

## **CHAPTER XXII-LEGISLATURE COMMITTEES**

### **(A) GENERAL RULES**

- Definition of Committee.** 176. In this chapter, unless the context otherwise requires, “Committee” means and includes “Legislature Committee” as defined in item (q) of sub-rule (1) of rule 2.
- Appointment of Committee.** 177. (1) The members of a committee shall be appointed or elected by the House on a motion made, or nominated by the Speaker, as the case may be.
- (2) No member shall be appointed to a committee if he is not willing to serve on it. The propose 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 election by the House on a motion made, or nomination by the Speaker, as the case may be, and any member appointed, elected or nominated to fill such vacancy 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.
- Term of office of members of Legislature Committee.** 178. Except in the case of Select Committee constituted under rule 68 or any other Committee for which term of office, is expressly provided for, the term of office of members of every Legislature Committee shall be one year from the date of the constitution of the Committee :
- Provided that the outgoing members shall continue in office until their successors have been duly elected or nominated.
- Resignation of member from Committee.** 179. A member may resign his seat from a Committee by writing under his hand, addressed to the Speaker.
- Chairman of Committee.** 180. (1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of Committee :
- Provided that if the Deputy Speaker is a member of the Committee he shall be appointed Chairman of the Committee.
- (2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.
- (3) If the Chairman is absent from any meeting the Committee shall choose another member to act as Chairman for that meeting.
- Quorum.** 181. (1) The quorum to constitute a meeting of the Committee shall be, as near as may be, one-third of the total number of members.
- (2) If at any time fixed for any meeting of the Committee, or if at any time during any such meeting there is no quorum, the Chairman of the Committee shall either suspend the meeting until there is a quorum or adjourn the meeting to some future day.
- (3) When the Committee has been adjourned in pursuance of sub-rule (2) on two successive dates fixed for meetings of the Committee the Chairman shall report the fact to the House :

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

**Voting in Committee.**

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

**Casting vote of Chairman.**

183. In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

**Power to appoint Sub-Committee.**

184. (1) The committee may appoint one or more sub-committees, each having the powers of the individed 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 meeting 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.

**Sittings of Committee.**

185. The sittings of the Committee shall be held on such days and at such hour as the Chairman of the Committee may fix :

Provided if the Chairman of the Committee is not readily available, the Secretary may fix the date and time of a sitting.

**Committee may sit whilst House is sitting.**

186. The Committee may sit whilst the House is sitting, provided that on a division being called in the House, the Chairman of the Committee shall suspend the proceedings in the Committee for such time as well in his opinion, enable the members to vote in a division.

**Sitting of Committee in private.**

187. Members who are not members of a Committee may, with the permission of the Committee, be present during the deliberation of the Committee but shall not address the Committee nor sit in the body of the Committee :

Provided that a Minister may, with the permission of the Chairman, address the Committee of which he may not be a member.

**Venue of Sittings.**

188. The sitting of the Committee shall ordinarily be held within the precincts of the Vidhan Sabha Building, but the Speaker may fix any other place for the sitting of a Committee.

**Power to take evidence or call for papers, records or documents.**

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

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

(3) No documents submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

**Power of Legislature Committee to call for persons, papers and records.**

190. A Legislature Committee shall have power to send for persons, papers and records :

Provided that if a witness objects to the production of any documents, the matter may be referred to the Speaker whose decision shall be final :

Provided further that Government may decline to produce a document on the ground that its disclosure would be pre-judicial to the safety or interest of the State.

**Procedure for examining witnesses.**

191. The examination of witnesses before a Committee shall be conducted as follows:-

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

(ii) The Chairman of the Committee may first ask the witness such question or questions as he may consider necessary with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure mentioned in clause (i) of this rule.

(iii) The Chairman may call other members of the Committee one by one to ask any other questions.

(iv) A witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee.

**Proceedings and report to be confidential until laid on Table of House or published.**

192. (1) All proceedings and the report of any Legislative Committee shall be confidential and shall not be disclosed or otherwise published by any person until they are laid on Table of the House or published under the order of the Speaker under rule 197.

(2) The Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table of the House.

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

**Special reports**

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

**Report of Committee.**

194. (1) Where the House has not fixed any time for the presentation of the report, the report shall be presented within three months of the date on which reference to the Committee was made :

Provided that the House 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 on behalf of the Committee :

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

**Availability of report to Government before presentation.**

195. The Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the House. Such report shall be treated as confidential until presented to the House.

