



सत्यमेव जयते

**MANUAL  
of  
PARLIAMENTARY PROCEDURES  
in the  
GOVERNMENT OF INDIA**

**Ministry of Parliamentary Affairs  
Government of India  
2019**



“In India, democracy is not only a political system but a fundamental basis for equality and harmony. Indian democracy is a celebration of our age old plurality.”

Shri Narendra Modi  
Prime Minister of India

# MANUAL OF PARLIAMENTARY PROCEDURES IN THE GOVERNMENT OF INDIA

MINISTRY OF PARLIAMENTARY AFFAIRS  
JULY, 2019





### MESSAGE

Parliamentary democracy is a system of Government in which citizen elect representatives to Parliament to make necessary laws and decisions for the country. Articles 74 and 75 of the Constitution of India deal with the Parliamentary system at the centre.

Efficient handling of intricate parliamentary work requires Ministries/Departments in the Government of India, to be well versed in procedure being followed in Parliament for disposal of various legislative and financial and other important items of work.

Keeping in line of motto of Hon'ble Prime Minister Shri Narendra Modi led Government, "Sabka Sath Sabka Vikas", the Government has taken several far sighted initiatives. One of them is merger of General Budget and Railway Budget and advancement of presentation of merged Budget by a month, which paved the way for early completion of Budget cycle and has enabled the Ministries to ensure better planning and execution of schemes from the beginning of the financial year. Accordingly, consequential changes in the Parliamentary Procedure due to advancement of Budget have been suitably incorporated in the Manual.

Both the Secretariats of Parliament have introduced online hosting of replies to Parliament Questions. Instructions issued by them have also been incorporated in the Manual in chapter-3. Several other changes in Parliamentary procedure have been incorporated at suitable places. As a part of Digital India initiative, with the aim to reduce paper-work and mismatch of data relating to assurances and for continuous monitoring of implementation of Assurances, the Ministry of Parliamentary Affairs started Online Assurances Monitoring System (OAMS) in respect of Government Assurances. This finds mention in chapter-8.

Updated edition of the Manual is a very comprehensive reference book and I am sure it will be of great help to all the stakeholders who are dealing with legislative proposals and other Parliamentary business.

July, 2019

(Pralhad Joshi)

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सत्यमेव जयते



एक वचन सचता की ओर

भारी उद्योग एवं लोक उद्यम और  
संसदीय कार्य राज्य मंत्री  
भारत सरकार, नई दिल्ली-110011  
MINISTER OF STATE FOR  
HEAVY INDUSTRIES & PUBLIC ENTERPRISES  
AND PARLIAMENTARY AFFAIRS  
GOVERNMENT OF INDIA, NEW DELHI - 110011

## MESSAGE

I am happy to learn that the Ministry of Parliamentary Affairs is bringing out an updated edition of the "Manual of Parliamentary Procedures in the Government of India".

The Manual of Parliamentary Procedures in the Government of India was revised in the year 2004 and several changes took places in the procedure thereafter for efficient handling of diverse, intricate and enormous Parliamentary work related to Ministries/Departments, Government of India. For a clear understanding and knowledge of Parliamentary Procedures, Ministry of Parliamentary Affairs has brought out the updated edition of this Manual as the reference book for Parliamentary work and procedures.

Several recent initiatives have been taken by Government and changes in Parliamentary Procedures have been incorporated accordingly. The Merging of the General and Railway Budget with change in the date of budget presentation, Change in procedure for consultation with the Ministry of Law & Justice for legislations, implementation of Online Assurance Monitoring System(OAMS), Change in Special Mention in Rajya Sabha, Introduction of online hosting of reply to Parliamentary Questions by Lok Sabha & Rajya Sabha Secretariat, Clubbing of the starred questions of the day pertaining to same Ministry, Implementation of National e-Vidhan Application (NeVA) Mission Mode Project(MMP) for enabling all state legislature to become paperless Assembly or e-Assembly among others are some examples where past practices have been replaced for better.

I am thankful to all the Members of Parliament, Government officers and associated staff of Ministry of Parliamentary Affairs for their invaluable suggestions and constant efforts for bringing out this guiding handbook of the Parliamentary Procedures. I am sure that the updated Manual would be of great help to the Ministries and Departments, and various other Stakeholders, who may have to deal with legislative proposals and others items of regular Parliamentary Business.

(Arjun Ram Meghwal)





वी. मुरलीधरन  
V. MURALEEDHARAN



राज्य मंत्री  
संसदीय कार्य मंत्रालय  
भारत सरकार  
MINISTER OF STATE FOR  
PARLIAMENTARY AFFAIRS  
GOVERNMENT OF INDIA

## MESSAGE

Legislative Business and other items of Parliamentary work requires knowledge of Constitution, various rules and procedures for conduct of business approved by the Houses themselves, ruling by Hon'ble Chairman and Hon'ble Speaker, precedent available in this regard etc.

To make things comprehensible and easy to use, the Ministry of Parliamentary Affairs have compiled and updated all relevant information in the Manual of Parliamentary Procedures in the Government of India.

This Manual is very useful for all those officers who have to handle Parliamentary work. I appreciate the efforts made by the Ministry to compile all such instructions and information in such a short, succinct and suitable form.

July, 2019

(V. Muraleedharan)



# ***Preface to the Fourth Edition***

The Third edition of the Manual of Parliamentary Procedures in the Government of India was brought out in 2004. In order to update the manual again, suggestions were invited from all Ministries/Departments and both the Secretariats of Parliament.

Based on these suggestions and also the changes taken place over a period of time in Parliamentary procedures, the Manual has now been revised. For instance, Ministry of Civil Aviation pointed out that Ministries/Departments are required to consult twice the Ministry of Law & Justice (Legislative Department) for framing up rules etc. and this double consultation is resulting in delay. The Cabinet Secretariat also advised that the Manual may be suitably amended by the Ministry of Parliamentary Affairs. Accordingly provisions of para 11.2 of Chapter II has been revised.

The time of raising matters of urgent public importance in the Rajya Sabha has been changed from 12 noon to 11 am. This has been reflected in para 15.9 of Chapter 15.

As a part of Digital India initiative, Ministry of Parliamentary Affairs has rolled out OAMS (Online Assurances Monitoring System) to monitor the Government Assurances. This has also been suitably explained in the new Manual. All Ministries/Departments are expected to use this online system hereafter.

The preparation of this Manual in fact took long time than expected, spreading over several months on account of pressure of work during the Parliament Sessions. I would like to place on record my deep appreciation of the efforts taken by Dr. Satya Prakash, Joint Secretary in updating this Manual. He took pains to go through the entire manuscript and offered valuable suggestions. I also appreciate the efforts of Shri A.K. Jha, Under Secretary who examined all aspects of the revision in detail and made possible this Manual under the guidance of Shri A. Manoharan, Director. I am also thankful to Smt. Suman Bara, Deputy Secretary and Shri S.S. Patra, Under Secretary and other Officers for their contribution in compiling this manual. I also acknowledge the service of Shri Parvinder Khatri, Junior Secretariat Assistant in typing out the manuscript.

I am sure this Manual will be of great help to various Ministries/Departments of the Government of India.

Suggestions for improvement of the contents of the Manual are always welcome.

**(Surendranath Tripathi)**

**Secretary**

Ministry of Parliamentary Affairs

Government of India

**New Delhi.  
April, 2018**

# ***Preface to the Third Edition***

1. The first edition of the “Manual for Handling Parliamentary Work in Ministries” was brought out by the then Department of Personnel and Administrative Reforms in July 1973. Subsequently, in 1976, on the request of that department the work relating to the manual was transferred to the Ministry of Parliamentary Affairs. Keeping in view the various changes that had taken place in the Parliamentary Procedure and Practices, the manual was revised in consultation with the concerned Ministries and the second edition of the manual was brought out by the Ministry of Parliamentary Affairs in 1989.

2. Over the period, there have been significant changes in the parliamentary procedures, legislative processes, role of the departmentally-related Standing Committees of Parliament, constituted for the first time in 1993, in examining the Demands for Grants, Bills, annual reports of the ministries/departments and long-term policy documents presented to the Houses. Corresponding to Rule 377 in the Rules of Procedure and Conduct of Business in Lok Sabha, Rules 180 A-E were inserted in the Rules of Procedure and Conduct of Business in the Rajya Sabha to provide for raising of matters of urgent public importance by the members (Special Mentions) in the Rajya Sabha. Urgent matters of general public importance have also since been allowed to be raised in Zero Hour in Rajya Sabha/Lok Sabha, with the permission of the Presiding Officers.

3. In view of the above, the manual has been again reviewed and revised in consultation with the concerned Ministries. A new Chapter XIV has been added in regard to nomination of members of Parliament on committees, councils, boards and commissions etc., set up by the Government. A bibliography of additional reading material has also been provided at the end. It is also proposed to make it available in CD format. A copy of it will also be placed on the website (<http://www.mpa.nic.in>) of Ministry of Parliamentary Affairs.

4. It is hoped that this manual will be of immense use to various departments of the Government of India.

5. Although every care has been taken to make the manual as complete, accurate and useful as possible, there is, nevertheless, always scope for further improvement. Suggestions for improvement/corrections of errors which might have crept into the manual, would be welcome.

**V.K. AGNIHOTRI**

Secretary, Ministry of Parliamentary Affairs

New Delhi  
June, 2004

# ***Preface to the First Edition***

1. The earlier editions of the Manual of Office Procedure contained only a chapter devoted to procedures relating to questions, legislation, resolutions and other motions in Parliament. When the above manual was reviewed during 1971-72 it was felt that this important subject needed treatment in depth in a separate manual, which would also bring at one place the various instructions relating to parliamentary work, which are at present dispersed in a number of publications and circulars. The relevant chapter and the connected appendix were accordingly omitted from the latest edition of the Manual of Office Procedure and work taken in hand to compile a separate manual for handling parliamentary work in Ministries.

2. The draft of this manual was initially prepared in this department under the guidance of a working group consisting of officers from the Department of Parliamentary Affairs, the Ministry of Law and Justice and some other departments. The draft was circulated to all ministries and the manual was finalised by the working group after taking into account their comments.

3. Every care has been taken to make the manual as complete, accurate and useful as possible. However, suggestions for improvement and correction of inadvertent errors which might have crept into it, would be gratefully received and carefully considered.

**M. GOPAL MENON**

Additional Secretary and Director O & M  
Department of Personnel and Administrative Reforms  
(Administrative Reforms)

New Delhi  
4th July, 1973



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# Abbreviations

- 1    GSR    General Statutory Rules
- 2    MHA    Ministry of Home Affairs
- 3    MPA    Ministry of Parliamentary Affairs
- 4    RS     Rajya Sabha
- 5    LS     Lok Sabha
- 6    RSR    Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha)
- 7    LSR    Rules of Procedure and Conduct of Business in Lok Sabha
- 8    PRO    ‘Government and Parliament’ Procedure to be followed by Ministries in connection with Parliamentary work (11th Edition, June, 2014)
- 9    SD     Directions by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha
- 10   SO     Statutory Orders
- 11   SRO    Statutory Rules and Orders
- 12   MMP    Mission Mode Project
- 13   OAMS   Online Assurance Monitoring System
- 14   FRBM   Fiscal Responsibility and Budget Management

## *Chapter 1*

# *Introduction*

**1.1** This manual is intended to be a compilation of the procedures to be followed by departments in handling different items of Parliamentary work. The provisions of this manual are based broadly on the provisions contained in the following publications:

Object of the manual

- (a) Rules of Procedure and Conduct of Business in the Lok Sabha;
- (b) Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha);
- (c) Directions by the Speaker under the Rules of Procedure and Conduct of Business in the Lok Sabha;
- (d) ‘Government & Parliament’ Procedure to be followed by Ministries in connection with Parliamentary work, issued by the Lok Sabha Secretariat; and
- (e) A Memorandum on the preparation and passing of Bills, issued by the Ministry of Law and Justice.

**1.2** The manual does not claim to interpret in an authoritative manner the rules of procedure governing the conduct of business in Rajya /Lok Sabha. Therefore, the users of the manual are advised that in all cases of doubt, the publications to which references have been made at appropriate places in this manual as well as the other instructions on the subject should be consulted.

Scope of the manual

**1.3** The departments may issue from time to time, such instructions as considered necessary on various aspects to supplement the provisions contained in the manual.

Departmental instructions

## Definition

**1.4** In this manual, unless the context otherwise requires:

- (a) ‘Accessible documents’ means documents other than (i) classified documents, and (ii) documents categorised as “for official use only”;
- (b) ‘Article’ means an article of the Constitution of India;
- (c) ‘Branch officer’, in relation to a section means the officer who takes the work directly from the section;
- (d) ‘Bulletin’ means the bulletin of each House of Parliament;
- (e) ‘Central registry’ means a unit within a department charged with the responsibility of receiving, registering and distributing dak meant for that department, and includes functionaries like resident clerk and night duty clerk;
- (f) ‘Classified documents’ or ‘classified information’ means documents or information bearing security grading;
- (g) ‘Constitution’ means the Constitution of India;
- (h) ‘Department’ means any of the ministries, departments, secretariats and offices mentioned in the First Schedule to the Government of India (Allocation of Business) Rules, 1961, as amended from time to time;
- (i) ‘Financial Bill’ means a Bill or amendment making provision, among other things, for any of the matters specified in sub-clauses (a) to (g) of clause (1) of Article 110 of the Constitution;
- (j) ‘House’ means the Rajya Sabha or the Lok Sabha, as the case may be;
- (k) ‘Houses’ means the Rajya Sabha and the Lok Sabha;
- (l) ‘Joint Committee’ means a committee consisting of members from both Houses but does not include a committee of one House in which members of the other House are associated;

- (m) 'List of business' also referred to as 'order paper' means the list including the supplementary list of business and the revised list of business, if any, prepared by the secretariat of the House concerned containing the business to be transacted by that House on a particular day;
- (n) 'List of questions' means the list, prepared by the secretariat of the House concerned, of Starred, Unstarred and Short Notice Questions to be asked on a particular day;
- (o) 'Member' means a member of the Rajya Sabha or the Lok Sabha;
- (p) 'Money Bill' means a Bill containing only provisions dealing with all or any of the matters specified in sub-clauses (a) to (g) of clause (1) of Article 110 of the Constitution and certified as such by the Speaker;
- (q) 'Order paper'—see 'List of business';

## *Chapter 2*

### ***General Instructions***

Regulation of  
business

**2.1** The procedure and conduct of business in Parliament is regulated by rules made under Article 118 of the Constitution and, in relation to certain financial business, by law made by Parliament under Article 119 of the Constitution. (No such law has so far been made by Parliament under Article 119.)

Duties of  
departments

**2.2** The principle of collective responsibility of the Council of Ministers renders it necessary for the Ministers to be ready to explain every action of the Government in the Rajya Sabha/Lok Sabha. This, in turn, requires the Ministry/Department to be ready to brief the Minister concerned or the Cabinet adequately on all matters coming up before Parliament in whatever form they may be.

Duties of officers

**2.3** All officers are expected to anticipate matters that are likely to be raised in Parliament and keep ready as much information as possible in respect of such matters.

General duties of  
Parliament Unit

**2.4** There is normally a full-fledged Parliament Unit in each Ministry/Department to receive, handle, pursue and coordinate (but not deal with substantively) all Parliamentary work concerning the Ministry/Department. The functions of this unit are:

- (a) to serve as a central coordinating point for all Parliamentary work;

- (b) to keep in touch with the Rajya Sabha/Lok Sabha Secretariat and the Ministry of Parliamentary Affairs with a view to obtaining advance intimation about question(s) finally admitted and other business to be transacted, and to transmit that information forthwith to the concerned officers/sections;
- (c) to receive through their central registry, all the dak from the RS/LS Secretariat and the Ministry of Parliamentary Affairs (unless they are addressed by name to officers);
- (d) to transmit without delay all the papers to the concerned officers/sections;
- (e) to remind the officers/sections concerned for prompt and timely disposal of the matter till, where necessary, the concerned file reaches the Minister;
- (f) to keep in touch with the private secretary to the Minister to see that the matter is brought to the attention of the Minister without delay and to take such further action as may be called for according to the needs of the case;
- (g) to prepare the pad for the Minister and senior officers as may be required under departmental instructions;
- (h) to submit a duplicate pad to the private secretary to the Minister;
- (i) to note in the margin, where relevant, against each item in the list of business received for the day, the time allotted, the time already spent and the balance thus: “ $5\frac{1}{2}-3 = 2\frac{1}{2}$  hours”, and if the time is not specified or the information is not available, to state this fact in the margin;
- (j) to see that the Parliament Assistant is present in the Rajya Sabha/Lok Sabha Official Gallery during the question hour on question days of the Ministry/Department and on days when business of the Ministry/Department is expected to come up in the Rajya Sabha/Lok Sabha;

- (k) to see that a representative of the Ministry/Department is present in the Official Gallery of each House if there is business concerning the Ministry/Department in both the Houses simultaneously;
- (l) to arrange for one officer of the Parliament Unit to be available every day when either of the Houses is in session at the office telephone of the Unit from 09.00 hours till half an hour after the House adjourns;
- (m) to keep in touch with the Parliament Assistant, and if he is not available, with the representative of the Ministry of Parliamentary Affairs present in the Official Gallery, so as to be in a position to give information at a moment's notice about the stage of the proceedings relating to that Ministry/Department; and
- (n) to perform such other functions as may be laid down by departmental instructions.

Duties of the  
Central Registry

**2.5** All dak relating to Parliamentary work from the RS/LS Secretariat and the Ministry of Parliamentary Affairs:

- (a) if received in the central registry, will be delivered at once to the Parliament Unit; and
- (b) if received by the night duty clerk will, where necessary, be read over to the Parliament Assistant or, in his absence, his superior on the telephone at once and dealt with according to his instructions.

Priority for  
parliamentary  
papers

**2.6.1** All references received from the RS/LS Secretariat and the Ministry of Parliamentary Affairs and all files in connection with various items of Parliamentary work will be given utmost priority.

**2.6.2** Each Ministry/Department will issue departmental instructions specifying the levels at which papers relating to various items of Parliamentary work will be submitted (a) at the dak stage, and (b) for final approval.



**2.7** The RS/LS Secretariat issues from time to time such information as names, designations and telephone numbers of their officers who should be contacted in connection with various types of Parliamentary business. These should be carefully noted for addressing such communications to them and no communication shall, therefore, be addressed direct to the Chairman/Speaker. All the communications from Ministry/Department addressed to RS/LS Secretariat in connection with questions etc., which are normally meant for submission to the Chairman (Rajya Sabha) / the Speaker (Lok Sabha), should be deemed to be important communications and signed personally by an appropriate senior officer.

Communications  
to the RS/LS  
Secretariat PRO 1.5

**2.8** Which officer of the Ministry/Department shall be present in the Official Gallery in regard to different kinds of business, will be laid down by departmental instructions. The officer of the Ministry/Department present in the Official Gallery will have with him all the relevant papers, including a duplicate of the set of papers submitted to the Minister.

Presence of officers  
in the Official  
Gallery

**2.9** A roster of officers will be drawn up to attend Parliament during general debates concerning all Ministries/Departments, such as budget, President's address, etc., expected to last for several hours (or even days) to note down points of interest to the Ministry/Department. Copies of the notes taken should reach the Secretary and Minister concerned the same evening. Briefs will be prepared on those points which require a reply.

Attendance during  
general debates

**2.10** A copy of the material required to be sent to the RS/LS Secretariat, as approved by the Joint Secretary/Secretary, will be got translated into Hindi pending approval by the Minister.

Provisional  
translation in Hindi

Supplying information to the Chairman/ Speaker for determining admissibility of any Parliamentary business

**2.11** In addition to the special criteria indicated in relevant chapters, notices relating to parliamentary business covering motions, resolutions etc., will be examined from the following angles when supplying information suo motu or at the instance of the RS/LS Secretariat to enable the Chairman/Speaker to determine the admissibility of the matter:

- (a) whether the subject matter falls outside the jurisdiction of the Central Government;
- (b) whether the issue involved has been considered before in Parliament or by the Government, and if so, with what results;
- (c) whether there is any objection to discussing the matter on grounds of policy or public interest; and
- (d) whether any reference or statement made is factually incorrect.

A copy of all communications sent to the Chairman/ Speaker may also be endorsed to the Parliament Unit and the Ministry of Parliamentary Affairs.

Submission of briefs

**2.12** Generally, briefs are prepared for the Minister on subjects concerning the Ministry/Department put down in the list of business. Such briefs will:

- (a) be short but contain complete information with supporting material in appendices, if necessary;
- (b) have necessary indication where information has not been received or is not available; and
- (c) be sent to the Minister well in time to enable him to study the matter before the reply.

Confirmation and correction of speeches of Ministers in Parliament

**2.13.1** Speeches made by the Ministers in a House are taken down by the official reporters and computerised copies thereof forwarded to the Ministers for confirmation and correction the following morning.

These will be returned with corrections to the Editorial Branch by 15.00 hours the next day failing which the version, as taken by the official reporter, is treated as final. This time limit is required to be followed strictly as edited verbatim record of proceedings is put on Internet which is a time bound programme. Such corrections will be made neatly, legibly and in ink in order to facilitate their incorporation in the manuscripts of debates correctly and obviate printing errors.

PRO 20.2

PRO 20.3

**2.13.2** Only minor corrections, viz., those in respect of grammatical errors, misreporting of quotations, figures, names, etc., are allowed. When these are excessive, the text of the corrected speech is checked from the tape-record and any improvement in its literary form or alteration of its substance by additions or deletions is not allowed. If, however, extensive changes are considered necessary by the Minister, he is required to make a correcting statement in the House.

SD 16 A

PRO 20.2

**2.14** Extra copies of proceedings will be made available by the RS/LS Secretariat if the requirements are intimated to them well in advance, i.e., by the evening of the day to which the proceedings relate.

Supply of  
spare copies of  
proceedings

PRO 20.4

**2.15** Each Ministry/Department will maintain, for ready reference, a record of Parliamentary proceedings such as questions, half-an-hour discussions, call attention notices, etc. The manner in which such record should be kept will be regulated by departmental instructions.

Record of  
proceedings

## Chapter 3

# Questions

Types of questions	<b>3.1</b> Questions are of three kinds, viz., starred, unstarred and short notice questions.
RSR 42,56 LSR 36,50	(a) Starred questions: These are answered orally on the floor of the House and with reference to the reply given; members are entitled to ask supplementary questions. These are to be intelligently anticipated in the note for supplementaries prepared for the use of the Minister.
RSR 42 LSR 36,39	(b) Unstarred questions: These call for written replies which are placed on the Table of the House and no supplementaries are asked in respect of such replies
RSR 58 LSR 54	(c) Short notice questions: These may be put only in regard to matters of public importance of an urgent character at shorter notice than provided for in the Rules of the two Houses (vide para 3.2 below) and are answered orally as starred questions. The special features that characterise these questions are dealt with in paragraph 3.12.
Notice for question PRO 1.4  RSR 41 LSR 35	<b>3.2</b> The RS/LS Secretariat gives at least five days' notice to the Minister concerned to answer a question. In practice, however, in order to give the concerned Ministry/Department as much time as possible for the preparation of an answer, an advance copy of a question in the provisionally admitted form is forwarded to that Ministry/Department by the RS/LS Secretariat, online, through e-mail or in any other mode as may be prescribed from time to time.

**3.3** On receipt of the provisionally admitted version of the question from the Parliament Unit, the concerned section will immediately examine it and take the following action:

Scrutiny of Questions  
PRO 1.5

- (a) (i) If it does not pertain to the Ministry/Department on the basis of the Allocation of Business Rules, the branch officer concerned will ring up the appropriate officer in the Ministry/Department to which the question belongs for transfer of the question. If the transfer is agreed to by him, the question will be transferred immediately and the fact of the transfer will be communicated on telephone to the RS/LS Secretariat followed by a written communication to the question branch of the said Secretariat. If, however, the officer in the other Ministry/Department does not agree to accept, the Secretary of the Ministry/Department will discuss the matter with the Secretary of the other Ministry/Department to resolve the issue. The Ministry/Department(s) may note that unless the transfer of the Question is accepted by the other Ministry/Department concerned, the Question will remain in the name of the Ministry/Department to which it is originally addressed by the Member and no transfer will be effected after the Question is admitted and printed. The Ministry/Department(s) should, therefore, take necessary action for transfer of the Question expeditiously. Procedure for handling Questions in Rajya Sabha is at Annex 33 and Procedure for handling Questions in Lok Sabha is at Annex 34.
- (ii) If some of its components pertain to the sphere and responsibility of another Ministry/Department(s), the procedure as detailed in preceding sub-para will be followed to decide upon the Ministry/Department which, given the thrust of the question will answer the question and the other Ministry/Department(s) will furnish the relevant facts relating thereto to the Ministry/Department concerned to enable it to prepare the answer to the question.

PRO 1.22 to 1.25

Cabinet Secretariat's  
D.O. letter  
No.73/2/15/85- Cab.  
Dated 25.4.1985,  
11.3.87, No.73/2/39/91-  
Cab. Dated 13.12.91  
No. 1/25/25/98- Cab.  
Dated 15.4.99 & No.  
1/25/52/2000-Cab. Dated  
17.2.01

Para 3 of Annexure 33

RSS OM No.  
RS/1/2(i)/245/2018-Q

Dated 12/1/2018

Para 4 of Annexure 34

LSS OM NO. 13(3)(ii)/  
XVI/XIV/2018-Q

Dated 25/1/2018

(iii) If despite following the procedure as set out in sub-para (i) and (ii) above, irreconcilable differences still exist among Ministries/Departments on handling the parliament question, a reference giving details of discussions, etc., held with the other Ministry/Department(s), will be made to the Cabinet Secretariat by the Ministry/Department with the approval of the Secretary. If in the meantime, the question is printed in the List of Questions, the question may be answered under compulsion but thereafter the matter will be pursued with the concerned Ministry/Department(s) requesting them to accept future questions on the subject.

(b) If it pertains to some other section, it will not be returned to the Parliament Unit but its transfer to the appropriate section will be settled either at the level of section officer or branch officer. Should this fail, the assistance of the O&M officer or other higher officer will be sought to resolve the issue without any delay or noting.

RSR 47,48 LSR  
41,42 SD 10(A)  
PRO1.5, 1.15 to  
1.17

(c) It will be examined whether the question is admissible for reply in terms of provisions quoted in the margin.

Communication of  
facts to the RS/LS  
Secretariat

PRO 1.10,1.11

Para 1 of Annexure 33

RSS OM No.  
RS/1/2(i)/245/2018-Q

Dated 12/1/2018

Para 3 of Annexure 34

LSS OM NO. 13(3)  
(ii)/XVI/XIV/2018-Q

Dated 25/1/2018

**3.4.1** If considered necessary by the Ministry/Department or if required by the RS/LS Secretariat, relevant facts may be communicated to the Secretariat concerned as expeditiously as possible through e-mail or any other mode prescribed by the respective Secretariat from time to time, but in any case not later than the specified date or within 48 hours of the receipt of such references in case of Rajya Sabha and 24 hours in case of Lok Sabha, as the case may be, for consideration of the Chairman/Speaker for deciding the admissibility of the question. If a reply cannot be sent in time, an interim reply explaining the reasons for delay will be given at once followed by the facts as soon as they are known. Clarifications, where necessary, will be sought from the RS/LS Secretariat and not from the member concerned.

**3.4.2** When communicating facts, information of a confidential nature will be marked as such, and the RS/LS Secretariat be advised that the information should not be disclosed to the member(s) giving notice thereof.

**3.5.1** Immediately after communicating facts in the manner prescribed in the preceding paragraph, action will be initiated to collect the material for framing a draft reply and also, where necessary, a note for supplementaries. While the highest priority will be given to the collection of the required material, the following points will be borne in mind:

Material for reply

- (a) The required information/ material may be collected through e-mail/fax etc. to avoid delay.
- (b) Information to be sought will be limited to what is not available or what is required to update the available information.
- (c) Only the authorities specifically concerned and in a position to give the relevant information will be approached.

- (d) If it is not possible for the Ministry/Department to collect all the information for reply to a starred question within the time available, as the information is sometimes to be collected from various authorities in different parts of the country, the Minister will inform the Chairman/Speaker about it, as early as possible, but not later than the day preceding that on which the question is listed; that the information for the reply to that question is being collected and that he would be in a position to reply to that question subsequently on another date during the session. If the Chairman/Speaker agrees, the question will be transferred from that day's list of questions to a subsequent date, as requested. The question so transferred will have the same priority in the new list of questions as it had obtained in the original list.

Transfer of question to a subsequent date

PRO 1.26

Note for  
supplementaries

**3.5.2** Tabulation or compilation of information or data collected for framing a reply or for drafting a note for supplementaries will be started without waiting for the replies from all those who have been addressed.

Drafting of reply

**3.6** While drafting the reply, the following points will be borne in mind:

PRO 1.28

(a) The preparation of a tentative draft reply and a draft note for supplementaries, where necessary, will be undertaken immediately on receipt of the provisionally admitted question. The draft reply so prepared will be reviewed on receipt of the printed list of admitted questions and, if necessary, revised so that it conforms to the admitted form of the question. To facilitate this, the Parliament Unit will keep in touch with the RS/LS Secretariat and ascertain the text of the question as finally admitted for the information of the section concerned, even before the printed list is received. This will be done a couple of days before the printed list is received, i.e., as soon as the final list is ready in the RS/LS Secretariat for being sent to the press.

PRO 1.28

(b) In preparing a draft reply, parts of the question will be reproduced and replies thereto set out in parallel columns against each part. In cases of starred questions, the position of the question in the printed list will be indicated on the top, right hand corner of the draft reply.

SD 13(A)

PRO 1.28

(c) The reply should be as precise, unambiguous and complete as possible, taking particular care to avoid expressions which are liable to be construed as evasive or as implying an assurance unless it is clearly intended to give one. As far as possible, each part of the question should be answered separately.



- (d) As far as possible, an interim reply to the effect that information is being collected and will be placed on the Table of the House should be avoided. This is particularly important in the case of starred questions, where such a reply will unnecessarily take the time of the House and also deprive members of an opportunity to ask supplementary questions. PRO 1.26

Assurances are generally not given in reply to Starred Questions. Where the Ministry/Department feels that the reply to a Starred Question shall result in assurance only, this fact may be brought to the notice of Joint Secretary/Director-in-charge of the RS/LS Secretariat, as the case may be, immediately on receipt of the advance notice, to facilitate the competent authority to take an appropriate decision in the matter. Para 5 of Annexure 33  
RSS OM No.  
RS/1/2(i)/245/2018-Q  
Dated 12/1/2018  
Para 10 of Annexure  
34 LSS OM NO.  
13(3)(ii)/XVI/  
XIV/2018-Q  
Dated 25/1/2018

If for some unavoidable and unforeseeable circumstances, an interim reply becomes inescapable, it should be ensured that:

- (i) the required information is expected with a reasonable degree of certainty be available subsequently; and
  - (ii) there would be no objection to disclosing it.
- (e) If, on the basis of whatever information is already available with the Ministry/Department or has been obtained from the outside agencies, a satisfactory reply could be framed, the feasibility of giving such a reply, although not strictly complete, may be considered without calling for further information or holding out an assurance.
- (f) Where a question calls for elaborate reply or detailed figures, the reading of which is likely to take more than 15 seconds, a statement giving the required information will be prepared and attached to the reply. In the case of a starred question, the reply will merely state that a statement is being placed on the Table of the House. In the case of an unstarred question, however, there is no need to say so specifically. PRO 1.38

(g) When a reply to a question refers to the information available in a document, whether published under the authority of the Government or otherwise, copies of such a document will invariably be placed in the Parliament library before the answer is given or laid on the Table of the House.

RSR 57

(h) An answer to a question will not refer to the answer to a question or proceedings in the other House during a current session.

LSR 51

PRO 1.7, 1.14

(i) If a question is on the printed list, it has to be answered, even though the reply may be that it would not be in the public interest to give the information asked for.

PRO 1.41

(j) When the original question is in Hindi, the reply will be in Hindi and will be treated as the authentic version and the English version will be treated as its translation.

Note for  
supplementaries

**3.7** A note for supplementaries for the use of the Minister will be added to all draft replies to starred and short notice questions. It will be comprehensive but as brief as possible and will take into account the likely supplementaries with reference to the nature of the question and the context in which the member has raised it.

Translation of  
questions into Hindi  
PRO 1.41, 1.42

**3.8.1** The draft reply will be in the language (Hindi/English) in which the question is put, accompanied by a translation in the other language. On return of the file from the Minister, the Parliament Unit will ensure that the translation takes into account the changes made in the draft reply, before it is photocopied. Wherever possible, the English version of the answer may be photocopied on the back of the Hindi version. In case of any doubt between the English translation and Hindi text of such questions, the Ministry/Department may make a reference to the Secretariat concerned to seek a clarification.

**3.8.2** Under the existing requirements, Hindi and English versions of the answer to a question should be given simultaneously. Where, however, the answer involves laying on the Table of the House a lengthy statement or document which is available only in English, such papers may be laid on the Table of the House in English along with the statement explaining the reasons for not laying the Hindi version of the document(s), etc., and stating when the Hindi version would be made available to members. However, efforts should be made to make such document(s) available in Hindi as soon as possible. Where the Hindi version is laid on the Table of the House subsequently, the instructions contained in paragraph 4.1(h) should be followed. PRO 1.43

**3.9.1** With the implementation of a new system for e-publishing of Parliamentary Questions/Answers, soft copies of replies to Starred Questions are to be posted by the respective Ministries on Lok Sabha Question and Answer Portal (<http://pqals.nic.in>) by 10.00 hours on the day the replies are listed, which will facilitate the Hon'ble Members to draft Supplementaries to Starred Questions. Further, the replies to Unstarred Questions are to be uploaded on portal, immediately, after Question Hour, i.e., 12 O'Clock. Procedure for Rajya Sabha Questions is at Annex 33. Uploading of  
reply to the RS/LS  
Questions.  
PRO 1.31

**3.9.2** All communications from Ministry/Department(s) addressed to the Parliament Secretariats in connection with questions, etc., which are normally meant for submission to the Presiding Officers, should be deemed to be important communications and signed personally by an appropriate senior officer. PRO 1.6

**3.10** The Parliament Unit will circulate within the Ministry/Department, in advance, a list showing the distribution amongst Ministers of the starred question(s) to be answered by them on a particular day. Where, for unavoidable reasons, the question has to be answered by a Minister, Minister of State or Deputy Minister not incharge of the Ministry/Department, the fact will be communicated by the Parliament Unit to the RS/LS Secretariat by 15.00 hours on the working day preceding the day on which the question is due for reply. Communicating  
the name of the  
Minister who will  
be answering the  
Questions  
PRO 1.14, 1.44

No advance  
publicity

SD 13(3)

RSR 59

LSR 53

**3.11** Replies to questions which Ministers propose to give, will not be given any publicity until the answers are given on the floor of the House or laid on the Table of the House.

Short notice  
question

RSR 58

LSR 54

**3.12.1** It is within the discretion of the Minister not to accept a short notice question. In case the Minister has not accepted the short notice question, Chairman of Rajya Sabha/Speaker of Lok Sabha may direct that the question be placed as the first question on the list of questions for oral answer for the day on which it would be due for answer under Rule 39(RSR) read with rule 58(3)(RSR) for Rajya Sabha and under Rule 33(LSR) read with rule 54(3)(LSR) for Lok Sabha.

PRO 1.4, 1.5

RSR 58

LSR 54

**3.12.2** The advance copy of such a question, when received, will be transmitted at once to the branch officer concerned and also brought to his notice orally. If received outside office hours, the central registry will send it to the residence of the branch officer concerned after consulting the Parliament Unit. The branch officer will obtain such instructions as may be necessary, from higher officers and submit the file immediately giving his remarks whether it would be possible to answer it at short notice. If the recommendation is that the question could be accepted, a draft reply with a suitable note for supplementaries will be put up for submission to the Minister, suggesting the date on which he may answer the question. The date approved by the Minister will be communicated to the RS/LS Secretariat.

PRO 1.10

**3.12.3** If, having regard to the nature of the question, it is found to be inadmissible under the rules [vide para 3.3(c)], or if the question is not acceptable to the Minister, these facts will be communicated promptly and in any case within two days to the RS/LS Secretariat.

- 3.13** Draft replies to certain questions require the approval of the Prime Minister. In this connection, detailed instructions issued by the Prime Minister's Office specifying the type or nature of questions requiring such approval and the procedure to be followed in that behalf, will be observed. Question requiring approval of the Prime Minister
- 3.14** Where a Minister, while replying to a question, varies the answer, the Ministry/Department concerned will immediately communicate the fact to the RS/LS Secretariat as well as to the Information Officer concerned and ensure that the necessary corrections are made in the copies already supplied. Variations in answer to a question
- 3.15.1** The number of copies (English and Hindi versions) of answers to questions including short notice questions and statements correcting answers to previous questions to be sent to the RS/LS Secretariat may be ascertained from the Secretariat concerned. Number of copies to be supplied  
PRO 1.31
- 3.15.2** The prescribed number of copies in English and Hindi (to be ascertained from Rajya Sabha/Lok Sabha Secretariat), of each of the replies to all the questions and statements made or laid on the Table of the House as part of replies to questions, will be sent to the Translation Branch.
- 3.15.3** Four hundred copies in English and 100 copies in Hindi, or 500 copies where English and Hindi versions are printed on the obverse and reverse, of answers to questions will be supplied to the Press Information Bureau.
- 3.15.4** The prescribed number of copies in English and of each of the replies to all the questions and statements made or laid on the Table of the House as part of replies to questions are detailed below: Para 5 of Annexure 33  
RSS OM No.  
RS/1/2(i)/245/2018-Q  
Dated 12/1/2018  
Para 11 of Annexure  
34 LSS OM NO. 13(3)  
(ii)/XVI/XIV/2018-Q  
Dated 25/1/2018

	Types of Question	No. Of copies to be supplied by the Ministries/departments		
	STARRED AND SHORT NOTICE QUESTION		LOK SABHA	RAJYA SABHA
(a)	Original Notice in English	English	300	290 copies (in separate sets of 115 for Distribution Branch and 175 for Question Branch)
		Hindi	200	
(b)	Original Notice in Hindi	English	300	
		Hindi	300	
UNSTARRED QUESTIONS				
(a)	Original Notice in English	English	200	175 copies (in separate sets of 115 for Distribution Branch and 60 for Question Branch)
		Hindi	100	
(b)	Original Notice in Hindi	English	200	
		Hindi	200	

Uploading of Answers to Starred and Unstarred Questions.

