of question shall thereupon be deemed to have been given on the date on which such information or clarification is received in the office of the Chairman. The Chairman may also require the Administration to supply such information as may be considered necessary by him for deciding the admissibility of the question and such information shall be supplied forthwith.

**56. Treatment of questions which could not be answered due to elimination of the question hour :-**

When the question hour is eliminated owing to the cancellation of a meeting of the Council or its adjournment without transacting any business, all the questions, both starred and unstarred, originally entered in the list of questions for that day shall be printed along with their answers in the proceedings of the latter day. When the question hour of a meeting is dispensed with but the meeting itself is not cancelled, all starred questions and their answers together with the answers of the unstarred questions, if any, shall be printed in the proceedings of that day.

**57. Answer to questions not fully answered to be laid on the table of the House :-**

The answer to all questions not fully answered on their due date on account of the non-receipt of information, shall be laid on the Table of the Council on the opening day of the next session :

Provided that it shall not be necessary to lay on the Table of the Council answers to such questions asked in a session immediately preceding the dissolution of the Council whether such dissolution occurs by efflux of time or otherwise.

**58. Placing of question for oral answer in the list of questions in rounds :-**

Questions in the name of a member in the list of questions for oral answer on a day shall be printed in three rounds or less according to the number of questions admitted in his name. Thus, all members who have questions in the list on any day shall have one

question each entered in the first round and after completing all the members on the list, their second and third questions, if any, shall be appropriately placed in the second and third rounds respectively. Priority of questions inter se in each round shall be determined according to the time and date of receipt of the notices.

**59. Procedure for correcting answers to questions or statements made by E.Cs. on the floor of the Council :-**

When an Executive Councillor wishes to correct any inaccuracy in the information which he has given in answer to a starred/short notice question or a supplementary question or in debate, the following procedure shall be followed, namely :

(i) The Executive Councillor shall give to the Secretary notice of his intention to make a statement. The notice shall be accompanied by a copy of the statement proposed to be made by the Executive Councillor.

(ii) When the Council is in session, the Secretary shall include the item in the list of business on an appropriate day, and the Executive Councillor shall, when called upon by the Chairman, make the statement in the Council.

(iii) When the Council is not in session, the Secretary shall consider whether the statement shall be made by the Executive Councillor during the next session in which case the orders of the Chairman shall be taken. If the matter cannot wait till the next session, the statement shall be included in the official report of the proceedings of the Council and a foot-note given in the proceedings in the following manner :

"The original reply or statement by the Executive Council reads as follows : The reply as printed above was sent by the Executive Councillor afterwards in substitution of the original reply".

(iv) The Executive Councillor shall ordinarily intimate to the Secretary his intention to correct his answer or statement within one week thereof, provided that the Chairman may, on being satisfied with the reasons given, waive this requirement.

(v) The Chairman shall determine in each case whether the statement on the correction may be reported to the Council by the Executive Councillor or laid on the Table.

**60. Procedure for correcting answers to unstarred**

**questions :-**

When an Executive Councillor wishes to correct any inaccuracy in the information which he has given in reply to an unstarred question, the following procedure shall be followed, namely :

(i) The Executive Councillor shall give to the Secretary notice of his intention to correct the reply given to an unstarred question. The notice shall be accompanied by a copy of the statement proposed to be laid by the Executive Councillor.

(ii) When the Council is in session, the Secretary shall include the item in the list of questions for written answers on the appropriate date in the following manner : The Executive Councillor..... to lay a statement correcting the reply given on the..... 1968, to Unstarred Question No..... by Shri..... regarding.....

(iii) The statement so laid by the Executive Councillor shall be included in the list of questions for written answers on the appropriate day at the end of answers to all unstarred questions.

(iv) When the Council is not in session, the procedure laid down in rule 59 shall apply.

**61. Statements by Executive Councillors correcting answers given by them to questions :-**

(1) Copies of the statement proposed to be made by an Executive Councillor correcting the answer given by him to a starred/short-notice question shall be placed in the Council Notice Office half-an-hour before the sitting of the Council on the day on which the statement is to be made, for the information of members.

(2) Copies of such statements shall be considered as confidential and shall not be released for publication until the statement is actually made.

(3) After the statement has been made, the Chairman may permit members to ask supplementary questions which are strictly relevant to the subject-matter of the correction made by the Executive Councillor.

**CHAPTER 8****HALF-AN-HOUR DISCUSSION****62. Discussion on a matter of public importance arising out of answers to question :-**

(1) The Chairman shall allot half-an-hour on any day for raising discussion on a matter of sufficient public importance which has been the subject of a recent question in the Council, 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 Secretary three days in advance of the day on which the matter is desired to be raised and shall shortly specify the point that 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 Chairman may with the consent of the Executive Councillor concerned waive the requirement concerning the period of notice.

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

(4) If more than two notices have been received and admitted by the Chairman, the Secretary shall hold a ballot with a view to drawing two notices and the notices shall be put down in the order in which they were received in point of time :

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 further 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 Council nor voting. The member who has given notice may make a short statement and the Executive Councillor concerned shall reply shortly. Any member with the permission of the Chairman may put a question for the purpose of further elucidating any matter of fact :

Provided that if the member who has given notice is absent, any member with the permission of the Chairman may put a question for the purpose of further elucidating any matter of fact :

Provided that if the member who has given notice is absent, any member authorised by him in writing in this behalf may, with the permission of the Chairman, initiate the discussion.

### **63. Notice of resolution :-**

(1) A member other than an Executive Councillor who wishes to move a resolution shall give ten clear days' notice of his intention and shall, together with the notice, submit the text or the resolution which he wishes to move :

Provided that the Chairman may allow it to be entered in the list of business with notice shorter than ten days.

(2) No member shall except with the permission of the Chairman be permitted to send in notice of more than five resolutions during the session of the Council.

### **64. Form of resolution :-**

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

### **65. Subject-matter of resolution :-**

Subject to the provisions of these rules, a member of an Executive Councillor may move a resolution, relating to a matter of general public interest in so far as it falls within the purview of the Council under sub-section (1) of section 22.

### **66. Conditions of admissibility of resolution :-**

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

- (1) it shall be clearly and precisely expressed;
- (2) it shall raise substantially one definite issue;
- (3) it shall not contain arguments, inferences, ironical expressions, imputations, or defamatory statement;
- (4) it shall not refer to the conduct or character of persons except in their official or public capacity; and
- (5) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

### **67. Chairman to decide admissibility of resolution :-**

The Chairman shall decide whether a resolution or a part thereof is or is not admissible under these rules or a discussion on such a resolution or part thereof has or has not been prohibited by any rules made under the proviso to sub-section (1) of Section 24 and may disallow any resolution or a part "thereof when in his opinion it is an abuse of the right of procedure of the Council or is in contravention of the said rules.