**Presentation of report.**

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

(2) In presenting the report the Chairman 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.

**Printing, publication or circulation of report prior to its presentation to House.**

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

**Power of Legislature Committee to make suggestions on its procedure.**

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

**Power of Committee to make detailed rules.**

198-A. A Committee may with the approval of the Speaker make detailed rules of procedure to supplement the provisions contained in the rules in this chapter.

**Power of Speaker to give direction on point of procedure or otherwise.**

199. (1) The Speaker may from time to time issue such directions 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 may, if he thinks fit, refer the point to the Speaker, whose decision shall be final.

**Unfinished work of Legislature Committee.**

200. A Legislature Committee which is unable to complete its works before the completion of its term may report to the House that the Committee has not been able to complete its work. Any preliminary report, memorandum or note that the Committee may have prepared or any evidence that the Committee may have taken shall be made available to the new Committee.

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

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

**Applicability of general rules to Committee.**

202. Except for matters for which special provision is made in the rules relating to any particular Committee the general rules in this Chapter shall apply to all Committees: and if and so far as any provision in the special rules relating to a Committee is inconsistent with the general rules, the former rules shall prevail.

## **(B) BUSINESS ADVISORY COMMITTEE**

**Constitution of Committee.**

203. (1) At the commencement of the House or from time to time, as the case may be, the Speaker may nominate a committee called the Business Advisory Committee consisting of not more than Nine members including the Speaker who shall be the Chairman of the Committee.

(2) The Committee nominated under sub-rule (1) shall hold office for one year.

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

**Functions of Committee.**

204. (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other Government business as the Speaker in consultation with the Leader of the House may direct for being referred to the Committee.

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

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

**Report of Committee.**

205. The time table in regard to the Bill or group of Bills and other Government business as settled by the Committee shall be reported by the Speaker to the House and notified in the Patrak.

**Allocation of time order.**

206. (1) After the report is made to the House, any member may ask a question by way of clarification of the time-table.

(2) The Speaker may, after considering the objection or suggestion, make any minor modifications which he may consider necessary, and declare that the time table shall be followed or in the alternative he may designate a member of the Committee to move a motion for the adoption of the allocation of time order.

(3) Where a member is designated under sub-rule (2), such member shall move a motion to the effect, that this House agrees with the allocation of time proposed by the Committee in regard to such and such Bill or Bills or other Government business and if such motion is accepted by the House, it shall take as if it were an Order of the House :

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.

(4) The discussion on a motion made under this rule shall not extend beyond thirty minutes and no member shall speak on the motion for more than five minutes.

**Disposal of outstanding matters at appointed hour.**

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

**(C) COMMITTEE ON PRIVATE MEMBERS BILLS AND RESOLUTIONS**

**Constitution of Committee.**

208. (1) There shall be a Committee on Private Member's Bills and Resolutions consisting of not more than seven members.

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

**Functions of Committee.**

209. (1) The functions of the Committee shall be -

- (a) to recommend the time that should be allocated for the discussion of the stage of stages or each private member's Bills and also to indicate in the time table so drawn up the different hours at which the various stages of the Bill a day shall be completed;
- (b) to examine every private member's Bill which is opposed in the House on the ground that the Bill initiates legislation outside the legislative competence of the House, and the Speaker considers such objection *prima facie* tenable;
- (c) to recommend time for the discussion of private member's resolutions and other ancillary matters.
- (d) to follow-up action taken by Government on Resolution passed by House.

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

**Motion moved in House on report.**

210. At any time after the report has been presented to the House a motion may be moved that the House agree or agrees with amendments or disagrees with the report :

Provided 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 :

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

**Notification of classification and Allocation of Time Order.**

211. The Allocation of Time Order in respect of the Bills or resolutions shall be notified in the Patrak in accordance with the decision of the House.

**Disposal of outstanding matter at appointed hour.**

212. At the appointed hour in accordance with the Allocation of Time Order, the Speaker 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.

**(D) COMMITTEE ON PETITIONS**

**Constitution of Committee.**

213. At the commencement of the Vidhan Sabha or from time to time, as the case may be, the Speaker shall nominate a Committee on Petitions consisting of not more than seven members :

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

**Examination and circulation of petition.**

214. (1) The Committee shall examine every petition referred to it and if the petition complies with these rules, the Committee may in its discretion direct that it be circulated. Where circulation of the petition has not been directed the Speaker may at any time direct that the petition be circulated.

