

BACKGROUND NOTE REGARDING THE RULES COMMITTEE

Origin

Article 118(1) of the Constitution provides that each House of Parliament may make rules to regulate the procedure and conduct of its business. Clause 2 of the article 118 provides that until rules are made under Clause 1, the rules of procedure and standing orders in force immediately before the commencement of the Constitution shall be applicable to the Parliament subject to such modifications and adaptations as may be made by the Chairman, Rajya Sabha or by the Speaker, Lok Sabha, as the case may be. Accordingly, in exercise of the powers conferred by article 118(2) of the Constitution, the Speaker modified and adapted the Constituent Assembly Legislative Rules which were in force immediately before the commencement of the Constitution and these were notified under the title “Rules of Procedure and Conduct of Business in the House of the People” in the Gazette of India Extraordinary dated the 17th April, 1952.

On 1st April, 1950, the Speaker made an announcement in the House regarding the appointment of a Committee to examine any suggestions that might be received from members from time to time for the amendment of the Rules. The Rules Committee so set up functioned as an Advisory Body to the Speaker. In the light of the experience gained by the working of the Committee, the provisions regarding constitution and functions of the Rules Committee were incorporated in the rules for the first time in May, 1951. The Rules Committee, however, still functioned as an Advisory Body to the Speaker till September, 1954, as the rules were amended by the Speaker from time to time on the basis of recommendations of the Committee. In September 1954, the Rules Committee decided that their recommendations should be approved by the House before amendments were given effect to. Accordingly, the procedure for amendment of the Rules as given in rule 331 came into force w.e.f. 15.10.1954.

CONSTITUTION

The Committee consists of 15 members including the Chairman. The Speaker is the ex-officio Chairman. The Speaker nominates members to the Committee. If the Deputy Speaker is not a member of the Committee, he is invited to all the sittings of the Committee.

TENURE

No fixed term of Office is laid down for the Committee. It continues in Office till it is reconstituted by the Speaker.

FUNCTIONS

To consider matters of procedure and conduct of business in the Lok Sabha and recommend any amendments or additions to the Rules as may be deemed necessary.

PROPOSALS FOR AMENDMENTS

Proposals for amendments to the rules can be made by any member of the House including Ministers, any Branch or Officers of the Lok Sabha Secretariat or by the Speaker or Presiding Officer or by the Committee itself. All proposals are first examined by the Lok Sabha Secretariat and after approval by the Chairman, they are placed before the Committee for consideration in the form of Memoranda.

SPECIAL INVITEES

Based on their special knowledge or interest in the subjects to be considered by the Committee, the Speaker may invite any other member of the House, who is not a member of the Committee, to attend particular sittings of the Committee. As per practice, members who give proposals for amendments or notices of amendments to the recommendations contained in the Reports are also invited to explain their view point to the Committee. They withdraw after placing their views before the Committee. Special invitees, however, have no right to vote.

As per convention, to know and accommodate the views of the Government, Ministers of Parliamentary Affairs are also invited to all sittings of the Committee.

While considering proposals involving complex legal and constitutional issues, the Committee may also hear by special invitation, the Attorney-General of India.

QUORUM

The quorum to constitute a sitting of the Committee is five members. If there is no quorum at a sitting, the Chairman may either suspend the sitting until there is a quorum or adjourn the sitting to some future date.

DECISIONS IN COMMITTEE

All questions at a sitting of the Committee are determined by a majority of the votes of the members present and voting. Normally decisions are arrived at by consensus. In the case of an equality of votes on any matter, the Chairman, or the person acting as such, shall have a second or casting vote.

REPORT

After considering the proposals at a sitting, whenever the Committee recommends any amendment/addition to rules, those recommendations are laid on the Table of the House in the form of a Report. The report is laid on the Table for a period of 7 days. The period of 7 days is to be completed in the same Session in which the report is laid on the Table. If the House is adjourned *sine die* and prorogued before completion of seven days, the report is relaid during the next session for a full period of seven days.

NOTICE OF AMENDMENTS

During the period the report is laid on the Table for 7 days, any member may give notice of amendments to the recommendations in the Report. All such notices stand referred to the Committee. All notices received within the period of 7 days are considered together by the Committee at a sitting called after expiry of the 7 days period. Members who give notice of amendments are invited to attend the sitting to explain their point of view on the amendments.

FINAL REPORT

After considering all the notice of amendments, the Committee will lay their final report on the Table of the House. Thereafter, any member of the Rules Committee will move a motion in the House that the House do agree with the Report of the Committee. When the motion for adoption of the Report is before the House, the Speaker may allow such members as had given notice of amendments and whose amendments had not been accepted by the Committee, to move their

amendments to the motion and present their point of view. Also such members whose notice of amendments had been received after expiry of the 7 days period and they were not placed before the Committee may also give notice of amendments to the motion for the adoption of the Report.

ADOPTION OF THE REPORT

After the report of the Committee is adopted by the House by a motion, the amendments to the Rules as approved by the House are notified in the Bulletin Part-II and also in the Gazette of India Extraordinary Part-I.

If no notice of amendment is given within 7 days when the report was kept laid on the Table, the recommendations of the Committee are deemed to have been approved by the House and the amendments to the Rules as recommended by the Committee are notified in the Bulletin Part-II and Gazette after expiry of the 7 days period. The amendments come into force on their publication in the Bulletin until otherwise specified.

RECOMMITAL OF REPORTS

Any question on which the Committee has made a recommendation to the House may be recommitted to the Committee by the House for further reconsideration.

MINUTES

The minutes of each sitting of the House are prepared by the Lok Sabha Secretariat and after approval by the Chairman, are circulated to the members of the Committee. After the minutes of the sitting or a series of sittings of the Committee are approved by the Chairman, an authenticated copy thereof is laid separately on the Table of the House by a member of the Committee or presented to the House along with the report.