



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 529 দিশপুৰ, সোমবাৰ, 11 ছেপ্টেম্বৰ, 2017, 20 ভাদ, 1939 (শক)
No. 529 Dispur, Monday, 11th September, 2017, 20th Bhadra, 1939 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 11th September, 2017

No. LLE.61/2017/286.- In exercise of power conferred by Rules 260(3) and (4) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly, the following Fourteenth Report of the Rules Committee with amendment is published for information of General Public.

COMPOSITION OF THE COMMITTEE

Ex-Officio Chairman

1. Shri Hitendra Nath Goswami,
Speaker,
Assam Legislative Assembly

Members

2. Shri Chandra Mohan Patowary,
Minister, Parliamentary Affairs etc., Assam
3. Shri Atul Bora,
Minister, Agriculture etc., Assam
4. Shri Ranjit Dutta,
Minister, Irrigation etc., Assam
5. Shri Pranab Kumar Gogoi, MLA
6. Shri Phani Bhusan Choudhury, MLA
7. Smti. Ajanta Neog, MLA
8. Shri Chandan Brahma, MLA
9. Shri Prasanta Phukan, MLA
10. Shri Pabindra Deka, MLA
11. Shri Siddhartha Bhattacharya, MLA
12. Shri Joy Ram Engleng, MLA
13. Shri Mamun Imdadul Haque Chowdhury, MLA

Secretariat.

1. Shri M.K. Deka, Principal Secretary
2. Shri A.N. Deka, Additional Secretary
3. Shri M.K. Sharma, Deputy Secretary
4. Shri H. Mushahary, Under Secretary

REPORT

In pursuance of the provisions of Rule 259 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly, the present Rules Committee has been constituted under Notification No. LARC 10/2016/199 dated 25th July, 2017 appended as Annexure three.

The first meeting of the present Rules Committee after its constitution has been convened on 17th August, 2017 to discuss certain matters requiring amendments in the Rules of Procedure and Conduct of Business in Assam Legislative Assembly by the way of insertion, addition and omission in the Rules of Procedure.

During the course of discussion, the Hon'ble Chairman has made certain observations for offering affordable time to the new Members of the House and their active participation in the Proceedings of the House. The Hon'ble Chairman of the Committee who is also the Speaker of Assam Legislative Assembly made a study visit to the Parliament for acquainting with the practical procedure and devices of participation in the proceeding of the House by more Members. He has informed the Committee during the course of discussion that there is a rule both in the Lok Sabha and the Rajya Sabha, known as Rule 377 and Rule 180A-E respectively which are analogous to the of Rule 301 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly. In Parliament under the Rule 377 and 180 A-E, several Members (Lok Sabha-20, Rajya Sabha-6) are allowed to raise important matters of recent occurrence which are not 'Point of Order', with strict time restriction.

An approach has been attempted to amend the Rule 301 of our Assembly in the line of Parliament.

In our House first time Members are also not getting much opportunities to participate in the House proceedings. Besides, many serious and important issues are not discussed in the usual course of business either under the restriction of the Rules of House or paucity of time. Therefore, new devices in the existing Rule 23, 48 and 301 have been considered and amendments are proposed for active participation of the Members. Accordingly, a draft report, as prepared by our Secretariat has been placed before the Committee for consideration and suggestion, if any.

The Committee after threadbare discussion unanimously adopted the draft amendments for incorporation in the Rules of Procedure and Conduct of Business in Assam Legislative Assembly.

The Committee has authorized the Hon'ble Chairman, Assam Legislative Assembly and Ex-Officio Chairman of the Rules Committee to approve the report.

The Committee also expresses its pleasure at the proposed changes sought to be made by the Speaker of Assam Legislative Assembly in the "Directions by the Speaker, Assam Legislative Assembly".

Dispur,
The 3rd September, 2017

(HITENDRA NATH GOSWAMI)
Speaker & Ex-Officio Chairman,
Rules Committee,
Assam Legislative Assembly.