(2) Circulation of the petitions shall be in *extenso* or of a summary thereof as the Committee or the Speaker, as the case may be, may direct.

**Presentation of Report.**

215. The Committee shall report to the House stating the subject the subject matter of the petition, the number of persons by whom it is signed and whether it is in conformity with these rules, and also whether circulation has or has not been directed, it shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future.

## **(E) COMMITTEE ON DELEGATED LEGISLATION**

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| <b>Functions of Committee.</b>              | 216. There shall be constituted a Committee called the Committee on Delegated Legislation for examining each regulation, rule, sub-rule, bye-law, etc. framed in pursuance of the legislative function delegated to any authority under an Act referred to as “order”.  |
| <b>Constitution of Committee.</b>           | 217. (1) The Committee shall consist of not more than seven members who shall be nominated by the Speaker. :<br>Provided that a Minister shall not be nominated a member of the Committee and that if a member after his nomination to the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.<br>(2) The term of office of the members of the Committee shall be one year.   |
| <b>Numbering and publication of orders.</b> | 218. Each regulation, rule, sub-rule, bye-law, etc. framed in pursuance of the provisions of the constitution of the legislative functions delegated by the Legislative Assembly to a subordinate authority and which is required to be laid before the Assembly shall, subject to such rules, as the Speaker may, in consultation with the Leader of the House, prescribe be numbered centrally and published in the Gazette immediately after it is promulgated.  |
| <b>Examination of Orders.</b>               | 219. The Committee shall scrutinise every Order presented to the House and in particular consider -<br><ul style="list-style-type: none"><li>(i) whether it is in accord with the general objects of the constitution or the Act pursuant to which it is made;</li><li>(ii) whether it contains matter which in the opinion of the Committee should more properly be dealt with in an Act of State Legislature;</li><li>(iii) whether it contains imposition of any tax;</li><li>(iv) whether it directly or indirectly bars the jurisdiction of the Courts;</li><li>(v) whether it give retrospective effect to any of the provisions in respect of which the Act does not expressly give any such power;</li><li>(vi) whether it involves expenditure from the Consolidated Fund or the Public Revenue;</li><li>(vii) whether it appears to make some unusual or unexpected use of the powers conferred by the Act pursuant to which it is made;</li><li>(viii) whether there appears to have been unjustifiable delay in the publication or laying it before State Legislature;</li><li>(ix) whether for any reason its form or purport calls for any elucidation.</li></ul> |
| <b>Report of Committee.</b>                 | 220. (1) If the Committee is of the opinion that any order should be annulled wholly or in part, or should be suspended in any respect, it shall report that opinion and the grounds thereof to the house.<br>(2) If the Committee is of the opinion that any other matter relating to any order should be brought to the notice of the house, it may report that opinion and matter to the house.  |
| <b>Power of Speaker to give directions.</b> | 220-A. The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of any question of Delegated Legislation either in the Committee or in the House.  |

## **(F) COMMITTEE ON PUBLIC ACCOUNTS**

### **Constitution of Committee.**

221. (1) There shall be constituted a Committee called the Committee on Public Accounts for performing the functions assigned to the Committee under sub-rule (2) of rule 222.

(2) The function of the Committee shall be to examine the accounts showing appropriation of the sums granted by the Vidhan Sabha to meet the expenditure of the Government and such other accounts laid before the Vidhan Sabha as the Committee may think fit.

(3) The Committee on Public Accounts shall consist of not more than Nine members who shall be elected by the Vidhan Sabha from amongst its members according to the principle of proportional representation by means of the single transferable vote :

Provided that a Minister shall not be elected a member of the Committee and that if a member after his election on the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

(4) The term of office of members of the Committee shall be the financial year for which it is constituted.

### **Control of Committee.**

222. (1) In scrutinising the Appropriation Accounts of the Government and the report of the Comptroller and Auditor-General thereon it shall be the duty of the Committee on Public Accounts to satisfy itself -

- (a) that the money shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged;
- (b) that the expenditure conforms to the authority which governs it; and
- (c) that every reappropriation has been made within the amount granted for each demand under the Appropriation Act and in accordance with the rules made by the competent authority.