Para 6 of Annexure 33

RSS OM No.  
RS/1/2(i)/245/2018-Q

Dated 12/1/2018

Para 12 of Annexure 34

LSS OM NO. 13(3)  
(ii)/XVI/XIV/2018-Q

Dated 25/1/2018

**3.15.5** The Ministries/Departments should upload the text of the final version of the Answer to the Questions on the on the Web portal of the RS/LS Secretariat.

(i) In the case of Rajya Sabha Questions the Ministry/ Department(s) are required to upload the text of the Question and answer thereto on Homepage of Parliament[<http://pqars.nic.in>] by 13.00 hours positively on the date of Answer.

(ii) In the case of Lok Sabha soft copies of answers to Starred Questions should be uploaded on the Homepage of Parliament [<http://pqals.nic.in>] (Members portal) by 10.00 AM on the day the Question is listed to facilitate Members to draft supplementaries to Starred Questions. Replies to LS Unstarred Questions should be uploaded on the Lok Sabha website immediately after the Question Hour on the day replies are laid on the Table of the House.

Corrections to answers to questions/short notice questions/incorrect statements

**3.16** If inadvertently, an answer to a question contains any inaccuracy, the procedure as given below will be followed:

- (a) Within a week of the reply the Minister will ordinarily give the Secretary General, Rajya Sabha/Lok Sabha a notice of his intention to make/lay statement along with a copy of the statement proposed to be made/laid giving reasons for the delay in making/laying such a statement, if the delay is more than seven days. PRO 1.45 SD 16 SD 16A-Omitted
- (b) The prescribed number of copies each of Hindi and English versions of the statement to be made/laid by the Minister, along with the authenticated copies each in Hindi and English versions, explaining reasons for delay, if necessary, will be sent so as to reach the RS/LS Secretariat by 15.00 hours at the latest, on the working day preceding the day on which the statement is to be made/laid. PRO 7.4
- (c) If the House is in session: SD 16(ii)
- (i) in the case of starred questions/short notice questions/statements, whether for the Rajya Sabha or the Lok Sabha, the item would be included in the list of business on an appropriate date and the Minister will be called upon to make the statement in the House or lay it on the Table of the House. After the statement has been made, the Chairman/Speaker may permit members to ask supplementary questions, strictly relevant to the subject matter of the corrections made by the Minister. PRO 1.38,1.41
- (ii) In case of unstarred questions for the Rajya Sabha/Lok Sabha, the item would be included in the list of questions for written answers on the appropriate date in the following manner: SD 16 A(ii) & (iii) PRO 1.45
- “The Minister of. .... to lay a statement correcting the reply given on the ..... 20..... to unstarred question No. .... by Sh. .... regarding .....”

SD16(iii)

SD 16 A(iv)-  
Ommitted

PRO 1.51

(d) If a House is not in session:

(i) in the case of starred questions, either the Minister may be called upon to make the statement during the next session; or

(ii) If the matter cannot wait till next session the statement may be included in the official report of the debates with a footnote in the following manner:

“The original reply or statement by the Minister reads as follows:

XXX XXXXXX

The reply as printed above was sent by the Minister afterwards in substitution of the original reply.”

NOTE: Where it is not considered desirable to publish the original reply, only the revised reply will be printed with a suitable footnote.

(iii) in the case of unstarred questions, procedure as described above in (d) (ii) will be followed.

Half-an-hour  
discussion on a  
matter of public  
importance arising  
out of answer to a  
question

RSR 60

LSR 55

**3.17.1** On a notice being given by a member, the Chairman / Speaker may allot half-an-hour for discussion on a matter of sufficient public importance, which has been the subject of a recent question and the answer to which needs elucidation on a matter of fact. The discussion is restricted to:

(a) the member who gave notice making a short statement;

(b) the Minister making a short reply; and

(c) other members, who have previously intimated the Chair in case of the Rajya Sabha/ not exceeding four in the case of the Lok Sabha, may ask supplementary questions.

**3.17.2** The advance copy of the notice for half-an-hour discussion, when received, will be transmitted at once to the branch officer concerned and also brought to his notice orally. If received outside office hours, the central registry will send it to the residence of the branch officer concerned after consulting the Parliament Unit.



**3.17.3** Where the stipulated notice of 3 days has not been given, the branch officer will:

- (a) put up the file for ascertaining if the Minister is agreeable to holding the discussion; and
- (b) communicate the fact to the RS/LS Secretariat if the Minister does not agree to hold the discussion.

**3.17.4** Where the stipulated period of notice has been given or the Minister agrees to hold the discussion without the stipulated period of notice, action will be taken immediately to:

- (a) gather all the necessary facts; and
- (b) prepare a brief for the use of the Minister.

**3.17.5** When half-an-hour discussion is interrupted for want of quorum or when there is no time for the Minister to give a full reply to the debate, he may, with the permission of the Speaker, lay a statement on the Table of the House. <sup>SD 19</sup>

## *Chapter 4*

# ***Laying of Papers on the Table of the House***

- General procedure      **4.1** Papers, reports or statements may be required to be laid on the Table of the House under different circumstances. The broad procedure to be followed for the purpose is indicated below:
- PRO 6.1(a)  
SD 116      (a) At least two clear sitting days' notice is required for laying a document of the above kind on the Table of the House.
- PRO 6.2  
PRO 6.3  
SD 116(3)      (b) Where papers are proposed to be laid at less than two days' notice, it can be done usually only with the permission of the Chairman/Speaker, which will be obtained through the RS/LS Secretariat. When a Minister is permitted to lay a paper at short notice, the Ministry concerned should arrange to supply the authenticated copy and the usual number of copies of the paper to the RS/LS Secretariat as soon as the permission is accorded and in any case before the paper is laid on the Table.
- PRO 6.1(a)      (c) The number of copies (English and Hindi versions) to be supplied to the RS/LS Secretariat for the above purpose is to be ascertained from the concerned Secretariat.

- (d) Where it is proposed to distribute copies to members, <sup>PRO 6.6, 6.17</sup> additional copies (as ascertained from the RS/LS Secretariat) will be sent.
- (e) The communication forwarding the copies to the RS/LS Secretariat will indicate inter alia:
  - (i) whether they are to be laid on the Table or they are <sup>PRO 6.1(i)</sup> only meant for distribution to members;
  - (ii) the date on which it is proposed to lay the document <sup>PRO 6.1(a)</sup> in question on the Table of the House; or
  - (iii) whether the date on which the document is to be laid <sup>PRO 6.1(d)</sup> on the Table of the House is to be fixed in consultation with the Ministry of Parliamentary Affairs; and
  - (iv) the name, designation and telephone number of the <sup>PRO 6.1(b)</sup> officer from whom additional copies of the document could be obtained, if need be;
- (f) one copy each in Hindi and English version, out of <sup>PRO 6.1(a)</sup> (c) above, will be duly authenticated by the Minister concerned, preferably on the front page of the paper, in the form indicated below:

“Paper to be laid on the Table of Rajya Sabha/Lok Sabha.

AUTHENTICATED

New Delhi, (Signature)

Dated the Minister of.....”

- (g) Two copies of all papers sent to the RS/LS Secretariat vide (c) above, will also be sent to the Ministry of Parliamentary Affairs.

PRO 6.1

(h) Ordinarily, and as far as possible, all papers including reports/audit reports required to be laid on the Table will be laid in both English and Hindi versions simultaneously. However, if in exceptional and unavoidable circumstances, it is not possible to lay both the versions simultaneously, the Minister concerned, while laying one version, should invariably lay a statement explaining the reasons for not laying the other version, and also indicating the time that would be taken for submission of the other version. In such cases, the other version should be laid on the Table either in the same session or at the most in the first week of the next session, along with a statement inviting attention to the fact of the reports in the first version, English or Hindi, having been laid on the Table earlier on a particular date. In the event of only one version being laid, the Ministry/Department(s) should get a waiver from the Presiding Officer of the House for doing so.

PRO 6.1(f)

(i) If, for any reason, the Minister concerned is not in a position to be present, he will inform the Chairman/ Speaker in advance the name of the Minister who would lay the paper on his behalf. A copy of this communication will also be endorsed to the Minister of Parliamentary Affairs and the Table Office, RS/LS Secretariat, so as to reach them at least one hour before the commencement of the sitting.

PRO 6.1(g)

(j) All reports, required to be laid on the Table of the House, will be released to the Press only after they have been so laid. However, reports under the Companies Act, 1956, may be circulated to the members directly by the government companies immediately after their annual general meetings and laid on the Table of the House as soon as possible thereafter.

PRO 6.1(j)

(k) Papers meant for being laid on the Table of the Houses will not be sent during the period between the adjournment of the Houses sine die and issuing of the notification regarding the commencement of the next session.

(l) Whenever any report of enquiry, in regard to serious accidents (mining, explosions, etc.), which have previously been brought to the notice of the Rajya Sabha/Lok Sabha through adjournment motions or otherwise, is laid on the Table of the House, the Minister concerned will make a brief statement giving a summary of the report and the cause of the accident. PRO 6.4

(m) In cases where undue delay occurs in laying a document on the Table of the House, a statement giving reasons for delay will also be laid on the Table. PRO 6.16

**4.2** The broad procedure to be followed with regard to laying on the Table 'sensitive notifications', i.e., those notifications which make changes in export duties, major changes in procedures and changes in import and Central excise duties involving revenue of more than Rs. 50 lakhs per annum, except cases where an existing concession is being continued, is indicated below: PRO 6.19

(i) Such a notification should be published in the Gazette Extraordinary. PRO 6.19(1)

(ii) If sent to press before 18.00 hours it should be laid on the Table on the same day just before the adjournment of the House, even without G.S.R/S.O. number which may be intimated later, after seeking time and permission from the Presiding Officer in writing for laying it. Copies along with a copy of the letter addressed to the Presiding Officer should be delivered to the Table Office by 14.00 hours. Clear and precise subject of the notification along with the relevant provisions in the Act requiring their laying on the Table should be indicated in the requisite proforma and sent along with the forwarding letter. A copy of the Office Memorandum regarding the Guidelines for laying of the papers on the Table of the Rajya Sabha issued by the Rajya Sabha Secretariat to all Ministries/Departments of the Government of India prior to the commencement of every Session is at Annex- 29. Similar OMs of Lok Sabha Secretariat are at Annex-30 and Annex-31. PRO 6.19(2) PRO 6.20

- PRO 6.19(3) (iii) If sent to press after 18.00 hours, copies should be sent for circulation to Members of Parliament by midnight the same day and the notification should be formally laid at the next sitting.

However, if in any particular case the issue of a notification was not anticipated and, therefore, copies could not be made, the Minister concerned should address a letter to the Presiding Officer the same night enclosing a copy of the notification and informing him of his intention to lay the notification at the next sitting.

- PRO 6.19(4) (iv) Copies of all such communications sent to the Presiding Officers, should be endorsed to the Secretary General, Rajya Sabha/ Lok Sabha and the Table Office of the RS/LS Secretariat.

- PRO 6.19(4) (v) Notifications, other than the sensitive notifications issued under the Customs & Central Excise Act, should be laid within seven days of their publication, with GSR/SO number.

- PRO 6.19(4) (vi) If the House is not in session, all notifications, including sensitive ones should be laid within seven days of the commencement of the next session.

## Chapter 5

# ***Motions, Official Statements, Short Duration Discussions & Resolutions***

**5.1.1** A member of the Lok Sabha may give notice of an adjournment motion to the Secretary-General and copies thereof shall be endorsed to the Speaker, the Minister concerned and the Minister of Parliamentary Affairs. Notices of such motions will be collected daily by the Parliament Unit from the Table Office of the Lok Sabha, on all working days from three working days prior to the commencement of the session, till the end of the session, between 10.30 and 11.00 hours and 16.00 and 16.30 hours.

Adjournment  
Motions  
LSR 57,  
PRO 2.1

**5.1.2** On receipt of such a notice, the Parliament Unit will immediately pass it on to the Secretary of the Ministry/ Department with copies to the Private Secretary to the Minister and the branch officer in-charge of the subject who will:

LSR 58, 59

- (a) immediately examine the matter in the light of the criteria laid down in the Rules of Procedure and Conduct of Business in Lok Sabha.
- (b) submit a brief for the use of the Minister on the stand to be taken; and
- (c) communicate to the Lok Sabha Secretariat, the relevant facts after the Minister's approval, stating clearly the fact of such approval.

PRO 2.5

**5.1.3** Where the Speaker has referred the notice to the Minister for facts, such facts will be communicated to the Speaker, before the House adjourns for the day on which the facts have been sought, but not later than 10.00 hours on the following day. If this is not possible, an interim reply will be sent either in writing or over the phone indicating the probable date by which a final reply will be sent.

PRO 2.3

**5.1.4** Since adjournment motions are taken up in the House on the same day immediately after the Question Hour or at 11.00 hours, if there is no Question Hour, the Minister concerned may be requested to be present in the House accordingly.

Calling Attention  
notices

RSR 180

LSR 197

PRO 3.1

**5.2.1** A member may give a notice to the Secretary-General Rajya /Lok Sabha, to call attention of a Minister to any matter of urgent public importance and request him to make a statement. Copies of such notices are required to be endorsed to the Minister of Parliamentary Affairs as well as the concerned Minister. The Lok Sabha notices will be collected by the Parliament Units of Ministries/ Departments from the LS Secretariat and the Rajya Sabha notices, as received from Rajya Sabha Secretariat, are forwarded to the concerned Ministry by the Ministry of Parliamentary Affairs.

**5.2.2** On receipt of such a notice, the Parliament Unit will immediately pass it on to the branch officer concerned who will examine the matter and take the following action with the approval of the Minister:

- (a) bring relevant facts to the notice of the RS/LS Secretariat within 24 hours in writing or over the phone, where necessary, for deciding the admissibility or otherwise of the notice;
- (b) send an intimation to the RS/LS Secretariat, if the Minister desires to make a statement on his own, indicating the date on which it is proposed to be made; and
- (c) examine whether, having regard to the importance of the subject matter, the statement is to be made in the other House also on the same day.



**5.2.3** When a calling attention notice on an issue is raised in the House, the Minister concerned may either make a statement on the basis of available information or ask for time for making such a statement at a later hour or date. If the statement is a lengthy one, only a gist thereof need be read out, while the complete statement may be laid on the Table of the House. The Chairman /Speaker should be informed in advance about the course to be followed. The statement will also cover the points raised by the members through separate notices of questions, adjournment motions, etc., on the same or allied subjects so as to enable the Chairman/Speaker to disallow such notices.

Procedure for making statement  
SD 47(a)  
RSR 180  
LSR 197  
PRO 3.3 to 3.5

**5.2.4** On receipt of an intimation that a member has given a calling attention notice on a subject, even though it might not have been admitted, the facts about the subject raised therein will be collected and the Minister briefed, as the subject might come up again suddenly in Parliament in some other form.

Briefing the Minister

**5.3.1** If the Minister suo moto wishes to make a statement on a matter of public importance on any day, or whenever a direction by the Presiding Officer or an assurance by the Minister of Parliamentary Affairs or any other Minister is given in either House that the Government will make a statement on that subject in both the Houses irrespective of the fact that the assurance has been given only in one House intimation thereof indicating the date on which the statement is proposed to be made will be sent to the Rajya / Lok Sabha Secretariat so as to reach it latest by 15.00 hours on the previous working day. When a statement is to be made on a Monday, intimation to that effect should reach the Parliament Secretariat by 15.00 hours on the preceding Friday. Where, however, the statement is to be made at shorter notice, previous permission of the Presiding Officer will be obtained before 10.00 hours on the day on which it is proposed to be made. In all such cases, a copy of the statement proposed to be made by the Minister will also be sent in advance to the Rajya / Lok Sabha Secretariat for information of the Chairman/Speaker.

SD 119  
PRO 7.2 to 7.4

Where, however, the statement proposed to be made is of secret nature, a copy thereof should be supplied confidentially to the Chairman / Speaker in advance. It is desirable that the statement to be made should also cover the points raised in notices of calling attention, short notice questions, etc., that may have been separately received on the same subject. Lengthy statement (i.e., exceeding three pages) may be laid on the Table.

**5.3.2** Three copies of all statements to be made in the Parliament by Ministers, together with the brief for answering any supplementary questions concerning the subject matter, will be sent to the Joint Secretary to the Prime Minister.

PRO 7.5

**5.4** The number of copies of the statement etc., (English and Hindi version) to be sent to the RS/LS Secretariat and the Ministry of Parliamentary Affairs may be ascertained from them. These copies may be sent to the Secretariat concerned one day in advance but in any case not later than 10.00 hours on the date on which the statement is to be made or laid, for being made available to members in advance through the Parliamentary Notice Office. Where it is not possible to supply the required number of copies in advance, six typed copies of the statement in the language in which it is to be made by the Minister may be furnished by 10.00 hours on that day and the remaining copies supplied by 10.30 hours at the latest.

Motions on matters  
of public interest

RSR 167

LSR 184, 186

**5.5.1** A member or a Minister may move a motion for discussion on a matter of general public interest. It should raise substantially one definite issue and be restricted to a matter of recent occurrence. In respect of an official motion, a notice of at least five days will normally be given to the concerned Parliament Secretariat under intimation to the Ministry of Parliamentary Affairs for moving the motion.

RSR 169

LSR 186, 188

**5.5.2** On receipt of the notice of a motion from a member, the Parliament Unit will immediately pass it on to the branch officer concerned who will:

- (a) examine the matter in the light of the criteria laid down;

- (b) communicate facts to the RS/LS Secretariat where these have been specifically called for, or are considered absolutely necessary; and
- (c) submit a brief for the Minister on the stand to be taken if and when the motion is moved.

**5.6** If a notice of a motion is admitted by the Chairman/ Speaker, it is put down in the list of business of the House concerned for the day on which its discussion is fixed. If, however, no day for its discussion has been fixed, it is notified in the bulletin as a “No-Day-Yet-Named Motion.” On receipt of such a bulletin from the Parliament Unit, the section concerned will examine the motion critically and obtain the orders of the Minister in regard to his convenience for a discussion thereon. The Ministry of Parliamentary Affairs will be informed of the decision so arrived at.

No-day-yet-named  
Motions  
RSR 171  
LSR 189

**5.7.1** Any member desirous of raising a discussion on a matter of urgent public importance for short duration, may give notice thereof in writing to the Secretary-General, Rajya /Lok Sabha.

Short duration  
discussion on  
matters of public  
importance  
RSR 176  
LSR 193

**5.7.2** On receipt of a copy of notice in Parliament Unit, it will immediately be passed on to the branch officer concerned who will:

- (a) communicate facts to the RS/LS Secretariat where called for; and
- (b) initiate action to collect relevant information.

RSR 177  
LSR 194

**5.7.3** On receipt of the admitted notice, the Parliament Unit will immediately pass it on to the branch officer concerned, who will submit a brief for the Minister on the stand to be taken.

**5.8.1** A member or a Minister may move a resolution relating to a matter of general public interest. The conditions governing admissibility of resolutions are laid down in RSR 157 and LSR 173.

RSR 155 to 157,  
165 LSR 171 to 173

**5.8.2** Where it is proposed to move an official resolution, the Ministry/Department concerned will:

Official Resolutions

- (a) prepare a draft of the resolution and an explanatory note thereof;
- (b) consult other Ministry/Department(s) concerned, if necessary;
- (c) obtain the approval of the Cabinet, where necessary under the Government of India (Transaction of Business) Rules;
- (d) give adequate notice (at least ten days before the termination of the session) to the Ministry of Parliamentary Affairs in Part II of the form at Annex 1;
- (e) forward the resolution duly signed by the Minister to the Secretary-General, Rajya Sabha/ Lok Sabha with an endorsement to the Ministry of Parliamentary Affairs; and
- (f) submit a detailed brief for the use of the Minister.

Private Members'  
Resolutions

**5.8.3** Text of Private Members' resolutions received from members on the basis of result of ballot is forwarded to the Ministry concerned and the Ministry of Parliamentary Affairs. Ministry concerned on receipt of text is expected to prepare the brief.

**5.8.4** The brief will state categorically whether it is proposed to accept the resolution, or accept it with amendment(s), or to request the member to withdraw it failing which it will be opposed, or to oppose it. A standard formulation as follows may be used with appropriate modification, if necessary:

“The member may be persuaded to withdraw the resolution. In case the member does not agree to its withdrawal, the resolution may be opposed in the present form or any other modified form.”

Five copies each in Hindi and English versions of the brief approved by the Minister will be sent to the Ministry of Parliamentary Affairs which will place it before the Cabinet Committee on Parliamentary Affairs and communicate its decision to the Ministry/Department.

**5.9** A member desirous of moving an amendment to a resolution or motion is expected to give at least a day's notice. On receipt of such notice, the branch officer concerned will:

Notice of  
amendments to  
resolutions/motions

(a) submit a brief for the Minister; and

RSR 160

(b) prepare a supplementary note unless the point raised has been specifically covered by the brief already prepared on the subject.

LSR 177

## Chapter 6

# *President's Address*

### Introduction

**6.1.1** In accordance with Article 87(1) of the Constitution, at the commencement of the first session after each general election to the Lok Sabha, and also at the commencement of the first session of each year, the President addresses both the Houses assembled together and informs Parliament of the causes of its summons. The address, which is usually delivered at the commencement of Budget Session every year, reviews the important happenings during the preceding year and also gives broad indication of the government's policies and programmes for the current year.

RSR 14,15,18  
LSR 16,17,20

**6.1.2** After the address, general discussion takes place in each House on the address on a Motion of Thanks moved by a member and seconded by another member. Normally the Prime Minister replies to points raised during the discussion. Any other Minister may, at his discretion, intervene to explain the Government's point of view on matter concerning his Ministry/Department. The Motion of Thanks is then put to vote of the House.

Material for  
President's address

**6.2** In December each year, the Prime Minister's Office calls upon the Ministry/Department(s) to furnish material for incorporation in the President's address. This is followed by a separate request from the Ministry of Parliamentary Affairs for a list of legislative proposals meriting mention in the address. Action will be taken in this regard as indicated below:

- (a) The section in the Ministry/Department entrusted with the task of coordinating action in the matter will initiate action well in time in anticipation of the receipt of these communications and ask other sections concerned to make available, by a fixed date, suitable material for the purpose.
- (b) The sections will prepare the material and forward it to the co-ordinating section after obtaining approval of the Joint Secretary concerned.
- (c) The co-ordinating section will:
  - (i) consolidate and edit the material so received into an integrated document for the Ministry/Department as a whole;
  - (ii) obtain the approval of the Minister; and
  - (iii) transmit the material to the Prime Minister's Office/Ministry of Parliamentary Affairs, as appropriate, on or before the dates prescribed by them.

**6.3** Parliament Unit will see that the Ministry/Department deputed, by rotation, an officer to be present in the official gallery to take note of the points, relevant to the Ministry/Department, made during the general discussion on the President's address (vide sub para 6.1.2) so that further action as required in para 2.9 is taken.

Attendance  
by officers of  
the Ministry/  
Department

**6.4** Ministry of Parliamentary Affairs intimates the Ministries/Departments that the President's Address is available on the official website of President of India, giving also the link. Ministries will examine the Address for follow up action, if any.

Follow-up action

**6.5** Members may move amendments to the Motion of Thanks drawing attention to specific points. The printed list(s) of amendments to Motion of Thanks will be circulated to all Ministries by the Rajya Sabha and the Lok Sabha Secretariat. On receipt of notices of such amendments, a suitable brief will be prepared on more important points as may be required for the use of the Minister/Prime Minister.

RSR 16  
LSR 18

## *Chapter 7*

# ***Budget***

Introduction  
RSR 181  
LSR 204

**7.1.1** According to Article 112(1) of the Constitution, an annual financial statement (also known as budget), giving the estimated receipts and expenditure of the Central Government in respect of each financial year, is to be laid on the Table of the two Houses before the commencement of that year. The annual financial statement or the budget is presented to the Lok Sabha in two parts, viz., the Railway Budget pertaining to the Railway Finance, and the General Budget which gives an overall picture of the financial position of the Government of India, excluding the Railways. From the year 2017 onwards the Railway Budget has been merged with General Budget and there is only one Union Budget.

Material for  
Finance Minister's  
budget speech

**7.1.2** In January each year, the Ministry of Finance calls upon Ministries/Departments to furnish suitable material for incorporation in the Finance Minister's budget speech. Action as follows will be taken in this regard:

- (a) The section in the Ministry/Department entrusted with the task of co-ordinating action in this regard will initiate action well in time in anticipation of the receipt of relevant communication from the Ministry of Finance and ask other sections concerned to make suitable material available by a fixed date.
- (b) The sections will prepare the material and forward it to the co-ordinating section after obtaining the approval of the Joint Secretary concerned.
- (c) The co-ordinating section will:



- (i) consolidate and edit the material so received into an integrated document for the Ministry/Department as a whole;
- (ii) obtain the approval of the Secretary; and
- (iii) transmit the material to the Ministry of Finance.

**7.1.3** By convention, usually the last working day of February was fixed for the presentation of budget. Since 2017, the Presentation of Union Budget has been advanced to 1st of February. The following documents are placed before Parliament along with the Union Budget:

- (a) Annual Financial Statement (AFS)
- (b) Demands for Grants (DG)
- (c) Finance Bill
- (d) Statements mandated under FRBM Act:
  - i. Macro-Economic Framework Statement
  - ii. Fiscal Policy Strategy Statement
  - iii. Medium Term Fiscal Policy Statement
- (e) Expenditure Budget
- (f) Receipts Budget
- (g) Expenditure Profile
- (h) Memorandum Explaining the Provisions in the Finance Bill
- (i) Budget at a Glance
- (j) Outcome Budget
- (f) The Budget can also be presented to the House in two or more parts and when such presentation takes place, each part shall be dealt with as if it were the Budget; and
- (g) Supplementary, additional, excess and exceptional grant and votes of credit shall be regulated by the same procedure as is applicable in the case of Demands for Grants subject to suitable adaptations.

Budget documents

RSR 183

LSR 213

LSR 215

- Budget proposals  
RSR 181(2)  
LSR 205
- 7.1.4** While presenting the budget at 11.00 hours on the scheduled day in the Lok Sabha, the Finance Minister makes a speech giving inter alia details of the proposals for the new financial year regarding taxation, borrowings and expenditure. The budget is laid on the Table of the Rajya Sabha soon after the Finance Minister has completed his budget speech in the Lok Sabha. No discussion takes place on the day the budget is presented.
- General discussion  
RSR 182(2)  
LSR 207
- 7.1.5** In consultation with the Ministry of Finance, the Ministry of Parliamentary Affairs fixes dates for general discussion on the budget. The discussion is confined to the budget as a whole or any question of principle involved therein. The Finance Minister has a right to reply to the general discussion in both the Houses. After conclusion of the general discussion, Vote on Account is passed by the Parliament to enable the Government to carry on until the voting of the Demands for Grants and passing of the general Appropriation Bill.
- Demands for Grants/Cut Motion
- 7.1.6** After the general discussion on the Budget in the House is over, the Houses are adjourned for a fixed period (also known as recess) to enable the Departmentally Related Standing Committees to consider the Demands for Grants. After the recess, the Demands for Grants of individual departments are taken up in the Lok Sabha for discussion according to a time table as decided at the meeting of the Business Advisory Committee of the House and voted upon. When a demand is taken up for discussion, any member may seek reduction in the amount of the demand by moving any of the following types of cut motions, a notice of which having been given by him earlier.
- LSR 209(a)
- (a) ‘Disapproval of Policy Cut’ by moving “that the amount of the demand be reduced to Re. 1”, thus representing disapproval of the Policy underlying the demand.
- LSR 209(b)
- (b) ‘Economy Cut’, by moving “that the amount of the demand be reduced by a specified amount” representing the economy that can be effected.
- LSR 209(c)
- (c) ‘Token Cut’, by moving “that the amount of the demand be reduced by Rs. 100” in order to ventilate a specific grievance, which is in the sphere of the responsibility of the Government of India.

(d) Subject to the availability of time and the convenience of the Ministers, the Minister while replying to the discussion on Demands for Grants may also deal with such other points made by members in the course of general discussion on General Budget as had not been replied to by the Minister of Finance in his reply to the general discussion on the General Budget. PRO 9.1

**7.1.7** On the last day of the days allotted for discussion on the Demands for Grants, at the time fixed in advance, the Speaker, shall put all the outstanding Demands for Grants to the Vote of the House. This process is known as Guillotine. The Presiding Officer calls for vote for the remaining demands one after the other and thus all the demands are voted upon within the allotted time. Ministers concerned with the departments whose Demands for Grants have not been discussed in the Lok Sabha and are to be guillotined should be present in the House at the time of guillotine so that they may answer any points which may be raised by members. Guillotining of demands LSR 208(2) PRO 9.2

**7.1.8** After the voting on the Demands has been completed, an Appropriation Bill is introduced in the Lok Sabha seeking “to authorise payment and appropriation of the sums so voted, as well as those required for meeting the charged expenditure from and out of the Consolidated Fund of India for the services during the financial year.” After the Bill has been passed by the Lok Sabha, it is transmitted to the Rajya Sabha for consideration and return. Appropriation Bill RSR 186 LSR 218

**7.1.9** The Finance Bill containing the annual taxation proposals is considered and passed by the Lok Sabha only after the Demands for Grants have been voted and total expenditure is known. There is, however, no statutory bar to consider the Bill containing permanent taxation measures before the Demands for Grants have been voted. Finance Bill LSR 219

**7.2.1** Departments are expected to prepare annual reports well in advance of the discussion on their Demands for Grants. The purpose of the annual reports is to enable the members to appreciate the performance of each department. The Annual Reports are usually made available to the members after the presentation of the Budget, but before the Demands relating to a particular Ministry are discussed in the House. The copies of annual reports are also made available to the Departmentally related Standing Committees in connection with consideration of Demands for Grants. Annual Reports

**7.2.2** The section entrusted with the task of co-ordinating action in this regard will:

- (a) initiate action for the preparation of the report in the first week of December of the year to which the report relates;
- (b) watch the progress through a rigid time schedule;
- (c) ensure that the time limits fixed by the Ministry of Urban Development and Poverty Alleviation (Directorate of Printing) (having regard to the programme of business in Parliament) for the transmission of the report in manuscript form (both in Hindi and English) to the press, checking of proofs and the placing of final print order are scrupulously adhered to, so as not to upset the time schedule according to which the printing presses are required to work;
- (d) ensure that what is finally printed represents the latest position by distributing to the sections concerned portions of proofs relating to their respective materials for careful scrutiny and correction and updating before return within the time limits to be fixed for the purpose;
- (e) ensure that the stipulated number of copies of the report are made available to the RS/LS Secretariat for circulation to members at least one week before the adjournment of both the Houses for recess during budget session; and
- (f) ensure that the report of the Ministry/Department may be released only after the presentation of the budget, as the reports sometimes give indication of the future plan together with reasons therefore, but in no case, their delivery to the Rajya Sabha/Lok Sabha Secretariat be delayed beyond the period stipulated above in para 7.2.2(e)

**7.2.3** The type of information that might go into an annual report may be based broadly on the lines indicated in Annex 2 subject to such modifications as may be intimated by the Ministry of Parliamentary Affairs from time to time.

It will, of course, be open to the departments concerned to modify the broad model format to meet their special needs.

**7.2.4** The number of copies of the annual report to be sent to the various authorities is as follows:-

No. of copies of annual report to be supplied

	English	Hindi	Bilingual
*(a) LS Secretariat	150	100	200
*(b) RS Secretariat	150	50	250
*(c) Press Information Bureau	50	50	50
(d) Ministry of Parliamentary Affairs	05	05	05
(e) State Governments (including Governments of Union territories)	02	02	02
(f) State/Union territory Legislatures	02	02	02
(g) Dy. Director Acquisition Section, Parliament Library room No.FB-059, Parliament Library Building	05	05	05
* No. of copies may be ascertained from the Rajya Sabha / Lok Sabha Secretariat/PIB before sending.			

While sending the copies to the Press Information Bureau, they should be informed that the annual reports should not be made public till they are circulated to the Members of Parliament.

**7.2.5** In an election year, or otherwise, when instead of a regular General Budget, an interim budget seeking Vote on Account is presented before the two Houses of Parliament, Ministries/Departments may send prescribed number of copies of the Statement containing in brief the activities of the Ministry/Department for the preceding calendar year, to the RS/LS Secretariat immediately after presentation of the interim budget. In such a year, the annual report should contain information regarding the activities of the Ministry/Department from the 1<sup>st</sup> January of the preceding year till 31<sup>st</sup> March of the year in which Vote on Account is taken and the prescribed number of copies thereof (as in para 7.2.4) should be sent to various authorities after presentation of General Budget.

Annual reports  
of societies/  
organisations

**7.2.6** The societies/organisations receiving one time assistance of Rs. 50 lakh or above are required to lay their Annual Reports and Audited Accounts before Parliament. In case of societies receiving one time assistance of Rs. 10 lakh and more but less than Rs. 50 lakh, the Ministries/Departments concerned are required to include in their own annual reports a statement showing the quantum of funds provided to each of these societies and purpose for which the funds were utilized, for the information of the Members of Parliament.

Role of Parliament  
Unit in regard  
to budgetary  
discussions in  
Parliament

**7.3** To assist the Minister in replying to the various discussions that take place in both the Houses following the presentation of budget, the Parliament Unit will see that:

- (a) a concise brief on the broad lines to be indicated by the Joint Secretary/Secretary is prepared in advance giving the Minister a synoptic view of the working of the Ministry/Department to enable him to answer the criticism that might be voiced during the discussions;
- (b) standing notes on important topics which are prepared by each section are kept up to date for reference at short notice;
- (c) the Ministry/Department deputed, by rotation, an officer to be present in the official gallery to take note of the points, relevant to the Ministry/Department, made during the general discussion on budget and consideration of Finance and Appropriation Bills, so that action as required in para 2.9 is taken; and
- (d) the concerned branch officers and other higher officers are present in the official gallery when the Demands for grants for the Ministries/Departments are discussed.

Cut Motions

**7.4** The admissibility of the cut motions is regulated by LSR 210, 211 and 212. On receipt of the notice of these motions, a suitable brief will be prepared on each of the more important of the specific points covered by the cut motions for the use of the Minister, to supplement the general overall brief already referred to in para 7.3 (a).

## Chapter 8

# Assurances

**8.1** During the course of reply given to a question or a discussion, if a Minister gives an undertaking which involves further action on the part of the Government in reporting back to the House, it is called an ‘assurance’. Standard list of such expressions which normally constitute assurances as approved by the Committee on Government Assurances (CGA) of the respective House, is given at Annex-3. As assurances are required to be implemented within a specified time limit, care should be taken by all concerned while drafting replies to the questions to restrict the use of these expressions only to those occasions when it is clearly intended to give an assurance on the floor of the House.

Definition

**8.2** An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This limit has to be strictly followed.

Time limit for fulfilling an assurance

**8.3** To ensure early fulfillment of assurances, entire process beginning from culling out of assurances from the proceedings of the House to the submission of Implementation Report including extension of time, dropping and transfer of assurances have been automated through a Software Application named “Online Assurances Monitoring System” (OAMS). Requests for extension of time, dropping or transfer of assurances and submission of Implementation Report through any other offline mode shall not be entertained under any circumstances.

Online Assurances Monitoring System (OAMS)

Culling out of  
Assurances

**8.4** When an assurance is given by a Minister or when the Presiding Officer, directs the Government to furnish information to the House, it is extracted by the Ministry of Parliamentary Affairs, from the relevant proceedings and communicated to the Department concerned online through 'OAMS' normally within 20 working days of the date on which it is given on the floor of the House.

Deletion from the  
list of assurances

**8.5** If the administrative Ministry/Department has any objection to treating such a statement as an assurance or finds that it would not be in the public interest to fulfill it, it may upload its request at 'OAMS' within a week of treating such statement as assurance for getting it deleted from the list of assurances. Such action will require prior approval of the Minister concerned and this fact should be clearly indicated in their communication containing the request. If such a request is made towards the end of stipulated period of three months, then it should invariably be accompanied with a request of extension of time. The department should continue to seek extension of time till the decision of the Committee on Government Assurances is conveyed through 'OAMS'. Requests received through offline mode shall not be entertained by either Rajya Sabha/Lok Sabha Secretariat or Ministry of Parliamentary Affairs.

Extension of time  
for fulfilling an  
assurance

**8.6** If the Department finds that it is not possible to fulfill the assurance within the stipulated period of three months or within the period of extension already granted, it may seek further extension of time as soon as the need for such extension becomes apparent, indicating the reasons for delay and the probable additional time required alongwith details of action taken/progress made in the matter. All such request should be submitted at 'OAMS' for decision by CGA thereon with the approval of the concerned Minister.

Registers of  
Assurances

**8.7.1** The particulars of every assurance will be entered by the Parliament Unit of the Ministry/Department concerned in a register as at Annex 4 after which the assurance will be passed on to the concerned section



**8.7.2** Even ahead of the receipt of communication from the Ministry of Parliamentary Affairs through ‘OAMS’ the section concerned should take prompt action to fulfill such assurances and keep a watch thereon in a register as at Annex 5.

**8.7.3** The registers referred to in paras 8.7.1 and 8.7.2 will be maintained separately for the Lok Sabha and the Rajya Sabha assurances, entries therein being made session wise.

The Section Officer in charge of the concerned section will:

Role of Section Officer and Branch Officer

- (a) scrutinize the registers once a week;
- (b) ensure that necessary follow-up action is taken without any delay whatsoever;
- (c) submit the registers to the branch officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within the period of three months; and
- (d) review of pending assurances should be undertaken periodically at the highest level in order to minimize the delay in implementing the assurances.

**8.8** The branch officer will likewise keep his higher officer and Minister informed of the progress made in the implementation of assurances, drawing their special attention to the causes of delay.

**8.9.1** Every effort should be made to fulfill the assurance within the prescribed period. In case only part of the information is available and collection of the remaining information would involve considerable time, an Implementation Report(IR) containing the available information should be uploaded at ‘OAMS’ in part fulfillment of the assurance, within the prescribed time limit. However, efforts should continue to be made for expeditious collection of the remaining information for complete implementation of the assurance at the earliest.

