

## **CHAPTER XIII - RESOLUTIONS**

- Notice of resolution.** 117. A member, other than a Minister, who wishes to move a resolution relating to a matter of general public interest, shall give notice of the resolution fifteen clear days before the day allotted for resolutions, and shall, together with the notice, submit a copy of the resolution which he wishes to move :
- Provided that the Speaker may allow resolution to be entered in the list of business with shorter notice than fifteen days :
- Provided further that no member shall, unless he has obtained the special permission of the Speaker, be permitted to give notice of more than three resolutions for one session of the Vidhan Sabha.
- Form of resolution.** 118. A resolution may be in the form of a declaration of opinion, or a recommendation; or may be in the form so as to record either approval or disapproval by the House of an act of policy to Government, or convey a message or command, urge or request an action or call attention to a matter or situation for consideration by Government; or may be in such other form as the Speaker may consider appropriate.
- Subject-matter of resolution.** 119. Subject to the provisions of these rules any member or a Minister may move a resolution relating to a matter of general public interest.
- Conditions of admissibility of resolution.** 120. In order that a resolution may be admissible, it shall satisfy the following conditions, namely :-
- (i) it shall be clearly and precisely expressed, and shall raise substantially one definite issue;
  - (ii) it shall not contain arguments, inferences, imputations, ironical expressions or defamatory statements;
  - (iii) it shall not refer to any matter of the fact on which a judicial decision is pending or to 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 the matter;
  - (iv) it shall not refer to the character or conduct of any person except in his official or public capacity; and
  - (v) it shall not refer to the conduct of any judge of the Supreme Court or a High Court in the discharge of his duties.
- Speaker to decide admissibility of resolution.** 121. (1) The Speaker shall decide if the resolution is admissible under the rules and may disallow any resolution which, in his opinion, does not comply with these rules :
- Provided that he may amend it in form or give the member concerned an opportunity of amending it.
- (2) The Speaker may disallow any resolution or any part of a resolution on the ground that it relates to a matter which is not primarily the concern of the State Government or is detrimental to the public interest.

<b>Moving of resolution.</b>	<p>122. (1) A member in whose name a resolution stands in the list of business shall, except when he wishes to withdraw it, when called on, move the resolution, in which case he shall commence his speech by a formal motion in the term appearing on the list of business :</p> <p style="padding-left: 40px;">Provided that the member may, with the permission of the Speaker, 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 accordingly.</p> <p>(2) If the member, when called on, is absent, any other member authorised by him in writing in this behalf may, with the permission of the Speaker move the resolution standing in his name.</p>
<b>Notice of amendments.</b>	<p>123. (1) After a resolution has been moved, any member may, subject to the rules relating to resolutions, move an amendment to the resolution.</p> <p>(2) If notice of such amendment, together with a copy of the text of the amendment, has not been given three days before the day fixed for the discussion of the resolution, any member may object to the moving of the amendment, and such objection shall prevail unless the Speaker allows the amendment to be moved.</p> <p>(3) The Secretary shall, if time permits, make available to members from time to time lists of amendments of which notices have been given.</p>
<b>Time limit of speeches.</b>	<p>124. No speech on a resolution, except with the permission of the Speaker, shall exceed fifteen minutes in duration :</p> <p style="padding-left: 40px;">Provided that the mover of a resolution, when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Speaker may permit.</p>
<b>Scope of discussion.</b>	<p>125. The discussion of a resolution shall be strictly relevant to and within the scope of the resolution.</p>
<b>Withdrawal of resolution and amendment.</b>	<p>126. (1) A member in whose name a resolution stands in the list of business may, when called on, withdraw the resolution in which case he shall confine himself to a mere statement to that effect.</p> <p>(2) A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the House.</p> <p>(3) If a resolution which has been admitted is not discussed during the session, it shall be deemed to have been withdrawn.</p>
<b>Splitting of resolution.</b>	<p>127. When any resolution involving several points has been discussed, the Speaker may divide the resolution, and put each or any points separately to the vote, as he may think fit.</p>
<b>Repetition of Resolution.</b>	<p>128. (1) When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within one year from the date of the moving of the earlier resolution.</p> <p>(2) When a resolution has been withdrawn with the leave of the House, no resolution raising substantially the same question shall be moved during the same session.</p>
<b>Copy of resolution passed to be sent to Minister.</b>	<p>129. A copy of every resolution, which has been passed by the House, shall be forwarded to the Minister concerned.</p>