Annexure-I

**RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN
ASSAM LEGISLATIVE ASSEMBLY****AMENDMENT TO RULE – 23, AFTER THE PROVISIO 3 OF RULE
23(1) A NEW SUB RULE (2) SHALL BE INSERTED**

- 2.(i) In the sitting of every Tuesday of the Private Members Business Day, after termination of the Question Hour and before commencement of other business listed for the day, the House shall take up subjects listed under Members Hour.;

‘Members Hour’

- ii. A Member with the permission of the Speaker shall be allowed to raise a matter of urgent public importance of his/her constituency and he/she shall make his/ her speech for not more than fifteen minutes in duration.
- iii. A Member desiring to raise such matter shall give notice in writing to the Principal Secretary, his intention stating clearly and precisely three to four major issues pertaining to his/her Constituency having serious public importance and urgent character which deserves special attention of the Government.
- iv. The period of such notice by a Member shall not be shorter than seven clear days from the date in which the matter proposed to be raised.
- v. The Speaker shall decide whether a notice or part thereof is admissible under these rules and disallow any notice when in the opinion of the Speaker it is not found confirming to the rules of procedure of the House.
- vi. The Speaker shall select notices of not more than two Members preferably first time Members both from Government and Opposition for raising the matter. The concerned Minister/Ministers may, with the permission of

the Speaker, make a reply, not more than 10 minutes in duration furnishing all the information as raised in the matter. However, if the required information and other materials are not available with the Minister/ Ministers at that moment, the reply shall be given by the Minister according to his/her convenience within the period of seven days. Otherwise, the Minister shall send the replies to the Member concern directly with a copy to the Principal Secretary, Assam Legislative Assembly within ten days from the date of raising the matter in the House.

vii. The Principal Secretary on the permission of the Speaker shall inform the Member by writing who have been selected for raising the matter five days before the matter is taken up by the House and also inform the Minister/Ministers in writing about the matter to be raised.

viii. The Member selected under Sub Rule (VI) shall have to submit the full text of his/her speech not more than 1500 words to the Speaker, minimum three days before the matter is taken up by the House.

ix. Unless the Speaker otherwise directs, there shall be no Zero Hour, Rule 54 and Rule 301 on 'Members' Hour day. Other items of Private Member's Business listed for the day shall be taken up thereafter."

[Sub Rule (2) shall be renumbered as Sub Rule (3)]

AMENDMENT OF RULE – 31

i. In the existing Rule of 31 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 20 occurring in line 1, for the word "ten", the word "fifteen" shall be substituted.

AMENDMENT OF RULE – 48 (1)

i. In the existing Rule of 48(1) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 28 occurring in line 2 in between the words "importance" and "may" the following shall be inserted;

“that occurred after the expiry of the period of notice of both starred and unstarred questions under Rule 31”.

- ii. In the existing Rule of 48(1) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 28 occurring in line 3 the word;

“ten” shall be substituted by the word “seven”.

- iii. In the existing Rule of 48(1) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 28 occurring in line 4 in between the words “session” and “and” the following shall be inserted;

“stating clearly the reasons of urgency and public importance”.

- iv. In the existing Rule 48 (1) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 28 occurring in line 5 & 6 in between the words, “he/she may, in consultation with the Minister concerned”, shall be substituted by the word “Speaker shall”.

AMENDMENT OF RULE – 48 (3)

- i. In the existing Rule of 48(3) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 29 occurring in line 4, the word “he/she” shall be substituted by the word “Speaker”.
- ii. In the existing Rule of 48(3) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 29 occurring in line 4 after the word “be” the following shall be inserted;

“placed as the first question in the list of Starred Questions of the Member concerned for the day on which it shall be due for answer in normal course. When a Short Notice Question of such a Member is admitted by the Speaker as Starred Question, the other Short Notice Question of the Member, if already included in the list, shall be deleted.”

AMENDMENT OF RULE – 48 (5)

- i. In the existing Rule of 48(5) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 29 occurring in line 2 in between the words “shall” and “briefly” the following shall be inserted;

“also require to”

- ii. In the existing Rule of 48(5) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 29 occurring in line 3 in between the words “notice” and “where” the following shall be inserted;

“for oral answer”

- iii. In the existing Rule of 48(5) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 29 occurring in line 4 in between the words “question” and “the” the following shall be inserted;

“such Short Notice Question seeking oral answer”

AMENDMENT OF RULE – 48 (6)

- i. In the existing Rule of 48(6) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 30 at the end of the word “name” of the first proviso, the following shall be inserted as new proviso;

“Provided further that if none of the Members whose name appear for such Short Notice Question is present and if no Member has been authorized on his/her behalf, the Speaker may direct the answer to be laid on the ‘Table of the House’.

Provided further that if the Minister concern has sought permission to answer orally the Short Notice Question on the ground that it is of urgent public importance, the Speaker may allow the Minister to do so.

Provided further that the Member in whose name such Short Notice Question stands may ask two supplementary only and other Members may ask one supplementary each only, if permitted by the Speaker.”