Procedure for fulfillment of an assurance

**8.9.2** Information to be furnished in partial or complete fulfillment of an assurance should be approved by the Minister concerned before it is uploaded at 'OAMS' in both English and Hindi versions in the prescribed pro forma as at Annex-6, together with its enclosures. After online submission of the Report for fulfillment of the assurance partial or complete as the case may be, four hard copies each in Hindi and English version with one copy of each version duly authenticated by the officer concerned should be sent to the Ministry of Parliamentary Affairs for laying until e-laying is adopted by the concerned House.

**8.9.3** The Implementation Report should be submitted at 'OAMS' only. Implementation Report sent by any other mode or sent to Rajya Sabha/Lok Sabha Secretariat directly, will not be considered for laying.

Laying of the Implementation Report on the Table of the House

**8.10** The Ministry of Parliamentary Affairs, after scrutiny of the Implementation Report, will arrange to lay it on the Table of the House concerned. A copy of the Implementation Report, as laid on the Table, will be forwarded by Ministry of Parliamentary Affairs to the member(s) concerned. Details of laying of Implementation Report submitted by the Ministry/Department concerned would be made available by the Ministry of Parliamentary Affairs at 'OAMS'. The Parliament Unit of the Ministry/Department concerned and the concerned section will, on the basis of information available at 'OAMS', update their records.

Obligation to lay a paper on the Table of the House vis-à-vis assurance on the same subject

**8.11** Where there is an obligation to lay any paper (rule/order/notification, etc.) on the Table of the House and for which an assurance has also been given, it will be laid on the Table, in the first instance, in fulfillment of the obligation, independent of the assurance given. After this, a formal report regarding implementation of the assurance indicating the date on which the paper was laid on the Table will be submitted at 'OAMS' in the prescribed pro forma (Annex-6) in the manner already described in para 8.9.2

**8.12** Each House of Parliament has a Committee on Government Assurances nominated by the Chairman/Speaker. It scrutinizes the Implementation Reports and the time taken in the fulfillment of Government Assurances and focuses attention on the delays and other significant aspects, if any, pertaining to them. Instructions issued by Ministry of Parliamentary Affairs from time to time as available on 'OAMS' are to be followed strictly.

Committees  
on Government  
Assurances  
RSR 211-A  
LSR 323, 324

**8.13** The Ministries/Departments will, in consultation with the Ministry of Parliamentary Affairs, scrutinize the reports of these two Committees for remedial action wherever called for.

Reports of the  
Committees on  
Government  
Assurances

**8.14** On dissolution of the Lok Sabha, the pending assurances do not lapse. All assurances, promises or undertakings pending implementation are scrutinized by the new Committee on Government Assurances for selection of such of them as are of considerable public importance. The Committee then submits a report to the Lok Sabha with specific recommendations regarding the assurances to be dropped or retained for implementation by the Government.

Effect on assurances  
on dissolution of  
the Lok Sabha

## Chapter 9

# Legislation

Ministry/  
Department  
responsible for  
initiating legislation

**9.1** Every proposal for legislation in Parliament will be initiated in the Ministry/Department to which the subject matter of the legislation relates.

Pre-drafting stage

**9.2** Pre-drafting stage of a legislative proposal will fall into the following four broad sub-stages:

Formulation  
of legislative  
proposals

(a) The Ministry/Department concerned will formulate the legislative proposals in consultation with all the interests and authorities concerned, essentially from administrative and financial points of view. This should include a discussion on the necessity for the proposed legislation and all matters of substance to be embodied therein but not the technical details of the drafting.

Consultation with  
the Ministry of Law  
and Justice

(b) The Ministry/Department concerned will thereafter refer the matter to the Ministry of Law and Justice for advice as to its feasibility from legal and constitutional points of view. The Ministry of Law and Justice will, at this stage, advise generally on the necessity or desirability of such legislation in the light of the existing laws and also constitutional validity of the proposals without going into details.

Approval of the  
Cabinet

(c) If it is decided to proceed with the legislation, a self-contained note will be prepared by the Ministry/Department concerned in consultation with the Ministry of Law and Justice (Legislative Department) and other concerned Ministries/Departments.

(d) The Ministry/Department concerned will also send all the relevant papers to the Ministry of Law and Justice (Legislative Department) with an Office Memorandum indicating the precise lines on which it has been decided to legislate, to enable that department to take up drafting of the requisite Bill. The Office Memorandum will contain:

- (i) complete details of the legislative proposals;
- (ii) the entire background material (placed on the file for reference);
- (iii) all other details relevant to the proposed Bill; and
- (iv) Draft Note for the Cabinet.

The administrative Ministry/Department will not attempt a draft of the Bill.

**9.3** The Ministry of Law and Justice (Legislative Department) will then prepare a draft Bill ordinarily within thirty days from the date of receipt of the proposal after clearance from the Department of Legal Affairs, unless any clarifications are required or it is not possible to do so for contingencies such as the draftsman being busy with budget proposals etc., on the basis of the material made available by the concerned Ministry/Department, holding discussions with the officers of that Ministry/Department for getting various aspects of the Bill clarified, wherever considered necessary. Drafting stage

**9.4** The format of the Bill shall be as below:

Format of the Bill

- (a) if the Bill contains more than 25 clauses, include in the beginning a table showing the arrangement of clauses; and
- (b) in the case of an amending Bill, contain relevant extracts of provisions of original Act sought to be amended.

Approval of the  
Cabinet

**9.5** Once the Note for the Cabinet, as prepared in consultation with the Ministry of Law and Justice and other concerned Ministries/Departments, is finalised and the draft of the Bill prepared by the Ministry of Law and Justice (Legislative Department) is accepted after scrutiny by the Ministry/Department concerned, the Ministry/Department will send the Note to the Cabinet Secretariat for placing the same before the Cabinet for its consideration and approval. The Note for the Cabinet will:

- (a) state the legislative proposals, bringing out clearly the need, scope, and object of the proposed legislation;
- (b) incorporate the views of other concerned Ministries/Departments and be also shown to them, if so required by the procedure laid down by the Cabinet Secretariat;
- (c) set out all the implications of the proposed legislation; and
- (d) include the draft of the proposed Bill as Appendix II.

Action to be taken  
after Cabinet  
decision

**9.6** After the Cabinet approval, the Ministry/Department concerned will examine the decision of the Cabinet to see whether any change is necessary in the draft Bill submitted to the Cabinet. If so, all the relevant papers including the decisions of the Cabinet will be sent to the Ministry of Law and Justice (Legislative Department) to enable that Ministry/Department to make necessary changes in the draft Bill in consultation with the concerned Ministry/Department in accordance with the decisions of the Cabinet. In case, however, no modifications are necessary in the Bill after the Cabinet approval, the Ministry/Department concerned will prepare:

- (a) a Statement of Objects and Reasons relating to the Bill to be signed by the Minister;
- (b) notes on Clauses to be appended to the Statement of Objects and Reasons in case the Bill is of a complicated nature;

PRO8.1  
RSR62  
LSR65  
Notes on clauses

- (c) Financial Memorandum to be prepared in consultation with the Ministry of Finance, in respect of Bills involving expenditure, inviting particular attention to clauses involving expenditure and also giving an estimate of the recurring and non-recurring expenditure involved. As clauses involving expenditure are required to be printed in thick type, necessary marking may be made in the text; and
- (d) a Memorandum regarding Delegated Legislation explaining the scope of the proposals and stating whether they are of a normal or exceptional character.
- All the above documents will also be shown to the Ministry of Law and Justice (Legislative Department) before finalization.
- 9.7.1** After action as in para 9.6 is taken, the Ministry/ Department concerned will obtain :
- (a) recommendation of the President for the introduction of any Bill:
- (i) seeking the formation of new States or for the alteration of areas, boundaries or names of existing States (Article 3 of the Constitution); or
- (ii) making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 110 of the Constitution in accordance with Article 117(1); or
- (iii) imposing or varying any tax or duty in which States are interested (Article 274 of the Constitution); or
- (b) the previous sanction of the President for introduction of any Bill, making provision for the language to be used, for any of the purposes mentioned in Article 348(1) of the Constitution; and
- (c) the recommendation of the President for the consideration of the Bill, if it involves expenditure from the Consolidated Fund of India (Article 117(3) of the Constitution.)

Financial  
Memorandum  
PRO 7.2, 7.3  
RSR 64  
LSR 69

Memorandum  
regarding Delegated  
Legislation  
PRO 8.4  
RSR 65  
LSR 70

Obtaining  
recommendation/  
previous sanction of  
the President  
PRO 8.10  
PRO 8.21 to 8.25

- PRO 8.22      Note :The recommendation mentioned in (c) above will be obtained separately in respect of each House.
- 9.7.2** For obtaining the recommendation or the previous sanction of the President, the Ministry/Department will submit through the Minister to the President a self-contained note with a copy of the note for the Cabinet and its decision and a copy of the Bill.
- PRO 8.23      **9.7.3** The Ministry/Department will, thereafter, communicate the recommendation/previous sanction of the President through a letter from the Minister addressed to the Secretary General, Rajya Sabha/Lok Sabha in the form at Annex 7.
- 9.7.4** To avoid objections of a procedural or constitutional nature, the Ministry/Department will submit to the Minister, information in the form at Annex 8
- Keeping the Ministry of Parliamentary Affairs informed      **9.8** To enable the Ministry of Parliamentary Affairs to draw up the legislative programme of a session, detailed particulars about the Bill(s) proposed to be introduced during a session will be sent to that Ministry in Part I of the form given in Annex 1, at least a month before the commencement of the session.
- House in which Bill is to be introduced      **9.9** Bills which attract the provisions of Article 109 read with Articles 110(1) and 117(1) of the Constitution will be introduced in the Lok Sabha. In the case of the other Bills, the House in which they are to be introduced will be decided in consultation with the Ministry of Parliamentary Affairs.
- Printing of the Bill      **9.10.1** The Ministry of Law and Justice (Legislative Department) will send the Bill as finalised, to the Government of India Press for obtaining proof copy.
- 9.10.2** After receipt of the proof from the Government of India Press, the Ministry of Law and Justice (Legislative Department) will scrutinise proof and :
- PRO8.12      (a) send simultaneously two proof copies each of English and Hindi versions of the Bill duly authenticated by Legislative Counsel to:



(i) the Secretariat of the House in which it has been decided to introduce the Bill (vide para 9.9 above); and

(ii) the Ministry of Parliamentary Affairs; and

(b) return the file to the Ministry/Department concerned.

**9.10.3** The Rajya Sabha/Lok Sabha Secretariat gets the copy of the Bill printed at every stage and sends a copy of it simultaneously to the administrative Ministry/Department and to the Legislative Department for scrutiny for ensuring accuracy. The administrative Ministry/Department, after scrutiny of the Bill, returns it within a day to the Legislative Department so as to enable the Legislative Department to incorporate corrections/suggestions, if any, and send a final scrutinised copy to the Rajya Sabha/Lok Sabha Secretariat.

**9.10.4** After receipt of the scrutinised copies of the Bill from the Ministry of Law and Justice (Legislative Department), the Rajya Sabha/Lok Sabha Secretariat gets copies of the Bill circulated to the members, along with errata, if any. PRO 8.20

**9.10.5** Ministries/Departments requiring additional copies of Bills should send a requisition in form S.99 to the RS/LS Secretariat so that it reaches it before the proof copy is transmitted by that Secretariat to the press. PRO 8.20

**9.10.6** A similar procedure will be followed for obtaining additional copies of reports of Select Committee/Joint Committee/Standing Committee on Bills. Requisitions, therefore, should be made sufficiently in advance of the date of presentation of the report. PRO 8.28

**9.11.1** The concerned Ministry/Department will send a notice of the motion for introduction of the Bill, signed by the Minister, in the form at Annex 9, to the Secretary General, Rajya Sabha/Lok Sabha, with a copy to the Ministry of Parliamentary Affairs. One printed copy of the Bill in each version, duly authenticated by the Minister, will be sent to the Secretariat of the House in which the Bill is proposed to be introduced. Procedure for introducing the Bill in the House

**9.11.2** Under the directions of the Chairman/Speaker:

SD 19A  
PRO 8.14

(a) seven days' notice is normally required for introducing an official Bill in the Lok Sabha and five days in case of the Rajya Sabha; and

SD 19B  
PRO 8.13

(b) no bill shall be included for introduction in the Rajya Sabha/Lok Sabha until after copies thereof have been made available to members for at least two days before the day on which the Bill is proposed to be introduced.

**9.11.3** Where exemption is required from the direction 20A(2) of Directions by the Chairman in Rajya Sabha or direction 19A of Directions by the Speaker in Lok Sabha, the Minister, while giving full reasons, will request the Chairman/Speaker to waive the requirement of this direction for introduction of the Bill. Where the exemption is required under Chairman Direction 20 B, the Minister shall give full reasons in a memorandum for consideration of the Chairman explaining as to why the Bill is sought to be introduced in Rajya Sabha earlier than two days. Where, however, the exemption is required from the direction 19B of the Speaker, the Minister while requesting the Speaker in this regard will also inform him that he has consulted the leaders of various parties in the Lok Sabha and that they have no objection to the exemption of the direction for introduction of the Bill. The Ministry/Department concerned will also forward 300 (three hundred) copies (for RS) and 500 (five hundred) copies (for LS) in English and 100 (one hundred) copies (for RS) and 300 (three hundred) copies (for LS) in Hindi of a memorandum in the form at Annex 10, including one copy in each version duly authenticated by the Minister, to the Rajya/ Lok Sabha Secretariat respectively for circulation among members.

**9.11.4** On the date specified by the Ministry of Parliamentary Affairs, the Bill is put down for introduction in the Rajya Sabha/Lok Sabha and is thereafter published in the Gazette of India by the RS/LS Secretariat.

**9.11.5** On a request made by the Minister, the Chairman/ Speaker may permit the publication of the Bill in the gazette by the RS/LS Secretariat before its introduction. In such cases, the Bill will be put down for introduction without asking for the leave of the House. Where, however, such a Bill undergoes any change before its formal introduction, the procedure as in sub-para 9.11.1 will be followed.

Publication before  
introduction  
PRO 8.7  
RSR 61  
LSR 64

**9.11.6** The Departmentally related Parliamentary Standing Committees examine such Bills as are referred to these committees by the Chairman, Rajya Sabha or the Speaker, Lok Sabha, as the case may be, and make reports thereon. Normally, Bills other than the Appropriation Bills, Finance Bills, Bills seeking to replace Ordinances and Bills of trivial nature, are referred to the respective Standing Committees (Annex 23b) for their examination and report. The Standing Committees may present their reports on the Bills in the subsequent Parliament session and sometimes, may take even longer, to present their reports. Where, however, there is urgency in enacting the legislation, the Minister concerned, while giving the reasons therefor, under intimation to the Minister of Parliamentary Affairs, may request the Presiding Officer of the House in which the Bill was introduced not to refer the Bill to the Standing Committee so that it could be considered and passed by the Houses during the ongoing Parliament Session.

RSR 270  
LSR 331

**9.11.7** In case of Bills referred to Standing Committees for examination, the Ministry/Department concerned may examine the report of the committee when it is presented to the Houses or to the Presiding Officers. Where the Ministry/Department decides, with the approval of its Minister, to affect change(s) in the provisions of the Bill as introduced in the House, on the basis of recommendations of the committee, it may obtain the approval of the Cabinet to the amendments proposed to be made in the Bill. After Cabinet approval, notice of motion of amendments to be moved by the Minister in the House should be finalised in consultation with the Ministry of Law and Justice (Legislative Department).

The notice of motion of amendments so finalised along with the notice for consideration and passing of the Bill, duly signed by the Minister, should then be sent to the Secretary-General of the concerned House under intimation to the Ministry of Parliamentary Affairs and the Ministry of Law and Justice (Legislative Department).

Motions after  
introduction

RSR 69

LSR 74

**9.12** After the Bill is introduced, the Minister may send to the Secretary-General, Rajya Sabha/Lok Sabha, notice in the appropriate form at Annex 11,12,13, 14 of his intention to move:

- (a) that it be taken into consideration and passed; or
- (b) that it be referred to a Select Committee of the House;  
or
- (c) that it be referred to a Joint Committee of both Houses with the concurrence of the other House [except in the case of Bills referred to in para 9.7.1 (a)(ii)]; or
- (d) that it be circulated for eliciting public opinion.

Withdrawal of a  
Bill

RSR 118

LSR 110

SD 36

PRO 8.33

**9.13** If it becomes necessary at any stage to withdraw a Bill, the Ministry of Law and Justice and the Ministry of Parliamentary Affairs will be consulted and approval of the Cabinet will be obtained. Where, however, for want of time, it is not possible to obtain prior approval of the Cabinet, the Minister in-charge will take a decision in consultation with the Prime Minister. As soon as possible thereafter, a note in the usual form will be submitted for ex post facto approval of the Cabinet. The form of notice of withdrawal will depend on the stage at which the Bill is, and whether it has been passed by one House and pending before the other House. The forms at Annex 15 and 16, as may be appropriate, will be used for the purpose. A statement duly authenticated by Minister (English and Hindi) giving reasons for the withdrawal will also be sent to the RS/LS Secretariat at least five days before the date on which the motion for withdrawal is to be made.

The number of copies to be sent for circulation will be 300 (three hundred) in English and 100 (one hundred) in Hindi for the Rajya Sabha Secretariat and 650 (six hundred and fifty) in English 350 (three hundred and fifty) in Hindi for the Lok Sabha Secretariat.

**9.14.1** The strength of the Select/Joint Committee as also the date by which it will submit its report will be indicated by the concerned Ministry/Department and the names of the members to be appointed on the committee will be suggested by the Ministry of Parliamentary Affairs. These details will be incorporated in the body of the motion in the form at Annex 12 or 13. On this motion being passed by one House a concurrence motion in the form at Annex 17 will be moved by the Minister in the other House, if the bill is proposed to be referred to a Joint Committee.

Composition of  
the Select/Joint  
Committee

**9.14.2** After the Committee has been constituted, its Chairman is appointed by the Chairman/Speaker. All matters connected with the meetings of the Select/Joint Committee are looked after by the RS/LS Secretariat. A Minister, even though he is not a member of a committee, may address the committee with the permission of the Chairman.

RSR 76  
LSR 299

**9.14.3** All notices of Government amendments to the Bills referred to Select/Joint Committee will be drafted by the Ministry of Law and Justice (Legislative Department). Notices of such amendments will be given by a Minister who is a member of the committee, in the form at Annex 18 to the RS/LS Secretariat, at least a day before the day of sitting at which the amendments are to be moved.

Amendments to  
Bills before Select/  
Joint Committee  
PRO 8.26

**9.15** When a Bill is to be circulated for eliciting public opinion, necessary action is taken by the RS/LS Secretariat, which also addresses the State Governments.

Procedure when  
a Bill is to be  
circulated for public  
opinion  
SD 20-23

**9.16** After presentation of the report of the Select/Joint committee to the House, the Minister in charge may give notice of his intention to move that the Bill as reported by the Select/Joint Committee :

Procedure after  
presentation of the  
report of Select/  
Joint Committee  
RSR 93  
LSR 77

(a) be taken into consideration and be passed; or

- (b) be recommitted to the same committee or another committee; or
- (c) be recirculated for obtaining further public opinion.

**9.17** When the motion that:

- (a) the Bill be taken into consideration; or
- (b) the Bill as reported by the Select/Joint Committee be taken into consideration is carried, the Bill will be taken up for clause-by-clause consideration. Members can, at that stage, move amendments to the Bill.

Amendments

**9.18.1** Copies of amendments given notice of by members are sent by the RS/LS Secretariat to the Ministry/Department concerned. When they are received, the branch officer will put them up with briefs for use of the Minister for determining the Government's response to them.

**9.18.2** Government amendments will also be moved at this stage. These amendments, will be drafted by the Ministry of Law and Justice (Legislative Department) in consultation with the administrative Ministry/Department. After approval, notice of amendments, both in English and Hindi version will be sent by the Minister to the Secretary General, for which the form at Annex 19 will be used. Copies of this notice are also to be endorsed to the Ministry of Parliamentary Affairs and the Ministry of Law and Justice (Legislative Department).

**9.18.3** Amendments falling within Articles 117(1) and 274 of the Constitution are subject to the same restrictions in regard to the recommendation or the previous sanction of the President as Bills falling within those articles (vide para 9.7.1) except when the amendments falling within Article 117(1) involve reduction or abolition of any tax.

Cabinet Sectt.  
O.M.No. 11/1/4/72-  
CF dt.1-11-72

**9.18.4** Time permitting, proposals to amend the provisions of a Bill will be submitted to the Cabinet for approval. Where, however, for want of time, this is not possible, the Minister in charge will take a decision in consultation with the Prime Minister. As soon as possible thereafter, a note in the usual form will be submitted for ex post facto approval of the Cabinet.

**9.19** After a Bill is passed by a House:Scrutiny by  
Ministry of Law &  
Justice

(a) a copy of the Bill, as passed is sent by the RS/LS Secretariat to the Ministry of Law and Justice (Legislative Department) for scrutiny with a view to correcting patent errors and for making such other changes as are consequential to the amendments accepted by the House; and

PRO 8.29  
SD 34

(b) such changes as are accepted by the Chairman/Speaker are incorporated in the Bill, before it is transmitted to the other House for concurrence.

**9.20.1** After the Bill is laid on the Table of the other House, the Minister concerned will give notice of a motion in the form at Annex 20 to the Secretary-General of the House and also communicate the recommendation of the President, wherever necessary.

Consideration of  
the Bill in the other  
House  
RSR 122  
LSR 115

**9.20.2** In the case of a Bill passed by one House with amendments, the Ministry/Department concerned will determine whether any consequential changes are required in the Financial Memorandum and/or Memorandum regarding Delegated Legislation. If any change is required, a letter will be sent in the form at Annex 21, signed by the Minister-in-charge of the Bill, addressed to the Secretary-General, Rajya/Lok Sabha forwarding revised memoranda, which will be prepared in consultation with the Ministry of Finance/Ministry of Law and Justice (Legislative Department), as may be appropriate.

Consequential  
revision of  
the Financial  
Memorandum  
and the one  
on delegated  
legislation  
PRO 8.2 to 8.5

**9.20.3** Ministries/Departments should ensure that all official communications pertaining to the legislative business of the House required to be listed on a particular day should reach the Rajya Sabha/Lok Sabha Secretariats before 6.00 p.m. the previous day.

Time limit for  
sending notices to  
the Secretariat**9.21** After the Bill is passed by both the Houses:Further scrutiny  
by Ministry of  
Law and Justice  
and assent of the  
President

(a) a copy is sent by the RS/LS Secretariat to the Ministry of Law and Justice (Legislative Department) as envisaged in para 9.19 for scrutiny and correction of patent errors, etc.

- SD 34 (b) on its return from the Ministry of Law and Justice, it will be reprinted on azurelaid paper by the RS/LS Secretariat with the superscription “as passed by the Houses of Parliament.” After it is printed in azurelaid paper, it is once again sent to the Ministry of Law & Justice for scrutiny.(change by RSS)
- RSR 135  
LSR 128 (c) the RS/LS Secretariat will send to the Secretary to the President, through the Ministry of Law and Justice (Legislative Department), enclosing two copies of the Bill signed by the Chairman/the Speaker together with ten spare copies;
- PRO 8.32 (d) whenever the President’s assent is required by a particular date, the RS/LS Secretariat, the Ministry of Law and Justice (Legislative Department) and the Ministry of Parliamentary Affairs will be advised well in advance by the Ministry/Department concerned. The Ministry of Law and Justice (Legislative Department) will keep in touch with the President’s Secretariat for the purpose; and
- (e) the date of assent which is the date on which the Bill becomes an Act, is intimated to the concerned Ministry/Department and the Ministry of Parliamentary Affairs by the Ministry of Law and Justice (Legislative Department). One copy of the Act bearing the President’s signature is retained in the Ministry of Law and Justice (Legislative Department) and the other copy returned to the RS/LS Secretariat. The President’s Secretariat retains one spare copy.
- Publication in the official gazette **9.22** The Ministry of Law and Justice (Legislative Department) will:
- (a) publish the Act in the Gazette of India Extraordinary;
- (b) forward copies of the Act to all State governments for publication in their Official Gazettes; and
- Printing of copies of Act for sale (c) get copies of the Act printed in a suitable form for sale to the general public.
- Procedure regarding private Member’s Bill **9.23.1** Whenever a Private Member of Parliament gives notice of his desire to move for leave to introduce a Bill, the RS/LS Secretariat sends a copy of the Bill to the concerned Ministry/Department.



**9.23.2** The Ministry/Department concerned will consult the Ministry of Law and Justice as to the competence of Parliament to enact the measure.

**9.23.3** The policy of the Government in relation to the Bill will be officially settled in the concerned Ministry/Department with the approval of Cabinet Committee on Parliamentary Affairs. The provisions of paras 5.8.3 and 5.8.4 will *mutatis mutandis* apply.

**9.23.4** The President's recommendation required under clause (1) and/or (3) of Article 117 of the Constitution for the introduction/consideration of private members' Bills will ordinarily be granted unless very exceptional circumstances especially warrant withholding of the President's recommendation. In case a Ministry/Department feels that the recommendation of the President to a Bill should be withheld, that Ministry/Department will supply five copies of the brief explaining the circumstances leading to such proposal to the Ministry of Parliamentary Affairs for obtaining the approval of the Cabinet Committee on Parliamentary Affairs.

**9.24.1** The procedure applicable to Bills will apply *mutatis mutandis* to promulgation of Ordinances under Article 123(1) of the Constitution. Ordinances

**9.24.2** After the terms of a draft Ordinance have been settled in consultation with the Ministry/Department concerned, the Ministry of Law and Justice (Legislative Department) will submit through the Minister of the concerned Ministry/Department and the Prime Minister, for the signature of the President, a copy of the Ordinance together with:

- (a) a spare copy of the Ordinance;
- (b) a copy of the Note for the Cabinet; and
- (c) a copy of the decision of the Cabinet relating to the Ordinance.

**9.24.3** The concerned administrative Ministry/Department will inform the Legislative Department the date and time at which they had delivered the Ordinance to the President's Secretariat.

**9.24.4** The Ministry of Law and Justice (Legislative Department) will:

- (a) get the Ordinance published in the Gazette of India Extraordinary;
- (b) inform the Ministry/Department concerned and the Ministry of Parliamentary Affairs as to the promulgation of the Ordinance; and
- (c) forward copies thereof to all the state governments for publication in their official gazettes.

Post-promulgation  
action

**9.25** As soon as the Ordinance is promulgated, the following action will be taken:

- (a) The Ministry of Law and Justice (Legislative Department) will supply to the Ministry of Parliamentary Affairs seventy-five copies each of Hindi and English versions of the Ordinance for being laid on the Table of the Houses. The Ministry of Law and Justice (Legislative Department) will also supply five copies of the Ordinance to Rajya Sabha/Lok Sabha Secretariat.
- (b) The Ministry/Department concerned will indicate to the Ministry of Parliamentary Affairs whether it is proposed to replace the Ordinance by an Act of Parliament. The Ministry/Department concerned shall also supply sufficient number of copies of the Ordinance to Rajya Sabha/Lok Sabha Secretariat for circulation to Members.
- (c) In case it is decided to replace the Ordinance by an Act of Parliament, the concerned Ministry/Department will keep ready a Bill relating thereto for introduction as far as possible on the opening day of the session.
- (d) The concerned Ministry/Department will take steps to prepare in consultation with the Ministry of Law and Justice (Legislative Department), a statement explaining the circumstances which necessitated legislation by Ordinance. This statement will be laid on the Table of the House at the time of introduction of the Bill seeking to replace the Ordinance. The statement will also be circulated to the members. The number of the copies for the purpose will be as in para 4.1(c).

RSR 66  
LSR 71

- (e) Whenever an Ordinance, which embodies wholly or partly or with modification the provisions of a Bill pending before the House, is promulgated, the concerned Ministry/Department will lay on the Table of each House, at the commencement of the session following the promulgation of the Ordinance, a statement prepared in consultation with the Ministry of Law and Justice (Legislative Department) explaining the circumstances which had necessitated immediate legislation by Ordinance.

RSR 66

LSR 71

**9.26.1** Article 246(4) of the Constitution vests Parliament with powers to legislate on any matter in relation to the Union Territories listed in the First Schedule to the Constitution.

Legislation in  
respect of Union  
territories

**9.26.2** Of the various Union Territories:

- (a) Puducherry has a Legislative Assembly under the Government of Union Territories Act, 1963, with powers to legislate on matters specified in List II (State List) and List III (Concurrent List) in so far as any such matter as applicable in relation to Union Territories;
- (b) The Union Territories of the Andaman and Nicobar Islands, Chandigarh, Daman and Diu, Dadra and Nagar Haveli and Lakshadweep have an Advisory Committee each, set up by the Ministry of Home Affairs;
- (c) The National Capital Territory of Delhi has a Legislative Assembly under Article 239 AA of the Constitution of India read with the Government of National Capital Territory of Delhi Act, 1991, with powers to legislate on matters specified in List II (State List) or in List III (Concurrent List) in so far as any such matter is applicable to Union Territories except matters with respect to Entries 1, 2 and 18 of the State List and Entries 64, 65 and 66 of that List in so far as they relate to the said Entries 1, 2 and 18.

**9.27.1** Proposals for Parliamentary legislation for the Union Territories will be initiated by the Ministry/Department concerned, which will consult:

Parliamentary  
legislation for  
Union Territories

- (a) the Ministry of Home Affairs on the desirability of undertaking the proposed legislation and the principles involved therein, including the substance of the more important provisions thereof; and
- (b) the Ministry of Law and Justice (Department of Legal Affairs) from the constitutional and legal points of view.

**9.27.2** Thereafter the Ministry/Department concerned will:

- (a) consult other Ministries/Departments concerned with any aspect of the subject matter of the legislation;
- (b) refer the matter to the Ministry of Law and Justice (Legislative Department) for preparing a draft Bill;
- (c) send the Bill where the matter relates to entries in List II (State List) or List III (Concurrent List) to the Ministry of Home Affairs for obtaining the views of the Advisory Committee concerned, if it relates to a Union Territory having such a Committee.

**9.27.3** Thereafter the Ministry/Department concerned will take steps to obtain the approval of the Cabinet and introduce the proposed legislation in Parliament in accordance with the procedure already described in this chapter for central legislation.

Legislation by  
the Legislative  
Assemblies

**9.28.1** Section 3 of the Government of Union Territories Act, 1963, provides for constitution of a Legislative Assembly in the Union Territory of Puducherry. The Rules of the Business of the said Union Territory of Puducherry provide that the administrator shall refer for prior approval to the Central Government, every Bill which:

- (a) if passed by the Legislative Assembly, is required to be reserved for the consideration of the President under section 21 or section 25 of the said Act;
- (b) relates to any matter enumerated in List III (Concurrent List);
- (c) attracts the provisions of Article 304 of the Constitution as applicable to the Union territories;

- (d) relates to any matter which may ultimately necessitate additional financial assistance from the Central Government through substantive expenditure from the Consolidated Fund of the Union Territory or abandonment of revenue or lowering of the rate of any tax;
- (e) pertains to any matter relating to universities; and
- (f) affects or is likely to affect the interests of any minority community, Scheduled Castes or Scheduled Tribes.

**9.28.2** References relating to prior approval to such Bills will:

- (a) except in regard to para 9.28.1(c) above, be dealt with in the Ministry of Home Affairs; and
- (b) in regard to para 9.28.1(c), be dealt with in the Department of Commerce in consultation with the Ministry of Home Affairs.

In all cases, these references will be dealt with in consultation with the other Ministries/Departments concerned and the Ministry of Law and Justice.

**9.29.1** Section 3 of the Government of National Capital Territory of Delhi Act, 1991, provides for constitution of a Legislative Assembly in the National Capital Territory of Delhi. The transaction of Business of the Government of National Capital Territory of Delhi Rules provide that the Lieutenant Governor shall refer to the Central Government every Bill which:

- (a) if passed by the Legislative Assembly, is required to be reserved for consideration of the President under the proviso to sub-clause (c) of clause (3) of Article 239AA or, as the case may be, under the second proviso to section 24 of the Act;
- (b) attracts provisions of Articles 286, 287, 288 and 304 of the Constitution as applicable to the Capital; and

- (c) relates to any matter which may ultimately necessitate additional financial assistance from the Central Government through substantive expenditure from the Consolidated Fund of the Capital or abandonment of revenue or lowering of rate of any tax.

**9.29.2** Subject to any instructions which may be issued from time to time by the Central Government, the Lieutenant Governor shall make a prior reference to the Central Government in the Ministry of Home Affairs or to the appropriate Ministry with a copy to the Ministry of Home Affairs in respect of the following matters:

- (i) proposals affecting relations of Central Government with any State government, the Supreme Court of India or any other High Court;
- (ii) proposals for the appointment of Chief Secretary or Commissioner of Police, Secretary (Home) and Secretary (Lands);
- (iii) important cases which affect or are likely to affect peace and tranquillity of the National Capital Territory; and
- (iv) cases which affect or are likely to affect the interests of any minority community, the Scheduled Castes/ Scheduled Tribes or Backward Classes.

**9.29.3** References relating to prior approval to such Bills will:

- (a) except in regard to para 9.29.1(c) above, be dealt with in the Ministry of Home Affairs; and
- (b) in regard to para 9.29.1(c), be dealt with in the Department of Commerce in consultation with the Ministry of Home Affairs.

In all cases, these references will be dealt with in consultation with the other Ministries/Departments concerned and the Ministry of Law and Justice.

**9.30** All references relating to Bills passed by the Legislative Assemblies of the Union Territory of Puducherry and the National Capital Territory of Delhi and reserved by the Administrator for consideration of the President, will be dealt with in the Ministry of Home Affairs who will submit such Bills to the President after consulting the Ministry of Law and Justice and other Ministries/Departments concerned.

**9.31** In every case in which the Lt. Governor of the Union Territory of Puducherry and the Lieutenant Governor of the National Capital Territory of Delhi is empowered to promulgate Ordinances (Article 239B of the Constitution in the case of Puducherry and Article 239AA(8) read with Article 239B in the case of NCT of Delhi), prior instructions of the President have to be obtained. The procedure indicated in paragraphs 9.28 and 9.29 above, in regard to Bills will, with necessary changes, apply to obtaining such prior instructions.

Ordinances

**9.32** Under the provisions\*\* of the relevant sections of the enactments relating to the Union Territories, the Central Government is competent to extend, by notification, any enactment in force in a State to the Union Territories of (a) Chandigarh, (b) Dadra and Nagar Haveli, (c) Delhi, (d) Daman and Diu, and (e) Puducherry. All proposals for such extension will be dealt with in the Ministry of Home Affairs who will examine them in consultation with the Ministry of Law and Justice, other Ministries/Departments concerned and also the Administration of the concerned Union Territory if considered necessary.

Extension of enactments

**9.33.1** Article 240 of the Constitution empowers the President to make Regulations for the peace, progress and good governance of the Union territories of (a) Andaman and Nicobar Islands, (b) Dadar and Nagar Haveli, (c) Daman and Diu, (d) Lakshadweep, and (e) Puducherry. However, in the case of Union Territory of Puducherry, this power is available only when the Legislative Assembly of Puducherry is dissolved or its operation is suspended.

Regulations

**9.33.2** The Ministry of Home Affairs shall initiate the proposals for promulgation of Regulations in consultation with the Ministries administratively concerned with the subject matter of the Regulation. After the Regulation is approved by the Cabinet, it is finalised by the Legislative Department and submitted to the President through the Minister of Home Affairs.

**\*\***(i) Section 87 of the Punjab Reorganisation Act, 1966 in the case of Chandigarh.

(ii) Section 10 of the Dadra and Nagar Haveli Act, 1961 in the case of Dadra and Nagar Haveli.

(iii) Section 2 of the Union Territories (Laws) Act, 1950 in the case of Delhi.



## Chapter 10

# ***Legislation in respect of States Under the President's Rule***

### Introduction

**10.1** Article 356 of the Constitution provides that the President may in certain situations take over, by Proclamation, the administration of a State whereby that powers of Legislature of the State are exercisable:

- (a) by Parliament; or
- (b) under the authority of Parliament (in terms of Article 357 of the Constitution).

### Procedure for legislation by Parliament

**10.2** Where the powers of the Legislature of a State are exercisable by Parliament [vide para 10.1(a)], the legislative proposals may be sponsored by:

- (a) the Ministry/Department concerned at the Centre;
- or
- (b) the concerned State Government.

In both these cases, the concerned Ministry/Department will consult the Ministry of Home Affairs, and in regard to (a) above, also the State Government concerned, at the earliest stage. Thereafter, the procedure for enacting the legislation will, with appropriate changes, be the same as described in Chapter 9 for Central Legislation. The instructions issued from time to time by the Ministry of Home Affairs in this regard will also be observed.

Procedure for  
legislation by the  
President

**10.3** Where the power to legislate has been delegated by Parliament to the President (vide para 10.1(b) above), the procedure as described hereafter in this chapter will be followed.

Sponsoring  
legislative  
proposals

**10.4** Legislative proposals can be sponsored:

- (a) either suo moto by the Ministry/Department concerned at the Centre; or
- (b) by the State Government concerned.

Proposals sponsored  
by the Central  
Government

**10.5.1** In regard to para 10.4(a) above, the Ministry/Department concerned will consult at the earliest stage:

- (a) other Ministries/Departments concerned with any aspect of the matter;
- (b) the Ministry of Home Affairs; and
- (c) the State Government concerned.

**10.5.2** Thereafter the same procedure will be followed as for central legislation up to the stage of introduction of a Bill in either House, except that the approval of the Cabinet will be taken after finalisation of the draft Bill as envisaged in para 10.7 and not earlier.

Proposals  
sponsored by State  
Governments

**10.6.1** Where the State Government concerned sponsors the legislative proposals, it will send them to the Ministry/Department concerned at the Centre, endorsing copies to the Ministries of Home Affairs and Law and Justice (Legislative Department) accompanied by:

- (a) a draft Bill;
- (b) a detailed note in the nature of a note for the Cabinet;
- (c) a statement of reasons for enactment, signed by the Secretary of the Ministry/Department concerned;
- (d) a note on financial implications; and
- (e) copies of the parent Act or extracts of relevant sections in the case of amending Bills.

Scrutiny by  
administrative  
Ministry/  
Department

**10.6.2** The Ministry/Department concerned will thereafter:

- (a) examine the Bill and determine its necessity and urgency in consultation with the State Government, Ministry of Home Affairs and other concerned Ministries/Departments at the Centre;
- (b) refer it to the Ministry of Law and Justice; and
- (c) consult again the State Government concerned before making any change, where changes are necessary as a result of the advice of the Ministry of Law and Justice or any other Ministry/Department[vide (a) and (b) above].