(2) It shall be a duty of the Committee on Public Accounts -

- (a) to examine such trading, manufacturing and profit and loss accounts and balance sheets as the Governor may have required to be prepared, and the Comptroller and Auditor-General's report thereon : and
- (b) to consider the report of the Comptroller and Auditor-General in cases where the Governor may have required him to conduct an audit of any receipts or to examine the accounts of stores, and stock.

(3) If any money has been spent on any service during a financial year in excess of the amount granted by the House for that purpose the Committee shall examine with reference to the facts of each case the circumstances leading to such an excess and make such recommendation as it may deem fit :

Provided that the Committee shall not exercise its functions in relation to such Public Undertakings either allotted to the Committee on Public Undertakings by these rules or by the Speaker.

## **(G) COMMITTEE ON ESTIMATES**

### **Functions and Constitution of Committee.**

223. (1) There shall be a Committee on Estimates for the examination of such of the estimates as may seem fit to the Committee or are specifically referred to it by the House or the Speaker. The functions of the Committee shall be -

- (a) to report what economics, improvements in organisation, efficiency or administrative reform, consistent with the policy underlying the estimates, may be effected;
- (b) to suggest alternative policies in order to bring about efficiency and economy in administration;
- (c) to examine whether the money is well laid out within the limits of the policy implied in the estimates;
- (d) to suggest the form in which the estimates shall be presented to Vidhan Sabha.

Provided that the Committee shall not exercise its functions in relation to such Public Undertakings either allotted to the Committee on Public Undertakings by these rules or by the Speaker.

(2) The Committee shall consist of not more than Nine members who shall be elected by the House from amongst its members according to the principle of proportional representation by means of the single transferable vote :

Provided that a Minister shall not be elected a member of the Committee and that if a member after his election to the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

(3) The term of office of the members of the Committee shall be the financial year for which it is constituted.

(4) In order to constitute a meeting of the Committee, the quorum shall be Four.

(5) The Committee may continue its examination of the estimates from time to time throughout the financial year and report to the Vidhan Sabha as its examination proceeds. It shall not be incumbent on the committee to examine the entire estimates of any one year. The demands for grants may be finally voted withstanding. The fact that the Committee has made no report.

## **(GG) COMMITTEE ON PUBLIC UNDERTAKINGS**

### **Functions of Committee.**

223-A. There shall be a Committee on Public Undertakings for the examination of the working of the public undertakings specified in the Third Schedule. The functions of the Committee shall be -

- (a) to examine the reports and accounts of the public undertakings specified in the Third Schedule;
- (b) to examine the reports, if any, of the Comptroller and Auditor-General-Accountant General on the public undertakings;
- (c) to examine, in the context of the autonomy and efficiency of the public undertakings, whether the affairs of the public undertakings are being managed in accordance with sound business principles and prudent commercial practices; and

- (d) to exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates in relation to the public undertakings specified in the Third Schedule as are not covered by clauses (a), (b) and (c) above and as may be allotted to the Committee by the Speaker from time to time :

Provided that the Committee shall not examine and investigate any of the following, namely :-

- (i) matters of major Government policy as distinct from business or commercial functions of the public undertakings;
- (ii) matters of day-to-day administration, and
- (iii) matters for the consideration of which machinery is established by any special statute under which a particular public undertaking is established.

**Constitution of Committee.**

223-B. (1) The Committee shall consist of not more than Nine members who shall be elected by the House every year from amongst its members according to the principle of proportional representation by means of the single transferable vote :

Provided that a Minister shall not be elected a member of the Committee, and that if a member, after his election to the Committee, is appointed a Minister 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 :

**(H) COMMITTEE ON GOVERNMENT ASSURANCES**

**Functions and Constitution of Committee.**

224. (1) There shall be a Committee on Government Assurances to scrutinize the assurances, promises and undertakings, etc., given by Ministers, from time to time, on the floor of the House and to report on the following matters :-

- (a) the extent to which such assurances have been implemented; and
- (b) where implemented whether such implementation has taken place within the minimum time necessary for the purpose.

(2) The committee shall consist of not more than seven members who shall be nominated by the Speaker :

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

**(I) COMMITTEE OF PRIVILEGES**

**Constitution of Committee.**

225. (1) At the commencement of Vidhan Sabha or from time to time, as the case may be, the Speaker shall nominate a Committee of Privileges consisting of not more than seven members.