**68. Raising discussion on matters before tribunals, commission; etc :-**

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

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

**69. Moving of resolution :-**

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

(2) A member may, with the permission of the Chairman, authorise any other member, in whose name the same resolution stands lower in the list of business to move it on his behalf and the member so authorised may move it accordingly.

(3) If a member other than an Executive Councillor when called upon is absent, any other member authorised by him in writing in this behalf may with the permission of the Chairman, move the resolution standing in his name.

**70. Amendments :-**

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

(2) If notice of such amendment has not been given one day

previous to the day on which the resolution is moved, any member may object to the moving of the amendment and such objection shall prevail, unless the Chairman allows the amendment to be moved.

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

**71. Time-limits of speeches :-**

No speech on a resolution shall, except with the permission of the Chairman, exceed ten minutes in duration :

Provided that the mover of a resolution when moving the same and the Executive Councillor concerned when speaking for the first time may speak for twenty minutes or for such longer time, as the Chairman may permit.

**72. Scope of discussion :-**

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

**73. Withdrawal of resolution and amendment :-**

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

(2) A member Who has moved a resolution or amendment to a resolution shall not withdraw the same except with the leave of the Council.

(3) If a resolution which has been admitted is not discussed during the sitting, it shall be deemed to have lapsed.

**74. Splitting of resolution :-**

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

**75. Repetition of resolution :-**

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

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

**76. Copy of resolution passed to be sent to Administrator :-**

A copy of every resolution which has been passed by the Council shall be forwarded to the Administrator.

CHAPTER 10  
MOTIONS

**77. Discussion on a matter of public interest by motion :-**

Save in so far as is otherwise provided by these rules, no discussion on a matter of public interest shall take place except on a motion made with the consent of the Chairman.

**78. Notice of motion :-**

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

**79. Conditions of admissibility of motions :-**

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, imputations or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;
- (iv) it shall be restricted to a matter of recent occurrence;
- (v) it shall not revive discussion of a matter which has been discussed in the same session;
- (vi) it shall not anticipate discussion of a matter which is likely to be discussed in the same session;
- (vii) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India; and
- (viii) it shall not relate to any matter not falling within the purview of the Council under sub-section (1) of section 22.

**80. Chairman to decide admissibility of motion :-**



(1) The Chairman shall decide on the admissibility of a motion and may disallow a motion or a part thereof when in his opinion it does not comply with these rules or any rules made under the proviso to sub-section (1) of section 24.

(2) 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 Chairman may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry if the Chairman 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.

**81. Circulation of No-Day-Yet-Named Motions :-**

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

**82. Allotment of time for discussion of motions :-**

The Chairman may after considering the state of business of the Council and in consultation with the Chief Executive Councillor allot a day or days or part of a day for the discussion of any such motion.

**83. Chairman to put question at the appointed time :-**

The Chairman shall at the appointed hour on the allotted day, or as the case may be, the last of the allotted days, forthwith put every question necessary to determine the discussion of the Council on the original question.

**84. Motion that policy or situation statement or any other matter be taken into consideration :-**

A motion that the policy or situation or statement or any other matter be taken into consideration shall not be put to the vote of the Council, but the Council shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at the conclusion of the debate at the appointed hour unless a member moves a substantive motion in appropriate terms to be approved by the Chairman and the vote of the Council shall be taken on such motion.

### **85. Time-limit for speeches :-**

The Chairman may, if he thinks fit, prescribe a time-limit for speeches.

### **CHAPTER 11**

### **DISCUSSION ON MATTERS OF URGENT PUBLIC IMPORTANCE FOR SHORT DURATION**

### **86. Notice of raising discussion :-**

Subject to the provisions of sub-section

(1) of section 22 or of any rules made under the provision to sub-section (1) of section 24 any member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised.

### **87. Chairman to decide admissibility :-**

If the Chairman is satisfied after calling for such information from the member who has given notice and from the Executive Councillor as he may consider necessary that the matter is urgent and is of sufficient importance to be raised in the Council at an early date, he may admit the notice and in consultation with the Chief Executive Councillor fix the date and time on which such matter may be taken up for discussion. He shall announce the date and subject-matter of the notice in the Council and allow such time for discussion not exceeding two and a half hours as he may consider appropriate in the circumstances :

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

### **88. No formal motion :-**

There shall be no formal motion before the Council for voting. The member who has given notice may make a short statement and the Executive Councillor shall reply shortly. Any other member may be permitted to take part in the discussion.

### **89. Time-limit for speeches :-**

The Chairman may, if he thinks fit, prescribe a time-limit for speeches.

### **CHAPTER 12**

### **CHAPTER**

## **90. Calling attention to matters of urgent, public importance :-**

(1) A member may, with the previous permission of the Chairman, call the attention of an Executive Councillor to any matter of urgent public importance and the Executive Councillor 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) 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 Chairman, is more urgent and important.

(5) The proposed matter shall be raised after the questions and before the list of business is entered upon and at no other time during the sitting of the Council.

### **CHAPTER 13**

#### **PROCEDURE IN LEGISLATIVE MATTERS**

## **91. Notice of motion relating to bills :-**

(1) Any member desiring to move for leave to initiate any proposal referred to in clause (a) of sub-section (1) of section 22 shall give notice of his intention, and shall, together with the notice, submit a copy of a Bill containing such proposal and an explanatory Statement of Objects and Reasons which shall not contain arguments :

Provided that the Chairman may, in consultation with the member-in-charge, revise the Statement of Objects and Reasons.

(2) The period of notice of a motion under sub-rule (1) shall be one month unless the Chairman allows the motion to be made at a short notice :

Provided that in the case of an Executive Councillor the period of notice shall be seven days, unless the Chairman allows the motion to be made at a short notice.

## **92. Financial Memorandum to Bills and money clauses in Bills :-**

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.

**93. Explanatory Memorandum to Bill delegating legislative power :-**

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

**94. Motion for leave to initiate proposal :-**

If a motion under sub-rule (1) of rule 91 is opposed, the Chairman, after permitting, if he thinks fit a brief explanatory statement from the member who moves and from the member who opposes the motion, without further debate, put the question :

Provided that where a motion is opposed on the ground that the Bill pertains to legislation outside the competence of the Council, the Chairman may permit a full discussion thereon.

**95. Further discussion :-**

When a motion under rule 94 is carried or on some subsequent occasion, the member-in charge may make one of the following motions in regard to his Bill : namely

- (i) that it be taken into consideration; or
- (ii) that it be referred to a Select Committee of the Council; or
- (iii) that it be circulated for the purpose of eliciting opinion thereon :

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 day on which the motion is made, and such objection shall prevail, unless the Chairman allows the motion to be made.