**10.7** On finalisation of the Bill in the manner envisaged in paras 10.5 and 10.6 above, the Ministry/Department concerned will obtain the approval of the Cabinet to the proposed legislation.

Obtaining approval of the Cabinet

**10.8** If in terms of the law delegating the powers to the President, it is necessary to consult any committee constituted for the purpose, the concerned Ministry/Department will supply to the Ministry of Home Affairs:

Circulation of Bill to Consultative Committee(if any)

- (a) 150 (one hundred and fifty) copies of the Bill in Hindi and English and other relevant documents, including an explanatory memorandum for the information of members of the committee; and
- (b) 15 (fifteen) copies of a detailed brief for use of the Ministry of Home Affairs.

After the proposal is considered by the concerned Consultative Committee, the Ministry of Home Affairs will inform the Ministry/Department concerned and the Ministry of Law and Justice (Legislative Department) regarding further action to be taken.

Further action  
by Ministry/  
Department  
concerned

**10.9** If any changes, other than those of a purely routine or technical nature, in the proposed legislation are considered necessary, consequent on the deliberations of the committee, the concerned Ministry/Department will obtain the approval of the Cabinet. After the Bill is finalised, it will be sent to the Ministry of Law and Justice (Legislative Department) along with the Statement of Objects and Reasons, duly signed by the Secretary of the Ministry/Department concerned.

Action by Ministry  
of Law and Justice

**10.10** The Ministry of Law and Justice (Legislative Department) will take steps to obtain the assent of the President to the Bill and for publication of the Act in the Gazette of India and the official gazette of the State.

Acts to be laid on  
the Table of each  
House

**10.11** The Ministry/Department concerned will take steps to lay all such Acts on the Table of each House of Parliament as soon as may be, after their enactment, under intimation to the Ministry of Law and Justice (Legislative Department), the Ministry of Home Affairs and the State Government concerned. If, in accordance with the provisions of the relevant Delegation of Power Act, the Houses of Parliament direct any modification to be made in the Act, the Ministry/Department concerned will take all steps to give effect to the modification by enacting an amending Act by the President.

Statutory Rules,  
Orders etc. MHA  
No.36/30/RS/73/  
poll(k)dt.7-3-73  
and MHA No. 48/1/  
HR/73/poll(k) dt.  
31-7-73

**10.12** The statutory rules, orders, etc., which are statutorily required to be laid by the State Government before the State Legislature, will, in the case of States under the President's Rule, be laid before Parliament. For this purpose, the administrative Ministries/Departments concerned at the Centre will:

(a) obtain from the State Government concerned:

(i) 45 (forty five) copies of the relevant rules, orders, etc., notified by them in their official gazette; and

(ii) where the time limit set down in this behalf in para 11.5.1 in respect of subordinate legislation for the Centre, cannot be observed, a statement explaining the delay; and

(b) lay the rules etc., on the Tables of both Houses of Parliament, following the procedure prescribed in this behalf in Chapter XI.

## *Chapter 11*

# ***Subordinate Legislation***

### Introduction

**11.1.1** The Constitution of India as well as Laws made by Parliament usually vest the powers in the Government to make and notify in the Gazette of India, rules, regulations, bye-laws etc., to subserve the objectives behind the main legislation, but within their broad framework. As these rules etc., are statutory in character, they come within the scope of what is termed as ‘Subordinate Legislation’.

**11.1.2** The Ministry/Department concerned will frame the rules etc., and refer them to the Ministry of Law and Justice who will vet them from constitutional, legal and drafting point of view.

**11.1.3** To facilitate speedier disposal of cases and avoid unnecessary correspondence, Ministries/Departments may ensure fulfilment of the points given in the checklist below, before referring the cases relating to Subordinate Legislation to the Ministry of Law and Justice:

### **CHECKLIST**

- (i) As regards Principal rules, regulations, orders etc.:
  - (a) consultation with the authorities which are required to be consulted have been made by the administrative Ministry/Department;
  - (b) where rules, etc., are to have effect retrospectively (in cases where parent Act or the Constitution empowers retrospective operation), an explanatory memorandum has been added in the form of a note explaining that the interests of no person shall be adversely affected by such retrospective effect;

- (c) where existing rules etc., are sought to be superseded or repealed, up-to-date copies of such rules, etc. are placed on the file for reference.
  - (d) approval of authorities competent to approve such proposal has been obtained.
- (ii) As regards amending rules, regulations, orders etc.:
- (a) up-to-date copies of the principal rules or copies of such rules along with subsequent amendments, are placed on the file for reference;
  - (b) footnote indicating the gazette references of the principal rules and all subsequent amending rules is appended to the draft;
  - (c) approval of authorities competent to approve such proposal has been obtained;
  - (d) where rules, etc., are to take effect retrospectively (in cases where parent Act or the Constitution empowers retrospective operation), an explanatory memorandum has been added in the form of a note explaining that the interests of no person shall be adversely affected; and
  - (e) consultation with the authorities which are to be consulted have been made.
- (iii) As regards rules, etc., to be finally published after they have been previously published for general information, the preamble to the draft should contain:
- (a) the notification number with which the draft has been published and the date of the gazette in which the draft rules were published;
  - (b) the date on which the gazette copies containing the draft rules were made available to the public;
  - (c) the last date fixed for receipt of public comments;
  - (d) all references made to the Ministry/Department should be accompanied with a self-contained note explaining the proposal; and

(e) in time-bound cases the administrative Ministry/Department should specifically indicate the same by some method in the file itself. Those cases, wherever possible, may be settled after discussion by an officer of appropriate level with the concerned legislative counsels.

**11.2** Where an Act requires previous publication of rules, etc., made thereunder, the Ministry/Department concerned will:

Procedure where pre-publication of rules etc. is required

- (a) frame the draft rules;
- (b) get them published in the official gazette inviting objections and suggestions within a specified period of 30 days;
- (c) if suggestions have to be obtained from interests concerned who are likely to be affected by the legislation, attempt should be made to get their comments at the earliest by sending registered letters to them and, if necessary, by publication of the draft rules in the national or regional press/newspapers;
- (d) on expiry of the specified period of 30 clear days, which will be reckoned from the date on which the gazette is made available for sale to the public, consider the objections and suggestions received;
- (e) if the suggestions/objections received are large, the final rules should be notified within a period of six months from the last date of receiving the comments. If no objections/suggestions are received or the number of objections etc., so received is small, the rules should be finally notified within a period of 3 months; and
- (f) finalize the rules in consultation with the Ministry of Law and Justice.

**11.3.1** Statutory rules, regulations and bye-laws will be framed within a period of six months from the date on which the relevant statute came into force. Cases in which, for any reasons, this is not possible, will be brought to the notice of the Secretary and the Minister at the earliest possible stage.

Time limit for framing rules.  
Cabinet Secretariat  
O.M.No. 6/1/13/71-  
CF dt 25-8-71

**11.3.2** In case the Ministries/Departments are not able to frame the rules within the prescribed period of six months, they should seek extension of time from the Committee on Subordinate Legislation stating reasons for such extension; such extension being not more than for a period of three months at a time. The request should be made after obtaining the approval of the Minister.

Notifying the rules etc. in the gazette

**11.4** After the rules, etc., are finalised, steps will be taken by the Ministry/Department concerned to publish them in the gazette and, where the Act provides for it, to lay them on the Table of each House. The procedure to be followed in this regard has been described in para 11.5.

Laying of rules etc. on the Table of each House

**11.5.1** After publication, the rules, etc., will be laid on the Table of the House as soon as possible and, in any case, within a period of 15 days (30 days in case of notifications relating to a state under the President's rule), reckoned from:

PRO 6.15

(a) the date of their publication in the official gazette if the House is in session; or

PRO 6.15

(b) the date of commencement of the next session, if the House is not in session.

PRO 6.1(a)

**11.5.2** Two authenticated copies of the rules, etc. (one each in English and Hindi) will be sent to the RS/LS Secretariat for being laid on the Table of the House together with a statement containing the following information:

(a) brief purport;

(b) name of the Act and number of the Section under which the paper is to be laid;

(c) 'G.S.R.' or 'S.O.' number of the notification and the number of part and section of the gazette in which published;

(d) date of publication in the gazette;

(e) date on which it is proposed to be laid;

(f) whether under the Act, the rules, etc., are subject to modification by the House;



- (g) period for which they are required to be laid before the Houses; and
- (h) reasons for delay, if undue delay has taken place to lay them on the Table of the House and/or if there is delay beyond six months in the framing of the rules etc., the delay statement(both in English and Hindi) has to be authenticated by the Minister concerned.

**11.5.3** As per Ministry of Urban Development (PSP Division) Gazette Notification NO.G.S.R. 746(E) in Part-II Section (3) (i) Extra Ordinary, dated 30th September, 2015, Gazette Notifications shall be only e-published by uploading on the website [www.egazette.nic.in](http://www.egazette.nic.in) to do away with physical printing and sale of hard copies. This has been done in accordance with the provisions of Section 8 of Information Technology Act, 2000 in consultation with Department of Legal Affairs.

**11.5.4** (i) Administrative Ministry/ Department submitting the request for publishing the Gazette Notification shall be solely responsible for submitting and circulating the gazette notification wherever required by law or otherwise.

(ii) As published Gazette Notifications are instantly uploaded on the official website [www.egazette.nic.in](http://www.egazette.nic.in), the downloaded electronic version as well as the downloaded and printed version of these Gazette Notifications will be treated as electronic versions for all official purposes as per Section 4 and Section 8 of Information Technology Act, 2000.

(iii) Lok Sabha Secretariat and Rajya Sabha Secretariat will be supplied with three hard copies of all statutory orders and will also be sent a soft copy on email Id [cosl-lss@sansad.nic.in](mailto:cosl-lss@sansad.nic.in) and [rsc1sub@sansad.nic.in](mailto:rsc1sub@sansad.nic.in) respectively, simultaneously with notification in e-Gazette format including those framed under Article 309 of the Constitution of India and those published in Part II Section 3 (i), 3(ii) & 4 of Gazette for scrutiny and upkeep of records.

- (iv) In the case of Notifications amending the earlier statutory orders, the concerned Ministry should also supply, by way of suitable annexure, the relevant extracts of the provisions which have been amended by the said notification for the sake of reference during their scrutiny.
- (v) Statutory orders, more particularly those notified under Article 309 of the Constitution of India must be laid before the Parliament by the concerned administrative Ministries and they will be held responsible for non-compliance of the same.

**11.5.5** The period for which such rules should remain laid on the Table of each House is prescribed by the Act. For deciding the dates on which the papers sent by them were actually laid on the Table of the House, the Bulletin Part I will be consulted. In case Hindi and English versions of such rules, etc., are laid on the Table of the Houses on different dates, the statutory period for which the rules, etc., are required to be laid will be calculated from the later of the two dates.

**11.5.6** Where the number of Notifications to be laid on the Table by a Ministry/Department during a particular Session is large, the Ministry/Department should plan out its schedule in advance by staggering the papers evenly over the whole Session instead of waiting for the last few days of the Session.

**11.5.7** While laying of amendment and/or Corrigenda to rules, Ministry/Department should send copies of the rules duly authenticated by the Minister concerned, instead of laying the uncorrected copy along with corrigenda. Ministry/Department should examine whether there is necessity of assigning a separate G.S.R. No. to a corrigendum at the time of its publication in the Gazette and whether such a corrigendum should not be published without assigning any G.S.R. No. Ministry/Department should ensure supply of only corrected copies of the rules for laying on the Table so that they depict a true and correct picture and serve the desired purpose.

**11.6.1** After the termination of each session, the Ministry/Department will examine the rules, etc., laid on the Table of each House to see whether the prescribed period for which they were to be laid has been completed. If not, an intimation stating the date (which should be, as far as possible, the first day of the following session allotted to the Ministry/Department concerned) for relaying should be furnished to the RS/LS Secretariat at least 3 clear days before the date on which it is to be re-laid. Such rules etc., when re-laid, need not be accompanied by authenticated or spare copies, unless there has been a change in the incumbency of the Minister who had laid it in the House earlier.

Relaying of the rules etc. on the Table of the House  
PRO 6.11, 6.12  
LSR 234

**11.6.2** In the event of the dissolution of the Lok Sabha before the expiry of the full period prescribed, the concerned rule, etc., will be laid afresh in the new Lok Sabha for the full prescribed period.

PRO 6.13

**11.7.1** After the notifications regarding rules, etc., are laid on the Table of the House, any member may give notice of an annulment or modification thereto.

Annulment or modification to rules etc. laid on the Table of the House  
LSR 235

**11.7.2** On receipt of a notice for annulment or modification of the rules, etc., the Parliament Unit will immediately bring it to the notice of the Joint Secretary in-charge of Parliament Section in the Ministry/Department concerned, who will:

- (a) put it up immediately for obtaining the orders of the Minister for arranging a discussion of the matter in Parliament before the expiry of the statutory period provided for annulment or modification by Parliament;
- (b) settle with the Ministry of Parliamentary Affairs the date to be fixed for the debate; and
- (c) submit a brief for use of the Minister during the discussion.

**11.7.3** Where a motion to annul or modify the rules, etc., is carried in one House, it is transmitted to the other House by the RS/LS Secretariat.

When it is carried in the other House also, the Ministry/Department concerned will take steps to annul or modify the rules, etc., notify them in the official gazette and lay them on the Table of each House vide para 11.5.1.

**11.7.4** (i) Where the parent Act provides that the rules, etc., framed thereunder will come into force after the approval of the Parliament, the Ministry/Department will address a motion in the prescribed form (Annex 22) to the Secretary-General, Rajya Sabha/Lok Sabha, under intimation to the Ministry of Parliamentary Affairs. The date for discussion of such a motion will be settled by the Ministry of Parliamentary Affairs in consultation with the Ministry/Department concerned. In such a case, a brief will also be prepared for the use of the Minister.

Giving retrospective effect to rules

(ii) In cases where the parent Act provides for giving of retrospective effect, the rules framed thereunder should be accompanied by an explanatory note setting out there in the reasons and circumstances which necessitated the giving of such retrospective effect. The note should also indicate that the interests of no one will be prejudicially affected by giving retrospective effect. In cases where the parent Act does not provide for giving retrospective effect but retrospective effect is proposed to be given due to unavoidable circumstances, prior action should be taken to clothe it with legal sanction for the purpose.

M.P.A. O.M.  
No.32(57)/73-R&C  
dt. 22-9-1973

**11.7.5** All amendments to rules and regulations will be published in the official gazette. If two or more amendments to the same rules or regulations are to be published in the same issue of the gazette, they will be assigned order numbers in the same sequences as those assigned to the amendments to the said rules etc. and also published in that order.

Committees  
on Subordinate  
Legislation  
RSR 209  
LSR 320

**11.8** The committees on Subordinate Legislation constituted by the Chairman/Speaker scrutinize all rules etc. laid on the Table of the concerned House. The report containing the recommendations of the committee is submitted to the House by the Chairman of the committee.

**11.9.1** (i) Soon after the presentation of the report by the committee:

- (a) the Ministry of Parliamentary Affairs will process such recommendations made by the committee as are of a general nature and concern more than one Ministry/Department. Action on the report of the committee
- (b) The Ministry/Department concerned will take prompt action on the recommendation which primarily concern them and ensure that “action taken statements” are sent direct to the Rajya Sabha/Lok Sabha Secretariat, as the case may be, under intimation to the Ministry of Parliamentary Affairs within the period of six months from the date of the presentation of the report.
- (ii) Where the Ministry/Department concerned accepts a recommendation, it will communicate the acceptance to the Rajya Sabha/Lok Sabha Secretariat, under intimation to the Ministry of Parliamentary Affairs, within one month. Where, however, a recommendation is not acceptable to the concerned Ministry/Department, or the Ministry/Department feels any difficulty in giving effect to it, it will:
- (a) submit a brief to the Minister giving the reasons for not accepting it; and
- (b) after obtaining his approval, communicate the comments of the Ministry/Department to the Rajya Sabha/Lok Sabha Secretariat, as the case may be, under intimation to the Ministry of Parliamentary Affairs, within three months.
- (iii) In case of accepted recommendations, the Ministry/Department should implement them within three months from the date of intimation of the recommendations.
- (iv) In case where preliminary procedure like consultations with other bodies, inviting public comments, etc. have to be gone through, this period may be extended by another three months.
- (v) In any case, all accepted recommendations should be implemented within six months.

- (vi) In case, where the Ministry/Department is definitely of the view that the period of six months is insufficient for finalization of action, it should approach the Committee within three months of the date of intimation of the recommendation so that the Committee may consider its difficulties, if any.

**11.9.2** Where it is proposed to amend the rules on the basis of the recommendations of the committee, the Ministry/Department concerned will take steps to amend the rules, notify the amended rules, etc., in the official gazette and to lay them on the Table of each House (vide paras 11.4 and 11.5.1).

**11.10** As soon as an Act comes into force, it should be examined to ascertain the specific sections conferring power to make rules, regulations, bye-laws, orders, etc.

**11.11** A register should be maintained by the concerned section in each Ministry/Department, specifying the various stages of processing the legislation, e.g., name of the enactment, date of its coming into force, sections (with any sub-sections etc.) conferring legislative powers on the government; whether power has been given to an agency other than Central Government for framing the rules and also identify the various stages of processing the rules, namely, framing of the draft rules, notification thereof in the gazette, if necessary, consideration of objections and suggestions, finalisation of rules in consultation with the Ministry of Law and Justice, the translation thereof, and final notification in the gazette. The above register should be put up by the section concerned to the officer in-charge for periodical check with a view to seeing that the process of legislation is not held up at any stage for any reason.

**11.12** The Ministries/Departments should upload copies of all their Acts and the Subordinate Legislations framed thereunder on their website so that the public has easy access to all the Acts administered by them and the corresponding Subordinate Legislations framed by them.

**11.13** It is the responsibility of the Ministries/Departments to maintain proper database containing the title of rules/regulations framed under Acts administered by them, the Section/Sub-Section under which they have been framed and their date of laying on the Table of each House. This database should be maintained by the Ministries/Departments, updated regularly and posted on the website of the Ministries/Departments.

**11.14** The Ministry/Department should maintain up-to-date copies of the Acts and rules and regulations, bye-laws, etc., framed there under in sufficient numbers. In case the number of amendments is large, efforts should be made to reprint the Acts or the rules, as the case may be, so as to provide a continuous reading.

**11.15** Legislative Department, Ministry of Law and Justice have been assigned the function regarding compilation of general statutory rules and orders made under Acts passed by the Parliament in the India Code as per the Government of India (Allocation of Business) Rules, 1961x. Accordingly, a quarterly report in respect of cases in which rules/regulations under a statute have not been published within six months should be sent regularly to the Legislative Department, Ministry of Law and Justice so that it may be easy for them to compile and scrutinize pending cases and to know the reasons for delay in framing of rules, etc. as drafting and vetting of the rules, regulations etc. are finalized by them.

## *Chapter 12*

# *Committees of Parliament*

### Introduction

**12.1.1** Parliament constitutes committees for assisting it in dealing with specific items of business requiring expert or detailed consideration. A committee of Parliament may be constituted in pursuance of:

- (a) provisions of the RSR and LSR;
- (b) an Act of Parliament;
- (c) motion or resolution adopted by the House; or
- (d) inherent powers of the Chairman/Speaker.

A list of Standing Committees of Parliament and other particulars relating thereto are given in Annex 23. General provisions applicable to the committees constituted by the Lok Sabha are given in Chapter XXVI of LSR.

**12.1.2** Out of the committees of Parliament listed in Annex 23, the following three financial committees deserve special mention:

LSR 308,309

- (a) **Public Accounts Committee:** It examines the appropriation accounts, the annual financial accounts and such other accounts laid before the House as the committee may think fit.

LSR 310 to 312

- (b) **Estimates Committee:** It examines the estimates of various Ministry/Department with a view to reporting economies, suggesting alternative policies and examining whether the final provisions are consistent with the policy and to suggest the form in which the estimates shall be presented to Parliament.



- (c) **Committee on Public Undertakings:** It examines the working of specified public sector undertakings with a view to finding out whether the undertakings have been organised in accordance with sound business principles and prudent commercial practices. The Committee on Public Undertakings undertakes three kind of examination viz. comprehensive examination of a Public Undertaking, examination of Audit Reports/ Paras(Commercial) of the Comptroller and Auditor General of India and horizontal examination of subjects common to some or all Public Undertakings. LSR 312A,312B

**12.2** The procedure generally followed by these financial committees is to: Procedure followed by financial committees

- (a) decide the programme of work for the year;
- (b) issue a detailed questionnaire to the Ministry/ Department/public sector undertakings concerned;
- (c) call for papers/documents; and/or
- (d) summon officials and non-officials for evidence; and/or
- (e) undertake tours of offices, projects, undertakings, etc., and/or
- (f) form sub-committees/study groups for detailed scrutiny of the subject covered by the study; and
- (g) submit the final report to the Rajya Sabha/Lok Sabha.

**12.3.1** Some of the procedures to be followed in regard to these three financial committees as described in this chapter are common to them but separate procedures have also been prescribed applicable to one or two of them. Paras 12.10 and 12.15 are, however, applicable to all the committees of Parliament listed in Annex 23. Scope of applicability of procedures

**12.3.2** In addition to the financial committees, there are departmental related Standing Committees of Parliament (Annex 23(b)). These committees examine the Demands for Grants, Bills, Annual Reports of the departments concerned and long term policy documents presented to the Houses. RSR 268,277  
LSR 331

Nomination of an officer to deal with information called for by financial committees  
PRO 12.4

**12.4** Each Ministry/Department will nominate a senior officer for:

- (a) furnishing information called for by a financial committee;
- (b) rendering such assistance as may be sought for by the committee; and
- (c) co-ordinating action in the Ministry/Department with respect to its recommendations.

The name of such officer will be communicated to the secretariat of the committee.

Furnishing of material to financial committees

**12.5.1** The following material forwarded to a committee will invariably be approved by an officer not below the rank of Joint Secretary in the Ministry/Department concerned and if, in unavoidable circumstances, it cannot be signed by him, the communication will mention that approval at that level has been obtained for:

PRO 12.13

- (a) preliminary material called for by the committee;
- (b) replies to questionnaire;
- (c) replies to points arising out of the evidence of representatives of the Ministry/Department / undertaking before the committee; and
- (d) replies showing action taken by government on the recommendations contained in the reports of the committee.

**12.5.2** Forty copies in English and fifteen copies in Hindi of the above-mentioned material should be submitted within the time stipulated in the communication sent to the Ministry/Department by the Lok Sabha Secretariat. Soft copies of all materials as mentioned in para 12.5.1 will be invariably provided to Lok Sabha Secretariat to be circulated to Members of Financial Committees through the Lok Sabha e-portal.

**12.6.1** The audit will inform the Ministry/Department concerned of the cases in which excesses have occurred as soon as the appropriation accounts for a year are finalised and sent to the press for first proof. The Ministry/Department will then submit notes giving reasons for excesses, duly vetted by audit, to the Ministry of Finance. The budget division of that Ministry will be responsible for furnishing the explanatory notes, duly vetted by the audit, to the Public Accounts Committee immediately after the presentation of the appropriation accounts to Parliament or by 31 May, whichever is later.

Furnishing  
of material to  
Public Accounts  
Committee  
PRO 12.6 to 12.11

**12.6.2** Apart from the above, even other notes, memoranda, etc., will invariably be shown to audit before their formal submission to the Public Accounts Committee. When it is not possible to do so within the period stipulated by the committee, the Ministry/Department concerned will simultaneously send to the LS Secretariat, advance copies of the notes transmitted to audit to enable the committee to finalise their report without delay.

**12.7** On receipt of a request for supply of secret documents to financial committees, the Ministry/Department concerned will, with the approval of the Minister:

Furnishing  
secret documents  
to financial  
committees

- (a) supply the documents; or
- (b) supply the documents to the Chairman of the committee with a recommendation against their circulation amongst members of the committee; or
- (c) decline to supply the documents if it is considered that their disclosure would be prejudicial to the safety or interests of the State.

PRO 12.5

**12.8** A Ministry/Department or undertaking required to give evidence before a committee on any matter will be represented by the Secretary or the head of the undertaking, as the case may be, unless the Chairman of the committee has permitted, on a request being made to him, any other senior officer to represent it.

Presence of  
representatives  
of the Ministry/  
Department at the  
sitting of financial  
committees  
PRO 11.15 to 11.17  
SD 59

In case the Secretary/head of the undertaking is unable to appear before such a committee, the reasons for such absence and also the name of the officer to be deputed in his place will be intimated in advance.

Coordination of  
action taken on  
recommendations  
of Estimates  
Committee/ Public  
Accounts Committee

**12.9.1** The procedure for examination of the recommendations of the Estimates Committee and the Public Accounts Committee and issue of replies thereto is as follows:

(a) Recommendations relating to a single Ministry/Department will be dealt with by the Ministry/Department concerned.

PRO 12.18,12.19

(b) Recommendations concerning the Ministry/Department reported upon as well as other Ministries/Departments will:

(i) if they raise general questions of a financial and budgetary nature, be co-ordinated by the Ministry of Finance (Department of Expenditure) in consultation with the Ministry/Department concerned (The final reply to the committee will be issued either by the Ministry/Department reported upon or the Ministry of Finance, as may be mutually agreed to); and

(ii) if they raise other more general policy questions, be dealt with by the Ministry/Department reported upon in consultation with the Cabinet Secretariat.

Ministry of Finance  
O.M. No. B.12(31)-  
(Coord)/67 dt.16-  
5-68

(c) In respect of the reports of the Public Accounts Committee, the responsibility for ensuring that final replies, duly vetted by audit, reach the committee within the prescribed period of six months of the receipt of the report, will rest with:

(i) the Department of Expenditure in respect of recommendations marked

- to that Ministry/Department;

- jointly to that Ministry/Department and one or more of the other Ministry/Department; and

- to all Ministries/Departments.

- (ii) the Ministry/Department concerned with the recommendations, in other cases.

**12.9.2** The Ministry/Department concerned will furnish the committee with a statement showing action taken on the recommendations contained in the report as well as the views of government on all the recommendations including those which are accepted by the Government.

Implementation of the recommendations made by Committees of Parliament

PRO 12.21 to 12.27

**12.10.1** Where it is proposed not to accept any recommendations of a Parliamentary committee, the Ministry/Department will:

SD 102

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Sectt.O.M.No.  
71/10/CF/66

- (a) submit the case to the Minister bringing out clearly the reasons for non-acceptance, and seeking his orders whether the case may be submitted to the Cabinet;

dt.12.11.66 and  
No71/10/CF/69 dt.  
6.4.70

- (b) take action according to the Minister's orders; and

- (c) place the Government's views before the committee.

**12.10.2** The committee may, if it thinks fit, submit a further report to the House after considering the Government's views.

**12.10.3** If there are any factual statements in the report of a committee of Parliament on which the Government have reasons to disagree, they will be brought to the notice of the committee.

**12.10.4** Statements, comments or observations on the contents of the reports of a committee of Parliament made in public without the knowledge of the committee or without the permission of the Chairman/Speaker may be considered a breach of privilege of the House and, therefore, should be avoided.

PRO 12.26

**12.11** Subject to what is stated in para 12.9.1, each Ministry/Department will furnish to the committee, within six months from the date of presentation of the report to Parliament, a statement showing action taken by the Government on the recommendations contained in the report. No extension is ordinarily granted save in exceptional circumstances. In case of Public Accounts Committee, the statement will be vetted by audit.

Action taken on the recommendations of the financial committees

PRO 12.27

Comments on the action taken on reports of the financial committees  
PRO 12.29

**12.12** Once a financial committee has presented its report to the Lok Sabha giving its comments on the action taken by the Ministry/Department concerned on its original report, it may normally be regarded as the completion of the process of examination so far as the committee is concerned. If, however, in the 'action taken report' presented by the committee, it has been pointed out that replies to certain recommendations in the original report are still outstanding, the Ministry/Department concerned will furnish its replies to the outstanding recommendations even after the 'action taken report' has been presented to the Lok Sabha.

Circulation of administrative reports etc. to members of financial committees  
PRO 12.1 and 12.2

**12.13** Copies of the annual reports of Ministry/Department will be supplied separately for use in these committees on specific request made by the Lok Sabha Secretariat in this regard.

Supply of information regarding setting up of new government companies/statutory Corporations to the Committee on Public Undertakings  
PRO 12.3

**12.14** Soon after a Government company or a statutory corporation is set up, the administrative Ministry/Department will send to the LS Secretariat for the information of the Committee on Public Undertakings:

- (a) an intimation regarding its formation;
- (b) two sets of articles and memorandum of association/statute relating thereto; and
- (c) a copy each of the annual reports and accounts of the company/corporation and the budget estimates, if presented to the Lok Sabha.

Conduct and etiquette for guidance of witnesses appearing before Committees of Parliament

**12.15.1** A witness appearing before a committee of Parliament is expected to behave in a dignified manner. In particular, he will:

- (a) show due respect to the Chairman of the committee/sub-committee by bowing while taking his seat;
- (b) take the seat earmarked for him;

- (c) take the oath/make affirmation, if so asked by the Chairman and, while doing so, stand and bow to the Chair just before taking the oath/making the affirmation; PRO 11.14
- (d) answer specific questions put to him either by the Chairman, or by a member of the committee or by any other person authorised by the Chairman;
- (e) make all submissions to the Chair and the committee in courteous and polite language;
- (f) bow to the Chair when asked to withdraw after completion of his evidence;
- (g) not smoke or chew, when before the committee; and
- (h) note that subject to the provisos of LSR 270, the following acts would constitute breach of privilege and contempt of the committee:
  - (i) refusal to answer questions;
  - (ii) prevarication or wilfully giving false evidence or suppressing the truth or misleading the committee;
  - (iii) trifling with committee or returning insulting answers; and
  - (iv) destroying or damaging a material document relating to the enquiry.

**12.15.2** Where an officer wishes to rely upon any of the provisos to rule 270 [vide sub-para (h) of para 12.15.1 above], he should not state the matter in the form of an objection then and there before the committee, but give an interim reply that it is necessary for him to look into the papers and take a little time before giving an appropriate or a considered reply to the question. He can then get in touch with the Chairman or the Secretary of the committee and state his difficulties. The Chairman will then indicate to him what further steps he should take in the matter and whether it is necessary to bring the Minister into the picture or not.

Evidence of official witnesses by the Committee on Public Undertakings

**12.15.3** The evidence of the representatives of a Public Undertaking and concerned administrative Ministry/Department are taken separately by the Committee on Public Undertakings. A representative of the Ministry/Department is not allowed to be present when the Committee take evidence of the representatives of the Undertakings. In case of evidence of the representatives of concerned administrative Ministry/Department, representatives of Undertakings are usually not allowed. However, in exceptional cases at the request of the administrative Ministry/Department, representatives of the Undertakings may be allowed to be present during the oral evidence of the concerned Ministry/Department. For this purpose, a request from the Secretary of the Ministry/Department explaining the reason as to why the presence of the representatives of Undertakings is necessary should be forwarded to Lok Sabha Secretariat to be placed before the Chairperson/Committee for consideration.

Departmentally Related Standing Committees(LSR 331C-N)

**12.16.1** The Ministries/Departments covered under the jurisdiction of each of the Departmentally Related Standing Committees of the Houses (to be called the Standing Committees) are as specified in Annexure 23B.

**12.16.2** (constitution) Each of the Standing Committees consist of not more than 31(thirty one) members, 21(twenty one) Members to be nominated by the Speaker from amongst the members of Lok Sabha and 10(ten) members to be nominated by the Chairman, Rajya Sabha from amongst the members of Rajya Sabha.

A Minister is not nominated as a member of the Committee, and if a member after nomination to the Committee is appointed a Minister, such member ceases to be a member of the Committee from the date of such appointment.

The Chairpersons of Committees as specified in Part I of Annexure 23b are appointed by the Chairman, Rajya Sabha and Chairperson of Committees as specified in Part II of the said Schedule are appointed by the Speaker, from amongst the members of the Committees.



The term of office of the members of the Committees does not exceed one year.

**12.16.3. (function)** The functions of each of the Standing Committees are as follows:-

- a) To consider the Demands for Grants of the concerned Ministries/Departments and make a report on the same to the Houses. The report shall not suggest anything of the nature of cut motions;
- b) To examine such Bills pertaining to the concerned Ministries/Departments as are referred to the Committee by the Chairman, Rajya Sabha or the Speaker, Lok Sabha as the case may be, and make reports thereon;
- c) To consider annual reports of Ministries/Departments and make reports thereon; and
- d) To consider National basic long term policy documents presented to the House, if referred to the Committee by the Chairman, Rajya Sabha or the Speaker, Lok Sabha as the case may be, and make reports thereon.

The functioning of the Standing Committee is governed by the general rules relating to Parliamentary Committees. These are further supplemented by Directions issued by the Speaker. The Standing Committees have also framed detailed Rules of Procedure for their internal working.

The procedure to be followed by each Standing Committee during the consideration and preparation of report on the Demands for Grants is as follows:

After the general discussion on the Budget in the House is over, the Houses is adjourned for a fixed period; The Committees consider the Demands for Grants of the concerned Ministries during the aforesaid period; The Committees make their report within the period and not ask for more time; The Demands for Grants is considered by the House in the light of the reports of the Committees; and

- e) There is a separate report on the Demands for Grants of each Ministry.

**12.16.4 (Procedure)** The procedure relating to examination and reporting on Bills by the Standing Committees is as follows:-

- a) The Committee considers the general principles and clauses of the Bill referred to them and make report thereon; the Committee considers only such Bills introduced in either of the Houses as are referred to them by the Chairperson, Rajya Sabha or the Speaker, Lok Sabha as the case may be; and the Committee makes report on the Bill in the given time.

The Standing Committees also examine long term policy documents of the Government as and when referred to them by Chairman, Rajya Sabha or the Speaker, Lok Sabha as the case may be. The procedure for examination of Long Term Policies is similar to examination of subjects based on Annual Reports as detailed in succeeding paragraphs.

The Standing Committees besides examining and preparing reports on Demands for Grants, Bills and Policy documents also take up for scrutiny, the Annual Reports/Subjects based on Annual Reports pertaining to their respective Ministries/Departments. The Standing Committee at its first sitting held soon after its constitution for select subjects based on Annual Reports of the concerned Ministries/Department during the year. For this purpose, a memorandum is placed before the Standing Committee giving details of the subjects which have already been examined in the past by previous Committee and the subjects which can be selected by the Committee for examination during the year.

The details of status of subjects taken for examination by the previous Committee may also be indicated in the Memorandum. As per tradition, the Committee select the subjects which are under examination by the previous Committee and take up Examination from the stage the earlier Committee had left.

**12.16.5** (Sub Committee) The Committee may from time to time appoint one or more sub-Committee(s)/Study-Group(s) for carrying out detailed examination of subject(s) selected by them during the year.

The Committee may appoint a sub-Committee to consider the action taken replies furnished by the Government on the recommendations contained in their earlier reports and also to consider the draft action taken reports(s).

The Chairperson/Convener(s)/Alternate Convener(s) of sub-Committee(s)/Study-Group(s) is/are appointed by the Chairperson of the Committee from amongst the members of the sub-Committee/Study-Group.

The functions of the sub-Committee/Study-Group of the Standing Committees are as under:-

I. Sub-Committee(s)/Study Group(s) dealing with a fresh subject:-

To study intensively the Background/Preliminary material furnished by the Ministry/Department, etc

To prepare the questionnaire to be issued after the approval of the Convener to Ministry/Department, etc.

To undertake study tours and prepare study tour-notes thereof.

To take oral evidence of the representatives of the Ministry/Department etc. (this function is applicable only for sub-Committee(s).

To indicate the broad points on which draft reports may be prepared.

To discuss and approve the draft report before circulation to the whole Committee.

II. Sub-Committee(s) dealing with action taken by Government on earlier Reports(s)

To scrutinize replies received from the Government.

To indicate points on which draft action taken reports may be prepared.

To discuss and approve the draft action taken report before circulation to the whole Committee for their consideration and adoption.

**12.16.6 (Evidence).** The Standing Committee is empowered to send for persons, paper and records. However, if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question is referred to the Speaker whose decision is final. Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

According to well established convention, secret documents required by the Committee are made available by the Ministry or Undertaking confidentially to the Chairperson in the first instance, unless it is certified by the Minister concerned that any such document could not be made available on the ground that its disclosure would be prejudicial to the safety or interest of the State. The Chairperson gives due consideration to the wishes of the Ministry/Department/Undertaking before making any secret document available to the Members of the committee. Any difference of opinion between the Ministry, etc. and the Chairperson in this regard is settled by discussion and as a last resort by reference to the Speaker.

While examination of various subjects by the Standing Committees, preliminary material is sought from the concerned Ministry/Department.

The Committee may also call for memoranda on the subject under examination from non-official organizations/individuals, etc, who are knowledgeable in the field/subject under examination by the committee.

All persons other than members of the Committee and officers of the Lok Sabha Secretariat, withdraw whenever the Committee is deliberating.

The Committee may take oral evidence of selected experts, non-official organizations/individuals on subjects under examination.

The selection of experts/non-official witnesses for evidence is generally made after taking into account the memoranda etc. Submitted by them.

Where a Ministry or Department or organization is required to give evidence before the Committee on any matter, the Ministry or Department or organization is represented by the Secretary of the Ministry or Head of the Department/Organizations, as the case may be. However, the Chairperson of the Committee may, on request being made to him, permit any other Senior Officer (not below the rank of a Joint Secretary in the case of the Ministry/Department to represent the Ministry or Department or organization before the Committee.

As soon as date(s) for taking evidence of representatives of Ministry/Department/Organization is/are fixed, a letter intimating the date, time and place of the sitting of the Committee for taking evidence is sent to Secretary of the Ministry or Head of the Department/organization.

The Committee may recall any witness to give further evidence on any point which is under the examination of the Committee.

Whenever it is felt necessary to invite an official of a State Government to appear as a witness before a Committee or to ask the State Government to produce a document or paper before the Committee, the orders of the Speaker is obtained before the official or the State Government is asked to comply with the request.

In case, the Speaker decides that it is not necessary to summon a particular State Official as a witness, or that the State Government need not be asked to produce a paper, documents or record, the Chairperson of the Committee concerned may, if he thinks necessary, apprise the Committee of the Speaker's decision.