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

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| <b>The quorum of Committee.</b>              | 226. The quorum of the Committee shall be four.  |
| <b>Examination of question by committee.</b> | 227. (1) The Committee shall examine every question referred to it and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach, the circumstances leading to it and make such recommendations, as it may deem fit.<br><br>(2) Subject to the provisions of sub-rule (1) of this rule, the report may also state the procedure to be followed by the House in giving effect to the recommendations made by the Committee.   |
| <b>Sittings of Committee.</b>                | 228. (1) As soon as may be, after a question of privilege has been referred to the Committee of Privileges, the Committee shall meet from time to time and shall make a report within the time fixed by the House :<br><br>Provided that where the House has not fixed any time for the presentation of the report, the report shall be presented within one month of the date on which reference to the Committee was made :<br><br>Provided further that the House 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.<br><br>(2) Reports may be either preliminary or final.<br><br>(3) If any member of the Committee desires to record a minute of dissent on any matter, he shall within such time as the Chairman may allow, hand in his minute. |
| <b>Consideration of report.</b>              | 229. As soon as may be, after the report has been presented, a motion in the name of the Chairman or any member of the Committee will be put down that the report be taken into consideration.   |
| <b>Amendments.</b>                           | 230. Any member may give notice of an amendment to the motion for consideration of the report referred to in rule 229 above in such form as may be considered appropriate by the Speaker :<br><br>Provided that an amendment may be moved that the question be recommitted to the Committee either without limitation or with reference to any particular matter.  |

## **(J) RULES COMMITTEE**

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| <b>Functions and Constitution of Committee.</b> | 231. (1) There shall be a Committee on Rules to consider matters of procedure and conduct of business in the House and to recommend any amendments or additions to these rules that may be deemed necessary.<br><br>(2) The Committee shall be nominated by the Speaker and shall consist of not more than seven members. The Speaker shall be the <i>ex-officio</i> Chairman of the Committee. Law Minister shall be <i>ex-officio</i> member of the Committee.<br><br>(3) The recommendations of the Committee shall be laid on the Table of the House 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.<br><br>(4) Any notice given by member of any amendment to the recommendations of the Committee shall stand referred to the Committee who shall consider it and make such changes in their recommendations as the Committee may consider fit. The final report of the Committee after taking into consideration the amendments suggested by the members shall be laid on the Table of the House. |
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Thereafter, on the House agreeing to the report on a motion made by a member of the Committee, the amendments to the rules as approved by the House, shall be promulgated by the Speaker in the Patrak and shall be published in the Gazette.

(5) 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 House and on the expiry of the said period the Speaker shall promulgate in the Patrak the amendments to the rules as recommended by the Committee.

(6) The amendments to the rules shall come into force on their publication in the Patrak unless otherwise specified.

### **(K) COMMITTEE ON AMENITIES AND HONOUR OF MEMBERS**

#### **Functions and Constitution of Committee.**

232. (1) After commencement of the Vidhan Sabha a committee on “amenities & honour of members” shall be appointed to consider all matters, related to amenities of members and contemptuous behaviour of Government officers with honourable members & to consider & advice and to inquire and presents its reports to house on complaints relating to contemptuous behaviour. The committee shall consist of 9 Members nominated by Speaker out of which one shall be the Chairperson.

(2) The member may submit the complaints relating to recent contemptuous act and misbehaviour committed by the Government office and officers violating the orders and directions of the Government, to honourable Speaker.

(3) On receipt of such complaint the Speaker may proceed for preliminary inquiry and adopt such procedure as he deems fit.

(4) After preliminary inquiry the Speaker shall either disallow the complaint or may refer it to the committee for inquiry report and recommendation.

(5) The committee shall follow the procedure as laid down for privilege committee and submit the report to the Assembly.

The committee, if it deems necessary may send serious matter to privilege committee for inquiry and recommendation thereof.

Provided that it can only be done with the permission of the Speaker.

(6) The member may submit the complaints relating to officers not doing works punctually, or have not started proposed works or causing un-necessary delay in doing the works sanctioned in their constituency out of the regional development funds, to the Speaker.

(7) On receiving any such complaint Speaker may refer the complaint for inquiry report and recommendation thereof to the committee.

(8) The committee shall adopt such procedure in inquiry referred to it as may be prescribed by the committee and submit its report to the Assembly.

