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TAMIL NADU ARCHIVES
GOVERNMENT OF TAMIL NADU
Legislative DEPARTMENT

G.O. No.	111	ss.
B.P. No.		Mis.
Dated	14. 2. 1972	197

(8)

Not to be folded or roughly handled

11/2

14TH FEBRUARY 1893, No. 11, LEGISLATIVE.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

READ—again the following papers:—

G.O., dated 3rd September 1892, Nos. 48-49, Legislative.

G.O., dated 7th December 1892, Nos. 67-68, Legislative.

READ—also the following paper:—

From C. J. LYALL, Esq., C.I.E., Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Calcutta, 28th January 1893, No. 120.

With reference to the correspondence ending with your letter No. 68 (Legislative), dated the 7th December 1892, regarding the rules to be made in exercise of the powers conferred by section 2 of the Indian Councils Act, 1892, by His Excellency the Governor of Madras in Council for the discussion of the Financial Statement and for asking questions, I am directed to say that the Government of India have received from the Secretary of State an intimation that he has sanctioned the Rules on these subjects which had been framed for the Legislative Council of the Governor-General, and the similar Rules for the Council of the Governor of Madras may now be made public. It is desirable that the introduction of the new Rules in His Excellency's Regulations should be announced on the 2nd February next, on which date the Rules should be published.

2. The Rules should be published with a preamble stating that they have been made by the Governor of Madras in Council in exercise of the powers conferred by section 2 of the Indian Councils Act, 1892; that they have received the sanction of the Governor-General in Council as required by that section; and that they are now published for general information.

3. There should come an interpretation clause, which should be headed "I—Preliminary," and be numbered Rule 1, as follows:—

"1. In these rules—

"Council" means the Council of the Governor of Madras for the purpose of making Laws and Regulations.

"President" means the Governor of Madras, or, in his absence, the Senior Civil Ordinary Member of Council present.

"Member" means a Member of the Council, whether ordinary or additional."

I am to explain that these definitions are considered necessary by reason of the proviso to the last clause of section 2 of the Statute, which requires that the rules framed under the Act of 1892 shall be kept distinct from the rules under the Act of 1861; the latter rules, it will be remembered (but not the former), are liable to alteration at meetings of the Council for the purpose of making Laws and Regulations.

4. There should follow, under a second sub-heading, the rules for the discussion of the Financial Statement, which should be renumbered 2 to 5; in Rule 2 (Rule 1 of the draft sent with my letter of the 27th October) the words "The Financial Statement of the Government of Madras" should be substituted for "The Financial Statement of the Local Government."

பாதுகாப்பு பிரதி

செப்பனிகுவர் பெயர்: ரா. சிவசுந்தரம்
செப்பனிகுவதற்காக எடுத்துக்-11/08-2/09
கொள்ளப்பட்ட நாளி.

25/2/09
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முதல் முதுபாள
கையொப்பம்

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உதவியாளர்
கையொப்பம்

Finally, under a third sub-heading should be printed the rules for asking questions, which should be renumbered 6 to 16. These should otherwise be in the form which accompanied my letter of the 27th October.

ORDER—dated 14th February 1893, No. 11, Legislative.

The following Notification will be published in the *Fort St. George Gazette* :—

NOTIFICATION.

In exercise of the powers conferred upon him by 55 and 56 Vic., c. 14, section 2 (the Indian Councils Act, 1892), and with the sanction of the Governor-General in Council, the Governor in Council has been pleased to make the following Rules which are now published for general information :—

I—Preliminary.

Rule 1.—In these rules—

“ Council ” means the Council of the Governor of Madras for the purpose of making Laws and Regulations.

“ President ” means the Governor of Madras, or, in his absence, the Senior Civil Ordinary Member of Council present.

“ Member ” means a Member of the Council, whether ordinary or additional.

II—Rules for the discussion of the Financial Statement in the Council.