A list of points or questionnaire for oral examination of the witnesses incorporating therein any suggestions that might be received from members is prepared. The list of points is circulated to members of the Committee in advance.

Unless directed otherwise copies of the questionnaire are also given in advance to the representatives of the Ministry/Department who are to tender oral evidence before the Committee.

The members, may, after going through the papers, suggest questions or indicate points on which further information may be called.

The questions or points suggested by members together with other relevant points concerning the subject under examination, culled out by the Secretariat, is consolidated in the form of a questionnaire, which is sent to the Ministry/Department for furnishing the requisite information. The replies received are made available to the members.

Chairman puts the questions in the first instance. Thereafter, opportunity is given to those members who have made a special study of the subject under examination. Then other members are given an opportunity to raise any further points arising out of the discussions.

Questions are addressed to the witnesses for eliciting information and facts with a view to enabling the members to study the position in its proper perspective. The statements made by the representatives of the Ministry/Department on behalf of Government are normally accepted as correct unless a member concerned may test his information by putting questions in an objective manner.

In case the witness is not in a position to elucidate any point immediately, he may be permitted by the Chairperson to furnish a reply to the Secretariat in writing as soon as possible.

Any written information or statement required by a member on any point arising during the course of examination of the witness by the Committee is passed on to Chairperson who may call for the information, if necessary.

The officials who appear before the Committee to tender evidence are the highest placed functionaries in the Ministries/Departments/Organizations. They are extended due courtesy and given every consideration to enable them to place before the Committee all the relevant facts and information to facilities understanding of the Problems and issues in the proper perspective.

For the guidance of witnesses appearing before Parliamentary Committee or their Sub-Committees, the following points of conduct and etiquette have, inter alia, been Circulated to the Ministries/Departments of Government of India.

Due respect to the Chairperson and Committee/Sub-Committee should be shown by the witness by bowing while taking his seat.

The witness should take the seat earmarked for him opposite to the seat of the Chairperson. The witness should answer specific questions put to him either by the Chairperson, or by a Member of the Committee or by any other person authorized by the Chairperson. The witness may be asked to place before the Committee any other points that have not been covered and which the witness thinks are essential to be placed before the Committee.

All submissions to the Chair and the Committee should be couched in courteous and polite language.

When the evidence is completed and the witness is asked to withdraw, he should, while leaving, bow to the Chair.

After evidence, a list of points on which further information is desired by the Committee is prepared and, after approval by the Chairperson, sent to the Ministry/Department concerned for furnishing replies thereto. The replies on receipt are circulated to the Ministry\Department.

The proceedings of the Committee is treated as confidential and it is not permissible for a member of the Committee or anyone who has access to its proceedings to communicate, directly or indirectly to the Press any information regarding its proceedings including its report or any conclusions arrived at, finally or tentatively, before the Report is presented to the House.

Relevant portions of speeches are forwarded to the members and the officials tendering evidence before the Committee for correction and return within a stipulated period. If corrected copies of speeches are not received back in the given time, the reporter's copy is treated as authentic. Portions of proceedings sent to the official witnesses are invariably obtained back from them duly verified in time.

If the Chairperson is of the opinion that words, phrases or expressions in the proceedings of the Committee/Sub-Committee are unparliamentary, irrelevant or are not couched in respectful, decorous or temperate language, or are otherwise inappropriate, he may order such words, phrases or expressions to be expunged from the proceedings.

The Verbatim proceedings are for the use of the Committee only. These are treated as confidential and not shown to anyone who is not a member of the Committee.

After presentation of the report (on Demands for Grants/ subjects based on Annual Report/long term policies) to the House, a copy of the Report is forwarded to the Ministry/ Department/concerned who are required to furnish to the Lok Sabha Secretariat a statement showing the action taken by them on the recommendations contained in the Report or within the time stipulated in the report itself.



No extension beyond three months is ordinary granted except in very exceptional Circumstances for a further period of one month with the approval of the Chairperson only. In case no reply is received during this extended period, the matter is placed before the Chairperson for his orders.

**12.16.7 (Report)** The statement showing the action by Government on the recommendations contained in the Report of the Committee is examined and a draft Action Taken Report is prepared by the Secretariat consisting of five Chapters viz. (i) Report of the Committee comprising inter-alia the observations and recommendations meriting comments from the Committee; (ii) Recommendations/Observations which have been accepted by the Government; (iii) Recommendations/Observations which the Committee do not desire to pursue in view of Government's reply;

(iv) Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee; and (v) Recommendations/Observations in respect of which final replies of the Government have not been received.

The draft Report is submitted to the Chairperson for approval.

After approval by the Chairperson, the draft report is circulated to the Members of the Committee.

The report is finalized by the Chairperson after its factual verification by the Concerned Ministry/Department. The report is presented to the House in the usual manner.

The Minister concerned shall make once in six months a statement in the House regarding the status of implementation of recommendations contained in the Reports of Departmentally Related Standing Committees of Lok Sabha with regard to his Ministry.

While forwarding the Action Taken Report to the Government, the Ministry concerned shall be asked to furnish as early as possible statements of action taken or proposed to be taken by them on the recommendations contained in Chapter I and final replies to the recommendations contained in Chapter V of the Action Taken Report.

The replies so received shall be consolidated in the form of a “Statement” and after Chairperson’s approval, laid on the Table of House.

The Speaker may from time to time issue such directions to the Chairperson of the Committee as may be considered necessary by the Hon’ble Speaker for regulating its procedure and organization of its work.

If any doubt arises on any point of procedure or otherwise, the Chairperson may if he thinks fit, refer the point to the Hon’ble Speaker whose decision shall be final.

## Chapter 13

# Consultative Committees

**13.1.1** Consultative Committees consisting of members from both Houses of Parliament are constituted by the Ministry of Parliamentary Affairs for various Ministries/Departments of the Government of India. The strength of these Committees thereof is fixed by the Government in consultation with the opposition parties/groups in Parliament and with due regard to their respective strength in Parliament. The committees are initially constituted after the constitution of the new Lok Sabha and thereafter their reconstitution if need be, is usually timed with the budget session.

Scope & functions

**13.1.2** The Consultative Committees are meant to provide a forum for informal discussion between the members and Ministers on the policies and the working of the Ministry/Department concerned. The Minister concerned with each Ministry/Department or, in his unavoidable absence, the Minister of State, presides over the meetings of the Consultative Committee attached to his Ministry/Department.

**13.2.1** Meetings of the committees are arranged both during and between the sessions. Six meetings of the Consultative Committees should normally be held during Session and Inter-session period. Of the six meetings of the Consultative Committees in a year, it shall be mandatory to hold four meetings. Of these, three meetings shall be held during inter-session periods and one meeting shall be during either the session or inter-session period, according to the convenience of the Chairman of the Committee.

When to be called

**13.2.2** At the discretion of the Chairman, one meeting of the committee may be held outside Delhi once a year. Arrangement for boarding and lodging of the members at the venue of the meeting will be made by the Ministry/Department concerned.

Agenda for the meeting

**13.3** The Agenda for the meeting of a Consultative Committee may be decided by the Chairperson in consultation with the Members, as far as possible. The Members may also suggest item(s) for inclusion in the Agenda for the consideration of the Chairperson.

Circulation of briefs

**13.4** The concerned sections in the Ministry/Department will prepare detailed briefs on the items in the agenda and forward them to their Parliament Unit. The Parliament Unit will forward the briefs to the Ministry of Parliamentary Affairs for circulation among members of the committee. The approval of the Minister will be obtained if:

- (a) any item suggested by the member is proposed to be excluded from the agenda; or
- (b) if it is considered not necessary to circulate a brief on any item.

In the case of (a) above, the member concerned will be suitably informed, while in the case of (b), a self-contained note will be prepared for the use of the Minister.

Deliberations of committees

**13.5** At these committees, Members of Parliament are free to discuss any matter which can appropriately be discussed in Parliament. Deliberations of the committees are considered informal and purely advisory and no reference thereto can be made on the floor of the House either by the Minister or by the members of the committee. Care should, therefore, be exercised by all concerned in the Ministry/Department, while preparing briefs for Ministers in regard to other Parliamentary business, to avoid references to deliberations of the Consultative Committees.

Attendance by officers and production of documents

**13.6** The meetings of the committees are attended by senior officers of the Ministry/Department to assist the Minister with facts and figures. The committee, however, cannot summon any witness or ask for production of documents.

**13.7** The Ministry/Department concerned will prepare and circulate among members of the committee, through the Ministry of Parliamentary Affairs, a brief record of discussions of the meetings. Where there is unanimity of view in the committee, the Government will normally accept it, except when it finds it not possible to do so on the grounds of:

Record of discussion and further action

- (a) financial implications;
- (b) security of state; Defence, External Affairs and Atomic Energy; and
- (c) the matter falling within the purview of an autonomous institution

In cases of non-acceptance, reasons therefor will be given to the committee in its next meeting.

**13.8** The minutes of the meetings (Hindi and English versions) should be finalised at the earliest, preferably within a week after the meeting, and the concerned Ministry/Department should transmit them to the Ministry of Parliamentary Affairs for circulation among the members of the committee. Similarly, action taken reports (Hindi and English versions) on the decisions taken in the previous meetings and agenda notes, etc., for the next meeting should be sent to the Ministry of Parliamentary Affairs at least 10 days before the next meeting of the committee. The number of copies of agenda notes/minutes/ action taken report to be sent to the Ministry of Parliamentary Affairs should be equivalent to the total membership of the committee plus 10 for the meetings to be held during the session period and the same should be equivalent to the double of the membership of the committee plus 10 in respect of the meetings to be held during inter-session period.

Guidelines on constitution, Functions and Procedures of Consultative Committees are at Annex-32

## Chapter 14

# ***Nomination of Members of Parliament on Committees, Councils, Boards and Commissions, etc., set up by the Government***

Type of committees **14.1** There are two types of committees, namely, government committees, i.e., those appointed by Government and the Parliamentary committees, i.e., those appointed or elected by the Rajya Sabha and the Lok Sabha or nominated by the Presiding Officer of the two Houses of Parliament. While Parliamentary committees consist of Members of Parliament only, government committees are composed of experts, officials, non-officials and, sometimes, Members of Parliament also.

Nomination on government committees

**14.2** Nomination of Members of Parliament on committees and other bodies set up by the Government is a subject allocated to the Ministry of Parliamentary Affairs under the Government of India (Allocation of Business) Rules, 1961. By virtue of this, the Minister of Parliamentary Affairs selects/nominates Members of Parliament to be appointed on all government committees, councils, boards, commissions, etc., set up by various Ministry/Department. The reasons underlying the allotment of this function to the Ministry of Parliamentary Affairs are that (a) there should be a single authority through which all nominations of Members of Parliament on various bodies set up by the government are made, (b) the Minister of Parliamentary Affairs being the government chief whip is eminently suited

to discharge this function as he/she has the knowledge of interest, aptitude, experience, suitability and availability of Members of Parliament for various assignments, and (c) that certain uniform, fair and objective norms would be observed for equitable allocation of membership of the various government bodies to the members of both Houses of Parliament to avoid a situation where some members could be overburdened with too many assignments while others have none.

**14.3** The Ministry/Department will forward the proposal for nomination of Members of Parliament by the Minister of Parliamentary Affairs on the committees, councils, boards, commissions, etc., to be set up by them to the Ministry of Parliamentary Affairs, furnishing the requisite information regarding the committee, etc., in the prescribed proforma (Annex 24). While forwarding such proposals, the Ministry/Department shall keep the following points in view:

Observance of guidelines for nomination

- (i) No Ministry/Department, except the Ministry of Parliamentary Affairs shall nominate Members of Parliament on any committees, councils, boards, commissions, etc., (hereinafter called government bodies) set up by the Government of India in any Ministry/Department. (This does not include bodies on which Members of Parliament are to be nominated by the Chairman, Rajya Sabha or the Speaker, Lok Sabha or to be elected by either House of Parliament by virtue of any statutory provisions etc.)
- (ii) If the Ministry/Department sponsoring the proposal considers any particular Members(s) of Parliament suitable for the assignment, this information, with full supporting reasons, should be conveyed 'confidentially' at the Minister's or Secretary's level to the Ministry of Parliamentary Affairs. Care should be taken to ensure that the proposal is not conveyed to the members concerned before their names are approved by the Minister of Parliamentary Affairs.
- (iii) Proposals not sent in the prescribed proforma will be returned to the Ministry/Department concerned for compliance with the guidelines.

- (iv) Members are nominated by the Minister of Parliamentary Affairs on government bodies and the Ministry/Department concerned are informed by the Ministry of Parliamentary Affairs about their nominations. However, consent of members to serve on such bodies is not obtained in advance. Where, however, a member, due to some unavoidable reasons, declines to serve on the body, the concerned Ministry/Department is informed and simultaneously necessary action to nominate another member in his/her place on that body, is initiated.
- (v) Under the Parliament (Prevention of Disqualification) Act, 1959, the Members are entitled to draw only “compensatory allowance” and no other remuneration for attending the meeting of such bodies. “Compensatory allowance” according to the above Act means:

“Any sum of money payable to the holder of an office by way of daily allowance, such allowance not exceeding the amount of daily allowance to which a Member of Parliament is entitled under the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954), any conveyance allowance, house rent allowance or travelling allowance for the purpose of enabling him to recoup any expenditure incurred by him in performing the functions of that office”.

PRO 11.6

The members, who are appointed to the committees, etc., set up by the Government of India, are granted TA/DA for attending the meetings of such committees on the same scale as provided in Sections 3 and 4 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (as amended from time to time) and Ministry of Finance O.M. No.F 6(26)-E-IV/59 dated 5-9-1960 (as amended from time to time). The payment of TA and DA is governed by Supplementary Rule 190 A(b)(ii). The intimation of such payments to members should invariably be given to the Rajya Sabha/Lok Sabha Secretariat and the Pay and Accounts Officer, Rajya Sabha/Lok Sabha, soon after the meeting is over and after the payment has been made.



- (vi) On receipt of the communication regarding nomination of Members of Parliament, the Ministry/Department should proceed to notify their nomination and supply to them all necessary literature including the constitution, functions, programme of work, etc., of the body under intimation to the Ministry of Parliamentary Affairs. A copy of the notification regarding constitution of such body shall invariably be endorsed to the Ministry of Parliamentary Affairs.
- (vii) Proposals for nomination of Members of Parliament on a government body should be sent to the Ministry of Parliamentary Affairs only if the Ministry/Department contemplating to set up the body is in a position to issue notification regarding the nomination of the Members of Parliament soon after receipt of the communication from this Ministry. Where a Government body is to comprise representatives of any other interests, nomination of such representatives of other interests may be finalized and then only the proposals for nomination of Members of Parliament should be sent to the Ministry of Parliamentary Affairs.
- (viii) If for any reason it is proposed not to constitute the government body during any of the above stages, this fact should be communicated to the Ministry of Parliamentary Affairs with reasons for such decision.
- (ix) Where a government body, in which Members of Parliament are co-opted, is proposed to be wound up or discontinued, it shall be brought to the notice of the Ministry of Parliamentary Affairs with reasons for such decision.
- (x) If it is decided to curtail or extend the term of such a government body, the decision shall be communicated to the Ministry of Parliamentary Affairs, as it implies curtailment or extension of the term of the Members of Parliament nominated thereon.

- (xi) Even where a Member of Parliament is proposed to be nominated on a government body in his individual capacity or as a representative of a particular class, trade, profession, institution, etc., the concurrence of the Ministry of Parliamentary Affairs should be obtained.
- (xii) Whenever a person already serving on a government body becomes a Member of Parliament and it is proposed to continue his membership of the body, the concerned Ministry/Department shall make a reference to the Ministry of Parliamentary Affairs in the prescribed proforma for approval of the Minister of Parliamentary Affairs.
- (xiii) In cases where a Member of Parliament nominated on a government body ceases to be a member thereof by resignation, expiration of his term on the body or death, fresh proposal should be sent to the Ministry of Parliamentary Affairs in the prescribed proforma for filling up the vacancy.
- (xiv) On the dissolution of the Lok Sabha, all members of the House cease to be members of the government bodies on which they were nominated. In such cases, fresh proposals should be sent to the Ministry of Parliamentary Affairs for nominating members of the new Lok Sabha in their place. The members of the Rajya Sabha nominated on a government body, however, continue to serve thereon till the expiration of their term on the body or the date of their retirement from the Rajya Sabha, whichever is earlier. If, however, the Ministry/Department decides to reconstitute the body for a fresh term and communicate this decision to the Ministry of Parliamentary Affairs, nominations of members of the Lok Sabha and the Rajya Sabha will be made on the body de nova.
- (xv) In the case of members of the Rajya Sabha, as stated above, they cease to be members of the government bodies on their retirement from the House. In such cases too, fresh proposals are to be sent to the Ministry of Parliamentary Affairs in the prescribed proforma for filling up the vacancies.

## *Chapter 15*

# ***Matters raised in the Lok Sabha under Rule 377, in the Rajya Sabha under Rule 180A-E and in 'Zero Hour'***

**15.1** Members of the Lok Sabha who wish to bring to the notice of the House any matter which is not a point of order, are permitted by the Speaker to raise the matter under rule 377 of the Rules of Procedures and Conduct of Business in Lok Sabha. In the Rajya Sabha, the Chairman permits the members to mention the matters of urgent public importance, generally known as Special Mentions, under Rule 180A-E of the Rules of Procedure and Conduct of Business in the Rajya Sabha. These matters are generally raised after the disposal of questions and call attentions. In Rajya Sabha, however, nowadays Special Mentions are normally taken up before the House rises for the day.

Matters raised under Rule 377 in the Lok Sabha/ Special Mentions in the Rajya Sabha

**15.2** Necessary extracts of the matters raised in the Lok Sabha as well as in the Rajya Sabha on a particular day are forwarded to the concerned Ministry/Department by RS/LS Secretariats on the succeeding day. Copies of these extracts are also endorsed to the Ministry of Parliamentary Affairs. Each administrative Ministry/Department is required to send replies to the concerned Member(s) of Parliament as expeditiously as possible, preferably within a month, under the signature of their Minister/Minister of State.

Replies to matters raised

In case any delay is anticipated, as sometimes the information is to be collected from various agencies including State Governments, an interim reply should be sent to the concerned Member of Parliament. Copies of the communications sent to the members may invariably be endorsed to RS/LS Secretariat and the Ministry of Parliamentary Affairs so that the matters are deleted from the register of pending matters.

Transfer of matters

**15.3** In case the Ministry/Department finds that a matter concerns any other Ministry/Department, it may request that Ministry/Department to accept the transfer of the matter and upon that Ministry/Department accepting the transfer intimate acceptance thereof to the Ministry of Parliamentary Affairs and Parliament Secretariat concerned. Till such an intimation is received from the transferee Ministry/Department the matter will continue to be shown as pending against the Ministry/Department to whom it had been originally addressed. In case of differences between the Ministry/Department as to which Ministry/Department should deal with the matter, procedure contained in the Cabinet Secretary's D.O. letter No.73/2/15/85-Estt. Dated 25 April, 1995, placed at Annexure-28, would be followed. No request should be addressed to the Rajya Sabha/Lok Sabha Secretariat, for transfer of a matter to other Ministry/Department.

Effect of retirement/  
resignation etc. of  
Members

**15.4** In case of matters raised under Rule 377 in the Lok Sabha, if a member who had raised the matter resigns his seat in the House or passes away, reply to such matters stating the factual position will be sent by the department to the Lok Sabha Secretariat under intimation to the Ministry of Parliamentary Affairs. In case of Special Mentions made Rule 180A in the Rajya Sabha, if a member who had raised it retires, resigns his seat in the House or passes away, no reply need be sent to the Rajya Sabha Secretariat and the Ministry of Parliamentary Affairs. However, if a member who had resigned his seat in the Rajya Sabha/Lok Sabha or had retired from the Rajya Sabha is re-elected to the House from which he had resigned or retired the reply will be sent to the member under intimation to the Parliament Secretariat concerned and the Ministry of Parliamentary Affairs.

Effect of dissolution  
of the Lok Sabha

**15.5** On dissolution of the Lok Sabha, the matters raised under Rule 377 during the term of that Lok Sabha will lapse.

**15.6** Particulars of every matter raised should be entered by the Parliament Unit in their register, as at Annex 25 whereafter the matter will be passed on to the concerned section. The Parliament Unit will maintain two registers—one each for matter raised under Rule 377 in the Lok Sabha and for Special Mentions raised in the Rajya Sabha.

Registers of matters raised

**15.7** The concerned section will also maintain register as at Annex 26. The registers will be maintained separately for matters raised in the Rajya Sabha and the Lok Sabha, entries therein being made session wise. The reply status for each of the matter raised both in Rajya Sabha and Lok Sabha must be updated at regular interval on the relevant links of the websites of Rajya Sabha/Lok Sabha.

Registers of matters raised

**15.8** The Section Officer in-charge of the concerned section will:

Role of Section Officer and Branch Officer

- (a) scrutinize the registers once a week;
- (b) ensure that necessary follow up action is taken without any delay whatsoever; and
- (c) submit the registers to the branch officer every fortnight who will draw the attention of senior officers to the matters replies to which are pending.

**15.9** Members are allowed to raise matters of urgent public importance during the first hour in Rajya Sabha and after the Question Hour in Lok Sabha, i.e. during ‘Zero Hour’ in the two Houses by the Presiding Officers. Whenever Presiding Officers give directions to the Government or the Minister/Minister of State for Parliamentary Affairs gives assurances on certain issues raised during ‘Zero Hour’ in the two Houses, the relevant extracts from the proceedings of the Houses relating to such matters are sent by the Minister of Parliamentary Affairs to the Minister concerned on the same day for such action as may be deemed necessary by the Ministry/Department. Ministry of Parliamentary Affairs also sends relevant extracts from the proceedings relating to the matters raised during Zero Hour in the two Houses on which no directions or assurances are given, to the Ministry/Department concerned for information and such action as may be deemed necessary. The Ministry/Department may examine such matters and, if deemed necessary, send replies to the members under intimation to the Ministry of Parliamentary Affairs.

Matters of urgent public importance after Question Hour (Zero Hour)

## Chapter 16

# Miscellaneous

Appointment of  
a committee on  
matter already  
under consideration  
by Parliamentary  
committee  
PRO 11.1

**16.1.1** A Ministry/Department will, before setting up a committee to investigate or inquire into any matter, ascertain from the RS/LS Secretariat whether any committee of Parliament is already engaged on an examination of the same matter.

PRO 11.2

**16.1.2** If such a committee of Parliament or sub-committee thereof is already so engaged, no other committee will be set up, unless the appointment of such a committee is clearly unavoidable in public interest.

PRO 11.3

**16.1.3** When such a committee is set up, no Member of Parliament will be appointed as its member without prior consultation, through the RS/LS Secretariat, with the Parliamentary committee already engaged in the examination of the matter.

PRO 11.4

**16.1.4** The report of any committee so set up will not be published without prior consultation with the Parliamentary committee. If any difference of opinion arises between the concerned Ministry/Department and the Parliamentary committee, the guidance of the Chairman/Speaker will be sought.

PRO 11.5

**16.1.5** The procedure detailed in the preceding sub-paragraphs will not apply to committees composed entirely of officials, which may be set up to examine specific questions and whose reports are not intended to be published.

**16.2.1** Ministry/Department will furnish to the RS/LS Secretariat and the Ministry of Parliamentary Affairs a complete list showing the names of all the members of the various corporations, companies, committees and other bodies on which a member of the Rajya Sabha/Lok Sabha is:

Furnishing to the RS/LS Secretariat the list of Members of corporations / committees and other bodies in which Members of RS/LS are serving

- (a) selected, nominated or appointed either by the Rajya Sabha or the Lok Sabha or by the Ministry/Department; or
- (b) selected or nominated by anybody with which the Minister is concerned.

**16.2.2** Any change in these lists will also be communicated by the Ministry/Department concerned to the RS/LS Secretariat and the Ministry of Parliamentary Affairs.

**16.3** The attached and subordinate offices and other bodies under the Ministry/Department will also furnish the above information direct to the RS/LS Secretariat.

**16.4.1** The Ministry/Department will supply the following to the RS/LS Secretariat, with a copy to the Ministry of Parliamentary Affairs:

Supply of notifications regarding appointments of committees, copies of questionnaires and telephone lists  
PRO 11.7, 11.8

- (a) 5 (five) copies of the notification published in the Gazette of India/Press Notes relating to appointment of committees by Government or statutory bodies, with 3 (three) more copies addressed specifically to the Committee Branch of the RS/LS Secretariat if members of the Rajya/ Lok Sabha are members of such committees;
- (b) 250 (two hundred and fifty) copies in case of the Rajya Sabha and 300 (three hundred) copies in the case of the Lok Sabha, of questionnaires issued by Ministry/Department, attached or subordinate offices or committees or commissions appointed by government, to elicit public opinion on any matter under investigation by them; and

PRO 21.1, 21.2

PRO16.10

- (c) two copies of the proforma as in Annex 27, duly filled in regarding names, residential addresses and telephone numbers of the Minister, Secretary etc., at least ten days before the commencement of each session. Changes, if any, will also be communicated immediately.

**16.4.2** In case a Minister resigns/relinquishes charge during or on the eve of the Parliament session, immediate action will be taken by the Ministry/Department to take a decision, if necessary in consultation with the Prime Minister's Office, to assign the task of handling parliamentary work (including questions) on behalf of the Minister who has resigned/relinquished charge to another Minister, and this decision will be intimated (through a letter) to the Speaker, Lok Sabha/Chairman, Rajya Sabha at the earliest, well in time. Consequential changes shall be made in the parliamentary papers, if necessary, issued under the signature or in the name of the Minister relinquishing the charge of the Ministry.

Supply of documents and publications to library

**16.5** The Ministry/department will supply the following documents/publications to the library of Parliament:

PRO 21.9

- (a) five copies of all reports/publications issued by Ministries/Departments and their attached and subordinate offices and allied organisations;

PRO 21.10

- (b) ten copies of Ordinances issued by them;

PRO 21.16

- (c) two copies of the Articles of Association, Memorandum or Resolution setting up a public sector undertaking or an autonomous or semi-autonomous body and wherever any amendments are made to the Articles of Association, Memoranda or Resolution concerning such bodies, copies thereof shall be also furnished;

PRO 21.11

- (d) a monthly statement showing all publications issued including agreements entered into with foreign governments and reports of committees/commissions appointed; and



- (e) A list of all such bodies/institutions etc., under their jurisdiction. Any change in the list shall be also furnished. PRO 21.16

**16.6.1** Where publications which have been or are intended to be referred to in answer to a question or in a statement in the House, are sent to the library of Parliament, the covering note will mention this fact. Such material will be made available to the library at least one clear day before the question etc. is likely to be taken up in the House. Publications referred to in answer to a question/statement laid or intended to be laid on the Table of the House PRO 21.14

**16.6.2** Similarly where publications brought out by a Ministry/Department, its attached and subordinate offices or allied organisations, and reports, accounts etc. of autonomous and semi-autonomous organisations are intended to be laid on the Table of the House, copies of such publications will be sent to the library of Parliament after they have been so laid. Where, however, owing to Parliament being not in session, such documents are supplied to the library before they are laid on the Table of the House, the fact, will be clearly stated in the forwarding communication. PRO 21.12

**16.7** Necessary transport facilities to members of committees of Parliament, Consultative Committees or their sub-committees or study groups during their study tours will be provided by the Ministries/Departments and offices or institutions subordinate to them or connected with them. Transport arrangements for the tours of members of Committees of Parliament PRO 12.16

**16.8.1** Communications received from a member will be attended to promptly. Correspondence with members

**16.8.2** Where a communication is addressed to a Minister, it will be as far as practicable, replied to by the Minister himself. In other cases, a reply will normally be issued under the signature of an officer not below the rank of Secretary. However, where a communication is addressed to an Under Secretary or higher level officer, reply may be sent by the addressee himself in routine matters.

In case of communications involving matters of policy, the addressee himself may reply but after consulting the higher authorities. The minimum level at which such replies are sent to Members of Parliament should be that of Under Secretary and such replies should be sent in the letter form only.

**16.8.3** Normally, any information which will not be denied to a member on the floor of the House, will be supplied to him in case he seeks it direct.

**16.8.4** There is no obligation to disclose secret information to a member.

Procedure regarding  
official gallery  
cards and general  
passes

**16.9** Admission to the official gallery is restricted to persons whose presence there is absolutely necessary in connection with and only during the business under discussion in the House. The following procedure governs the issue of official gallery cards and general passes:

PRO 19.9

(a) General passes issued without any special endorsement will entitle the holders to gain admission to the Parliament House only. In cases where the holders are to be allowed admission to the official gallery, the passes will have to be got endorsed accordingly.

PRO 19.1 to 19.13

(b) The Ministries should apply for the minimum number of official gallery cards and general passes required for a session of the Rajya Sabha/Lok Sabha, the applications for which should reach the Rajya Sabha/Lok Sabha Secretariat by the date intimated to Ministries/Departments through O.M. issued before the commencement of each session.

PRO 19.15

(c) In respect of personal staff of the Minister, sessional official gallery passes will be requisitioned for only the private secretary and the additional private secretary.

PRO 19.3, 19.4

(d) The applications for official gallery cards and general passes should reach the RS/LS Secretariat by the date prescribed in regard thereto preceding each session.

Such applications will be signed by an officer not below the rank of a Deputy Secretary, giving in all cases the names and designations of persons for whom cards and passes are required. Particular sector or rooms in Annexe where entry is desired may also invariably be mentioned. The number of Identity Cards with photograph issued by the respective Ministry/Department to the officers/the staff concerned should also be indicated against their names.

- (e) Official gallery cards and general passes will be signed by the persons in whose favour they are issued, and they will also keep their identity cards issued by the Ministries of Home Affairs and Defence with them for being produced whenever asked to do so. PRO 19.10
- (f) Official gallery cards and general passes are not transferable. PRO 19.8
- (g) The two front rows of the seats in the official gallery will be reserved for officers of the rank of Joint Secretary and above holding green official gallery cards. PRO 19.7
- (h) Officials holding “sessional” or day-to-day cards or passes for official gallery will sign in the Visitors’ Book kept near the entrance giving their names, designation, Ministry/Department, reason for the visit etc. PRO 19.11
- (i) Sessional passes will be returned to the RS/LS Secretariat after the session for which they are issued is over. New sessional official gallery cards or general passes will be issued only after those issued during the previous session are returned to the RS/LS Secretariat. PRO 19.12

**16.10.1** In view of the present security environment and need for rigorous checks and stringent access control in the Parliament House Estate, following guidelines have been framed by the Lok Sabha Secretariat for strict compliance by various Ministries/Departments:

Lok Sabha  
Secretariat  
O.M.NO.1/4 (C)  
CPIC/2003 dated  
14.11.2003

- (i) two MP labels, one each for official car and personal car, of Cabinet Ministers/Ministers of State will be issued;
- (ii) one 'P' Label will be issued for the vehicles used either by PSs/PAs and APSs to the Ministers;
- (iii) one 'P' Label each will be issued for the vehicle to be used by Secretary/Special Secretary of Ministries/Departments;
- (iv) one 'P' Label will be issued for the vehicle of Joint Secretary, in-charge of Parliament Section of each Ministry/Department of Government of India; and
- (v) two 'P' Labels will be issued for use of staff cars of Ministries/Departments.

(Cabinet Ministers/Ministers of States are issued annual MP labels, whereas staff cars of Ministries are issued sessional 'P' labels)

Ministries may accordingly apply for the Parking Labels for the vehicles to be used by them keeping in view the above guidelines giving particulars of the vehicles together with registration numbers, well before commencement of the ensuing Session.

PRO 19.18

**16.10.2** The 'P' label enables the holder to enter the Parliament House Estate only in connection with the official business in Parliament House and not for using the Sansad Marg and the Lok Sabha Marg as a thoroughfare.

PRO 19.18

**16.10.3** The Ministry/Department will also mention invariably the serial numbers of the sessional official gallery cards, if already issued, of the officers for whom the car park labels are required.

## *Chapter 17*

# ***Constitutional Provisions Relating to Parliament***

### **17.1.1 Constituent of Parliament**

[Art. 79]

The Parliament of India is a bicameral Legislature and is composed of the President, the Council of States (Rajya Sabha) and the House of the People (Lok Sabha). These three constituent parts collectively constitute the Parliament.

### **17.1.2 President**

Though not a member of either House of Parliament, the President is an integral part of the Parliament.

### **17.1.3 Rajya Sabha**

[Art. 80]

The Rajya Sabha consists of twelve members nominated by the President and not more than two hundred and thirty-eight representatives of the States and of the Union territories. The members nominated by the President consist of persons having special knowledge or practical experience in respect of such matters as literature, science, art and social service. The allocation of seats in the Rajya Sabha to be filled by representatives of the States and of the Union territories is in accordance with the provisions in that behalf contained in the Fourth Schedule to the Constitution. The Rajya Sabha was duly constituted for the first time on 3 April 1952. It consisted of 216 members. Of these, 12 members were nominated by the President. The remaining 204 members were elected to represent the States.

[Art. 83]

The Rajya Sabha is not subject to dissolution, but as nearly as possible, one third of its members retire as soon as may be on the expiration of every second year in accordance with the provisions made in that behalf by Parliament by law. The term of office of members begins—(i) in case of members elected/ nominated biennially, from the date on which their names are notified by the Government of India in the Official Gazette; and (ii) in case of member elected/nominated to fill a casual vacancy, from the date of publication in the Official Gazette of the declaration of election of such person, or of the Notification announcing the nomination of such person, as the case may be. The normal term of office of a member of the Rajya Sabha is six years from the date of election or nomination. However, a member elected or nominated to fill a casual vacancy holds office for the remainder of the term which his predecessor would have held.

[Art. 81]

#### **17.1.4 Lok Sabha**

The Lok Sabha at present consists of not more than five hundred and thirty members chosen by direct election from territorial constituencies in the States, and not more than twenty members to represent the Union territories, chosen in such manner as Parliament by law provides. The limit on the maximum number of members chosen directly from territorial constituencies in States may be exceeded if such an increase is incidental to reorganisation of States by an Act of Parliament.

[Art. 83]

The President is empowered, if he is of opinion that the Anglo-Indian community is not adequately represented in the House, to nominate not more than two members of that community to the Lok Sabha. For the purpose of election from territorial constituencies in the States, a number of seats are allotted to each State in the Lok Sabha in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States.

Each State is thereafter divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it, so far as practicable, is the same throughout the State.

Unless sooner dissolved, the Lok Sabha continues for five years from the date appointed for its first meeting and no longer, as the expiration of the period of five years operate as a dissolution of the House. However, while a Proclamation of Emergency is in operation, this period may be extended by Parliament by law for a period not exceeding one year at a time and not exceeding in any case beyond a period of six months after the Proclamation has ceased to operate.

### **17.1.5 Qualification for Membership of Parliament** [Art. 84]

A person is qualified to be chosen to fill a seat in Parliament if he:

- (a) is a citizen of India, and makes and subscribes before some person, authorised in that behalf by the Election Commission, an oath or affirmation according to the form set out for the purpose in the Third Schedule to the Constitution;
- (b) is not less than twenty-five years of age, for a seat in House of the People and in the case of a seat in the Council of States, not less than thirty years of age; and
- (c) possesses such other qualifications as may be prescribed in that behalf by or under any law made by Parliament.

### **17.2.1 Disqualifications for Membership** [Art. 102]

- (1) A person is disqualified for being chosen as, and for being, a member of either House of Parliament:
  - (a) if he holds any office of profit under the Government of India or the Government of any State other than an office declared by Parliament by law not to disqualify its holder;
  - (b) if he is of unsound mind and stands so declared by a competent Court;

- (c) if he is an undischarged insolvent;
  - (d) if he is not citizen of India, or has voluntarily acquired the citizenship of a foreign State, or is under any acknowledgement of allegiance or adherence to a foreign State;
  - (e) if he is so disqualified by or under any law made by Parliament; and
- (2) a person shall be disqualified for being a member of either House of Parliament if he is so disqualified under the Tenth Schedule to the Constitution.

[Art. 103]

### **17.2.2 Decision on questions as to disqualifications of members**

- (1) If any question arises as to whether a member of either House of Parliament has become subject to any of the disqualifications mentioned in clause (1) of Article 102, the question shall be referred for the decision of the President and his decision shall be final.
- (2) Before giving any decision on any such question, the President shall obtain the opinion of the Election Commission and shall act according to such opinion.

[Art. 85]

### **17.2.3 Summoning and prorogation of both houses of Parliament**

Article 85(1) of the Constitution empowers the President to summon each House of Parliament to meet at such time and place as he thinks fit. Clause (2) thereof states that the President may from time to time prorogue the Houses or either House or dissolve the House of the People (Lok Sabha). The Allocation of Business Rules framed under Article 77(3) of the Constitution assign this function to the Ministry of Parliamentary Affairs. After assessing the time likely to be required for transaction of government business and for discussion on topics of public interest as may be demanded from time to time by Members of Parliament, a note is placed before the Cabinet Committee on Parliamentary Affairs for making a recommendation as to the date of commencement of a session of Parliament and its likely duration.



After approval of the Cabinet Committee on Parliamentary Affairs to the proposal(s), concurrence of Prime Minister is solicited. After concurrence of Prime Minister, the proposal is sent to the President for his approval. In case, the Cabinet Committee on Parliamentary Affairs has not been constituted, a Note containing the proposal(s) is placed before the Cabinet. The recommendation of the Cabinet regarding the date of Commencement of the Session is submitted to the President for his approval.

After the President's approval, the date of commencement and duration of session are conveyed to the Secretariats of the Lok Sabha and Rajya Sabha for issuing summons to the members of Parliament after obtaining approval of the President.

**Prorogation:** After obtaining the approval of the Cabinet Committee on Parliamentary Affairs to the proposal to prorogue the Houses, or either House, the Government's decision is conveyed to the two Secretariats or concerned Secretariat of Parliament to enable them to issue the Order of the President and to notify the same in the Gazette of India.

#### **17.2.4 President's Address**

Article 87(1) enjoins upon the President to address both Houses of Parliament assembled together at the commencement of the first session after each General Election and also at the commencement of the first session of each calendar year.

In accordance with clause (2) of Article 87, provisions have been made in the Rules of Procedure of the Lok Sabha and of the Rajya Sabha for discussion on the matters referred to in the President's Address. The debate in both Houses takes place on a Motion of Thanks which is moved and seconded by members selected by the Minister of Parliamentary Affairs. The motions duly signed by such members are forwarded by the Ministry of Parliamentary Affairs to the Parliament Secretariat concerned.

