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— should not relate to a matter sub-judice.

A motion to discuss the action of Government in sanctioning prosecution of Mr. Annapurnayya is not out of order (the matter sub-judice being whether his speeches constitute sedition, and not the expediency of the sanction accorded)

In an adjournment motion re sanction to prosecute a person, reference to materials of the prosecution is not allowed—members should confine themselves to the circumstances under which Government had to exercise discretion in granting sanction

No member can make an adjournment motion in the Council, without previously obtaining the consent of the President therefor

The policy adopted by Government cannot be a 'recent event' and hence cannot be the matter of an adjournment motion

Agenda—

The Council can say that a particular item be passed over but cannot arrange the various items of business

Bills—

Amendments—

Substantial amendments should be considered and disposed of in the order in which the words in the clause to which they relate occur

Amendments thrown out by a large majority in the committee stage need not be selected under Standing Order No. 32 (6) for discussion in the full House

An amendment to omit a particular clause would have the effect of a negative vote within the language of Standing Order No. 32 (2), and is therefore not to be allowed

Amendments at the third reading stage—

Under Standing Order No. 49, right to move amendments at the third reading stage would arise only if the Bill had been postponed for three days after it was taken into consideration, for the third reading

An amendment substantially identical with one already voted upon, though slightly differing in scope, is not in order

It is a working rule, that amendments to Bills for consideration on a particular day should reach the Secretary before 3 p.m. the previous day, but when an amendment represents a compromise between the parties, it would be specially dealt with

Mover of an amendment has no right of reply

New clauses not relevant to any particular clause but relevant to a Bill may be moved

Sanction of Governor-General—

It may not be convenient for the House to use the sanction obtained for a Bill to make an amendment to another Bill the scope of which may be quite different

Sanction of Governor-General obtained in respect of a particular Bill may not be utilized to make an amendment to a different Bill with a different scope

Where an instruction to a select committee, not relevant to the Bill as introduced, has not been accepted by the select committee, an amendment embodying the same is out of order when the Bill as amended by the select committee is under consideration

Financial provisions—

In the absence of any provision in a Bill stating that the expenditure arising out of the scheme of the Bill should be met from provincial revenues, any reference to the budgetary disposition of the probable items of expenditure, e.g., whether votable or non-votable, in the presumption that by necessary implication the expenditure would come under the Provincial budget, will be out of order.. .. .

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The Mover of a Bill can table amendments to the clauses of the Bill as amended by the Select Committee

The mover of a Bill may bring in an amendment contrary to its provisions as reported by the Select Committee

Bills—Committee stage—

Rules as to number of speeches are not strictly observed in the committee stage. Except that, there is not much distinction between the committee stage and the stage of consideration of the Bill by the House

Bills—Select Committee on—

A Bill which has passed through a Select Committee and on which a final report has been drawn up and circulated cannot be re-committed to another Select Committee under Standing Order No. 44

There is nothing in the Standing Orders preventing the commitment of two Bills to one and the same Select Committee.. .. .

Select Committee, Chairmanship of—

There is no objection to including the President in a Select Committee to be its Chairman

The President being a member of the Select Committee, the convention is that he can nominate himself as its Chairman under Standing Order No. 40, if the Leaders of parties agree unanimously to such a course

Select Committee, instructions to—

The procedure of allowing members to move in the Council for issuing instructions to the Select Committee, though not provided for by rules or Standing Orders, is adopted, under the powers of the President vested by Standing Order No. 79, in consonance with the practice in the House of Commons

Bills—Select Committees, powers—

Interpretation of S.O. No. 40 (4). Issuing a questionnaire to the local boards by the Select Committee on the Local Boards Act Amending Bill cannot be said to be 'hearing expert evidence'. The expression 'special interests affected' in the Local Boards Bill does not include the local bodies

Select Committee's powers to introduce amendments—

A select committee cannot introduce any provision which is not within the scope of a Bill

Select Committee's powers to introduce amendments, limitations on—

If the select committee puts in provisions which could not be introduced in the Bill, the Bill should be recommitted to the select committee for omitting such things, as the Council cannot discuss such provisions in open House

Governor's powers to return a Bill a second time to the Council under section 81-A of the Government of India Act

(1) The President and the Council have nothing to do with the point whether or not the Governor had properly exercised his power under the Act;

(2) The President will not be justified in acting as an appellate authority over an action of the Governor; and