**96. Discussion of principles of Bill :-**

(1) On a motion referred to in rule 74 being made, the principles 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

(a) if the member-in-charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee of the Council or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion

(b) if the member-in-charge moves that the Bill be referred to a Select Committee of the Council any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

**97. Motions that may be moved after presentation of report of Select Committee :-**

(1) After the presentation of the final report of a Select Committee of the House on a Bill, the member-in-charge may move

(a) that the Bill as reported by the Select Committee of the House be taken into consideration

;

(b) that the Bill as reported by the Select Committee of the House be re-committed to the same Select Committee or to a new Select Committee, either

(i) without limitation, or

(ii) with respect to particular clauses or amendments only; or

(iii) with instruction to the Committee to make some particular or additional provision in the Bill; or

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

Provided that any member may object to any such motion being made if a copy of the report has not been made available for the use of members for two days before the day on which the motion is made and such objection shall prevail, unless the Chairman allows the motion to be made.

(2) If the member-in-charge moves that the Bill as reported by the Select Committee of the House be taken into consideration, any member may move as an amendment that the Bill be re-committed or be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.

**98. Persons by whom motions in respect of Bills may be made :-**

No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member-in-charge of the Bill and no motion that a Bill be referred to a Select Committee of the House, or be circulated for the purpose of eliciting opinion thereon, shall be made by any member other than the member-in-charge :

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

**99. Scope of debate on report of Select Committee :-**

The debate on a motion that the Bill as reported by the Select Committee of the House 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 principal of the Bill.

**100. Notice of amendments :-**

(1) If notice of an amendment has not been given one day before the day on which the Bill is to be considered any member may object to the moving of the amendment, and such objections shall prevail, unless the Chairman allows the amendment to be moved : Provided that in the case of an official 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 an Executive Councillor or a member and such amendment shall be printed in the name of the new member-in-charge.

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

**101. Procedure for carrying out of correction in Bills at various stages :-**

No alteration shall be made in a Bill as introduced or in a Bill as reported by a Select Committee except by way of an amendment adopted in the Council:

Provided that the Chairman shall correct any obvious printing or clerical error at any stage of the Bill by issue of a corrigendum to the Bill.

**102. Conditions of admissibility of amendments :-**

The following conditions shall govern the admissibility of amendments

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

(ii) An amendment shall not be moved which has merely the effect of a negative vote.

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

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

(v) 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

:

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

(vi) The Chairman shall determine the order in which an amendment shall be moved.

(vii) The Chairman may refuse to propose an amendment which is, in his opinion, frivolous or meaningless.

(viii) An amendment may be moved to an amendment which has already been allowed by the Chairman.

**103. Power of Chairman to select new clauses or**

## **amendments :-**

The Chairman shall have power to select the new clauses or amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment upon it.

### **104. Arrangement of amendments :-**

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

### **105. Order of amendments :-**

Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate.

### **106. Mode of moving amendments :-**

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

### **107. Withdrawal of amendments :-**

An amendment moved may, by leave of the Council, 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.

### **108. Submission of a Bill clause by clause :-**

Notwithstanding anything in these rules, the Chairman 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 Council clause by clause.

### **109. Postponement of clause :-**

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

### **110. Motion for recommendations :-**

(1) When the clauses of a Bill have been adopted with or without



amendments, the member-in-charge may at once move the Council to recommend the Bill to the Administration.

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

**111. Scope of debate :-**

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

**112. Decision of the Council :-**

(1) At the end of discussion, the Chairman shall put every question to determine the decision of the Council on the original question.

(2) The Chairman shall forward to the Administrator every decision under sub-rule (1) along with a copy of the Bill.

**113. Procedure in other matters :-**

The procedure for consideration of proposals referred to in clause (b) or clause (c) of sub-section (1) of section 22 shall, as far as practicable, be the same as is provided in the foregoing rules, with such adaptations, whether by way of modification, addition or omission, as the Chairman may consider necessary or convenient.

CHAPTER 14

PROCEDURE IN FINANCIAL MATTERS

**114. Receipts and expenditure of administration and general discussion thereon :-**

(1) A statement showing the estimated receipts and expenditure pertaining to Delhi to be credited to and to be made from, the Consolidated Fund of India (hereinafter referred to as "the statement" shall be presented to the Council each year on such day as the Administration may direct.

(2) On a day appointed by the Chairman subsequent to the day on which the statement is presented and for such time as the Chairman may allot for this purpose, the Council shall be at liberty to discuss the statement as a whole or any question or principle involved therein.

(3) The Executive Councillor in charge of the Finance Department shall have a general right of reply at the end of the discussion.

**115. Resolution :-**

After the general discussion is concluded, the Executive Councillor in charge of the Finance Department may move a resolution that the Council recommends the proposal contained in the statement.

**116. Amendments to the resolution :-**

(1) Amendments to the resolution may be moved to reduce or enhance any demand for grant.

(2) When several amendments relating to the same demand for grant are offered, they shall be discussed in the order in which the heads to which they relate appear in the Budget.

**117. Discussion on the resolution and amendments :-**

(1) The discussion on the resolution and on the amendments thereto, if any, of which notice may be given by members shall take place, not exceeding five days, as the Chairman may, in consultation with the Chief Executive Councillor, allot for the purpose.

(2) The Chairman shall, at the appointed hour 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 resolution and the procedure shall not be anticipated by any motion for adjournment or be interrupted in any manner whatsoever nor shall any dilatory motion be moved in regard thereto.

(3) The Chairman shall forward to the Administrator a copy of the resolution passed by the Council.

**118. Procedure respecting the budget of the Delhi Development Authority :-**

The procedure set out in rules 114 and 116 shall apply mutatis mutandis to the statement of estimated receipts and expenditure of the Delhi Development Authority.

**CHAPTER 15**  
**PRIVILEGES**

**119. Questions of privilege :-**

A member may, with the consent of the Chairman, raise a question

involving a breach of privilege either of a member or of the Council or of a Committee thereof.

**120. Notice of question of privilege :-**

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

**121. Conditions of admissibility of question of privilege :-**

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

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

**122. Mode of raising a question of privilege :-**

(1) The Chairman, if he gives consent under rule 119 and holds that the matter proposed to be discussed is in order, shall, after the question and before the list of business is entered upon, call the member concerned who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto

:

Provided that where the Chairman has refused his consent under rule 119 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order

:

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

(2) If objection to leave being granted is taken, the Chairman shall request those members who are in favour of leave being granted to rise in their places and if not less than ten members rise accordingly, the Chairman shall declare that leave is granted. If less

than ten members rise, the Chairman shall inform the member that he has not the leave of the Council.

**123. Questions of privilege to be considered by the Council or Committee :-**

If leave under rule 122 is granted, the Council may consider the question and come to a decision or refer it to a Committee of Privileges or a motion made either by the member who has raised the question of privilege or by any other member.

**124. Reference of question of privilege to Committee by Chairman :-**

Notwithstanding anything contained in these rules, the Chairman may refer any question of privilege to the Committee of Privileges for examination, investigation or report.