Rule 2.—The Financial Statement of the Government of Madras shall be explained in Council every year, and a printed copy given to each member.

Rule 3.—After the explanation has been made each member shall be at liberty to offer any observations he may wish to make on the statement.

Rule 4.—The member who explained the statement shall have the right of reply, and the discussion shall be closed by the President making such observations, if any, as he may consider necessary.

Rule 5.—The discussion will be limited to those branches of revenue and expenditure which are under the control of the Local Government; and it will not be permissible to enter upon a criticism of Imperial finance.

III—Rules for asking questions in the Council.

Rule 6.—No question shall be asked or answered in the Council of the Governor, at a meeting of the Council for the purpose of making laws and regulations, as to any matter or branches of the administration other than those under the control of the Governor in Council; and, in matters which are or have been the subject of controversy between the Governor-General in Council or the Secretary of State and the Local Government, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.

Rule 7.—Except as provided above, any question may be asked by any member, subject to the following conditions and restrictions.

Rule 8.—A member who wishes to ask a question shall give notice of it in writing to the Secretary of the Council, submitting to him the question in writing.

Rule 9.—Questions must be so framed as to be merely requests for information, and not be in an argumentative or hypothetical form or defamatory of any person or body of the community.

Rule 10.—The President may disallow any question without giving any reason, or other than that in his opinion it cannot be answered consistently with the public interest; in such case the question shall not be entered in the Proceedings of the Council.

Rule 11.—The President may, if he thinks fit, allow a question to be asked with shorter notice than six days; and may in any case require longer notice if he thinks fit, or extend, if necessary, the time for answering a question.

Rule 12.—When the President has permitted the question to be asked, it shall be entered in the Notice Paper for the day, and questions shall be put, in the order in which they stand in the Notice Paper, before any other business is entered upon at the meeting.

Rule 13.—A question shall be read by the member by whom it was framed, or in his absence, if he so desires, by some other member in his behalf, and the answer shall be given either by the President or some other member whom he may designate for the purpose.

Rule 14.—The President may rule, at his discretion, that an answer to a question shall be given in the Notice Paper, even though the question be not put, shall be given on the public interest.

Rule 15.—No discussion shall be permitted in respect of an answer given to a question asked under these rules.

Rule 16.—The question asked and the answer given to it shall be entered in the Proceedings of the Council.

(True Extract.)

A. BUTTERWORTH,
Acting Under Secretary.

To the Financial Department.

Exd. S. J. Pereira.

Gobt. of 1893 Madras.

LEG.

Issued

Recd.

Encl.

G.O., 14th February 1893, No. 11.

FEBRUARY.

Indian Councils Act, 1892.

Directing that the Rules framed with the sanction of the Government of India under section 2 of the — for the Madras Legislative Council be published in the *Fort St. George Gazette*.

FROM

O. J. LYALL, Esq., C.I.E.,

Secretary to the

TO

The Chief Secretary to the

Home Department.

Public.

SIR,

WITH reference to the correspondence dated the 4th December 1892, in exercise of the powers conferred by section 2 of the Indian Councils Act, 1892, by His Excellency the Governor of India, that the Government of India have received intimation that he has sanctioned the Rules framed for the Legislative Council of India, and that the Governor General proposes to announce in His Excellency's Council for making I

2. The Rules should be published with the sanction of the Governor General, and that they are now published for general

3. Then should come an interpretation of the Rules, and be numbered R

1. These Rules—

"Council" means the Council of the Government of India, making Laws and Regulations.

"President" means the Governor of India, or the Civil Ordinary Member of Council.

"Member" means a Member of the Council.

I am to explain that these definitions of the proviso to the last clause of section 2 of the Act of 1892, and the Rules framed under the Act of 1892, are liable to alteration at meeting making Laws and Regulations.