## **(L) LIBRARY COMMITTEE**

**Constitution of Committee.**

233. (1) The Speaker shall appoint a Library Committee consisting of such members as he thinks necessary to advise upon matters connected with the Members' Library.

(2) The Committee shall hold office for one year or till new Committee is constituted.

**Functions of Committee.**

233-A. The functions of the Committee shall be :-

- (1) to consider suggestions for the improvement of the library;
- (2) to assist members in fully utilising the services provided by library;
- (3) to consider and advise on such matters concerning the library as may be referred to it by the Speaker from time to time.

## **(M) GENERAL PURPOSE COMMITTEE**

**Functions and Constitution of Committee.**

234. (1) The Speaker shall appoint a General Purpose Committee consisting of the Speaker and such other members, not exceeding twenty, as may be nominated by the Speaker. The Speaker shall be the *ex-officio* Chairman of the Committee.

(2) The Committee shall consider and advice on such matters concerning the affairs of the House as may be referred to it by the Speaker from time to time.

## **(N) COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES AND BACKWARD CLASSES**

**Functions of Committee.**

234-A. There shall be a committee on the Welfare of Scheduled Castes, Scheduled Tribes and Backward classes. The functions of the Committee shall be following -

- (a) to consider the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes under article 338 of the Constitution so far as they relate to the State of Chhattisgarh and to report to the House as to the measures that should be taken by the State Government in respect of the matters within the purview of the State Government;
- (b) to examine the measures initiated by the Government for the welfare of the Backward Classes under article 16 of the Constitution.
- (bb) to consider the reports submitted by the commissioner for Backward Classes uner article 340 of the Constitution so far as they related to the State of Chhattisgarh and report to the house as to measures that should be taken by the State Government in respect of the matters within the purview of the State Government.

- (c) to examine the measures taken by the State Government to secure due representation of the Scheduled Castes and Scheduled Tribes in services and posts under the control of the State Government (including the appointments in the Public Sector Undertakings, Statutory and Semi-Government Bodies) having regard to the provisions of article 335;
- (d) to report to the House on the working of the welfare programmes for the Scheduled Castes, Scheduled Tribes and Backward Classes in the State;
- (e) to consider generally and to report to the House on all matters concerning the welfare of the Scheduled Castes, Scheduled Tribes and Backward Classes which fall within the purview of the State Government;
- (f) to examine such other matters as may seem fit to the Committee or specifically referred to it by the House or the Speaker.
- (g) Report to the house on action taken by the Government with regard to the recommendation of the Committee.

**Constitution of Committee.**

234-B. Constitution of the Committee - (1) The Committee shall consist of not more than 9 members out of whom 3-3 members shall be of Scheduled Castes, Scheduled Tribes and Backward classes which notified by State Government, who shall be elected by the House from amongst its members according to the principle of proportional representation by means of the single transferable vote :

Provided that a Minister shall not be elected a member of the Committee and if a member, after his election to the Committee, is appointed as a Minister he shall cease to be a member of the Committee from the date of such appointment.

(2) The term of the Committee shall be of one years or until the other Committee is constituted, whichever is later.

**(O) COMMITTEE TO EXAMINE PAPERS LAID ON THE TABLE**

**Functions and Constitution of Committee.**

234-C. (1) At the commencement of every financial year of the Vidhan Sabha, the Speaker shall appoint a Committee for the purpose of examination of the Papers put-up on the Table of the Sabha, the term of the Office where of shall be of one year :

The Committee shall consist of not more than seven members who shall be nominated by the Speaker :

Provided that no minister shall be nominated as a member of the Committee and in the event of any member being appointed as a minister after nomination for the Committee, he shall cease to be a member of the Committee after such appointment.

## **(P) COMMITTEE ON QUESTIONS & REFERENCE**

### **Constitution of Committee.**

234-D. (1) At the commencement of the financial year, Speaker shall constitute a Question and Reference Committee the term of office of Committee shall be one year.

(2) The Committee shall consist of not more than seven members who shall be nominated by the Speaker.

Provided that a minister shall not be nominated as a member of the Committee and if a member after his nomination to the Committee is appointed minister he shall cease to be a member of the Committee from the date of such appointment.