(3) The wording of sections 81 and 81-A of the Government of India Act justifies the interpretation that the Governor has got the power of returning a Bill a second time

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- Alterations to statutory provisions not to be suggested in a budget debate
- Budget time is not the proper occasion for making proposals for legislation
- Matter requiring legislation not to be referred to during —
- Members, however, may propose amendments to rules framed by Government under particular Acts
- High Court Judges are not to be referred to in a budget debate, and the discussion should be confined to bringing home to the Government their responsibility in the matter of judicial administration
- Reference to supplementary demands made in the previous year not allowed
- But reference to the items of the current year's budget is in order

Budget motions—

- The rules of debate impose a duty upon the President to see that Members do not trespass upon grants already finished
- Titles, motion *re* policy pursued in awarding — out of order as Government have nothing to do with the award

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- Anything not published cannot be referred to in a debate
- A member has a right to correct another if the latter misrepresents the former's statement
- A member has a right to make a supplementary speech

Budget motions—

- In a budget motion criticism of the work of an autonomous body like the Madras University is not relevant, but the policy of the Government in administering the Act may be referred to
- Limitation of—Description of members of a select committee of the House is no reflection on the conduct of the House which elected it
- Hon'ble members have no right to put questions during the discussion of Bills, except at the select committee stage
- Judgment of High Court—Members should not reflect on the findings of the judge
- President's speeches. It should be a convention not to refer to the speeches made by the Presidents while they were Members of the Council
- Reference to unpublished documents (a minute of dissent not forming part of the proceedings either of the Council or of a select committee) is out of order

- Reflection on a Member of the Council—When a member's conduct in the Council has been attacked, the House will be justified in showing some indulgence to the Member when he explains his vote and conduct in the House
- The scope of S.O. No. 29 is in regard to substantially identical question

Debate—Interruptions—

- Monosyllabic interruptions are permissible but not sentences which interrupt a speech

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- A member rising to offer a personal explanation should do so from the seat allotted to him in the House
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- A cut motion which does not refer to the administrative liability of the Government in regard to the sum involved in the grant is out of order

Dilatory motions—

- There should not be another dilatory motion immediately after one was disposed of

Madras Services Commission—

- Any amount within the limit of section 7 of the Madras Services Commission Act is non-votable, but if Government want any extra money to be spent, the Government are not precluded by that section from making a demand for it and the amount is votable

Motion under rule 24-A—

- A — is not a resolution and need not be in the form of a specific recommendation to Government
- Ruled that the motion that the Assistant Secretary, Legislative Council, be given facilities to study firsthand Parliamentary procedure and practice, raised a definite matter of general public interest and therefore came under the ambit of rule 24-A

Questions—

- are not allowed to be put to the President
- A matter which is a fit subject for a resolution should not be introduced as a supplementary question
- Government can confine themselves, in answering questions, to the information available with them

Questions and Answers—

- A question should not be of the nature of a resolution
- Government Members cannot refuse to answer a question (regarding a matter under correspondence with the Government of India) merely on the ground of etiquette apart from the ground of controversy or State interests
- Question time should not be availed of as an opportunity to demand an assurance on any matter from a Member of Government

Questions, supplementary—

- Government cannot decline to answer a question relating to a matter under correspondence between the Local Government and the Government of India unless it is a subject of controversy or it would not be in public interests to answer it
- On a question *re* grant of scholarships a question asking for the names of candidates is not in public interest and is out of order

Quotations—

- The practice is that the official books or documents from which quotations are made are generally supplied, or an undertaking to supply them is given

Resolutions involving financial liability or imposing any charge on revenues—

- Sanction of the Governor under section 80 (c) of the Government of India Act not necessary to the moving of a resolution recommending the undertaking of a financial liability

Standing Order No. 49, interpretation of—

- Standing Order No. 49 is not intended to prevent hasty legislation, but to prevent drafting mistakes; Standing Order 44 is the only one that contemplates to prevent hasty legislation

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- See* Primary schools.

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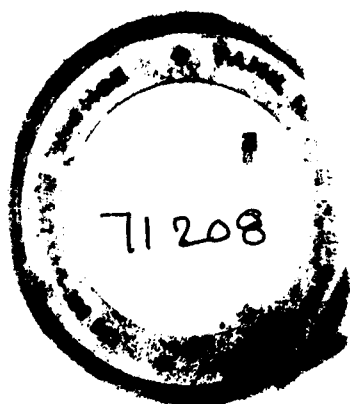
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