4. Then should follow, under a section of the Financial Statement, with Rule 2 (Rule 1 of the draft sent with my "The Financial Statement of the Government" substituted for "The Financial Statement

5. Finally, under a third sub-head, asking questions, which should be renumbered in the form which accompanied my letter

Legislation 1893 Sept

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From

The Govt of India

Home Dept

No 120.

Dated 28-1-93

Recd 1-2-93.

Submitting the
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under the
1892 for

LETTER—to the Secretary to the Government of India, Home Department, dated Fort St. George, 7th December 1892, No. 68, Legislative.

With advertence to your letter, dated 27th October 1892, No. 2137, Public, wherein you have communicated to this Government the views of the Government of India on the rules which it is proposed to make under section 2 of the Indian Councils Act, 1892, I am directed to inform you that His Excellency in Council accepts the modifications in the rules forming appendices 2 and 3 to my letter, dated 3rd September 1892, No. 49, Legislative, suggested by the Government of India.

J. F. PRICE,
Chief Secretary.

Rules under the
Indian Councils
Act 1892.

H. P. to Govt. Secy.

P.S.

Please publish the
notifier in Gazette
13/12

ENCLOSURES.

Rules for the discussion of the Financial Statement in the Council of the Governor.

1. The Financial Statement of the Local Government shall be explained in Council every year, and a printed copy given to each member.
2. After the explanation has been made each member shall be at liberty to offer any observations he may wish to make on the Statement.
3. The member who explained the statement shall have the right of reply, and the discussion shall be closed by the President making such observations, if any, as he may consider necessary.
4. The discussion will be limited to those branches of revenue and expenditure which are under the control of the Local Government; and it will not be permissible to enter upon a criticism of Imperial Finance.

Rules for asking questions framed under section 2 of the Indian Councils Act, 1892.

LOCAL COUNCILS.

1. No question shall be asked or answered in the Council of the Governor, at a meeting of the Council for the purpose of making laws and regulations, as to any matters or branches of the administration other than those under the control of the Governor in Council; and, in matters which are or have been the subject of controversy between the Governor-General in Council or the Secretary of State and the Local Government, no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.
2. Except as provided above, any question may be asked by any member, subject to the following conditions and restrictions.
3. A member who wishes to ask a question shall give at least six clear days' notice in writing to the Secretary of the Council, submitting in full the question which he wishes to ask.
4. Questions must be so framed as to be merely requests for information, and must not be in an argumentative or hypothetical form or defamatory of any person or section of the community.
5. The President may disallow any question without giving any reason therefor other than that in his opinion it cannot be answered consistently with the public interests, and in such case the question shall not be entered in the Proceedings of the Council.
6. The President may, if he thinks fit, allow a question to be asked with shorter notice than six days; and may in any case require longer notice if he thinks fit, or extend, if necessary, the time for answering a question.
7. When the President has permitted the question to be asked, it shall be entered in the Notice Paper for the day, and questions shall be put, in the order in which they stand in the Notice Paper, before any other business is entered upon at the meeting.
8. A question shall be read by the member by whom it was framed, or in his absence, if he so desires, by some other member in his behalf, and the answer shall be given either by the President or some other member whom he may designate for the purpose.
9. The President may rule, at his discretion, that an answer to a question on the Notice Paper, even though the question be not put, shall be given on the ground of public interest.
10. No discussion shall be permitted in respect of an answer given to a question asked under these rules.
11. The question asked and the answer given to it shall be entered in the Proceedings of the Council.

ORDER—dated 7th December 1892, No. 67, Legislative.

The following letter will be despatched to the Government of India.

(True Extract.)

J. F. PRICE,
Chief Secretary.

W
3 Feb.

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The following letter will be despatched to the Government of India.
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ORDINARY PRINTED

Legislative

14th Feb, 193

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INDEXED

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Indian Councils Act, 1872

Directly that the

of the rules framed with the

sanction of the Govt & the

under section 3 of the

for the Madras Legislative

Council be published

for the Madras Legislative