### **Functions of Committee.**

234.(dd) The functions of the Committee shall be -

(1) If answer to any Stared, Unstared, Short Notice Question, Calling attention or Notice under rule 267-A is not received after giving sufficient time or the answer received is not satisfactory such matters if Speaker consider it appropriate may refer it to Committee.

(2) Any matter other that referred in 234 (dd) (1) which does not fall under the jurisdiction of any Committee, may be referred to the Committee on Question & Reference.

## **(Q) COMMITTEE ON WELFARE OF WOMEN AND CHILDREN**

### **Functions of Committee.**

234-E There shall be a Committee for preventing molestation, immoral traffic and exploitation of women and children and taking measures for their welfare. The functions of the Committee shall be as follows :-

(a) To take into consideration the complaints relating to molestation, immoral traffic and exploitation done in contravention of the privileges provided under the Constitution of India and any Act of the Chhattisgarh, as far as they relate to the State of Chhattisgarh, and to report to the State as to what action should be taken by the State Government regarding the matters falling under its jurisdiction. The Committee shall take into consideration in general all matters relating to molestation, immoral traffic and exploitation of women and children and shall in particular examine the complaints relating to the following matters and shall submit its remarks/suggestions and recommendations to the Sabha in the form of a report, Viz :-

- (1) Under Article 24 of the Constitution, cases regarding employment of any child below 14 years of age in any factories, hotels, mines and hazardous employment within the State;
- (2) Complaints, regarding the working of destitute homes, remand homes, orphanages, Women Welfare homes or Women reformatories, and special schools;
- (3) Cases regarding exploitation and Murder of Women for dowry in the State;
- (4) Evils arising out of consumption of intoxicating drugs and other intoxicating stuff in children;

(5) Points raised in the Vidhan Sabha during debate on molestation, immoral traffic and exploitation of Women and Children;

(6) The working of administrative departments engaged in organising the programmes relating to the Welfare of Women and Children in the State and the working of Directorate of Welfare of Women and Children.

(b) To submit the implementation report to the Sabha regarding action taken by the State Government on the measures proposed by the Committee.

(c) To enquire into all cases relating to the above matters which may be specifically referred to it by the Sabha or by the Speaker.

**Constitution of Committee.**

234-F. (1) As far as possible in the beginning of the financial year the Speaker shall constitute/appoint a committee relating to the Welfare of Women and Children, the term of office of which shall ordinarily be of 2 years.

(2) The Committee shall consist of not more than 9 members, out of which 6 shall be women members. All the members shall be nominated by the Speaker :

Provided that no minister shall be nominated as a member of the Committee, and if any member is appointed as a minister after his nomination to the committee; he shall cease to be a member of the committee from the date of such appointment.

**Regulation by Speaker Regarding Procedure.**

234-G. The Speaker may give such directions for the regulation of the procedure relating to all matters coming under the purview of the Committee or the Sabha as he thinks necessary.

**(R) ETHICS COMMITTEE**

**Constitution of Committee.**

234-H. (1) For inquiry, investigation and submitting report to the Assembly regarding complaints violating the guiding principles of Ethics of the members enumerated in fourth schedule, the Speaker shall nominate 9 member Ethics Committee in the beginning of the financial year or as the case may be.

(2) The Speaker shall be the ex-officio chairman and leader of the house and leader of the opposition shall be the ex-officio member.

**Examination of complaint referred to committee.**

234-I. The Committee may examine the complaints received by the Speaker and referred to it relating to adverse Ethics of Ministers and Members as expected within or outside of the Assembly.

**Speaker to refer cases relating to conduct of member to the committee.**

234-J. The Speaker of the Assembly may himself refer the case relating to Ethics of Members to the Committee.

**Procedure to submit Complaint.**

234-K. Attested copy of the document shall be attached with the complaint if it is based on document. Every complaint shall bear the signature of the complaint and shall be verified in the manner provided in Civil Procedure Code, 1908 (No.5 of 1908) for verification of pleadings.