**CHAPTER 16**

**RESOLUTION FOR REMOVAL OF CHAIRMAN OR DEPUTY CHAIRMAN**

**125. Notice of resolution for removal of Chairman or Deputy Chairman :-**

(1) A member wishing to give notice of a resolution under clause (c) of sub-section (2) of section 12 of the Act for the removal of the Chairman or the Deputy Chairman shall do so in writing to the Secretary.

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

**126. Leave of Council to take up resolution :-**

(1) Subject to the provisions of sub-section (1) of section 13, the Chairman or the Deputy Chairman or such other person, as is referred to in rule 10, shall preside when a motion under sub-rule (2) of rule 125 is taken up for consideration.

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

(3) The Chairman or the Deputy Chairman or the person presiding, as the case may be, shall thereupon place the motion before the

Council and shall request those members who are in favour of leave being granted to rise in their places. If not less than 1/5th of the total number of the then members of the Council rise accordingly, the Chairman or the Deputy Chairman or the person presiding shall declare that leave has been granted and that the resolution will be taken up on such day, not being more than ten days from the date on which leave is asked for, as he may appoint. If less than 1/5th of the total members of then members of the Council rise, the Chairman or the Deputy Chairman or the person presiding shall inform the member that he has not the leave of the Council.

**127. Inclusion of resolution in the list of business :-**

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

**128. Time-limit for speeches :-**

Except with the permission of the Chairman 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 Chairman or the person presiding may permit.

CHAPTER 17  
CHAPTER

**129. Communications from the Administrator to the Council :-**

Communications from the Administrator to the Council shall be made to the Chairman by a written message signed by the Administrator or, if the Administrator is absent from the place of the sitting of the Council, his message shall be conveyed to the Chairman through an Executive Councillor.

**130. Communications from the Council to Administrator :-**

Communications from the Council to the Administrator shall be made :

(1) by formal address after a motion made and carried in the Council, and

(2) through the Chairman.

CHAPTER 18

RESIGNATION AND VACATION OF SEATS IN THE COUNCIL AND LEAVE OF ABSENCE

**131. Resignation of seat in Council :-**

(1) A member who desires to resign his seat in the Council shall intimate, in writing under his hand, addressed to the Chairman and delivered to him in person, his intention to resign his seat in the Council in the following form and shall not give any reason for his resignation

"To

The Chairman,

Metropolitan Council,

Delhi.

Sir,

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

Yours faithfully,

Member of the Metropolitan Council

Place.

Date..

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

(2) As soon as may be, the Chairman shall, after he has received an intimation from a member resigning his seat in the Council, inform the Council, that such and such member has resigned his seat in the Council

:

Provided that when the Council is not in session, the Chairman shall inform the Council immediately after the Council reassembles, that such and such member has resigned his seat in the Council during inter-session period.

(3) The Secretary shall, as soon as may be, after the Chairman has received such intimation from a member resigning his seat in the

Council cause the information to be published in the Gazette and forward a copy of the notification

:

(a) to the Election Commission in the case of an elected member; and

(b) to the Central Government in the case of a nominated member for taking steps to fill the vacancy thus caused.

**132. Permission to remain absent from meetings of Council.**

:-

(1) A member wishing to obtain permission of the Council for remaining absent from meetings thereof under sub-section (3) of section 18 shall make an application in writing to the Chairman, stating the period for which he may be permitted to be absent from the meetings of the Council.

(2) After the receipt of an application under sub-rule (1), the Chairman shall, as soon as may be, read out the application to the Council and ask : "Is it the pleasure of the Council that permission be granted to such and such a member for remaining absent from all meetings of the Council for such and such a period?" If no one dissents, the Chairman shall say : "Permission to remain absent is granted." But if any dissentient voice is heard, the Chairman shall take the sense of the Council and thereupon declare the determination of the Council.

(3) No discussion shall take place on any question before the Council under this rule.

(4) The Secretary shall, as soon as may be, after a decision has been signified by the Council, communicate it to the member.

**133. Vacation of seats in Council :-**

(1) The seat of a member may be declared vacant under sub-rule (3) of section 18 on a motion made by the Chief Executive Councillor or by such other member to whom he may delegate his functions in this behalf.

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

:

(a) to the Election Commission in the case of an elected member;  
and

(b) to the Central Government in the case of a nominated member;  
for taking steps to fill the Vacancy thus caused.

#### CHAPTER 19

#### RECOGNITION OF PARTIES

##### **134. Recognition of a Party or Group :-**

The Chairman may recognise an association of members as a Party or Group for the purpose of functioning in the Council and his decision shall be final.

##### **135. Conditions for recognition of a party or group :-**

In recognising a Party or Group, the Chairman shall take into consideration the following principles :

(i) An association of members who propose to form a Party

(a) shall have announced at the time of the general elections a distinct ideology and programme of work on which they have been returned to the Council;

(b) shall have an organisation both inside and outside the Council;  
and

(c) a party shall have at least a strength equal to the quorum fixed to constitute a sitting of the House, that is 15 members.

(

ii) An association of members to form a Council Group shall satisfy the conditions specified in parts (a) and (b) of clause (i) and shall have at least a strength of five members.

##### **136. Facilities to Parties and Groups :-**

(1) The Chairman may grant the following facilities to a Party in the Council, namely :

(a) Allotment of seat in the Council in proportion to the strength of the Party and the total number of seats available in the Chamber.

(b) Allotment of a room in the Council premises for the purposes of the work of the Party pertaining to the Council.

(c) Allotment of Committee rooms or other available accommodation for holding party meetings



(d) Supply of Council or Government papers or publications which the Chairman may determine from time to time.

(e) Nomination to a Council Committee in proportion to the strength of the Party.

(f) Submission to the Chairman of a panel of names for selection of members to be- called to speak in debates.

(g) Consultation, where necessary in the matter of arrangement of business of the Council or any other important matter coming before the Council.

(2) The Chairman may grant such of the facilities specified in this rule as he may deem fit or feasible to a Group.

(3) The Chairman's decision in regard to the grant of facilities to a Party or Group shall be final.

**137. Other groups :-**

An association of members who do not fulfil the conditions for recognition as Party or Group may be granted certain facilities by the Chairman, if such a course shall, in his opinion, facilitate the conduct of business in the House.

CHAPTER 20  
COMMITTEES

**138. Appointment of Committee :-**

(1) The members of a Committee shall be appointed or elected by the Council on a motion made, or nominated by the Chairman, as the case may be.

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

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

**139. Term of office of Committee nominated by the**

**Chairman :-**

A Committee nominated by the Chairman shall, unless otherwise specified in the rules contained in this chapter, hold office for the period specified by him until a new Committee is nominated.