The scope of the discussion on the Address is very wide and members are free to speak on any subject, whether national or international. Even matters not specifically mentioned in the Address are touched upon by members through tabling of amendments to the Motion of Thanks on the Address or through participation in the debate.

[Art. 105]

**17.2.5** Powers, Privileges, etc., of the Houses of Parliament, and of the Members and committees thereof in parliamentary language the term privilege applies to certain rights and immunities enjoyed by each House of Parliament and committees of each House collectively and by members of each House individually. The object of parliamentary privileges is to safeguard the freedom, the authority and the dignity of Parliament. Privileges are necessary for the proper exercise of the functions entrusted to Parliament by the Constitution. They are enjoyed by individual members, because the House cannot perform its functions without unimpeded use of the services of its members; and by each House collectively for the protection of its members and the vindication of its own authority and dignity.

The powers, privileges and immunities of either House of Parliament and of its members and committees have been laid down in Article 105 of the Constitution. In this article, the privilege of freedom of speech in Parliament and the immunity to members from “any proceedings in any court in respect of anything said or any vote given” by them in Parliament or any committee thereof, are specifically provided for. The article also provides that no person shall be liable to any proceedings in any court “in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings”. In other respects, however, clause (3) of this article as originally enacted provided that “the powers, privileges and immunities of each House of Parliament, and of the members and the committees of each House, shall be such as may from time to time be defined by Parliament by law, and until so defined shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of

this Constitution”, namely 26 January 1950. Article 105(3) was amended by the Constitution (Forty-fourth Amendment) Act, 1978.

Section 15 of the Constitution (Forty-fourth Amendment) Act, 1978 which came into force with effect from 20 June 1979 provides that in other respects, the powers, privileges and immunities of each House of Parliament, and of the members and the committees of each House, shall be such as may from time to time be defined by Parliament by law, and until so defined, shall be those of that House and of its members and committees immediately before the coming into force of Section 15 of the Constitution (Forty-fourth Amendment) Act, 1978. Privileges enjoyed by Parliament as on 20 June 1979, have thus been specified as the period of reference and specific mention of the House of Commons has been omitted.

## **Bills and Procedures in the Parliament**

[Art. 107-119]

### **17.3.1 Provisions as to introduction and passing of Bills**

[Art. 107]

- (1) Subject to the provisions of Articles 109 and 117 with respect to Money Bills and other financial Bills, a Bill may originate in either House of Parliament.
- (2) Subject to the provisions of Articles 108 and 109, a Bill shall not be deemed to have been passed by the Houses of Parliament unless it has been agreed to by both Houses, either without amendment or with such amendments only as are agreed to by both Houses.
- (3) A Bill pending in Parliament shall not lapse by reason of the prorogation of the Houses.
- (4) A Bill pending in the Council of States which has not been passed by the House of the People shall not lapse on a dissolution of the House of the People.
- (5) A Bill which is pending in the House of the People, or which having been passed by the House of the People is pending in the Council of States, shall subject to the provisions of Article 108, lapse on a dissolution of the House of the People.

[Art. 108]

**17.3.2 Joint sitting of both Houses in certain cases**

(1) If after a Bill has been passed by one House and transmitted to the other House –

(a) the Bill is rejected by the other House; or

(b) the Houses have finally disagreed as to the amendments to be made in the Bill; or

(c) more than six months lapse from the date of the reception of the Bill by the other House without the Bill being passed by it, the President may, unless the Bill has lapsed by reason of a dissolution of the House of the People, notify to the Houses by message if they are sitting or by public notification if they are not sitting, his intention to summon them to meet in a joint sitting for the purpose of deliberating and voting on the Bill:

Provided that nothing in this clause shall apply to a Money Bill.

(2) In reckoning any such period of six months as is referred to in clause (1) no account shall be taken of any period during which the House referred to in sub-clause (c) of that clause is prorogued or adjourned for more than four consecutive days.

(3) Where the President has under clause (1) notified his intention of summoning the Houses to meet in a joint sitting, neither House shall proceed further with the Bill, but the President may at any time after the date of his notification summon the Houses to meet in a joint sitting for the purpose specified in the notification, and if he does so, the Houses shall meet accordingly.

(4) If at the joint sitting of the two Houses the Bill, with such amendments, if any, as are agreed to in joint sitting, is passed by a majority of the total number of members of both Houses present and voting, it shall be deemed for the purposes of this Constitution to have been passed by both Houses:

Provided that at a joint sitting—

(a) if the Bill, having been passed by one House, has not been passed by other House with amendments and returned to the House in which it originated, no amendment shall be proposed to the Bill other than such amendments (if any) as are made necessary by the delay in the passage of the Bill;

(b) if the Bill has been so passed and returned, only such amendments as aforesaid shall be proposed to the Bill and such other amendments as are relevant to the matters with respect to which the Houses have not agreed, and the decision of the person presiding as to the amendments which are admissible under this clause shall be final.

- (5) A joint sitting may be held under this Article and a Bill passed thereat, notwithstanding that dissolution of the House of the People has intervened since the President notified his intention to summon the Houses to meet therein.

### **17.3.3 Special procedure in respect of Money Bills**

[Art. 109]

- (1) A Money Bill shall not be introduced in the Council of States.
- (2) After a Money Bill has been passed by the House of the People it shall be transmitted to the Council of States for its recommendations and the Council of States shall within a period of fourteen days from the date of its receipt of the Bill, return the Bill to the House of the People with its recommendations and the House of the People may thereupon either accept or reject all or any of the recommendations of the Council of States.
- (3) If the House of the People accepts any of the recommendations of the Council of States, the Money Bill shall be deemed to have been passed both Houses with the amendments recommended by the Council of States and accepted by the House of the People.

- (4) If the House of the People does not accept any of the recommendations of the Council of States, the Money Bill shall be deemed to have been passed by both Houses in the form in which it was passed by the House of the People without any of the amendments recommended by the Council of States.
- (5) If a Money Bill passed by the House of the People and transmitted to the Council of States for its recommendations is not returned to the House of the People within the said period of fourteen days, it shall be deemed to have been passed by both Houses at the expiration of the said period in the form in which it was passed by the House of the People.

[Art. 110]

#### **17.3.4 Definition of Money Bills**

- (1) a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely
  - (a) the imposition, abolition, remission, alteration or regulation of any tax;
  - (b) the regulation of the borrowing of money or the giving of any guarantee by the Government of India, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of India;
  - (c) the custody of the consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such Fund;
  - (d) the appropriation of moneys out of the Consolidated Fund of India;
  - (e) the declaring of any expenditure to be expenditure charged on the Consolidated Fund of India or the increasing of the amount of any such expenditure;
  - (f) the receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money or the audit of the accounts of the Union or of a State; or

(g) any matter incidental to any of the matters specified in sub clause (a) to (f)

- (2) A Bill shall not be deemed to be a Money Bill by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered, or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes
- (3) If any question arises whether a Bill is a Money Bill or not, the decision of the Speaker of the House of the People thereon shall be final
- (4) There shall be endorsed on every Money Bill when it is transmitted to the Council of States under Article 109, and when it is presented to the President for assent under Article 111, the certificate of the Speaker of the House of the People signed by him that it is a Money Bill.

### **17.3.5 Assent to Bills.**

[Art. 111]

When a Bill has been passed by the Houses of Parliament, it shall be presented to the President, and the President shall declare either that he assents to the Bill, or that he withholds assent therefrom:

Provided that the President may, as soon as possible after the presentation to him of a Bill for assent, return the Bill if it is not a Money Bill to the Houses with a message requesting that they will reconsider the Bill or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message, and when a Bill is so returned, the Houses shall reconsider the Bill accordingly, and if the Bill is passed again by the Houses with or without amendment and presented to the President for assent, the President shall not withhold assent therefrom.

[Art. 112]

**17.4.1 Annual Financial Statement**

- (1) The President shall in respect of every financial year cause to be laid before both the Houses of Parliament a statement of the estimated receipts and expenditure of the Government of India for that year, in this Part referred to as the “annual financial statement”
- (2) The estimates of expenditure embodied in the annual financial statement shall show separately-
  - (a) The sums required to meet expenditure described by the Constitution as expenditure charged upon the Consolidated Fund of India; and
  - (b) The sums required to meet other expenditure proposed to be made from the Consolidated Fund of India, and shall distinguish expenditure on revenue account from other expenditure.
- (3) The following expenditure shall be expenditure charged on the Consolidated Fund of India
  - (a) The emoluments and allowances of the President and other expenditure relating to his office;
  - (b) The salaries and allowances of the Chairman and the Deputy Chairman of the Council of States and the Speaker and the Deputy Speaker of the House of the People;
  - (c) debt charges for which the Government of India is liable including interest, sinking fund charges and redemption charges, and other expenditure relating to the raising of loans and the service and redemption of debt;
  - (d)(i) the salaries, allowances and pensions payable to or in respect of Judges of the Supreme Court,
  - (ii) The pensions payable to or in respect of Judges of the Federal Court,
  - (iii) the pensions payable to or in respect of Judges of any High Court which exercises jurisdiction in relation to any area included in the territory of India or which at any time before the commencement of this Constitution exercises jurisdiction in relation to any area included in a Governors Province of the Dominion of India;



- (e) The salary, allowances and pension payable to or in respect of the Comptroller and Auditor General of India;
- (f) Any sums required to satisfy any judgment, decree or award of any court or arbitral tribunal;
- (g) Any other expenditure declared by the Constitution or by Parliament by law to be so charged.

#### **17.4.2 Procedure in Parliament with respect to estimates** [Art. 113]

- (1) So much of the estimates as relates to expenditure charged upon the Consolidated Fund of India shall not be submitted to the vote of Parliament, but nothing in this clause shall be construed as preventing, the discussion in either House of Parliament of any of those estimates.
- (2) So much of the said estimates as relates to other expenditure shall be submitted in the form of demands for grants to the House of the People, and, the House of the People shall have power to assent, or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein.
- (3) No demand for a grant shall be made except on the recommendation of the President.

#### **17.4.3 Appropriation Bills** [Art. 114]

- (1) As soon as may be after the grants under Article 113 have been made by the House of the People, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of India of all moneys required to meet-
  - (a) The grants so made by the House of the People; and
  - (b) The expenditure charged on the Consolidated Fund of India but not exceeding in any case the amount shown in the statement previously laid before Parliament.

- (2) No amendment shall be proposed to any such Bill in either House of Parliament which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of India, and the decision of the person presiding as to whether an amendment is inadmissible under this clause shall be final.
- (3) Subject to the provisions of Articles 115 and 116, no money shall be withdrawn from the Consolidated Fund of India except under appropriation made by law passed in accordance with the provisions of this article.

[Art. 115]

#### **17.4.4 Supplementary, additional or excess grants:-**

- (1) The President shall-
  - (a) if the amount authorised by any law made in accordance with the provisions of Article 114 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year, or
  - (b) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year, cause to be laid before both the Houses of Parliament another statement showing the estimated amount of that expenditure or cause to be presented to the House of the People a demand for such excess, as the case may be.
- (2) The provisions of articles 112, 113 and 114 shall have effect in relation to any such statement and expenditure or demand and also to any law to be made authorising the appropriation of moneys out of the Consolidated Fund of India to meet such expenditure or the grant in respect of such demand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet such expenditure or grant.

**17.4.5 Votes on Account, Votes of Credit and Exceptional Grants** [Art. 116]

- (1) Notwithstanding anything in the foregoing provisions of this Chapter, the House of the People shall have power—
- (a) to make any grant in advance in respect of the estimated expenditure for a part of any financial year pending the completion of the procedure prescribed in article 113 for the voting of such grant and the passing of the law in accordance with the provisions of article 114 in relation to that expenditure;
  - (b) to make a grant for meeting an unexpected demand upon the resources of India when on account of the magnitude or the indefinite character of the service the demand cannot be stated with the details ordinarily given in an annual financial statement;
  - (c) To make an exceptional grant which forms no part of the current service of any financial year; and Parliament shall have power to authorise by law the withdrawal of moneys from the Consolidated Fund of India for the purposes for which the said grants are made.
- (2) The provisions of articles 113 and 114 shall have effect in relation to the making of any grant under clause (1) and to any law to be made under that clause as they have effect in relation to the making of a grant with regard to any expenditure mentioned in the annual financial statement and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet such expenditure.

**17.5.1 Special provisions as to financial Bills** [Art. 117]

- (1) A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States: Provided that no recommendation shall be required under this clause for the moving of an amendment making provision for the reduction or abolition of any tax.

- (2) A Bill or amendment shall not be deemed to make provision for any of the matters aforesaid by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered, or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes.
- (3) A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill.

### **Procedure Generally**

[Art. 118]

#### **17.5.2 Rules of Procedure**

- (1) Each House of Parliament may make rules for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business.
- (2) Until rules are made under clause (1), the rules of procedure and standing orders in force immediately before the commencement of this Constitution with respect to the Legislature of the Dominion of India shall have effect in relation to Parliament subject to such modifications and adaptations as may be made therein by the Chairman of the Council of States or the Speaker of the House of the People, as the case may be.
- (3) The President, after consultation with the Chairman of the Council of States and the Speaker of the House of the People, may make rules as to the procedure with respect to joint sittings of, and communications between, the two Houses.
- (4) At a joint sitting of the two Houses the Speaker of the House of People, or in his absence such person as may be determined by rules of procedure made under clause (3), shall preside.

### **17.5.3 Regulation by law of procedure in Parliament in relation to financial business:-** [Art. 119]

Parliament may, for the purpose of the timely completion of financial business, regulate by law the procedure of, and the conduct of business in, each House of Parliament in relation to any financial matter or to any Bill for the appropriation of moneys out of the Consolidated Fund of India, and, if and so far as any provision of any law so made is inconsistent with any rule made by a House of Parliament under clause (1) of article 118 or with any rule or standing order having effect in relation to Parliament under clause (2) of that article, such provision shall prevail.

### **17.5.4 Language to be used in Parliament** [Art. 120]

- (1) Notwithstanding anything in Part XVII, but subject to the provisions of article 348, business in Parliament shall be transacted in Hindi or in English:

Provided that the Chairman of the Council of States or Speaker of the House of the People, or person acting as such, as the case may be, may permit any member who cannot adequately express himself in Hindi or in English to address the House in his mother-tongue.

- (2) Unless Parliament by law otherwise provides, this article shall, after the expiration of a period of fifteen years from the commencement of this Constitution, have effect as if the words “or in English” were omitted therefrom.

### **17.5.5 Restriction on discussion in Parliament** [Art. 121]

No discussion shall take place in Parliament with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties except upon a motion for presenting an address to the President praying for the removal of the Judge as herein after provided.

### **17.6.1 Courts not to inquire into proceedings of Parliament** [Art. 122]

- (1) The validity of any proceedings in Parliament shall not be called in question on the ground of any alleged irregularity of procedure.

- (2) No officer or Member of Parliament in whom powers are vested by or under the Constitution for regulating procedure or the conduct of business, or for maintaining order, in Parliament shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers.

[Art. 123]

### **17.6.2 Power of President to promulgate Ordinances during recess of Parliament**

- (1) If at any time, except when both Houses of Parliament are in session, the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinance as the circumstances appear to him to require.
- (2) An Ordinance promulgated under this Article shall have the same force and effect as an Act of Parliament, but every such Ordinance-
  - (a) shall be laid before both Houses of Parliament and shall cease to operate at the expiration of six weeks from the reassembly of Parliament, or, if before the expiration of that period resolutions disapproving it are passed by both Houses, upon the passing of the second of those resolutions; and
  - (b) may be withdrawn at any time by the President.

Explanation. - Where the Houses of Parliament are summoned to reassemble on different dates, the period of six weeks shall be reckoned from the later of those dates for the purposes of this clause.

- (3) If and so far as an Ordinance under this Article makes any provision which Parliament would not under this Constitution be competent to enact, it shall be void.

[Art. 368]

### **17.6.3 Power of Parliament to amend the Constitution and procedure therefor**

- (1) Notwithstanding anything in this Constitution, Parliament may in exercise of its constituent power amend by way of addition, variation or repeal any provision of this Constitution in accordance with the procedure laid down in this Article

(2) An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House present and voting, it shall be presented to the President who shall give his assent to the Bill and thereupon the Constitution shall stand amended in accordance with the terms of the Bill: Provided that if such amendment seeks to make any change in

(a) Article 54, Article 55, Article 73, Article 162 or Article 241, or

(b) Chapter IV of Part V, Chapter V of Part VI, or Chapter I of Part XI, or

(c) Any of the Lists in the Seventh Schedule, or

(d) The representation of States in Parliament, or

(e) The provisions of this Article,

the amendment shall also require to be ratified by the Legislature of not less than one half of the States by resolution to that effect passed by those Legislatures before the Bill making provision for such amendment is presented to the President for assent.

(3) Nothing in Article 13 shall apply to any amendment made under this Article

(4) No amendment of this Constitution (including the provisions of Part III) made or purporting to have been made under this Article whether before or after the commencement of Section 55 of the Constitution (Forty second Amendment) Act, 1976 shall be called in question in any court on any ground

(5) For the removal of doubts, it is hereby declared that there shall be no limitation whatever on the constituent power of Parliament to amend by way of addition, variation or repeal the provisions of this Constitution under this Article.

## *Chapter- 18*

# ***Important Activities of Ministry of Parliamentary Affairs***

**18.1** In a Parliamentary democracy, parliamentary work constitutes one of the important preoccupations of the government. Parliamentary programmes cover numerous intricate matters - financial, legislative and non - legislative - relating to various Ministries/Departments of the Government. The task of efficiently handling diverse parliamentary work on behalf of the Government, in the Parliament, has been assigned to the Ministry of Parliamentary Affairs. As such, the Ministry serves as an important link between the two Houses of Parliament on the one hand and the Government on the other in respect of Government Business in Parliament. Created in May, 1949, as a Department, it is now a full-fledged Ministry since May 1986.

**18.2** The functions allocated to the Ministry under the Government of India (Allocation of Business) Rules, 1961, framed under Article 77(3) of the Constitution of India are outlined below:

1. Dates of summoning and prorogation of the two Houses of Parliament, Dissolution of Lok Sabha, President's Address to Parliament.
2. Planning and coordination of legislative and other official business in both Houses.
3. Allocation of Government time in Parliament for discussion of motions given notice of by Members.
4. Liaison with Leaders and Whips of various Parties and Groups represented in Parliament.
5. Lists of Members of Select and Joint Committees on Bills.



6. Appointment of Members of Parliament on Committees and other bodies set up by Government.
7. Functioning of Consultative Committees of Members of Parliament for various Ministries.
8. Implementation of assurances given by Ministers in Parliament.
9. Government's stand on Private Members' Bills and Resolutions.
10. Secretarial assistance to the Cabinet Committee on Parliamentary Affairs.
11. Advice to Ministries on procedural and other Parliamentary matters.
12. Coordination of action by Ministries on recommendations of general application made by Parliamentary Committees.
13. Officially sponsored visits of Members of Parliament to places of interest.
14. Matters connected with powers, privileges and immunities of Members of Parliament.
15. Parliamentary Secretaries-functions.
16. Organization of Youth Parliament Competitions in Schools/Colleges throughout the country.
17. Organization of All India Whips' Conference.
18. Exchange of Government Sponsored Delegations of Members of Parliament with other countries.
19. Determination of Policy and follow up action in regard to matters raised under Rule 377 of the Rules of Procedure and Conduct of Business in Lok Sabha and by way of Special Mentions in Rajya Sabha.
20. Manual for Handling Parliamentary work in Ministries/Departments.
21. The Salaries and Allowances of the Officers of Parliament Act, 1953. (20 of 1953)
22. The Salary, Allowances and Pension of Members of Parliament Act, 1954. (30 of 1954)

23. The Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 (33 of 1977).

24. The Leader and Chief Whips of Recognized parties and Groups in Parliament (Facilities) Act, 1998 (5 of 1999)

**18.3** The Ministry renders secretarial assistance to the Cabinet Committee on Parliamentary Affairs, which watches the progress of Government Business in Parliament and gives directions as may be necessary for the smooth and efficient conduct of such business besides recommending dates of summoning and prorogation of both the Houses of Parliament and approving the Government's stand on Private Members' Bills and Resolution.

**18.4** The Ministry keeps close contact with the Ministries/Departments of the Government in respect of Bills pending in Parliament, new Bills to be introduced and Bills to replace Ordinances. The Ministry keeps a watch over the progress of Bills in both Houses of Parliament. In order to ensure smooth passage of Bills in Parliament, officials of the Ministry remain in constant touch with the officials of Ministries/Departments sponsoring the Bills and the Ministry of Law and Justice, which drafts the Bills.

**18.5** The Ministry constitutes the Consultative Committees of Members of Parliament and makes arrangements for holding their meetings both during the session and inter-session periods. Presently, there are 35 Consultative Committees attached to various Ministries. The guidelines regarding the constitution, functions and procedures of these Committees have been formulated by this Ministry with the approval of Cabinet. The Ministry also nominates Members of Parliament as and when required, on the Commissions, Committees, Bodies etc. set up by the Government.

**18.6** The Ministry pursues with the other Ministries for prompt and proper implementation of assurances given by the Ministers in Parliament.

**18.7** The Ministry of Parliamentary Affairs looks after the welfare of Members of Parliament. The Minister of Parliamentary Affairs nominates Members of Parliament on various government delegations visiting abroad.

**18.8** With a view to strengthening the roots of democracy and inculcating the habits of discipline and tolerance and for enabling the student community to have intimate knowledge of the working of Parliament, the Ministry conducts Youth Parliament Competitions in the schools of the Government of National Capital Territory of Delhi, Kendriya Vidyalayas, JawaharNavodayaVidyalayas and Universities/Colleges all over the country

**18.9** Parliamentarians in any country contribute to the shaping of foreign policy and relations with other countries. In the present international scenario, it is necessary and useful for the Government to utilize the expertise and services of Members of Parliament effectively for sensitizing and winning over the support of their counterparts in other countries, by explaining our policies, achievements, problems and future visions in various areas. With this objective in view, the Ministry of Parliamentary Affairs sponsors government delegations of Members of Parliament to other countries and also organizes the visits of Government sponsored delegations of MPs from other countries to India.

### **Organisational Set-up**

**18.10** The Ministry functions under the charge of a Cabinet Minister assisted by two Ministers of State. On the administrative side Ministry is headed by Secretary to the Government of India who is assisted by one Joint Secretary, one Director, 3 Deputy Secretaries and 8 Under Secretaries.

## ***LIST OF SECRETARIES OF THE MINISTRY OF PARLIAMENTARY AFFAIRS***

S. No	Name of the Secretary	Period		Remarks
		From	To	
1	Shri S. L. Shakhder	16.5.49	26.11.52	The post was equivalent to an Under Secretary to the Government of India
2	Shri Prem Chand	27.11.52	9.2.54	The post was equivalent to an Under Secretary to the Government of India
3	Shri N.K. Bhojwani	9.2.54 (AN) 10.11.55	4.9.55 31.12.58	-do-
4	Shri S.P. Advani	5.9.59	9.11.58	-do-
5	Shri Kailash Chandra	1.1.59	16.3.67	The post was equivalent to a Deputy Secretary upto 28.11.63 and upgraded to the status of Joint Secretary to the Government of India w.e.f. 29.11.63
6	Shri H.N. Trivedi	28.3.67	31.12.75	The post was equivalent to a Joint Secretary to the Government of India.
7	Shri K.N. Krishnan	25.3.76	5.2.82	The post was equivalent to a Joint Secretary up to 2.6.80 and upgraded to the status of Additional Secretary to the Government of India w.e.f. 3.6.80
8	Shri Ishwari Prasad	5.2.82 (AN)	29.2.88	The post was equivalent to an Additional Secretary up to 18.2.84 and upgraded to the status of Secretary to the Government of India w.e.f. 18.2.84. It was personal to the incumbent

S. No	Name of the Secretary	Period		Remarks
		From	To	
9	Shri B.N. Dhoundiyal	11.4.88	28.2.91	The post of Secretary, MPA, is of the status of Secretary to the Government of India.
10	Shri R. Srinivasan	28.2.91 (AN)	31.8.92	-do-
11	Shri M.M. Rajendran	16.9.92	20.5.93	-do-
12	Shri P.C. Hota	20.5.93	30.8.95	-do-
13	Shri R.C. Tripathi	1.9.95	31.8.97	-do-
14	Shri S.A.T. Rizvi	1.9.97	24.2.99	-do-
15	Shri L.D.Mishra (Addl. charge)	25.2.99	15.3.99	-do-
16	Shri S.A.T. Rizvi	16.3.99	1.8.2000	-do-
17	Shri R.D. Kapoor	17.8.2000	2.11.2000	-do-
18	Dr. M. Rehman	2.11.2000	31.7.2002	-do-
19	Shri L.M. Goyal	26.8.2002	31.5.2003	-do-
20	Sh. V. Lakshmi Ratan	3.6.2003	24.6.2003	-do-
21	Dr. V.K. Agnihotri	24.6.2003	31.8.2005	-do-
22	Shri A.K. Mohapatra	1.9.2005	1.1.2006	-do-
23	Shri Champak Chatterjee	2.1.2006	30.4.2006	-do-
24	Shri R.S. Pandey	1.5.2006	25.7.2006	-do-
25	Dr. (Mrs.) C.T. Misra	26.7.2006	30.10.2006	-do-

S. No	Name of the Secretary	Period		Remarks
		From	To	
26	Shri P.K. Mishra	31.10.2006	30.6.2007	-do-
27	Smt. Asha Swarup (Addl. charge)	2.7.2007	8.7.2007	-do-
28	Dr.(Smt.) Rekha Bhargava	9.7.2007	31.12.2008	-do-
29	Shri K. Mohandas	1.1.2009	22.1.2009	-do-
30	Shri P.J. Thomas	23.1.2009	30.9.2009	-do-
31	Shri U.N. Panjiar (Addl. Charge)	1.10.2009	18.10.2009	-do-
32	Shri Anil Kumar	19.10.2009	31.8.2010	-do-
33	Shri U.N. Panjiar (Addl. charge)	1.9.2010	20.6.2010	-do-
34	Smt. Usha Mathur	20.6.2010	31.5.2011	-do-
35	Dr. T. Ramasami (Addl. charge)	6.6.2011	20.9.2011	-do-
36	Shri S. Chandrasekaran	20.6.2011 (AN)	30.6.2012	-do-
37	Shri Desh Deepak Verma	2.7.2012	30.6.2013	-do-
38	Shri Afzal Amanulla	1.7.2013	31.5.2016	-do-
39	Shri Prabhas Kumar Jha	01.6.2016	28.11.2016	-do-
40.	Shri Rajeev Yadav	29.11.2016	31.01.2018	-do-
41.	Shri Prabhas Kumar Jha	01.02.2018	28.02.2018	-do-
42.	Shri Surendranath Tripathi	01.03.2018	—	-do-

Proforma for Intimation of Legislative and other proposals by Ministry/Department

BUSINESS FOR THE ..... SESSION ..... OF PARLIAMENT  
MINISTRY/DEPARTMENT OF .....

PART-I LEGISLATIVE BUSINESS

Sl. No	Title of the Bill (English and Hindi version)	Purport in brief (To be Self Explanatory)	Present State of Preparedness			Probable date by which the Bill is likely to be introduced	Whether the Bill is required to be passed during the Session	Name and telephone numbers of the officers concerned with the Bill	Remarks
			Draft Cabinet Note	Concurrence/ views of concerned Ministries Obtained	Cabinet approval obtained				
1	2	3	4	5	6	7	8	9	10

N.B. Bills, both pending (excluding those which are not proposed to be proceeded with during the Session) and proposed, may be arranged in the order in which it is proposed to take them up in Parliament.

**PART-II NON-LEGISLATIVE BUSINESS**

**Matters of Public Importance / Report Required to be Discussed in Parliament**

<b>S. No.</b>	<b>Subject</b>	<b>Whether the relevant document/ Report has been made available to Members; if so, when?</b>	<b>If the relevant document/Report has not been presented, when it is likely to be ready.</b>	<b>Remarks</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>



**Annex 2**  
**(Para 7.2.3)**

**TYPE OF INFORMATION WHICH THE ANNUAL REPORT  
OF A MINISTRY/DEPARTMENT MAY CONTAIN**

1.	Structure and functions of the Ministry/Department	<p>(a) Broad idea of the functions. (If a more detailed list is considered necessary, it could form part of an appendix).</p> <p>(b) The attached and subordinate offices, if any, through which the functions are discharged. Relative roles of</p> <p style="padding-left: 40px;">(i) the Ministry/Department;</p> <p style="padding-left: 40px;">(ii) attached offices;</p> <p style="padding-left: 40px;">(iii) subordinate offices working directly under the Ministry/Department.</p> <p>(c) Organisation and staffing of</p> <p style="padding-left: 40px;">(i) Ministry/Department proper;</p> <p style="padding-left: 40px;">(ii) its attached and subordinate offices.</p>	
2.	Performance	<p>Activities (existing and projected) and achievements of the Ministry/Department / attached/ subordinate offices vide (b) above, split up under:</p> <p style="padding-left: 20px;">(a) programmes continuing from previous year;</p> <p style="padding-left: 20px;">(b) new programmes.</p>	<p>Progress to be shown against each, with reference to financial and physical targets and the actual performance, both cumulative and for the year, where necessary, to be highlighted by charts and graphs for better comprehension.</p>
3.	Public Sector undertaking under the Ministry/Department	<p>An appraisal of the performance of each, covering its profitability or otherwise, and other major events like expansion, diversification, accidents, strikes, lock-outs and so on.</p>	
4.	Autonomous bodies and institutions	<p>Appraisal of the functioning of each of the autonomous bodies/institutions in relation to their objectives.</p>	

5.	Important Committees and Commissions	(a) Continuing committees/commissions—their work during the year and present position; (b) New committees / commissions – composition, terms of reference, progress made etc. (c) An idea of any new committees/commissions proposed to be set up and brief details regarding their purposes, membership etc.	
6.	Conference	(a) Organised in India; (b) International.	Nature of participation, subjects discussed, implementation- action taken etc. and foreign exchange component of the cost of attending such conferences in the case of international conferences held abroad, to be indicated.
7.	Agreements with countries, international organisations	Their nature and the degree of assistance, if any, both financial and technical to be received/extended.	
8.	List of publications brought out	Brief purpose of each, wherever necessary.	(All the publications of the Ministry/Department which continue to be topical to be listed in an appendix periodically, say, once in three years.)
9.	Administrative improvements and innovations.	(a) Measures introduced during the year to achieve efficiency and economy in administration; (b) an appraisal of the work of the internal work study unit in the field of work measurement, organisational and procedural studies.	
10.	Use of Hindi as official language	Progress made with reference to government orders on the subject.	

**Annex 3**  
**(Para 8.1)**

## STANDARD LIST OF EXPRESSIONS CONSTITUTING ASSURANCES

### **LOK SABHA** **RAJYA SABHA**

#### **LOK SABHA**

(As approved by the Committee on Government Assurances of the Lok Sabha at its sitting held on 9.4.1954)

The matter is under consideration.

I shall look into it.

Enquiries are being made.

I shall inform the Hon'ble Member.

This is primarily the concern of State Government but I shall look into it.

I shall write to the State Governments.

I assure the House all suggestions by Hon'ble Member will be carefully considered.

I shall study the conditions on the spot during my tour.

I shall consider the matter.

I will consider it.

I will suggest to State Governments.

We will put the matter in the shape of a resolution.

I shall see what can be done about it.

I will look into the matter before I can say anything.

The suggestion will be taken into consideration.

The matter will be considered at the \_\_\_\_\_ conference to be held on \_\_\_\_\_.

The matter is still under examination and if anything is required to be done, it will certainly be done.

The matter will be taken up with the Government of \_\_\_\_\_.

I have no information; but I am prepared to look into the matter.

Efforts are being made to collect the necessary data.

The suggestions made will be borne in mind while framing the rules.

If the Hon'ble Member so desires, I can issue further instructions.

Copy of the report, when finalised, will be placed in the Parliament Library.

I shall supply it to Hon'ble Member.

I think it can be done.

If the Hon'ble Members' allegation is true, I shall certainly have the matter gone into.

We shall have to find that out.

I will draw the attention of the \_\_\_\_\_ Government who I hope will take adequate steps in this direction.

It is a suggestion for action which will be considered.

All the points raised by various Members will be considered and the result will be communicated to each member.

Information is being collected and will be laid on the Table of the House.

I am reviewing the position.

*NOTE : All directions by the Speaker, Deputy Speaker or the Chairman involving action on the part of Ministers, will be complied with as assurance.*

## **RARAJYA SABHA**

(As approved by the Committee on Government Assurances of the Rajya Sabha at its sitting held on the 24th July, 1972)

The matter is under consideration.

I shall look into it.

Enquiries are being made.

I shall inform the Hon'ble Member.

This is primarily the concern of State Government but I shall look into it.

I shall write to the State Governments.

I assure the House all suggestions by Hon'ble Member will be carefully considered.

I shall study the conditions on the spot during my tour.

I shall consider the matter.

I will consider it.

I will suggest to the State Government.

We will put the matter in the shape of a resolution.

I shall see what can be done about it.

I will look into the matter before I can say anything.

The suggestion will be taken into consideration.

The matter will be considered at the \_\_\_\_\_ conference to be held on \_\_\_\_\_.

The matter is still under examination and if anything is required to be done, it will certainly be done.

The matter will be taken up with the Government of \_\_\_\_\_.

I have no information; but I am prepared to look into the matter.

Efforts are being made to collect the necessary data.

The suggestions made well be borne in mind while framing the rules.

If the Hon'ble Member so desires, I can issue further instructions.

Copy of the report, when finalised, will be placed in the Parliament Library.

I shall supply it to Hon'ble Member.

I think it can be done.

If the Hon'ble Members' allegation is true, I shall certainly have the matter gone into.

We shall have to find that out.

I will draw the attention of the \_\_\_\_\_ Government who I hope will take adequate steps in this direction.

It is a suggestion for action which will be considered.

(Discussion on Railway Budget). All the points raised by various Members will be considered and the result will be communicated to each Member.

Information is being collected and will be laid on the Table of the Rajya Sabha.

I am reviewing the position.

Directions by the Chairman, Deputy Chairman or the Vice-Chairman involving action on the part of Ministers.

All specific points on which information is asked for and promised.

**ANNEX 4**  
**(Para 8.7.1)**

**REGISTER OF ASSURANCES GIVEN IN PARLIAMENT**

(To be maintained by the Parliament Unit)

Rajya Sabha/Lok SabhaSession				Ministry/Department of _____								
Sr. No.	Question No. discussion date and name of MP raising the point	Refer-ence	Subject	Assur-ance given	Dt. Of receipt from the M.P.A.	Section con-cerned with the assur-ance	Date on which sent to the sec-tion	Due date of imple-menta-tion of assur-ance	Exten-sion sought/ granted	No. & date of commu-nication under which IR/Part IR was sent to M.P.A.	Dt. On which IR/Part IR was laid on the Table	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

Col. 2: Show date on which the assurance was given.

Col. 3: Show name of Bill, resolution, motion etc. in connection with which assurance was given and also Ministry of Parliamentary Affairs' references with which it was received.

REGISTER OF ASSURANCES GIVEN IN PARLIAMENT  
(To be maintained by section concerned)

Rajya Sabha/Lok Sabha Session \_\_\_\_\_  
Section \_\_\_\_\_

Sr. No	File No.	Ques. No. discussion date and name of MP raising the point	Reference	Subject	Prom-ise Made	Dt. of receipt from Parliament unit	Due dt. for imple-mentation of the assur-ance	Sources from which infor-mation is re-quired to be col-lected	Exten-sion sought/granted	No. &dt. Of the commu-nication under which IR/ Part IR was sent to M.P.A.	Dt. On which IT/Part IR/Laid on the Table of the House	Re-marks
1	2	3	4	5	6	7	8	9	10	11	12	13

Col. 3: Show date on which the assurance was given.  
Col. 4: Show name of Bill, resolution, motion etc. in connection with which assurance was given and also Ministry of Parliamentary Affairs reference with which it was received.  
Col. 5: Show specific point on which assurance was given.  
Col. 13: Show whether request for deletion has been made.

**Annex 6**  
**(Paras 8.9.2 & 8.11)**

.....Session, 20 of the Rajya Sabha  
.....Session, 20 of the Lok Sabha

Date of fulfilment .....  
Ministry of .....Department of  
.....

Question No. & Date	Subject	Promise Made	How Fulfilled	Remarks/Reasons for delay
1	2	3	4	5



***Annex-7***  
**(Para 9.7.3)**

**FORM IN WHICH THE RECOMMENDATION/PREVIOUS  
SANCTION OF THE PRESIDENT HAS TO BE COMMUNICATED  
BY THE MINISTER IN-CHARGE**

The President having been informed of the subject matter of the proposed

\*Bill/amendment

accords his previous sanction to the introduction of the \*Bill/the moving of the amendment in the House under Article \_\_\_\_\_ of the Constitution.

or

recommends the introduction of the Bill/moving of the amendment in the House under Article \_\_\_\_\_ of the Constitution.

or

recommends to the House the consideration of the Bill under Article \_\_\_\_\_ of the Constitution.

*(Minister)*

Copy forwarded to the Ministry of Parliamentary Affairs.

(Shri \_\_\_\_\_ )

Copy forwarded to the Ministry of Law and Justice (Legislative Department).

(Shri \_\_\_\_\_ )

*Deputy Secretary*

*\* Here give title of the Bill.*

***Annex 8***  
**(Para 9.7.4)**

**PROFORMA INDICATING THE CONSTITUTIONAL  
AND PROCEDURAL REQUIREMENTS TO BE  
TAKEN NOTE OF WHILE PROCESSING A BILL.**

1. Legislative Competence (Information in regard to this can be gathered from the note for the Cabinet):  
Articles of the Constitution
  - (i) relevant to the Legislative proposal.
  - (ii) Relevant entries in the VII Schedule.
    - (a) Union List
    - (b) Concurrent List
    - (c) State List
2. Recommendation/previous sanction of the President:
  - (i) Whether the Bill attracts Articles 3, 117(1), and/or 274(1) of the Constitution
  - (ii) if so, the clauses of the Bill attracting the above Article(s)
  - (iii) Whether the recommendation/previous sanction of the President has been obtained?
3.
  - (i) Does the Bill involve expenditure from the Consolidated Fund of India?
  - (ii) Is Article 117(3) of the Constitution attracted by the Bill?
  - (iii) Has Financial Memorandum been appended to the Bill (RSR 64 and LSR 69)?
  - (iv) Have the clauses of the Bill involving expenditure been printed in the thick type or in italics?
4.
  - (i) Do the clauses of the Bill involve delegation to the executive of legislative powers?
  - (ii) Has Memorandum regarding delegated legislation been appended (RSR 65 and LSR 70)?