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| <b>Examination of complaint.</b>  | 234-L. On receiving the complaint under rule 234(I) the Speaker may decide that whether the complaint fulfils the requirements provided under rule 234(K).  |
| <b>Dismissal of complaint &amp; information to complainant.</b>               | 234-M. If the complaint does not fulfil the requirements of rule 234(K), the Speaker shall dismiss the complaint and inform the complainant accordingly.  |
| <b>To obtain explanation from members relating to complaint.</b>              | 234-N. If the complaint fulfils the requirement of rule 234(K), the Speaker shall send the complaint alongwith copies of documents :-<br><ul style="list-style-type: none"> <li>(a) to the member against whom the complaint is preferred,</li> <li>(b) and such member after receiving such copies shall send written explanation to the Speaker within 7 days or within such period as the Speaker permits.</li> </ul>  |
| <b>Power of Speaker to refer the complaint to committee.</b>                  | 234-O. After considering the explanation which is received from member within the specified period relating to the complaint if the Speaker, comes to the conclusion that it is necessary to do so, shall direct the committee to enquire the complaint and submit report accordingly.  |
| <b>Consideration of complaint.</b>  | 234-P. The Committee after preliminary inquiry on complaint :-<br><ul style="list-style-type: none"> <li>(a) shall frame the grounds of inquiry on the basis of the complaint and the documents attached thereto and send in to the member concerned.</li> <li>(b) shall give an opportunity to the concerned member to submit explanation within such period as may be specify by the committee.</li> <li>(c) The Committee shall submit its report on complaint within maximum period of 6 months starting from the date of complaint being referred to the committee by the Speaker or on the first day of begining of the session in the Assembly.</li> </ul> |
| <b>Stay of inquiry of complaint by the committee or disagree for inquiry.</b> | 234-Q. The Committee may at any time as it may deem fit may stay the inquiry of any complaint or defer from the complaint being inquired into, it in the opinion of the Committee :-<br><ul style="list-style-type: none"> <li>(a) The complaint is friivolous and biased.</li> <li>(b) There is no enough ground for inquiry.</li> <li>(c) If the Committee determines on any complaint that inquiry of the complaint be stayed or deferred for the complaint being inquired then the Committee shall communicate all such reasons to the complainant and the members.</li> </ul>  |
| <b>To punish complainant for vexatious complaint.</b>                         | 234-R. The Committee shall submit its report relating to false, vexatious & biased complaints made by complainants.   |
| <b>Confidentiality of complaint/report.</b>                                   | 234-S. If any person publishes any part of the report or complaint until the report is submitted by the Committee in the Assembly on any complaint and the matter being brought to the notice of the Assembly, the assembly may punish such person/persons.   |

- Use of services of other institution.** 234-T. The Committee may take the services of any investigating institution in the proceeding of inquiry.
- Report of Committee.** 234-U. If prima-facie case is established on complaint relating to the conduct of any member then :-
- (a) The Committee shall submit its report with such recommendation to the House as it may deem fit.
  - (b) The Committee shall mention the procedure in its report which is necessary for the compliance of such recommendation.
- Proposal for consideration and acceptance on report.** 234-V. On submission of the report of the Committee on the table of the House, the proposal for consideration and acceptance of the report shall be placed in the House by the Minister of Parliamentary Affairs.

**(GGG) LOCAL BODY AND PANCHAYATI RAJ ACCOUNTS COMMITTEE**

- Constitution of Committee.** 223-C (1) Establishment of a Local body and Panchayati Raj Accounts Committee to examine the annual report of the Comptroller and Auditor General of India and the annual report of local fund audit in respect of local bodies and Panchayati Raj Institutions, which should be placed before the State Legislative Assembly by the State Government. will be formed.
- (2) The Committee on Local body and Panchayati Raj Accounts Committee shall consist of not more than Nine members who shall be elected by the Vidhan Sabha from amongst its members according to the principle of proportional representation by means of the single transferable vote :
- Provided that a Minister shall not be elected a member of the Committee and that if a member after his election on the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.
- (3) The term of office of members of the Committee shall be the financial year for which it is constituted.
- Control of Committee.** 223-D The functions of the Committee shall be –
- (1) Checking the annual report of the Comptroller and Auditor General of India in relation to local bodies and Panchayati Raj Santhas, which were presented before the Legislative Assembly and whether the reports of local fund audit are being submitted duly or not? To examine the related reports also.
- (2) In relation to the funds given by government departments to local bodies, district panchayats or other institutions in the form of grants and loans, to check that the amount of government grants and loans has been spent by the concerned institutions on the same works for which Were they sanctioned and whether any financial irregularities have been committed in their use?
- Decision of the jurisdiction of the committee** 223-E If a question arises whether a subject comes under the purview of this committee or not? then the matter shall be referred to the Speaker, Legislative Assembly and his decision shall be final.