**140. Resignation from Committee :-**

A member may resign his seat from a Committee by writing under his hand, addressed to the Chairman.

**141. Chairman of Committee :-**

(1) The Chairman of a Committee shall be appointed by the Chairman from amongst the members of the Committee : Provided that if the Deputy Chairman is a member of the Committee, he shall be appointed Chairman of the Committee.

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

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

**142. Quorum :-**

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

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

:

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

**143. Discharge of members absent from sittings of Committee :-**

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

Provided that where the members of the Committee are nominated by the Chairman, such member may be discharged by the Chairman.

**144. Voting in Committee :-**

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

**145. Casting vote of Chairman of the Committee :-**

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

**146. Power to appoint sub-committees :-**

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

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

**147. Sittings of Committee :-**

The sittings of a Committee shall be held on such days and at such hour as the Chairman of the Committee may fix : Provided that if the Chairman of the Committee is not readily available, the Secretary may fix the date and time of a sitting :

Provided further that in the case of a Select Committee on a Bill, if the Chairman of the Committee is not readily available, the Secretary may, in Consultation with the Executive Councillor concerned with the Bill, fix the date and time of a sitting.

**148. Sittings of Committee in private :-**

The sittings of a Committee shall be held in private.

**149. All strangers to withdraw when Committee deliberates**

:-

All persons other than members of the Committee and officers of the Metropolitan Council Secretariat shall withdraw whenever the Committee is deliberating.

**150. Venue of sittings :-**

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

**151. Record of decisions of Committee :-**

A record of the decisions of a Committee shall be maintained and circulated to members of the Committee under the direction of the Chairman of the Committee.

**152. Evidence, report and proceedings treated as confidential :-**

(1) A Committee may direct that the whole or a part of the 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 open to inspection by anyone except under the authority of the Chairman.

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

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

**153. Report of Committee :-**

(1) Where the Council has not fixed any time for the presentation of a 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 Council 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 Chairman of the Committee on behalf of the Committee :

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

**154. Availability of report to Administrator before presentation :-**

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

**155. Presentation of report :-**

(1) The report of a Committee shall be presented to the Council by the Chairman of the Committee or in his absence by any member chosen by the Committee.

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

**156. Printing, publication or circulation of report prior to its presentation to Council :-**

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

**157. Power to make suggestions on procedure :-**

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

**158. Power of Committee to make detailed rules :-**

A Committee may with the approval of the Chairman make detailed rules of procedure to supplement the provisions contained in the rules in this Chapter.

**159. Power of Chairman to give directions :-**

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

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

**160. Business before Committee not to lapse on prorogation of the Council :-**

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

**161. Constitution of the Business Advisory Committee :-**

(1) The Chairman may, from time to time, nominate a Committee called the Business Advisory Committee consisting of eight members including the Chairman of the Council who shall be Chairman of the Committee.

(2) The Committee nominated under sub-rule (1) shall hold office until a new Committee is nominated.

(3) If the Chairman of the Council for any reason is unable to preside over any meeting of the Committee, he shall nominate a Chairman for the meeting.

**162. Filling of casual vacancies :-**

Casual vacancies in the Committee shall be filled by the Chairman of the Council.

**163. Quorum :-**

The quorum of the Committee shall be four.

**164. Functions of the Committee :-**

(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 official Bills and other business as the Chairman of the Council in consultation with the Chief Executive Councillor may direct for being referred to the Committee.

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

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

**165. Presentation and circulation of the report of the Committee :-**

The time-table in regard to the Bill or group of Bills or other business as settled by the Committee shall be reported by the Chairman of the Council to the Council and notified in the bulletin.

**166. Allocation of Time Order :-**

As soon as may be after the report has been made to the Council, a motion may be moved by a member of the Committee designated by the Chairman of the Council "that this Council agrees with the allocation of time proposed by the Committee in regard to such and such Bill or Bills, or other business, as the case may be" and if such a motion is accepted by the Council, it shall take effect as if it were an order of the Council :

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 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 a motion.

**167. Disposal of outstanding matter at the appointed hour. :-**

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 Chairman of the Council shall forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill or other business.

**168. Variation in the allocation of Time Order :-**

No variation in the allocation of Time Order shall be made except on a motion made with the consent of the Chairman and accepted by the Council :

Provided that the Chairman may, after taking the sense of the Council, increase the time, not exceeding one hour, without any motion being moved. Committee on Private Members' Bills and Resolutions

**169. Constitution of Committee on Private Members Bills**

## **and Resolutions :-**

(1) There shall be a Committee on Private Members' Bills and Resolutions consisting of not more than six members including the Chairman who shall be Chairman of the Committee.

(2) The Committee shall be nominated by the Chairman and shall hold office for a term not exceeding one year.

### **170. Functions of Committee :-**

(1) The functions of the Committee shall be :

(a) to carefully examine the nature, urgency and importance of all Private members' Bills after they are introduced in the Council and to recommend the time that should be allocated for the discussion of the stage or stages of each Bill and also to indicate in the time-table so drawn up the different hours at which the various stages of the Bill in a day shall be completed;

(b) to examine every private members' Bill which is opposed in the Council on the ground that the Bill initiates legislation outside the legislative competence of the Council, and the Chairman considers such objection prima facie tenable; and

(c) to recommend time limit for the discussion of private members' resolutions and other ancillary matters.

(2) The Committee shall perform such other function in respect of the private members' Bills and resolutions as may be assigned to it by the Chairman from time to time.

### **171. Motion moved in Council on the report :-**

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

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

:

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

### **172. Notification of classification and allocation of time :-**



The allocation of time in respect of Bills and resolutions as approved by the Council shall take effect as if it were an order of the Council.

**173. Disposal of outstanding matters at the appointed hour :-**

At the appointed hour, in accordance with the allocation of Time Order, the Chairman shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the completion of a particular stage of the Bill or the resolution, Select Committees

**174. Constitution of Select Committee :-**

The members of a Select Committee on a Bill shall be appointed by the Council when a motion that the Bill be referred to a Select Committee is carried

**175. Other Members may be present at a sitting :-**

Members who are not members of the Select Committee may be present during the deliberations of the Committee but shall not address the Committee :

Provided that an Executive Councillor may with the permission of the Chairman of the Committee address the Committee of which he may not be a member.

**176. Notice of amendments and procedure generally :-**

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

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

**177. Notice of amendments by members other than members Committee :-**

When a Bill has been referred to a Select Committee, any notice given by a member of any amendment to a clause in the Bill shall stand referred to the Committee provided that where notice of amendment is received from a member who is not a member of the

Select Committee, such amendment shall not be taken up by the Committee unless moved by a member of the Committee

**178. Power of Committee to take evidence :-**

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

**179. Report of Committee :-**

(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 147 to consider the Bill and shall make a report thereon within the time fixed by the Council :

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

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

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

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

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

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

(6) If, in the opinion of the Chairman, a minute of dissent contains words phrases or expressions which are unparliamentary or otherwise inappropriate, he may order such words, phrases, or

expressions to be expunged from the minute of dissent.