5. (i) Has the Statement of Objects and Reasons been appended?  
(ii) Have copies of the documents referred to in the Statement been placed on the Table of the House or circulated to MPs?
6. (i) Is suspension of any rule of procedure necessary for the introduction of the Bill etc.?  
(ii) If so, has notice thereof been sent to the RS/LS Secretariat?  
(iii) Does the Bill have any special provisions e.g. placing restrictions on or regulation of fundamental rights etc. If so, briefly list them with their implications?

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

***Annex 9***  
**(Para 9.11.1)**

**MOTION FOR INTRODUCTION OF A BILL**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sub: (Here give the title of the Bill)

Sir,

I give notice of my intention to move for leave to introduce a Bill (Here give the long title of the Bill), during the ensuing/current session of the Rajya Sabha/Lok Sabha and also to introduce the Bill.

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

***Annex 10***  
**(Para 9.11.3)**

**MEMORANDUM FOR EXEMPTION  
FROM DIRECTION 19A/19B**

To

**The Chairman/the Speaker,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

The (Here give the short title of Bill) Bill, 20... is being forwarded to the Rajya Sabha/Lok Sabha for introduction during the current session. For the following reason(s), it is requested that the requirements in Direction 20A/20B in case of the Rajya Sabha which have been issued by the Chairman, Rajya Sabha or Direction 19A/19B of the Directions of the Speaker may be relaxed in respect of this Bill in order to permit the Bill being introduced in the current session at short notice:-  
(Here give reasons)

Your faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

***Annex II***  
**[Para 9.12(a)]**

**MOTION FOR CONSIDERATION  
AND PASSING OF A BILL**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sub: (Here give the title of the Bill)

Sir,

I give notice of my intention to move the following motions during the ensuing /current session of the Rajya Sabha/Lok Sabha :

- (i) That the bill (Here give the long title of the Bill) be taken into consideration; and
- (ii) that the Bill be passed.”

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department)

*Deputy Secretary*

***Annex 12***  
**[Paras 9.12(b) & 9.14.1]**

**MOTION FOR REFERRING A BILL  
TO A SELECT COMMITTEE**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,

Sir,

I give notice of my intention to move the following motion during the ensuing /current session of the Rajya Sabha/Lok Sabha:

“That the Bill (Here give the long title of the Bill) be referred to a Select Committee of the Rajya Sabha/Lok Sabha consisting of (Here give the number\* of members) members (Here give the names\*\* of members) with instructions to report to the Rajya Sabha/Lok Sabha by the (here give the date\*)”.

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

\* To be determined by the concerned Ministry/Department.

\*\* To be determined by the Ministry of Parliamentary Affairs.

**Annex 13****[Para 9.12(c) & 9.14.1]****MOTION FOR REFERRING A BILL TO A  
JOINT COMMITTEE OF THE HOUSES**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move the following motion during the ensuing/ current session of the Rajya Sabha/Lok Sabha :

“That the Bill (Here give the long title of the Bill) be referred to a Joint Committee of the Houses consisting of (here give the number\* of members) members from this House (Here give the names\*\* of the members) and (Here give the number of members) from the \_\_\_\_\_ Sabha; that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee; that the committee shall make a report to this House by the (here give the date\*); that in other respects the Rules of Procedure of this House relating to Parliamentary Committee shall apply with such variations and modifications as the Chairman/Speaker may make; and that this House recommends to———Sabha that ——— Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by ——— Sabha to the Joint Committee.”

Yours faithfully,

*Minister**Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

\* To be determined by the concerned Ministry/Department.

\*\* To be determined by the Ministry of Parliamentary Affairs.



***Annex 14***  
**[Para 9.12(d)]**

**MOTION FOR CIRCULATION OF A BILL FOR  
ELICITING PUBLIC OPINION**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move the following motion during the ensuing/ current session of the Rajya Sabha/Lok Sabha:

“That the Bill (Here give the long title of the Bill) be circulated for the purpose of eliciting public opinion thereon by the (here give the date\*).

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

\* To be determined by the concerned Ministry/Department.

***Annex 15***  
**(Para 9.13)**

**MOTION FOR WITHDRAWAL OF A BILL IN THE  
HOUSE IN WHICH IT HAS BEEN INTRODUCED**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move for leave to withdraw the Bill (Here give the long title of the Bill) during the ensuing/current session of the Rajya Sabha/Lok Sabha and also to withdraw the Bill.

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

***Annex 16***  
**[Para 9.13]**

**MOTION FOR WITHDRAWAL OF A BILL PASSED BY ONE  
HOUSE AND PENDING IN THE OTHER HOUSE**

- (a) Preliminary motion in the House where the Bill is pending**
- (b) Concurrence motion in the House where the Bill was passed**
- (c) Final withdrawal motion in the other House where the Bill is pending**
- (a) Preliminary motion in the House where the Bill is pending**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move the following motion during the current session of the Rajya Sabha/Lok Sabha:

“That this House recommends to ..... Sabha that the House do agree to leave being granted by this House to withdraw the Bill (Here give the long title of the Bill) which was passed by the ..... Sabha on the ..... 20 ..... and laid on the Table of this House on the ..... 20 .....”

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

**(b) Concurrence motion in the House where the Bill was passed**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move the following motion during the current session of the Rajya Sabha/Lok Sabha:

“That this House concurs in the recommendation of the ..... Sabha that the ..... Sabha do agree to leave being granted by the ..... Sabha to withdraw the Bill (Here give the long title of the Bill) which was passed by the ..... Sabha on the ..... 20..... and laid on the Table of the ..... Sabha on the ..... 20.....”.

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

**(c) Final withdrawal motion in the other House where the Bill is pending**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move the following motion during the current session of the Rajya Sabha/Lok Sabha:

“That leave be granted to withdraw the Bill (Here give the long title of the Bill) as passed by ..... Sabha.”

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

***Annex 17***  
**(Para 9.14.1)**

**MOTION FOR CONCURRENCE IN THE RECOMMENDATION  
FOR REFERENCE OF A BILL TO A JOINT COMMITTEE**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move the following motion during the ensuing/ current session of the Rajya Sabha/Lok Sabha:

“That this House concurs in the recommendation of the ... Sabha, that the House do join in the Joint Committee of the Houses on the Bill to (here give the long title of the Bill) made in the motion adopted by the ... Sabha at its sitting held on the ..... 20 ....and communicated to this House on the..... 20..... and resolves that the following members of the ..... Sabha be nominated to serve on the said Joint Committee:

(Here give the names\*\* of members).”

Yours faithfully,

*Minister*

Copy to:

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

\*\* To be determined by the Ministry of Parliamentary Affairs

***Annex 18***  
**(Para 9.14.3)**

**MOTION FOR LEAVE TO MOVE AMENDMENTS TO A BILL  
REFERRED TO A SELECT/JOINT COMMITTEE**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move the following amendments to clause(s) [Here give the number of clause(s)] of the Bill (Here give the long title of the Bill) when it comes up for consideration of the Select/Joint Committee:

Page, line(s)

Omit .....

Page , line(s)

For..... substitute.....

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

***Annex 19***  
**(Para 9.18.2)**

**MOTION FOR LEAVE TO MOVE AMENDMENTS  
TO A BILL IN THE HOUSE**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sub: (Here give the title of the Bill)

Sir,

I give notice of my intention to move the following amendments after the adoption of the motion that the Bill (Here give the long title of the Bill) be taken into consideration, namely:

Page, line(s)

Omit .....

Page, line(s)

For.....substitute.....

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*



***Annex 20***  
**(Para 9.20.1)**

**MOTION REGARDING CONSIDERATION AND  
PASSING/\*RETURN OF A BILL PASSED IN ONE HOUSE AND  
PENDING IN THE OTHER HOUSE**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sub: (Here give the title of the Bill)

Sir,

I give notice of my intention to move the following motion during the current session of the Rajya Sabha/Lok Sabha:

- (i) That the Bill (Here give the long title of the Bill) as passed by the ..... Sabha be taken into consideration; and
- (ii) that the Bill be passed/\*returned.

Yours faithfully,

*Minister*

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

\* If the Motion relates to a Money Bill as passed by the Lok Sabha.

***Annex 21***  
**(Para 9.20.2)**

**SPECIMEN FORM FOR COMMUNICATING REVISED  
FINANCIAL  
MEMORANDUM AND/OR MEMORANDUM REGARDING  
DELEGATED LEGISLATION**

1. Title of the Bill-(Here give the long title of the Bill)
2. Revised Financial Memorandum-  
(Here give the revised Memorandum)
3. Revised Memorandum on Delegated Legislation-  
(Here give the revised Memorandum)

Yours faithfully,

*Minister*

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha  
New Delhi.

*Copy to:*

- (1) Ministry of Parliamentary Affairs.
- (2) Ministry of Law and Justice (Legislative Department).

*Deputy Secretary*

*Note:- Requisite number of copies alongwith a copy each in Hindi and English authenticated by the minister will be sent with a covering office memorandum*

***Annex 22***  
**(Para 11.7.4)**

**MOTION FOR CONSIDERATION AND APPROVAL OF A  
STATUTORY RULE, REGULATION, BYE-LAW ETC.**

To

**The Secretary General,**  
Rajya Sabha/Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to move the following motion during the current session of the Rajya Sabha/Lok Sabha:

“In pursuance of sub-section.....of Section..... of the.....Act, 20...(..... of 20.....), the Rajya Sabha/Lok Sabha hereby approves of the notification of the Government of India in the Ministry/Department of.....SRO..... dt.....by which.....(Here state the brief purpose of the rule)”

Yours faithfully,

*Minister*

*Copy to:*  
Ministry of Parliamentary Affairs.

*Deputy Secretary*

**Annex 23**  
**(Paras 12.1.1, 12.1.2 & 12.3.1)**

## STANDING COMMITTEES OF PARLIAMENT

### (a) Constitution composition and term

*Lok Sabha, Rajya Sabha, Joint Committess*

### Lok Sabha

Sl.	Name of the Committee	Whether elected or nominated	No. of members	Term
1	2	3	4	5
1.	Business Advisory Committee	Nominated	15	Till reconstituted
2.	Committee on Private Members' Bills and Resolutions	Nominated	15	One year
3.	Committee on Petitions	Nominated	15	Till reconstituted
4.	Committee on Estimates	Elected	30	One year
5.	Committee of Privileges	Nominated	15	Till reconstituted
6.	Committee on Subordinate Legislation	Nominated	15	One year
7.	Committee on Government Assurances	Nominated	15	One year
8.	Committee on Absence of Members from the Sitzings of the House	Nominated	15	One year
9.	Rules Committee	Nominated	15	Till reconstituted
10.	General Purposes Committee	Nominated	@	Till reconstituted
11.	House Committee	Nominated	15	One year

Sl.	Name of the Committee	Whether elected or nominated	No. of members	Term
1	2	3	4	5
12.	Public Accounts Committee	Elected	22 (15- Lok Sabha) ( 7-Rajya Sabha)*	One year
13.	Committee on Public Undertakings	Elected	22 (15- Lok Sabha) ( 7-Rajya Sabha)*	One year
14.	Library Committee	Nominated	9 (6- Lok Sabha) (3-Rajya Sabha)*	One year
15.	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	Elected	30 (20-Lok Scheduled Tribes Sabha) (10-Rajya Sabha)*	One year
16.	Committee on Papers Laid on the Table	Nominated	15	One year

@ Consisting of the Speaker, the Deputy Speaker, members of the Panel of Chairmen, Chairmen of all Standing Committees of the Lok Sabha, leaders of recognized parties and groups and such other members as may be nominated by the Speaker.

\* Members of the Rajya Sabha are also associated with these committees.

## Rajya Sabha

Sl.	Name of the Committee	Whether elected or nominated	No. of members	Term
1	2	3	4	5
1.	Business Advisory Committee	Nominated	11 (including Chairman & Deputy Chairman)	Till reconstituted
2.	Committee of Privileges	Nominated	10	-do-
3.	Committee on Petitions	Nominated	10	-do-
4.	Committee on Rules	Nominated	16	-do-
5.	Committee on Subordinate Legislation	Nominated	15	-do-
6.	Committee on Government Assurances	Nominated	10	-do-
7.	House Committee	Nominated	10	-do-
8.	General Purposes Committee	Nominated	@@	*
9.	Committee on Papers Laid on the Table	Nominated	10	Till reconstituted
10.	Committee on MPLAD Scheme	Nominated	13	Till reconstituted
11.	Ethics Committee	Nominated	10	Till reconstituted
12.	Committee on Provision of computers to MPs (RS)	Nominated	8	Till reconstituted

@@ Consisting of the Chairman, Deputy Chairman, panel of Vice Chairman, Chairman of all Standing Committees of the Rajya Sabha, Leaders of recognized parties and groups and such other members as may be nominated by the Chairman.

\* Not provided in the rules but is constituted every year.

### Joint Committess

Sl.	Name of the Committee	Whether elected or nominated	No. of members	Term
1	2	3	4	5
1.	Joint Committee on Salaries and Allowances of Members of Parliament	Nominated	15 (10- Lok Sabha) ( 5-Rajya Sabha)	One year
2.	Joint Committee on offices of Profit	Elected	15 (10- Lok Sabha) (5-Rajya Sabha)	Co-terminus with the life of Lok Sabha
3.	Committee on the Empowerment of Women	Nominated	30 (20-Lok Sabha) (10- Rajya Sabha)	One year
4.	Joint Parliamentary Committee on the functioning of Wakf Boards	Nominated	30 (20-Lok Sabha) (10- Rajya Sabha)	No fixed tenure The Committee has ceased to exist
5.	Joint Committee on Security in Parliament House complex	Nominated	10 (7-Lok Sabha) (3- Rajya Sabha)	One year

**Annex 23b**  
**(Paras 9.11.6 & 12.3.2)**

**(b) Ministries/Departments under Jurisdiction of the Standing Committees**

Sl.	Name of the Committee	Ministries/Departments
1	2	3
<b>PART-I</b>		
1.	Committee on Commerce	Commerce and Industry
2.	Committee on Home Affairs	(1) Home Affairs
		(2) Development of North Eastern Region
3.	Committee on Human Resource Development	(1) Human Resource Development (2) Youth Affairs and Sports (3) Women and Child Development
4.	Committee on Industry	(1) Heavy Industries and Public Enterprises (2) Micro, Small and Medium Enterprises
5.	Committee on Science and Technology, Environment & Forests	(1) Science and Technology (2) Space (3) Earth Sciences (4) Atomic Energy (5) Environment, Forests and Climate Change
6.	Committee on Transport, Tourism and Culture	(1) Civil Aviation (2) Road Transport & Highways (3) Shipping (4) Culture (5) Tourism
7.	Committee on Health and Family Welfare	(1) Health and Family Welfare (2) Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)
8.	Committee on Personnel, Public Grievances, Law and Justice	(1) Law and Justice (2) Personnel, Public Grievances and Pensions



Sl.	Name of the Committee	Ministries/Departments
1	2	3
<b>PART-II</b>		
9.	Committee on Agriculture	(1) Agriculture (2) Food Processing Industries
10.	Committee on Information Technology	(1) Communications and Information Technology (2) Information and Broadcasting
11.	Committee on Defence	Defence
12.	Committee on Energy	(1) Non-Conventional Energy Sources (2) Power
13.	Committee on External Affairs	(1) External Affairs (2) Non-Resident Indians Affairs
14.	Committee on Finance	(1) Finance (2) Company Affairs (3) Planning (4) Statistics and Programme Implementation
15.	Committee on Food, Consumer Affairs and Public Distribution	Consumer Affairs, Food and Public Distribution
16.	Committee on Labour	(1) Labour and Employment (2) Textiles
17.	Committee on Petroleum and Natural Gas	Petroleum and Natural Gas
18.	Committee on Railways	Railways
19.	Committee on Urban Development	(1) Urban Development (2) Urban Employment and Poverty Alleviation
20.	Committee on Water Resources	Water Resources

<b>Sl.</b>	<b>Name of the Committee</b>	<b>Ministries/Departments</b>
<b>1</b>	<b>2</b>	<b>3</b>
21.	Committee on Chemicals and Fertilizers	Chemicals and Fertilizers
22.	Committee on Rural Development	(1) Rural Development (2) Panchayati Raj
23.	Committee on Coal and Steel	(1) Coal and Mines (2) Steel
24.	Committee on Social Justice and Empowerment	(1) Social Justice and Empowerment (2) Tribal Affairs

***Annex 24***  
**(Para 14.3)**

**FORM FOR SEEKING NOMINATION OF MEMBERS OF PARLIAMENT  
ON COMMITTEES, COUNCILS, BOARDS, COMMISSIONS ETC,  
SETUP BY THE GOVERNMENT**

1. Name of the Committee, Council, Board, Commission etc.
2. No. of members of Parliament required to be nominated (ratio between the Lok Sabha and the Rajya Sabha, if any)
3. The source of authority under which the body is set up (namely, statute, resolution order, decision of the Government etc.)
4. (i) Is the body being constituted for the first time or being reconstituted?  
(ii) In case of reconstitution please indicate
  - (a) the name of all the MPs nominated earlier, and
  - (b) How and when the vacancies have arisen?
5. The functions of the body in brief.
6. The date of expiry of the earlier term (in case of reconstitution of the body)
7. The present term of the body from \_\_\_\_\_ to \_\_\_\_\_
8. The term of the members of Parliament to be now nominated on the body from \_\_\_\_\_ to \_\_\_\_\_
9. The entitlements of the members of Parliament nominated on this body:
  - (a) Honorarium
  - (b) Travelling Allowance
  - (c) Daily Allowance
  - (d) Any other allowances perquisite, facilities etc.
10. Who will preside over the meetings of the body?
11. Name and designation (with office address and telephone No.) of the Joint Secretary/Deputy Secretary concerned with this subject in the Ministry.

*Signature* \_\_\_\_\_

*Designation* \_\_\_\_\_

*Telephone No.* \_\_\_\_\_

*Note: Notification regarding the nomination of the members of Parliament on this body should be issued within a reasonable time and a copy thereof endorsed to the Ministry of Parliamentary Affairs.*

**REGISTER OF MATTERS RAISED UNDER RULE 377/RULE 180A-E  
(Special Mention) IN PARLIAMENT**

(To be maintained by the Parliament Unit)

Rajya Sabha/Lok SabhaSession\_\_\_\_\_Ministry/Department of\_\_\_\_\_

Sl. No.	Date	Reference	Subject matter and the name of MP who raised it	Name of the section concerned with the matter	No. and date of the communication of the section under which reply sent to MP under intimation to Ministry of Parliamentary Affairs & the Rajya Sabha/Lok Sabha Secretariat	Remarks
1	2	3	4	5	6	7

*Col.2 Show date on which the matter was raised.*

*Col.3 Show the Rajya Sabha/Lok Sabha Secretariat and Ministry of Parliamentary Affairs communications with which it was received.*

**REGISTER OF MATTERS RAISED UNDER RULE 377/RULE 180A-E  
(SPECIAL MENTIONS) IN PARLIAMENT**

(To be maintained by the section concerned)

Rajya Sabha/Lok Sabha Session \_\_\_\_\_ Section \_\_\_\_\_

Sl. No	Date	Reference	Subject matter and the name of MP who raised it	No. and date of the communication under which reply sent to MP under intimation to Ministry of Parliamentary Affairs & the Rajya Sabha/Lok Sabha Secretariat	Remarks
1	2	3	4	5	6

*Col.2 Show date on which the matter was raised.*

*Col.3 Show the Rajya Sabha/Lok Sabha Secretariat & Ministry of Parliamentary Affairs communications with which it was received.*

Proforma for supply of information regarding addresses and telephone numbers

Name of the Ministry/Department \_\_\_\_\_

Name of the Minister/Minister of State/Deputy Minister/ Secretary of the Ministry/ Officers in-charge of Parliamentary work/ Parliament Assistant	Office			Residence	
	Ministry	Parliament House		Address	Telephone No
	Room No.	TelephoneNo./ Fax No.	Room No.		
I. Minister					
II. Minister of State					
III. Deputy Minister					
IV. Secretary of the Ministry					
V. Officers in-charge of Parliamentary work					
Deputy Secretary					
Under Secretary					
Section Officer					
Parliament Assistant					

Copy (in triplicate) to the Ministry of Parliamentary Affairs.

**Annex 28**  
**(Para 15.3)**

D.O. No. 73/2/5/85-Cab

~~ef=emyl fpo~~  
Cabinet Secretary  
New Delhi

April 25, 1985

My dear Secretary,

1. Cabinet Secretariat receives from time to time references from Ministries/ Departments enquiring as to whether a specific Parliament Question should be answered by one or the other Ministry/ Department. The Allocation of Business Rules, 1961, attempt to describe the responsibility of individual Ministries/Departments. But they certainly cannot be exhaustive and some doubts can still remain.
2. It should initially be the endeavor of Secretaries to discuss with their colleagues to resolve such issues. References should be made to the Cabinet Secretariat only if these differences cannot be resolved by mutual discussion. While sending a reference mention should be made about such discussion having taken place and to the extent possible the view-point of other Ministries/ Departments may also be indicated.
3. Such a reference to the Cabinet Secretariat should also be after obtaining approval of the Secretary and should specifically mention so.

Yours sincerely,

Sd/  
(P. K. Kaul)

To  
All Secretaries to the Govt. of India  
(by name)


**Annex 29**  
**(Vide para 4.2)**

**Proforma to be attached to the O.M. Forwarding  
Paper to be laid on the table of Rajya Sabha**

1. Brief purport of the matter the paper/Notification covers:
2. Statutory or other requirement under which the paper is to be laid on the Table: (and not the Statutory Provision under which it has been issued/made).
  - (i) in the case of Central Govt. Notification, name of the Act and section which provides for laying should be clearly stated:
  - (ii) in the case of State Govt. Notification, the laying provision in the State Act should be reproduced:
3. Whether published in the Gazette, if so,
  - (i) G.S.R./S.O./S.R.O. number of Notification published in the Gazette:
  - (ii) Date, Part and Section of the Gazette:
4. Whether subject to modification by the House?:
5. Period specified in the principal Act by which it is required to be laid:
6. Whether paper/Notification is being laid within the stipulated time, if not, whether any delay statement has been enclosed?:
7. Whether it has been previously laid on the Table of the Rajya Sabha and, if so, on what date?:
8. Whether English and Hindi version are being laid together?
9. Date on which the paper is proposed to be laid on the Table:
10. The Ministries are also requested to bring the contents of this Office Memorandum to the notice of all concerned to ensure that the Reports/Papers/Notifications, etc. required to be laid on the Table of Rajya Sabha are henceforth forwarded to this Secretariat with the prescribed proforma correctly filled in and at least three clear working days before the date on which they are proposed to be laid. A chart indicating last date for receiving papers in the Secretariat for each day of sitting of Rajya Sabha is also enclosed (Annexure). The Ministries/Departments are requested to adhere to the date schedule strictly and no papers will be entertained if received after last date.
11. In case the above requirements are not met, the papers will not be included in the List of Business for the day and will be returned to the Ministry/Department.



12. All Ministries/Departments are also requested to upload the soft copies of all the Reports/Papers/Documents etc. pertaining to their Ministry/Department on their website immediately after they are laid on the Table of the House without any delay.



**(K. Sudhakaran)**

**Director**

Tele : 23035445

To,

- (i) Prime Minister's Office;
- (ii) Cabinet Secretariat;
- (iii) All Ministries/Departments of the Government of India;
- (iv) Parliament Sections of all the Ministries/Departments of the Government of India with the request to circulate the office Memorandum to all Divisions/Sections in the Ministry/Department for strict adherence.

**Annex-29**  
**(Para 4.2)****PARLIAMENT OF INDIA**  
**RAJYA SABHA SECRETARIAT**

Fax: (9111) 23093288 PH  
E-mail: [rstable@sansad.nic.in](mailto:rstable@sansad.nic.in)  
Telephone: 23035445/4697/4581  
PARLIAMENT HOUSE  
NEW DELHI- 110001

No. RS.4/2017-T

January 10, 2017

**OFFICE MEMORANDUM****Subject : Laying of papers on the Table of Rajya Sabha – Guidelines regarding.**

\*\*\*\*\*

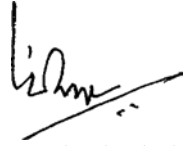
1. The undersigned is directed to state that to ensure smooth laying of papers, the Ministries/Departments are requested to adhere to the following procedure scrupulously :-
  - (i) The relevant papers should reach Table Office/Committee Section (Subordinate Legislation), as the case may be along with the prescribed proforma (copy enclosed) at least three clear working days before the day on which laying thereof is sought by the Ministry/Department concerned. For example, for items required to be laid on Tuesday, the 31st of January, 2017, papers should be delivered in the Secretariat latest by 5.00 p.m. on Tuesday, the 24th of January, 2017. Thus, the last date for receiving papers for laying for the 242nd Session will be Thursday, the 6th of April, 2017.
  - (ii) Where the number of Reports/Papers/Notifications, etc. pertaining to any Ministry to be laid on the Table during a Session is large, the Ministry may plan out its schedule in advance by staggering paper laying evenly over the whole Session instead of waiting for the last few days of the Session.
  - (iii) The laying provision is very important as it authorizes Members of Parliament to move a motion for modification/annulment of the Notifications, etc. Ministries should, therefore, indicate the correct laying provision in the prescribed proforma. In case, the proforma is not correctly filled, the Reports/Papers/Notifications, etc. will not be processed and will be returned to the concerned Ministry.
  - (iv) If, for any particular day, any Ministry has items for laying under different Acts of Parliament or under different laying provisions of the same Act,

the items under each laying provision or Act of Parliament (as the case may be) along with the Reports/Papers/Notifications, etc. should be sent under a separate covering note. In the case of Notifications, if the number of items, under any particular laying provision or Act, is large, say more than five, the Ministry should, besides the usual proforma, also send a statement giving details in both English and Hindi in the following format :

S. NO.	GSR NO.	DATE	NOTIFICATION NO.	BRIEF SUBJECT
--------	---------	------	------------------	---------------

- (v) The Reports/Papers/Notifications should be properly authenticated by the Minister concerned and the authentication should be done on the Report/Paper/Notification itself and not on loose slips or on glossy cover page where it is likely to get detached/erased.
  - (vi) Whenever there is a delay in laying of any Report/Paper/Notification, etc. on the Table of the House, it should be accompanied by a statement (in English and Hindi), duly authenticated by the Minister concerned, giving reasons for the delay in laying that paper.
  - (vii) Where Hindi version of the Report/Paper/Notification is not being simultaneously laid, a Statement (in English and Hindi) giving reasons duly authenticated by the Minister may be provided.
  - (viii) Twelve (12) copies each of the English and Hindi versions of the Reports/Papers complete in all respects, along with equal no. of copies of Delay Statement, Review statement etc. including one copy each thereof duly authenticated by the Minister concerned along with a forwarding letter/O.M. and the prescribed proforma duly filled in has to be forwarded to Table Office for laying.
2. All Ministries are accordingly requested to adhere to the above instructions strictly and forward Annual Reports/Papers to Table Office, Room No. 33, Parliament House and all Gazette Notifications regarding Rules/Regulations to Committee Section (Subordinate Legislation), Room No. 529, Parliament House Annexe, for laying, One complete set may be endorsed to Committee Section (Papers Laid on the Table), Room No. 533, Parliament House Annexe, New Delhi for its information and record.
  3. The Ministries are also requested to bring the contents of this Office Memorandum to the notice of all concerned to ensure that the Reports/Papers/Notifications, etc. required to be laid on the Table of Rajya Sabha are henceforth forwarded to this Secretariat with the prescribed proforma correctly filled in and at least three clear working days before the date on which they are proposed to be laid. A chart indicating last date for receiving papers in the Secretariat for each day of sitting of Rajya Sabha is also enclosed (Annexure). The Ministries/Departments are requested to adhere to the date schedule strictly and no papers will be entertained if received after last date.

4. In case the above requirements are not met, the papers will not be included in the List of Business for the day and will be returned to the Ministry/Department.
5. All Ministries/Departments are also requested to upload the soft copies of all the Reports/Papers/Documents etc. pertaining to their Ministry/Department on their website immediately after they are laid on the Table of the House without any delay.



**(K. SUDHAKARAN)**  
**DIRECTOR**

Tele : 23035445

To

- (i) Prime Minister's Office;
- (ii) Cabinet Secretariat;
- (iii) All Ministries/Departments of the Government of India;
- (iv) Parliament Sections of all the Ministries/Departments of the Government of India with the request to circulate the Office Memorandum to all Divisions/Sections in the Ministry/Department for strict adherence.

**PROFORMA TO BE ATTACHED TO THE O.M. FORWARDING PAPERS  
TO BE LAID ON THE TABLE OF RAJYA SABHA**

1. Brief purport of the matter the paper/Notification covers:
2. Statutory or other requirement under which the paper is to be laid on the Table (and not the Statutory Provision under which it has been issued/made).
  - (i) in the case of Central Govt. Notification, name of the Act and section which provides for laying should be clearly stated:
  - (ii) in the case of state Govt. Notification, the laying provision in the State Act should be reproduced:
3. Whether published in the Gazette, if so,
  - (i) G.S.R./S.O./S.R.O. number of Notification published in the Gazette:
  - (ii) Date, Part and Section of the Gazette:
4. Whether subject to modification by the House?:
5. Period specified in the principal Act by which it is required to be laid :
6. Whether paper/Notification is being laid within the stipulated time, if not, whether any delay statement has been enclosed?
7. Whether it has been previously laid on the Table of the Rajya Sabha and, if so, on what date?:
8. Whether English and Hindi versions are being laid together? If not, the date on which the English version was laid?:
9. Date on which the paper is proposed to be laid on the Table:

**ANNEXURE****RAJYA SABHA SECRETARIAT**

\*\*\*\*

**Chart showing last date for receiving papers for laying and days of sittings of Rajya Sabha during 242nd Session**

Date of sitting of Rajya Sabha	Last date for receiving papers in Rajya Sabha Secretariat (Table Office/Committee Section (Subordinate Legislation))
31.01.2017	24.01.2017
02.02.2017	27.01.2017
03.02.2017	30.01.2017
06.02.2017	31.01.2017
07.02.2017	01.02.2017
08.02.2017	02.02.2017
09.02.2017	03.02.2017

(The House will adjourn on Thursday, the 9th February, 2017 to meet again on Thursday, the 9th March, 2017)

09.03.2017	03.03.2017
10.03.2017	06.03.2017
14.03.2017	07.03.2017
15.03.2017	08.03.2017
16.03.2017	09.03.2017
17.03.2017	10.03.2017
20.03.2017	14.03.2017

21.03.2017	15.03.2017
22.03.2017	16.03.2017
23.03.2017	17.03.2017
24.03.2017	20.03.2017
27.03.2017	21.03.2017
28.03.2017	22.03.2017
29.03.2017	23.03.2017
30.03.2017	24.03.2017
31.03.2017	27.03.2017
03.03.2017	28.03.2017
05.04.2017	29.03.2017
06.04.2017	30.04.2017
07.04.2017	31.03.2017
10.04.2017	03.04.2017
11.04.2017	05.04.2017
12.04.2017	06.04.2017

**Annex 30**  
**(Para 4.2)****LOK SABHA SECRETARIAT**

No.26/1/XI/2017/T

Dated the January 17,2017  
Pausa 27, 1938 (Saka)**OFFICE MEMORANDUM**

Subject:- Papers to be laid on the Table of the Lok Sabha.

\*\*\*\*\*

1. The undersigned is directed to invite the attention of all the Ministries/ Departments to Direction 116 of the Directions by the Speaker read with paras 6.1 to 6.24 of Chapter VI of the Brochure entitled “Government and Parliament-Procedure to be followed by Ministries in connection with Parliamentary work”, on the above subject. It has been observed that Ministries/Departments do not always adhere to the Procedure set out in the aforementioned brochure resulting in the preparation of daily List of Business, and consequent late circulation of copies thereof to members etc.
2. Specific attention of the Ministries/Departments is invited to the following recommendations of the Committee on Subordinate Legislation, for strict compliance while sending notifications containing Rules/Orders for laying:-
  - (i) Whenever rules framed by the Government under any Act are laid on the Table of the House, a statement of Objects and Reasons and also a Statement containing Explanatory notes on the rules in respect thereof should also be appended thereto for the information of Members;
  - (ii) When new Rules amending the original rules are laid on the Table of the House, the relevant extract from the original rules should also be attached to such rules;
  - (iii) All the Orders required to be laid before the House are so laid within a period of 15 days after publication in the Gazette if the House is in session, and if the House is not in session, the ‘Order’ should be laid on the Table of the House as soon as possible (but within 15 days) after the commencement of the following session;
  - (iv) Statement explaining reasons for delay caused in laying each such ‘Order’ on the Table of the House be appended.
3. Further, attention of the Ministries/Departments is invited to this Secretariat OM No. 26/1/VII/2011/T dated 18th May, 2011 (copy enclosed). It is requested



that after laying of papers on the Table of the House, the web link of the same may be emailed to the e-mail ID [computercentre1ss@sansad.nic.in](mailto:computercentre1ss@sansad.nic.in) describing details viz Date, Ministry, Title and the web link of the document.

4. All the Ministries/Departments are also requested to ensure that Papers required to be laid on the Table, complete in all respects (both in Hindi and English versions) are forwarded to Lok Sabha Secretariat (Distribution Branch, Parliament House Annexe) two days in advance of the day on which the papers are proposed to be laid on the Table.
5. No. of copies required:-

Notification	45 copies+ One Authenticated Copy (Both in Hindi and English versions)
Report,MOU, etc.	10 copies+ One Authenticated Copy(Both in Hindi and English Versions)

6. It has also been observed that Ministries send a large number of papers for laying on the Table of Lok Sabha during the last week of the session. Ministries/Departments are, therefore, requested to segregate the papers and send them for laying in an even flow. They may also please note that it will not be possible to accept papers at a notice shorter than two clear days during the last week of the Session.
7. All Ministries/Departments are requested to follow the above procedure.



**(S. K. GANGULI)**  
**Deputy Secretary**  
 Tele No. 23034795

**Encl.: As above**

To

Cabinet Secretariat and NITI Aayog,  
 All Ministries/Departments of Government of India.

**Annex 31**  
**(Para 4.2)****LOK SABHA SECRETARIAT**

No. 26/1/VII/2011/T

Dated the 18th May, 2011  
Vaisakha 28, 1933 (Saka)**OFFICE MEMORANDUM**

Subject :- Providing of internet link of the Documents/Reports/ Papers to be laid on the Table of Lok Sabha.

\*\*\*\*\*

1. The undersigned is directed to inform all Ministries/ Departments of Government of India that the Committee under the Chairmanship of Secretary-General, Lok Sabha has decided to convert the Lok Sabha Secretariat as a paperless Office. One of the decisions taken in the Committee meeting held on 7 January, 2011 was that the Papers Laid on the Table of Lok Sabha could be uploaded on the Homepage of Lok Sabha website besides making hard copies available in the Publication Counter of Lok Sabha Secretariat.
2. It has, therefore, been decided to request all Ministries/Departments to upload and provide the website address link immediately after the document is laid on the Table of Lok Sabha so that the same can be linked to the Lok Sabha Homepage commencing from the monsoon session of Lok Sabha i.e. July, 2011. Further, in case of any query or help in this regard, Ministries/ Departments may contact the following :-

Computer (HW & SW) Management Branch (Software Unit),  
Lok Sabha Secretariat,  
F 056, 'I'Block,  
Parliament Library Building,  
New Delhi.  
(Phone Nos. 23034561/23034576).



**(JAYA KUMAR T.)**  
**ADDITIONAL DIRECTOR**  
Tele No. 23034795

To

Prime Minister's Office,  
Cabinet Secretariat and Planning Commission.  
All Ministries/Departments of Government of India.

**MINISTRY OF PARLIAMENTARY AFFAIRS****GUIDELINES ON CONSTITUTION, FUNCTIONS AND PROCEDURES  
OF CONSULTATIVE COMMITTEES****1. Preamble**

An informal Consultative Committee system for various Ministries/ Departments of the Government of India was instituted in 1954. It was given a formal shape in April 1969 with the issue of Guidelines to regulate the constitution and functioning of the Consultative Committees for various Ministries and Departments, in consultation with the Leaders of Opposition Parties/Groups.

**2. Objectives**

- To create awareness among the Members of Parliament about the working of the Government.
- To promote informal consultation between the Government and the Members of Parliament on policies and programmes of the Government and the manner of their implementation.
- To provide an opportunity to Government to benefit from the advice and guidance of the Members of Parliament in relation to policy matters and implementation of programmes and schemes.

**3. Constitution and Dissolution**

- 3.1 Consultative Committees will be constituted for all Ministries/ Departments of the Government of India, as far as possible. The Government will decide the composition of these Committees with due regard to the respective strengths of various parties in Parliament.
- 3.2 A consultative Committee will have a minimum membership of ten and maximum membership of thirty.
- 3.3 The membership of Consultative Committees is voluntary. A Member of Parliament desirous of serving as a Regular Member on a Consultative Committee shall send her/his request( in the enclosed proforma) providing options of Consultative Committees for three Ministries/Departments in order of preference to the Leader of his Party/Group in the Rajya Sabha/Lok Sabha, except Nominated Members and Members of small parties/groups (with less than five Members) who may send her/his preferences directly to the Ministry of Parliamentary Affairs. The leader of the Party/Group will, in turn, after due consideration, forward her/

his recommendation to the Ministry of Parliamentary Affairs. A Member of Parliament can become a Regular Member of only one Consultative Committee at any point of time.