**180. Presentation of report :-**

The report of the Select Committee on a Bill together with the minutes of dissent, if any, shall be presented to the Council by the Chairman of the Committee or in his absence by any member of the Committee so authorised.

**181. Printing and publication of report :-**

The Secretary shall cause every report of a Select Committee to be printed, and a copy of the report shall be made available for the use of every member of the Council. The report, and the Bill, as reported by the Select Committee, shall be published in the Gazette. Assurances Committee

**182. Functions of Committee on Government Assurances :-**

There shall be a Committee on Government Assurances to scrutinise the assurances, promises, undertakings, etc. given by Executive Councillors, from time to time, on the floor of the Council 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.

**183. Constitution of Committee :-**

(1) The Committee shall consist of not more than nine members who shall be nominated by the Chairman :

Provided that an Executive Councillor shall not be nominated a member of the Committee, and that if a member, after his nomination to the Committee, is appointed an Executive Councillor, he 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 one year.

**184. Functions of Rules Committee :-**

There shall be a Committee on Rules to consider matters of procedure and conduct of business in the Council and to recommend any amendments or additions to these rules that may be deemed necessary.

**185. Constitution of Committee :-**

The Committee on Rules shall be nominated by the Chairman and shall consist of eleven members including the Chairman of the Committee. The Chairman shall be the ex-officio Chairman of the Committee.

**186. Recommendations of the Committee :-**

(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 recommendation 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 Council agreeing to the report on a motion made by a member of the Committee, the amendments to the rules as approved by the Council, shall be promulgated by the Chairman in the Bulletin.

(3) If 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 Council and on the expiry of the said period, the Chairman shall promulgate in the Bulletin the amendments to the rules as recommended by the Committee.

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

**187. Constitution of Committee of Privileges :-**

At the commencement of the Council or from time to time, as the case may be, the Chairman shall nominate a Committee of Privileges consisting of not more than seven members.

**188. Examination of question by Committee :-**

(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 breach, the circumstances leading to it and make such recommendations as it

may deem fit.

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

### **189. Consideration of report :-**

(1) After the report has been presented, the Chairman of the Committee or any member of the Committee or any other member may move that the report be taken into consideration whereupon the Chairman may put the question to the Council.

(2) Before putting the question to the Council, the Chairman 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 Council.

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

### **190. Priority for consideration of report of Committee :-**

A Motion that the report of the Committee be taken into consideration shall be accorded the priority assigned to a matter of privilege under sub-rule (1) of rule 122 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. General Purposes Committee

### **191. Functions of the General Purposes Committee :-**

There shall be a General Purposes Committee to consider proposals and to tender advice to the Chairman on important matters specially relating to improvement in the organisation of work in the Council.

### **192. Constitution of the Committee :-**

The General Purposes Committee shall be nominated by the Chairman and shall consist of seven members including leaders of various Parties and Groups in the Council and other important members with the Chairman of the Council as its Chairman.

**193. Notices by members :-**

(1) Every notice required by rules shall be given in writing addressed to the Secretary, and signed by the member giving notice, and shall be left at the Council Notice Office which shall be open for this purpose between the hours notified from time to time on everyday except Sunday or a public holiday.

(2) Notices left when the office is closed shall be treated as given on the next opening day.

**194. Circulation of notices and papers to members :-**

(1) The Secretary shall make every effort to circulate to each member a copy of every notice or other paper which is by these rules required 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 Chairman may, from time to time, direct.

**195. Lapse of pending notices on prorogation of a session :-**

On the prorogation of a session, all pending notices, other than notice given under rule 91, shall lapse.

**196. Powers of Chairman to amend a notice :-**

If, in the opinion of the Chairman, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose, or otherwise inappropriate, he may, in his discretion, amend such notice before it is circulated.

**197. Repetition of motion :-**

A motion must not raise a question substantially identical with one on which the Council has given a decision in the same Session.

**198. Withdrawal of motion :-**

(1) A member who has made a motion may withdraw the same by leave of the Council.

(2) The Chairman shall be signified not upon question but the Chairman taking the pleasure of the Council. The Chairman shall ask : "Is it your pleasure that the motion be withdrawn?" If no one dissents, the Chairman shall say : "The motion is by leave

withdrawn". But if any dissentient voice be heard or a member rises to continue the debate, the Chairman shall forthwith put the motion :

Provided that if any amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of.

**199. Adjournment of debate on motion :-**

At any time after a motion has been made a member may move that the debate on the motion be adjourned.

**200. Dilatory motion :-**

(1) If the Chairman is of opinion that a motion for adjournment of a debate is an abuse of the rules of the Council, he may either forthwith put the question thereon from the Chair or decline to propose the question.

(2) If the Chairman is of opinion that a motion for recirculation of a Bill to elicit further opinion thereon is in the nature of dilatory motion in abuse of the rules of the Council inasmuch as the original circulation was adequate or comprehensive or that no circumstance has arisen since the previous circulation to warrant the re-circulation of the Bill, he may forthwith put the question thereon or decline to propose the question.

(3) If the Chairman is of opinion that a function for recommittal of a Bill to a Select Committee of the Council or circulation or re-circulation of the Bill after the Select Committee of the Council has reported thereon, is in the nature of a dilatory motion in abuse of the rules of the Council inasmuch as the Select Committee of the Council had dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since the Bill emerged from such Committee, he may forthwith put the question thereon or decline to propose the question.

**201. Scope of amendments :-**

(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) An amendment on a question shall not be inconsistent with a

previous decision on the same question.

**202. Notice of amendments :-**

Notice of an amendment to a motion shall be given at least one day on which the motion is to be considered, unless the Chairman allows the amendment to be moved without such notice.

**203. Selection of amendments :-**

(1) The Chairman may refuse to put an amendment which is in his opinion frivolous or meaningless.

(2) In respect of any motion, the Chairman shall have power to select the amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment upon it. Rules to be observed by members

**204. Rules to be observed by members while present in the Council :-**

Whilst the Council is sitting, a member

(i) shall not read any book, newspaper or letter except in connection with the business of the Council;

(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 Council, and also when taking or leaving his seat;

(iv) shall not pass between the Chair and any member who is speaking;

(v) shall not leave the Council when the Chairman is addressing the Council;

(vi) shall always address the Chair;

(vii) shall keep to his usual seat while addressing the Council;

(viii) shall maintain silence when not speaking in the Council;

(ix) shall not obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when speeches are being made in the Council;

(x) shall not applaud when a stranger enters any of the Galleries;



(xi) shall not while speaking make any reference to the stranger in any of the Galleries.

**205. Member to speak when called by Chairman :-**

When a member rises to speak, his name be called by the chairman. if more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

**206. Mode of addressing the Council :-**

\_ A member desiring to make any observations on any matter the Council shall speak from his place, rise when he speaks and shall address the Chairman :

Provided that a member disabled by sickness or infirmity may be permitted to speak sitting.

**207. Rules to be observed while speaking :-**

A member while shall not

(i) refer to any matter of fact on which a judicial decision is pending;

(ii) make a personal charge against a member;

(iii) use offensive expressions, about the conduct or proceedings of the Council or Houses of Parliament or any State Legislature;

(iv) reflect on any decision of the Council except on a motion for rescinding it;

(v) reflect upon the conduct of the President or any Governor or Administrator of any Union Territory or the conduct of any Court of justice sitting as such;

(vi) use treasonable, seditious or defamatory words;

(vii) use his right of speech for the purpose of obstructing the business of the Council.

**208. Questions to be asked through the Chairman :-**

When, for the purposes of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Council, he shall ask the question through the Chairman.

**209. Irrelevance or repetition :-**

The Chairman, after having called the attention of the Council to the conduct of a member who persists in irrelevance or in tedious

repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

**210. Personal explanation :-**

A member may, with the permission of the Chairman, make a personal explanation although there is no question before the Council, but in this case, no debatable matter may be brought forward, and no debate shall arise.

**211. Procedure regarding allegation against a person :-**

No allegation of a defamatory or incriminatory nature shall be made by a member against any persons unless the member has given previous intimation to the Chairman and also to the Executive Councillor concerned so that the Executive Councillor may be able to make an investigation into the matter for the purpose of a reply :

Provided that the Chairman may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the Council or that no public interest is served by making such allegation.

**212. Order of speeches and right of reply :-**

(1) After the member who moves a motion has spoken, other members may speak on the motion in such order as the Chairman may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except by the permission of the Chairman, to speak on the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by these rules, no member shall speak more than once on any motion, except with the permission of the Chairman.

(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 Executive Councillor concerned may, with the permission of the Chairman, speak whether he has previously spoken in the debate or not, after the mover has replied :

Provided that nothing in this sub-rule shall be deemed to give any right of reply to the mover of an amendment to a Bill or a resolution, save with the permission of the Chairman.

**213. Movers reply concludes debate :-**

Subject to the provisions of sub-rule (3) of rule 212, the reply of the mover of the original motion shall in all cases conclude the debate.

**214. Address by Chairman :-**

The Chairman may himself, or on a point being raised or on a request made by member, address the Council at any time on a matter under consideration in the Council with a view to aid members in their deliberations, and such expressions of views shall not be taken to be in the nature of decision.

**215. Procedure when Chairman rises :-**

(1) Whenever the Chairman rises, he shall be heard in silence and any member who is then speaking or offering to speak shall immediately resume his seat.

(2) No member shall leave his seat while the Chairman is addressing the Council.

**216. Closure :-**

At anytime after a motion has been made any member may move, "That the question be now put" and, unless it appears to the Chairman that the motion is an abuse of these rules or an infringement of the right of reasonable debate, the Chairman 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

:

Provided that the Chairman may allow a member any right of reply which he may have under these rules.

**217. Limitation of debate :-**

(1) Whenever the debate on any motion in connection with a Bill or on any other motion becomes unduly protracted, the Chairman may, after taking the sense of the Council, 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 Chairman 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.  
Question or Decision

**218. Procedure for obtaining decision of the Council :-**

A matter requiring the decision of the Council shall be decided by means of a question put by the Chairman on a motion made by a member.

**219. Proposal and putting of question :-**

When a motion has been made, the Chairman shall propose the question for consideration and put it for the decision of the Council. If a motion embodies two or more separate questions, those propositions may be proposed by the Chairman as separate questions.

**220. No speech after voice collected :-**

A member shall not speak on a question after the Chairman has collected the voices both of the Ayes and of the Noes on that question.

**221. Papers quoted to be laid on the Table :-**

If an Executive Councillor quotes in the Council a despatch or other official paper which he has not presented to the Council, he shall lay the relevant paper on the Table :

Provided that this rule shall not apply to any documents which are stated by the Executive Councillor to be of such a nature that their production would be inconsistent with public interest

:

Provided further that where an Executive Councillor gives in his own words a summary or gist of such despatch or Official Paper, it shall not be necessary to lay the relevant papers on the Table.

**222. Papers laid on the Table to be public :-**

(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.

**223. Statement by an Executive Councillor :-**

A statement may be made by an Executive Councillor on a matter of public importance with the consent of the Chairman but no

question shall be asked at the time the statement is made.

#### **224. Division :-**

(1)

On a conclusion of a debate, the Chairman 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 Chairman shall then say : "I think the `Ayes` (or the `Noes`, as the case may be) have it". If the opinion of the Chairman as to the decision of a question is not challenged, he shall say twice : 'The Ayes (or the Noes, as the case may be) have it' and the question before the Council shall be determined accordingly.

(3) If the opinion of the Chairman as to the decision of a question is challenged, he may, if he thinks fit, ask the members who are for "Aye" and those for "No" respectively to rise in their places and on account of being taken, he may declare the determination of the Council. In such a case, the names of the votes shall not be recorded.

(4)

(a) If the opinion of the Chairman as to the decision of a question is challenged and he does not adopt the course provided for in sub-rule (3), he shall order a "Division" to be held.

(b) After the lapse of two minutes, he shall put the question a second time and declare whether in his opinion the "Ayes" or the "Noes" have it.

(c) If the opinion so declared is again challenged, votes shall be taken by the members going into lobbies.

#### **225. Division by going into the lobbies :-**

(1) If the opinion declared under clause (b) of sub-rule (4) of rule 224 is challenged and the Chairman decides that the votes shall be recorded by the members going into the lobbies, he shall direct the "Ayes" to go into the Right Lobby and the "Noes" into the Left Lobby. In the "Ayes" or "Noes" Lobby, as the case may be, each member shall call out his Division Number and the Division Clerk, while marking off his number on the Division List, shall simultaneously call out the name of the member.

(2) After voting in the lobbies is completed, the Division Clerk shall hand over the Division Lists to the Secretary, who shall count the votes and present the totals of "Ayes" and "Noes" to the Chairman.

(3) A member who is unable to go to the Division Lobby owing to sickness or infirmity may, with the permission of the Chairman, have his vote recorded either at his seat or in the Members' Lobby.

(4) If a member finds that he has voted by mistake in the wrong Lobby, he may be allowed to correct his mistake provided he brings it to the notice of the Chairman before the rule of the Division is announced.

(5) When the Division Clerks have brought the Division Lists to the Secretary's table, a member who has not up to that time recorded his vote but who then wishes to have his vote recorded may do so with the permission of the Chairman.