- 3.4 Members of Parliament may also be appointed as Permanent Special Invitees on a Consultative Committee if they have special interest in the subjects of a particular Ministry/Department. A Member can be nominated as Permanent Special Invitee on one Consultative Committee only. However, such a Member will not be entitled to any TA/DA for attending the meetings of the Consultative Committee. A maximum of five Permanent Special Invitees will be allowed on each Consultative Committee.
- 3.5 The Ministry of Parliamentary Affairs will notify the membership of a Member of Parliament on a Consultative Committee taking note of the vacancy position and the preference of the Member of Parliament, on a first come first served basis.
- 3.6 A Member who is neither a Regular Member nor a Permanent Special Invitee may be invited to a meeting of the Consultative Committee as a special invitee if she/he has given notice of a subject for discussion and it has been included in the agenda or if she/he expresses her/his desire to participate in the discussion on agenda item(s) notified for the meeting of the Consultative Committee and her/his request has been approved by the Minister of Parliamentary Affairs. However, such a Member will not be entitled to any TA/DA for attending the meeting of the Consultative Committee.
- 3.7 A Regular Member of the Consultative Committee shall be entitled to receive TA/DA for attending the meetings held during Inter-Session period as per her/his entitlement.
- 3.8 The Minister in-charge of the Ministry/Department shall preside over the meeting of the Consultative Committee attached to her/his Ministry/Department. Whenever for exceptional reasons, the Minister in-charge is not able to preside over the meeting already convened, it will either be presided over by the Minister of State of that Ministry/Department or it will be postponed.
- 3.9 A Consultative Committee may be dissolved if its membership falls below ten due to retirement/resignation of member(s). The remaining Members of such dissolved Committee will be requested to indicate their preferences as prescribed in paragraph 3.3 above for their nomination on the Consultative Committees where vacancies exist.
- 3.10 The Consultative Committees shall stand dissolved upon dissolution of every Lok Sabha and shall be reconstituted upon constitution of each Lok Sabha.

- 3.11 Ministry of Parliamentary Affairs will notify the constitution of Consultative Committees.

#### **4. Functions and Limitations**

- 4.1 The Consultative Committees provide a forum for free and open discussion on the policies, programmes and schemes of the concerned Ministries/Departments in an informal environment.
- 4.2 Members of Parliament are free to discuss any matter which can appropriately be discussed in Parliament. It would, however, not be desirable to refer on the floor of either House of Parliament to anything which might have taken place in a meeting of a Consultative Committee. This will be binding on both the Government and the Members.
- 4.3 The Consultative Committees will not have the right to summon any witness, to send for or demand the production of any file or to examine any official record.

#### **5 Meetings**

##### Number of Meetings

- 5.1 Six meetings of the Consultative Committees should normally be held during Session and Inter-session period. Of the six meetings of the Consultative Committees in a year, it shall be mandatory to hold four meetings. Of these, three meetings shall be held during inter-session periods and one meeting shall be held during either the session or inter-session period, according to the convenience of the Chairman of the Committee.

##### Meetings outside Delhi

- 5.2 One meeting of a Consultative Committee in a calendar year may be held outside Delhi, anywhere in India, during an Inter-session period if the Chairperson of the Committee so desires.

##### Date of the Meeting

- 5.3 Date for a subsequent meeting of a Consultative Committee may be decided in the previous meeting of the Committee, as far as possible.

##### Duration

- 5.4 The duration of the meeting will be decided by the chairperson at her/his discretion depending on the business to be transacted.

##### Notice for the meeting

- 5.5 In order to facilitate making of adequate administrative arrangements for the meetings of the Consultative Committees and avoid bunching up of such meetings, the Ministries/Departments concerned should, as

far as possible, communicate the decision to convene the meeting to the Ministry of Parliamentary Affairs at least four weeks in advance of the meeting.

- 5.6 Notice for the meeting of a Consultative Committee will be issued to Members and invitees at least 10 days in advance during the Session periods and at least two weeks in advance during the Inter-Session periods by the Ministry of Parliamentary Affairs.
- 5.7 Notice for the meeting shall be sent to the residential addresses of the Members in Delhi during the Session periods and to their Delhi addresses as well as the permanent addresses during the Inter-session period.

### Quorum

- 5.8 There is no quorum fixed for conducting the meeting of a Consultative Committee.

## **6. Agenda**

- 6.1 The agenda for the meeting of a Consultative Committee may be decided by the Chairperson in consultation with the Members, as far as possible. The Members may also suggest item(s) for inclusion in the Agenda for the consideration of the Chairperson.
- 6.2 As far as possible, the Agenda for a subsequent meeting of the Consultative Committee may be decided during the previous meeting of the Committee.
- 6.3 The Agenda papers(both Hindi & English versions) [including the minutes of the last meeting, action taken report on the minutes of the last meeting and brief/notes on the agenda item(s) for the ensuing meeting] for the Consultative Committee meeting shall be sent by the Ministry concerned to the Ministry of Parliamentary Affairs at least 10 days in advance in order to ensure its circulation among the Members sufficiently in advance to facilitate informed discussions during the meeting.
- 6.4 Copies of the Agenda papers (in English & Hindi) must be supplied in adequate numbers (numbers of Members plus ten during the Session period and double the number of Members plus ten during Inter-session period, respectively) by the Ministry/Department concerned to the Ministry of Parliamentary Affairs.
- 6.5 The Members may seek details or additional information on items/ additional items of the Agenda from the Ministry/Department concerned through the Ministry of Parliamentary Affairs.

## **7. Recommendations**

- 7.1 A brief record of the discussions held on the approved Agenda items of the meeting shall be maintained and circulated to the Members.

7.2 In case of unanimity of views in the Committee, Government will normally accept the recommendations of the Committee, subject to the following exceptions, viz.:

- (i) any recommendation with financial implications;
- (ii) any recommendation concerning security, Defence, External Affairs and Atomic Energy; and
- (iii) any matter falling within the purview of an autonomous institution.

## **8. Administrative Matters**

8.1 The Ministry of Parliamentary Affairs shall be responsible for overall coordination in respect of matters concerning the Consultative Committees.

8.2 Senior Officers of the Ministry/Department concerned shall attend the meetings of the Consultative Committee and will assist the Minister in making presentations on agenda items, providing information and clarification etc.

8.3 All notices, agenda papers, minutes etc. shall be sent to the residential address of the Members in Delhi during the Session periods and to their Delhi address as well as the permanent address during the Inter-session periods.

## **9 Sub-Committee**

No sub-Committees of a Consultative Committee shall be constituted.

(proforma referred to in paragraph 3.3)

**NOMINATION ON CONSULTATIVE COMMITTEE**

I may be nominated on one of the following Consultative Committees in order of preference:-

- 1. ....
- 2. ....
- 3. ....

Signature .....

Name \_\_\_\_\_

(in capital letters)

Member: Rajya Sabha/Lok Sabha

Party Affiliation:

Telephone and Fax Number at

(a) Delhi Address:

(b) Permanent Address

To

Deputy Secretary,  
Ministry of Parliamentary Affairs,  
New Delhi.



**भारत संसद**  
PARLIAMENT OF INDIA  
**राज्यसभा सचिवालय**  
RAJYA SABHA SECRETARIAT

टेलीग्राम : “परिषद”

फैक्स:

दूरभाष: <http://rajyasabhaahindi.nic.in>

ई-मेल :

संसद भवन/संसदीय सौध,

नई दिल्ली - 110001

Telegram: “PARISHAD”

Fax:

Website: <http://rajyasabha.nic.in>

E-mail:

Parliament House/Annexe,

New Delhi- 110001

No. RS/1/2(i)/245/2018-Q

Dated the 12th January, 2018

**OFFICE MEMORANDUM**

**Subject : Procedure for handling question during the 245th Session of Rajya Sabha.**

1. It is informed that the 245th Session of Rajya Sabha is scheduled to commence from the 29th January, 2018. In this context, attention of the Ministries/ Departments of Government of India is invited to different aspects of handling questions at their end during the Session, which are enumerated in the attached Annexures I to III.
2. An updated Group-wise list of officers of this Secretariat dealing with questions is enclosed for ready reference (Annexure-IV).
3. All the Ministries/Departments may also send the names and e-mail addresses of their Secretary, Divisional and Branch heads looking after the Parliamentary work and Nodal Officers for receiving Provisionally Admitted Questions (PAQs). In case PAQs are required to be received by other officers, names and e-mail addresses of such officers may also be sent at the earliest.



(SHASHI BHUSHAN)

**ADDITIONAL DIRECTOR**

Tel.: 23035448

Fax. No. 23794327, 23012376

E-mail : [shashi.bhushan@sansad.nic.in](mailto:shashi.bhushan@sansad.nic.in)

To

All the Secretaries, Ministries/Departments of Government of India, New Delhi.

**Copy for information and necessary action to:**

1. Parliament Sections of all the Ministries/Departments of Government of India, New Delhi.
2. Nodal Officers (for uploading answers and questions) of all the Ministries/Departments of Government of India, New Delhi.

**ANNEXURE-I****Handling Questions and Answers by Ministries/Departments****1. Response to Notices of Starred/ Unstarred Questions Sent for Seeking factual Information**

- A copy of notice of Questions, as given by the Member, is sent to the Ministry/ Department through fax for furnishing the factual information so as to decide the admissibility of the Question.
- The Ministry/ Department must furnish the factual information in respect of such a notice of Question positively within two days with particular reference to the points like whether the Question relates to their Ministry/ Department, it seeks secret information, etc.

**2. Response to Provisionally Admitted Starred/ Unstarred Questions (PAQs)**

- Provisionally Admitted Questions (PAQs) are sent to the Ministries/ Departments through E-mail to enable them to furnish to this Secretariat, the inputs at least in cases where it feels that the Question does not merit admission in its name and to initiate action for preparing the reply.
- The Ministries/Departments are requested to respond to PAQs promptly so as to enable the Secretariat to take into consideration all the relevant inputs while finalizing the lists of Questions.

**3. Transfer of Questions**

- In case the subject matter of such Question does not pertain to the Ministry/ Department, they may urgently take up the matter with the concerned Ministry/ Department to which the matter pertains for transfer thereof and its acceptance by that Ministry/ Department, under intimation to this Secretariat.
- The Ministry/Department may kindly note that unless the transfer of the Question is accepted by the Ministry/Department to which it is proposed to be transferred, the Question will remain in the name of the Ministry/ Department to which it is originally addressed by the Member and no transfer will be effected after a Question is admitted and printed.

**4. Circulation of PAQs and Printed Lists of Questions**

- Circulation/sending of PAQs in hard copy format has been discontinued. Now PAQs are sent in electronic form only by e-mails. All the Ministries/ Departments are, accordingly, requested to make necessary arrangements at their end to receive PAQs in electronic form only and take further necessary action thereon immediately.
- The printed lists of Questions are circulated to concerned Ministries/

Departments against whom Questions are listed for that day and not to other Ministries as has been the practice earlier. However, the printed lists of question will also be available on Rajya Sabha website for perusal.

## **5. Supply of Answers to Questions**

- The Ministries/Departments of Government of India are required to supply 290 legible copies of Answers to Starred and Short Notice Questions (in separate sets of 115 for Distribution Branch and 175 for Question Branch) and 175 legible copies in English and Hindi of Answers to Unstarred Questions (in separate sets of 115 for Distribution Branch and 60 for Question Branch) for being laid on the Table of the House during the Session. The English and Hindi versions of the Answers may be furnished on the obverse and reverse side of the paper or be stitched together.
- The Ministries/ Departments are also required to ensure that all the Answers are received in this Secretariat by 8.00 p.m. on the previous working day of the day of Answer.
- It has been observed that sometimes copies of Answers supplied by some of the Ministries/Departments are neither clear nor legible. In view of this, it is requested that-
  - Answers may be prepared using electronic typewriters, inkjet or laser printers only.
  - Copies may be prepared preferably by photocopying rather than cyclostyling or resography.
  - Underlining should be strictly avoided and italics fonts may be used instead of underlining if necessary.
  - As far as possible, Times New Roman font of size 12 may be used.
  - In the English version of the Answer, the portfolio or the name of the Minister should not be shown in Hindi.
  - When the Answer contains tables, grid lines may be shown to clearly identify the rows and columns.
  - Tables should be prepared separately in Hindi and English. The practice of producing the English as well as Hindi text on the same table by multiple photocopying has often been seen to produce faint and even unreadable copies. Therefore, it should be avoided.
  - The words- 'RAJYA SABHA' STARRED (or UNSTARRED) QUESTION' 'ANSWER', 'STATEMENT' and the HEADING should be in capitals and bold. Name(s) of the questioners and name and designation of the Minister, etc. may be in capital, but not in bold.

- The end of the answer/statement should be clearly indicated by a line of stars, i.e. ‘\*\*\*\*\*’
- A model format of Answer is attached (Annexure-II).
- Each part of the Question shall be answered separately and clearly. It has further been observed that the Ministries/Departments often do not Answer each part of the Question separately and clearly. In this connection, attention is invited to the following direction of the Hon’ble Chairman, Rajya Sabha issued during the course of examination of a case of breach of privilege arising out of the answer to a Parliament Question:-

“Answers to all questions given in the Rajya Sabha shall be specific and complete and each part of the question or each item of information asked for therein shall be answered separately.

If, on his attention being drawn to an answer, the Chairman is satisfied that it does not fulfil this condition, he may direct the Minister to give a specific and complete answer to each part of the question.”

- In case, the copies of Answers supplied are desired to be replaced or some corrections are to be carried out in those copies, necessary intimation in writing to that effect and revised copies of Answers should be sent so as to reach the Question Branch, Rajya Sabha Secretariat (Room Nos. 229 and 235), Parliament House Annexe, (Telephone Nos. 23034229, 23034266, 23034235, 23034233 and 23034236) not later than 6.00 a.m. on the day on which the Questions are due for answer.
- Whenever the reply to a Starred Question is lengthy (exceeds 5 or 6 lines) or contains statistical information, it should invariably be laid on the Table of the House in the form of a statement to the answer to that question.
- The assurances are generally not given in reply to a Starred Question. The Ministries/Departments are, therefore, advised to refrain from furnishing assurances in reply to a Starred Question. Where the Ministry feels that reply to a Starred Question shall result in Assurance only, this may be brought to the notice of Joint Secretary/Director-in-Charge of this Secretariat immediately on receipt of the PAQ.

#### **6. Uploading Questions and answers on the Parliament Question Answer (PQA-RS) Publishing System:**

- Question Branch posts the Question Number and its Title on the Parliament Question Answer (PQA-RS) Publishing System. The Ministries are required to upload the text of question and answer thereto along with annexures, if any, and the Hindi version thereof by 13.00 hrs positively on the date of Answer. They should upload the final version of the Answer

which tallies with the hard copy version sent to the Secretariat.

- The PQA-RS System allows the uploading of Answers only once. For modifying the reply, before the Question is answered/laid by the Minister, the Ministry/Department should contact the PQA Administrator, Shri Darwan Singh Negi, Assistant Executive Officer, Question Branch, Rajya Sabha Secretariat, Tel. No. 23035280 or at e-mail- [rsqns@sansad.nic.in](mailto:rsqns@sansad.nic.in).
- The guidelines to be followed for uploading Questions, Answers and Annexures in English and Hindi are available on the website of PQA-RS.

## **7. Correcting Statement by Ministers:**

When a Minister desires to correct any inaccuracy in the information furnished in respect of Starred/Unstarred/Short Notice/Supplementary Question, he/she is required to make/lay a statement correcting the Answer in the House. All the Ministries/Departments are requested to adhere to the standard format (copy enclosed as Annexure-III) while sending the request for correcting Answers to such Questions.

\*\*\*\*\*

**ANNEXURE-II****MODEL FORMAT**

GOVERNMENT OF INDIA  
 MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY  
**RAJYA SABHA**  
**STARRED QUESTION NO-40**  
 ANSWERED ON- 20.02.2006

**TATKAL MONEY ORDER YOJANA**

40. SHRIMATI KUM KUM RAI.

Wil the Minister of COMMUNICATION AND INFORMATION TECHNOLOGY by pleased to state:-

- (a) Whether Government have started/considering to start Tatkal Money Order Yojana through the Department of Post ;
- (b) If so, the details thereof; and
- (c) If not, the reasons therefor?

**ANSWER**

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY  
 (SHRI DAYANIDHI MARAN)

- (a) Yes, Sir.
- (b) The Department of Posts has introduced in January, 2006, the Instant Money Order (iMO) as a pilot in 24 post office locations. The iMO is a web based domestic money transfer service between iMO post offices.
- (c) In view of (a) above, the question does not arise.

\*\*\*\*\*

- (i) The words- “RAJYA SABHA”” STARRED’ (or) ‘UNSTARRED QUESTION’ ‘ANSWER’ ‘STATEMENT’ and the HEADING is in capitals, bold and without gaps in- between successive letters. Name(s) of the questioners and name and designation of the Minister etc. may be in capitals, but not in bold.
- (ii) When the answer contains tables, grid lines are shown to clearly indentify the rows and columns.
- (iii) The end of the answer/statement is clearly indicated by a line of stars i.e.\*\*\*\*\*

ANNEXURE-III

FORMAT

STATEMENT TO BE MADE/LAID\* BY THE MINISTER OF  
..... CORRECTING THE ANSWER TO PART/  
(S) ..... OF THE STARRED/UNSTARRED QUESTION  
..... GIVEN IN THE RAJYA SABHA ON THE  
..... REGARDING .....

I beg to correct the part/(s) ..... given in the answer to Starred/  
Unstarred Question ..... in the Rajya Sabha on the .....  
regarding “.....” as follows :

Part/(s) of the Question answered	For	Read
	(Previous reply)	(Corrected Reply)

The inconvenience caused is regretted.

\*MADE : For Starred Question  
LAID : For Unstarred Question



**Annexure-IV****OFFICERS DEALING WITH QUESTIONS AND THEIR CONTACT DETAILS**

	<b>Telephone No(s) Office</b>	<b>Residence</b>	<b>Fax No.</b>
<b>Overall Incharge</b>			
1. Shri P.P.K. Ramacharyulu, Additional Secretary Email: charyulu@sansad.nic.in	23034204 23012592	2688102	23015585
2. Shri M.K. Khan, Joint Secretary Email: mkhan@sansad.nic.in	23034047	29945393 23093715	23794328
<b>Group-I ( Monday)</b>			
3. Shri Arun Sharma, Director Email: arunsharma@sansad.nic.in	23034018 23793243	9868287222	23794327 23012376
4. Shri Vinay Shankar Singh, Additional Director Email: vinay.ss@sansad.nic.in	23035446	24698011 9868270099	-do-
5. Shri Ranajit Chakarborty, Under Secretary Email: rsqns@sansad.nic.in	23034235	9868213458	-do-
<b>Group-II (Tuesday)</b>			
6. Shri A.K Gandhi, Director Email: Gandhi.ak@sansad.nic.in	23034216 23016860	0129-4030514	23794327 23012376
7. Shri Sanjeev Chandra, Additional Director Email: sanjeev.chandra@sansad.nic.in	23035433	49046166	-do-
8. Shri Basudev Chakraborty, Under Secretary Email: rsqns@sansad.nic.in	23034229	23349084	-do-
<b>Group-III (Wednesday)</b>			
9. Shri Swarabji. B, Director Email: swarabji.b@sansad.nic.in	23034201 23092150	26178625	23794327 23012376

- |  |          |           |      |
|--|----------|-----------|------|
| 10. Shri Vinoy Kumar Pathak,<br>Additional Director<br>Email: vinoy.pathak@sansad.nic.in | 23035427 | 24675204  | -do- |
| 11. Shri Navneet Joon,<br>Under Secretary<br>Email: rsqns@sansad.nic.in                  | 23034236 | 981008183 | -do- |

**Group-IV (Thursday)**

- |   |                      |                      |          |
|---|----------------------|----------------------|----------|
| 12. Shri V. S. P. Singh,<br>Director<br>Email: vsp.singh@sansad.nic.in                | 23035411<br>23792812 | 26712259<br>23012376 | 23794327 |
| 13. Shri Shashi Bhusan,<br>Additional Director,<br>Email: shashi.bhusan@sansad.nic.in | 23035448             | 24613253             | -do-     |
| 14. Shri Rajendra Prasad,<br>Deputy Secretary<br>Email; rsqns@sansad.nic.in           | 23034233             |                      | -do-     |

**Group-V (Friday)**

- |   |                      |                      |          |
|---|----------------------|----------------------|----------|
| 15. Smt. Arpana Mendiratta,<br>Director<br>Email: arpana@sansad.nic.in              | 23034084<br>23093089 | 27107707<br>23012376 | 23794327 |
| 16. Shri Ravindra Singh Rawat,<br>Additional Director<br>Email: rsqns@sansad.nic.in | 23035254             | 9868101942           | -do-     |
| 17. Shri Anurag Saini,<br>Under Secretary<br>Email: rsqns@sansad.nic.in             | 23034266             | 9868866096           | -do-     |

\*\*\*\*\*

**Annex 34**  
**(Para 3.3)**

**LOK SABHA SECRETARIAT**  
**(QUESTION BRANCH)**

Parliament House Annexe,  
New Delhi- 110001

No. 13(3)(ii)/XVI/XIV/2018-Q

Dated: 25 January, 2018

**OFFICE MEMORANDUM**

**Subject : Guidelines and Procedure to be followed by Ministries/Departments in connection with Parliament Questions.**

1. The undersigned is directed to state that the Fourteenth Session of the Sixteenth Lok Sabha is scheduled to commence on Monday, the 29th January, 2018 and is likely to conclude on Friday, the 6th April, 2018. The Ministries/ Departments of the Government of India are requested to follow the guidelines and procedures meticulously as stipulated in Annexure-I.
2. The Officers dealing with Questions in Lok Sabha Secretariat along with their contact details, telephone Nos. and e-mails etc. are given at Annexure-II. If need be, they may be contacted to avoid undue delay and inconvenience.
3. It is also requested that contents of this O.M. may be hosted on the website of the Ministry/Department, subordinate/attached offices, field formations and other offices under their administrative control for wider dissemination of information.
4. The receipt of this communication may please be acknowledge.



**(P. C. Tripathy)**  
**Director**

Phone : 23034331 (O)  
(Fax): 23012629

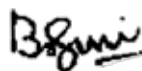
**Encl : As above**

To,

1. Prime Minister Office
2. Cabinet Secretariat
3. All Ministries/Departments of Government of India

**Copy forwarded for information to :-**

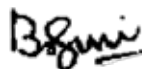
1. Principal Secretary to HS
2. Sr. PS to Secretary General
3. Sr. PA to JS(UB)
4. Sr. PA to Director (Q& CGA)
5. Director (Software Unit), Computer (HW&SW) Management Branch
6. Additional Director (Q & P)
7. Additional Director (EC & Q)
8. Additional Director (P & Q)
9. Additional Director (IT & Q)
10. Additional Director (L & Q)
11. All Officers and Groups of Question Branch



**(B.D. Dhyani)**  
**Deputy Secretary**

**Copy also forwarded for information and necessary action to :-**

- (a) Hindi Information Unit, Editorial Branch
- (b) Software Unit, Computer (HW & SW) Management Branch.



**(B.D. Dhyani)**  
**Deputy Secretary**

**ANNEXURE-I****1. Factual Note through Fax/E-mail**

Factual Note in regard to referred questions should be furnished by the Ministries/Departments expeditiously by E-mail/(Fax No. 23035344) followed by note duly signed in original. All correspondence sent for furnishing facts should be acknowledged by the Ministries/Departments concerned. Where the facts are not received by the stipulated date, the Lok Sabha Secretariat shall take appropriate decision in the matter, on merits.

**2. Question on which a plea of not in public interest advanced**

A question is not usually disallowed on the sole plea of the Ministry/Department that it is not in the public interest to furnish information on the floor of the House. It is always open to a Minister to state in reply to a question that he/she is not prepared to disclose the information in public interest and it is for the House to accept it. The Speaker may, only in rare cases, disallow a question in larger national interest, if it is brought to the Speaker's notice in time by the Minister concerned giving briefly the background of the matter that the disclosure of information will be prejudicial to the safety of the State.

**3. Advance copy of the admitted questions**

Advance copies of the provisionally admitted questions are sent online to the Ministry/Department to facilitate them for collection of material for preparation of answer. The Ministries/Departments are, therefore, requested to furnish e-mail id of the Parliament Section or any other designated Officers/Branch(es) to whom advance copy of admitted notice(s) of question can be forwarded.

Immediately on receipt of the advance copy, the Ministry/Department is expected to go through the contents of the notice and furnish their comments suo-moto. In the event where the Ministry/Department feels that the notice suffers from any infirmity viz the Government of India is not primarily responsible; matter being pending in a court of law; etc. or that the question lacks factual basis, etc. the same may be brought to the notice of the Joint Secretary/Director-in-charge of Question Branch as expeditiously as possible and in any case within 24 hours of the receipt of such advance notice. Where a communication is received beyond this period and/or after Question List has been printed, it will not be possible to reconsider the admissibility of a question in the light of facts furnished.

**4. Transfer of Notices of question**

Immediately on receipt of provisionally admitted notice of questions online or otherwise, the concerned Ministry/Department should ascertain and ensure administrative jurisdiction. Where the subject matter of a question

is the concern of a Ministry/Department other than the one to whom it is originally addressed, it is incumbent upon the Ministry/Department to whom the question has been originally addressed by the Member, to move transfer of the question to the Ministry concerned and obtain acceptance/consent from transferee Ministry/Department. Under no circumstance, the transfer of notice of question will be effected unless and until intimation about the acceptance of the transfer of the question is received in the Secretariat from the accepting Ministry well in time i.e. 10 days prior to the date of answer. Any request received thereafter shall not be entertained. As informed by the Cabinet Secretariat, if the thrust of a question pertains to a particular Ministry, it is for that Ministry to answer the question in consultation with other Ministries concerned.

## **5. Ministry/Department responsible for answering of questions**

The Secretariat receives a number of representations from various Ministries/Departments indicating that the subject matter of the notices of question have been marked erroneously and sometime such notices are returned to the Question Branch. In this context, it may be stated that it is the prerogative and exclusive right of the Hon'ble Member to designate the Minister for answering a question. To guide Members, a booklet "Demarcation of Responsibilities in Government of India", containing the subjects for which various Ministries/Departments are responsible for answering questions has been hosted on Homepage of Lok Sabha. This booklet is based on notifications issued by the Cabinet Secretariat from time to time. Only in case of patent errors, Lok Sabha Secretariat intervenes and corrects the nomenclature of the Ministry in consultation with the concerned Ministry/Department.

Under no circumstance, the notice of question should be returned to the Secretariat. The Ministry/Department should follow the prescribed procedure as outlined above, in Para 4, for the purpose.

## **6. Circulation of Lists of Hard and Soft copies of Admitted Questions**

The Printed copies of List of admitted Starred questions for a particular day are circulated five days before the date of answer of the questions by the respective Ministries/Departments. Circulation of hard copies of Unstarred List of Questions has been dispensed with. However, the soft copies of List of Questions, i.e. Starred and Unstarred, are available on the website of Lok Sabha i.e. <http://loksabha.nic.in> six days prior to the date of answer. Corrigenda, if any, pertaining to the listed questions are issued by the Secretariat from time to time and is available on the webpage of Lok Sabha. Ministries/Departments may, generate the hard copies of Lists and Corrigenda as soon as they are available on the above website of Lok Sabha and take appropriate action thereon.

## **7. Name of Department to be mentioned in Reply**

It has been observed that many a time, the name of the Department concerned is not mentioned in the reply by the Ministry. Ministries are requested to mention the name of the Department concerned to whom the reply pertains, immediate beneath name of Ministry at the top.

## **8. Replies to questions**

At times, it has been observed that Ministries/ Departments do not furnish reply to each part of the question and instead club all the parts together and furnish a consolidated reply. In this process, specific reply to each part is sometimes lost. It is thus again emphasized that answers to the questions should be part-wise, neat and clean, legible and whenever there is any reference to any statement, etc. in the text of a reply, the same should be enclosed for ready reference.

Ministries/Departments may note that replies should be prepared taking into consideration the text of questions as appearing Question List and not merely rely on the index appended to the list.

## **9. Reference of website in the replies by the Ministries/ Departments**

It has also been noticed that some of the Ministries are quoting/referring their website in reply/replies to question(s) especially in Starred Questions. In the absence of requisite information in the reply itself, Members are deprived of their right to ask pointed supplementaries to Starred Questions. The Ministries/ Departments are, therefore, advised to avoid the reference to website to the extent possible and the requisite information may be provided in the reply itself.

## **10. Assurances in reply to a Starred Question**

As per convention developed over the years, assurances are generally not given in reply to a Starred Question. The Ministries/Departments are, therefore, advised to refrain from furnishing assurances in reply to a Starred Question. Where the Ministry feels that reply to a Starred Question shall result in Assurances only, this fact may be brought to the notice of Joint Secretary/ Director-in-Charge immediately on receipt of advance notice of question. This will facilitate the Secretariat to take up the matter with the competent authority for appropriate direction in the matter.

## **11. Supply of Hard Copies of Replies to Questions**

The hard copies of replies to questions should be sent only on A-4 size paper with a margin of an inch and a half on the left hand side of the paper. To the extent possible, replies to questions should be furnished back-to-back with special emphasis on print. The English version of the reply should be printed on one side with the corresponding Hindi version on the other side. The print of answer should be in font size 12 (in Arial Black) printed in double space for convenient reading.

In compliance with the direction of Hon'ble Speaker, the requisite number of copies of answers along with annexures should be sent by 1500 hours positively on the working day preceding the date on which the questions are due for answer as per details given below:-

	Types of Questions	No. of Copies of answers to be supplied by the Ministries/ Departments	
	<b>STARRED AND SHORT NOTICE QUESTIONS</b>		
(a)	Original Notices in English	English	300
		Hindi	200
(b)	Original Notices in Hindi	English	300
		Hindi	300
	<b>UNSTARRED QUESTIONS</b>		
(a)	Original Notices in English	English	200
		Hindi	100
(b)	Original Notices in Hindi	English	200
		Hindi	200

It may kindly be noted that no last minute request for change in the text/reply would be entertained, after due time. Accordingly, the Ministries/Departments are advised to furnish replies complete in all respects and without any mistake.

## 12. Uploading of Answers to Starred and Unstarred Questions on Homepage

To encourage digital platform and with a view to minimizing use of paper, the Hon'ble Speaker has directed that soft copies of answers to Starred Questions be uploaded on the Homepage of Parliament [<http://pqals.nic.in>] (Members portal) by 10.00 AM on the day the Questions are listed so as to facilitate Members to draft supplementaries to Starred Questions. Ministries/ Departments of Government of India are, accordingly, requested to upload the replies on the portal on or before 10.00 AM positively.

Replies to Unstarred Questions, may be uploaded on the Lok Sabha website immediately after Question Hour on the day replies are laid on the Table of the House.

Ministries/Departments are permitted to upload the replies before the stipulated time also, say by preceding late evening/night of the day of reply. However the reply would be accessible to Members only at the stipulated time.



Where the Ministries/Departments face any procedural or other technical difficulties in uploading, they may contact Software Unit at Telephone No. 23034561/23034576 during working Hour of the Lok Sabha Secretariat.

#### **10. Correcting Statement by Ministries**

When a Minister desires to correct any inaccuracy in the information furnished in respect of Starred/Unstarred/Short Notice Question, he/she is required to make a statement correcting the reply in the House. In this connection, the attention of Ministry/Department is invited to Direction 16 of the Directions by the Speaker, Lok Sabha.

#### **11. Supply of updated list of telephone numbers in each session**

Ministries/Departments are requested to supply five (5) copies of the updated list of telephone numbers (Residence/Office), Mobile Nos., addresses and E-mails of the Cabinet Minister, Minister of State, Minister with Independent Charge, P.S. to Minister/Secretary and other Sr. Officers dealing with Parliamentary work in the Ministry/Department to the Question Branch before commencement of each Session. The updated list of nodal officers for Parliamentary work with aforesaid details may also be made available on the webpage of the respective Ministries/Departments for immediate reference.

**ANNEXURE-II****OFFICERS DEALING WITH QUESTIONS AND THEIR CONTACT DETAILS**

<b>Name(s) with Designation(s)</b>	<b>Departments/Ministries under charge</b>
<b>Joint Secretary</b> <b>Shri U.B.S. Negi,</b> Room No. 336, Parliament House Annexe, <b>Phones:</b> 23034336 (O) 23034015 (O) 25088405 (R) 9599939081 (M) 23016580 (Fax)	All Ministries/Departments.
<b>Director</b> <b>Shri P.C. Tripathy</b> Room No. 331 Parliament House Annexe, <b>Phones:</b> 23034331 (O) 22353794 (R) 23012629 (Fax)	All Ministries/Departments.
<b>Additional Director</b> Shri C. Vanlalruata Room No. 608, (Inner Cabin) Extension Building, PHA, <b>Phones:</b> 23035758 (O) 23035344 (Fax)  E-mail	Ministries/Departments – Pertaining to <b>Goup- A</b> <b>(Monday)</b>
<b>Additional Director</b> <b>Dr. (Smt.) Sagarika Dash</b> Room No 606, Block-B, Extension Building, PHA <b>Phone:</b> 23035746 (O) 9999154109 (M) 23035344 (Fax)  E-mail:        sagarika.dash@sansad.nic.in	Ministries/Departments – Pertaining to <b>Group-B</b> <b>( Tuesday)</b>

<b>Additional Director</b> <b>Shri Santosh Kumar,</b> Room No. FB 148, Parliament Library Building, Phones: 23035536/5328 (O) 23035344 (Fax) 9868346810 (M) E-mail: santoshkr.Iss@sansad.nic.in	Ministries/Departments – Pertaining to <b>Group-‘C’</b> <b>(Wednesday)</b>
<b>Additional Director</b> <b>Shri Raju Srivastava</b> Room No. 155 Parliament House Annexe Phone: 23035288 (O) 23035344 (Fax) 9818216243 (M)	Ministries/Departments – Pertaining to <b>Group-‘D’</b> <b>(Thursday)</b>
<b>Additional Director</b> <b>Shri H. Ram Prakash</b> Room No. 625A, Parliament House Annexe, Phones: 23035458 (O) 26180538 (R)	Ministries/Departments – Pertaining to <b>Group-‘E’</b> <b>(Friday)</b>

1	<b>Shri G. C. Dhobal</b> Deputy Secretary Room No. 015, Extension Building, PHA <b>Phones:</b> 23035780 (O) 23035344 (Fax)  Shri Rakesh Bhardwaj Deputy Secretary Room No. 318 Parliament House Annexe <b>Phones:</b> 23035520(O) 23035344(Fax)	<b>Group-‘A’</b>  Commerce and Industry; Human Resource Development; Skill Development and Entrepreneurship; Tribal Affairs.  Culture; Labour and Employment; Micro, Small and Medium Enterprises; Petroleum and Natural Gas; Steel; Tourism.	<b>Shri Nilendu Kumar,</b> Executive Officer <b>Phones:</b> 23034324 (O) 23035266 (O) <b>E-mail:</b> qbra-Iss@sansad.nic.in
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2	<p><b>Shri Lakshimkanta Singh</b> Deputy Secretary Room No. 321 (Cabin) <b>Phones:</b> 23035628 (O) 9899561694 (M) 23035344 (Fax)</p> <p><b>Km. K.M. Tunglut</b> Under Secretary Room No. 321(Cabin) Parliament House Annexe, <b>Phones:</b> 23034346(O) 23035344(Fax)</p>	<p><b>Group- 'B'</b></p> <p>Agriculture and Farmers Welfare; Consumer Affairs, Food and Public Distribution; Food Processing Industries.</p> <p>Chemicals and Fertilizers; Heavy Industries and Public Enterprises; Home Affairs; Housing and Urban Affairs; Parliamentary Affairs; Social Justice and Empowerment.</p>	<p><b>Shri Ajay Kumar Prasad,</b> Executive Officer <b>Phones:</b> 23034321 (O) 23035263 (O) <b>E-mail:</b> qbrb-Iss@sansad.nic.in</p>
3	<p><b>Shri B.D. Dhyani,</b> Deputy Secretary, Room No. 318 Parliament House Annexe Phones: 23035336 (O) 23035344 (Fax)</p> <p><b>Ms. Rachna Saxna</b> Under Secretary Room No. 322 Parliament House Annexe <b>Phones:</b> 23034322 (O) 23035264 (O) 23035344 (Fax)</p>	<p><b>Group- 'C'</b></p> <p>Prime Minister; Defence (DRDO); Development of North Eastern Region; Earth Sciences; External Affairs; Personnel, Public Grievances and Pensions; Planning; Railways;Space; Statistics &amp; Programme Implementation.</p> <p>Atomic Energy; Coal; Communications; Defence; Electronics and Information Technology; Law &amp; Justice; Minority Affairs; Science and Technology.</p>	<p>Ms. Milli Dinesh Executive Officer <b>Phones:</b> 23034322 (O) 23035264 (O) <b>E-mail:</b> qbrc-Iss@sansad.nic.in</p>

4	<p><b>Shri C. Kalyansundaram</b> Deputy Secretary Room No. 506, (outer Cabin), Block-B, Extension Building, PHA <b>Phone:</b> 23035726 (O) 23035344 (Fax)</p> <p><b>Shri Vinay Pradeep</b> Barwa, Deputy Secretary Room No. 509, Block-B Extension Building, PHA <b>Phones:</b> 23035765 (O) 23035344 (Fax)</p>	<p><b>Group-‘D’</b></p> <p>Drinking Water and Sanitation; Information and Broadcasting; New and Renewable Energy; Panchayati Raj; Power; Rural Development; Textiles.</p> <p>Civil Aviation; Mines; Road Transport and Highways; Shipping; Water Resources, River Development and Ganga Rejuvenation; Youth Affairs and Sports.</p>	<p><b>Sh. Fauzi Badruddin</b> Executive Officer <b>Phones:</b> 23034320 (O) 23035262 (O) <b>E-mail:</b> qbrd-Iss@sansad.nic.in</p>
5	<p><b>Smt. Reena Gopalkrishnan</b> Deputy Secretary Room No. 003, Block-B Extension Building, PHA <b>Phones:</b> 23035696 (O) 23035344 (Fax)</p> <p><b>Shri Arun Kumar</b> Deputy Secretary Room No. 321 (Cabin), Parliament House Annexe, <b>Phones:</b> 23034346 (O) 23035344 (Fax)</p>	<p><b>Group-‘E’</b></p> <p>Ayurveda, Yoga &amp; Naturopathy, Unani, Siddha and Homeopathy</p> <p>(AYUSH); Health and Family Welfare; Women and Child Development.</p> <p>Corporate Affairs; Environment, Forests and Climate Change; Finance.</p>	<p><b>Shri Vijay Kumar</b> Executive Officer, <b>Phones:</b> 23034323 (O) 23035265 (O)</p>

### CHAMBER SEAT

Shri Rajpal Singh  
Executive Officer  
Room No. 322  
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