(6) The result of a division shall be announced by the Chairman and shall not be challenged. Withdrawal and Suspension of Members

#### **226. Withdrawal of a member :-**

The Chairman may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the Council, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting.

#### **227. Suspension of member :-**

(1) The Chairman may, if he deems it necessary, name a member who disregards the authority of the Chair or abuses the rule of the Council by persistently and wilfully obstructing the business thereof.

(2) If a member is so named by the Chairman, he shall forthwith put the question on a motion being made, no amendment, adjournment or debate being allowed, that the member (naming him) be suspended from the service of the Council for a period not exceeding the remainder of the session :

Provided that the Council may, at any time, on a motion being made, resolve that such suspension be terminated.

(3) A member suspended under this rule shall forthwith withdraw

from the precincts of the Council. The Chairman shall have full authority to carry out his order and he may, if necessary, employ or authorise the employment of necessary force in this regard.

**228. Power of Chairman to adjourn Council or suspend sitting :-**

In the case of grave disorder arising in the Council, the Chairman may, if he thinks it necessary to do so, adjourn the Council or suspend any sitting for a time to be named by him.

**229. Points of order and decisions :-**

(1) A point of order shall relate to the interpretation or enforcement of these rules or such provisions of the Delhi Administration Act, 1966, as regulate the business of the Council and shall raise a question which is within the cognisance of the Chairman.

(2) A point of order may be raised in relation to business before the Council at the moment :

Provided that the Chairman 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 Council.

(3) Subject to conditions referred to in sub-rules (1) and (2), a member may formulate a point of order and the Chairman shall decide whether the point raised is a point of order, and if so, give his decision thereon, which shall be final.

(4) No debate shall be allowed on a point of order, but the Chairman may, if he thinks fit, hear members before giving his decision.

(5) A point of order is not a point of privilege.

(6) A member shall not raise a point of order

(a) to ask for information;

(b) to explain his position;

(c) when a question on any motion is being put to the Council;

(d) which may be hypothetical; or

(e) the Division Bells did not ring or were not heard.

**230. Raising a matter which is not a point of order :-**

A member who wishes to bring to the notice of the Council any matter which is not a point of order shall give notice to the Secretary in writing stating briefly the point which he wishes to raise in the Council together with reasons for wishing to raise it and he shall be permitted to raise it only after the Chairman has given his consent and such time and date as the Chairman may fix.

**231. Chairman to preserve order and enforce decisions :-**

The Chairman shall preserve order and shall have all powers necessary for the purpose of enforcing his decision.

**232. Report of proceedings of Council :-**

The Secretary shall cause to be prepared a full report of the proceedings of the Council at each of its meetings, and as soon as practicable, publish it in such form and manner as the Chairman may, from time to time, direct.

**233. Expunction of words from debates :-**

If the Chairman is of opinion that a word or words has or have been used in debate which is or are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such word or words be expunged from the proceedings of the Council.

**234. Indication in printed debates of expunged proceedings :-**

The portion of the proceedings of the Council so expunged shall be indicated by asterisks and an explanatory footnote shall be inserted in the proceedings as follows :

"Expunged as ordered by the Chair".

**235. Secretary of Council to be Secretary of Committee :-**

The Secretary of the Council shall be ex-officio Secretary of the Committees. He shall arrange to send notices for the conduct of all correspondence connected with their business.

**236. Officers of the Council entitled to admission to a sitting of the Council :-**

Any officer of the Secretarial staff of the Council shall be entitled to admission to the Council Chamber during any sitting of the Council.

**237. Admission of strangers :-**

The admission of strangers during the sittings of the Council to



those portions of the Council which are not reserved for the exclusive use of members shall be regulated in accordance with orders made by the Chairman.

**238. Withdrawal of strangers :-**

The Chairman, whenever he thinks fit, may order the withdrawal of strangers from any part of the Council.

**239. Residuary powers :-**

All matters not specifically provided in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Chairman may, from time to time, direct.

**240. Suspension of rules :-**

Any member may, with the consent of the Chairman, move that any rule may be suspended in its application to particular motion before the Council and if the motion is carried, the rule in question shall be suspended for the time being.

**241. Interpretation and removal of difficulties :-**

If doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Chairman shall be final.

**242. Procedure for incorporating corrections in the printed debates :-**

(1) Where an amendment to a clause has been moved and adopted by the Council and subsequently the official Draftsman, while scrutinising the Bill, as passed, has suggested any correction which has been accepted by the Chairman as a patent error, such a correction shall be incorporated in the body of the amendment itself without any foot-note in the printed debate.

(2) Where the Chairman has accepted a correction suggested by the Official Draftsman relating to a clause and not to an amendment to a clause which has been adopted by the Council, such a correction shall be indicated with an appropriate footnote, in the printed debates as indicated below :

"In view of the amendment to clause.....part ( ) of sub-clause ( ) of clause (as the case may be) adopted by the Council, the words "....." occurring in clause...../part ( ) of sub-clause ( ) of clause..... (as the case may be) were omitted or inserted as patent errors under the direction of the Chairman."

**243. Intimation to Chairman by magistrate of arrest,**

**detention etc. of a member :-**

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 Chairman indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member.

**244. Intimation to Chairman of release of member :-**

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 Chairman by the authority concerned.

**245. Treatment of communication received from magistrate :-**

As soon as may be the Chairman shall, after he has received a communication referred to in rule 243 or rule 244, read it out in the Council if in session, or if the Council is not in session, direct that it may be published in the Bulletin for the information of the members :

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

Procedure regarding service of a legal process and arrest within the precincts of the Council.

**246. Arrest within the precincts of the Council :-**

No arrest shall be made within the precincts of the Council without obtaining the permission of the Chairman.

**247. Service of legal process :-**

A legal process, civil or criminal, shall not be served within the precincts of the Council without obtaining the permission of the Chairman. Incorrect Statements Made in the House.

**248. Procedure for inviting attention of the Council to incorrect statements made by the Executive Councillor or members :-**

(1) A member wishing to point out any mistake or inaccuracy in a

statement made by an Executive Councillor or any other member shall, before referring to the matter in the Council, write to the Chairman pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the Council.

(2) The member may place before the Chairman such evidence as he may have in support of his allegation.

(3) The Chairman may, if he thinks fit, bring the matter to the notice of the Executive Councillor or the member concerned for the purpose of ascertaining the factual position in regard to the allegation made.

(4) The Chairman may then, if he thinks it necessary, permit the member who made the allegation to raise the matter in the Council and the member so permitted shall, before making the statement, inform the Executive Councillor or the other member concerned.

(5) The Executive Councillor or the member concerned may make a statement in reply with the permission of the Chairman and after having informed the member concerned.

**249. Anticipating Discussion :-**

No member shall anticipate the discussion of any subject of which notice has been given provided that in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Chairman to the probability of the matter anticipated being brought before the Council within a reasonable time.