AMENDMENT TO RULE – 301

- i. In the existing Rule of 301 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 140, a heading namely 'SPECIAL MENTION' shall be inserted above the Rule 301.
- ii. In the existing Rule of 301 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 140 in the first line, numerical figure '1' shall be inserted in between Rule "301" and the word "A".
- iii. In the existing Rule of 301 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 140, for the word 'any' occurring in line two, in between the words 'House' and 'matter' the word "a" shall be substituted.
- iv. In the existing Rule of 301 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 140, the occurring in line three, in between the words "notice" and "to" , the words "in writing" shall be inserted.
- v. In the existing Rule of 301 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 140, occurring in lines three to five for the words, " in writing stating briefly the point which he/she wishes to raise in the House together with reasons for wishing to raise it and he/she", the words "with the text of the matter within the prescribed limit Rule 301(A)(iii) to be raised during the Special Mention. The Member" shall be substituted.
- vi. In the existing Rule 301 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly at Page 140, occurring in line six for the word "it" the words 'by the words "the matter" shall be substituted.
- vii. After the amending Rule 301(1) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly, the following shall be inserted at page 140 as new sub-rule 2 (a) and 2 (b):

“2(a). Unless the Speaker otherwise directs, not more than five notices shall be allowed to be raised and the Member who has been called upon by the Speaker shall raise his/her matter and make speech not more than five minutes in duration.

(b). The Minister concern, if desires to make a statement on the matter in the House or otherwise the Speaker specially directs, he/she shall do so within five minutes duration. If, however, the relevant informations are not available with the Minster/Ministers, he/she may, with the permission of the Speaker, send the replies on the matter raised to the Member concern within a period of ten days along with a copy to the Principal Secretary, Assam Legislative Assembly.

viii. In the existing Rule 301(B) (1) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly, the figure “10.00” between the word “till” and “Hours” and the word “last” between the words “the” and “day” shall be substituted by the figure “1600” and the word “penultimate working”.

ix. In the existing Rule 301(B) (2) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly shall be substituted by the following, “The Notices received thereafter i.e. 1600 hours of the penultimate working day of the week shall be valid for the next week of the Session.”

Annexure-II

EXTRACT OF THE EXISTING RULE FROM THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN ASSAM LEGISLATIVE ASSEMBLY.**RULE 23****Allotment of
time for Private
Members
Business and
precedence of
Business.**

23(1). Every Tuesday and Friday in every session time shall be allotted for private members' business:

Provided that the Speaker may in his/her discretion allot any other day if these days are holidays or, if any Government Business is allotted on those or any of those days:

Provided further that the Speaker may allot these days for disposal of Government Business in case there is no private member's business to be transacted on those days and the time may be allotted by the Speaker in consultation with the Leader of the House and the Leader of the Opposition:

Provided further that during the period from the date of presentation of the Budget till the passing of the same, the Speaker may, in consultation with the Business Advisory Committee allot any one or more of the days for Private Member's Business for the various stages of discussions on the Budget and in that event, and equal number of days shall be allotted for Private Member's Business during the same session at such time as the Speaker may decide, in addition to the days of Private Member's Business which are otherwise admissible.

(2) The Speaker may allot different days for the disposal of different classes of Private Member's Business; and on days so allotted for any particular class of business of that class shall have precedence.

RULE 48

Short notice questions.

48 (1). A question relating to a matter of public importance may be asked with notice not shorter than ten clear days from the last day of the sitting of the Assembly session and if the Speaker is of opinion that the question is on an urgent character he/she may, in consultation with the Ministers concern, fix a day for the reply to such a question.

(2) Such question will be, called immediately after the starred questions listed for the day have been disposed of, and if the question hour has either been dispensed with or has not been provided for, it may be called for answer as the first item of business, and if there is any new member to take oath or affirmation then immediately thereafter.

(3) If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, he/she may direct that the question be treated as Starred Question and be given priority and answer accordingly.

(4) Where two or more members give short notice question on the same subject and one of the questions is accepted for answer at short notice, the names of the other members shall be

bracketed with the name of the members whose questions have been accepted for answer:

Provided that the Speaker may direct that all notices be consolidated into a single notice, if in his/her opinion it is desirable to have a single self contained question covering all the important points raised by members and the Minister shall then give his/her reply to the consolidated question:

Provided further that in the case a consolidated question the names of all the members concerned may be bracketed and shown against the question in the order of priority of their notice.

(5) Where a Member desires an oral answer to question at a shorter notice, he/she shall briefly state the reasons for asking the question with short notice, where no reasons have been assigned in the notice of the question, the question shall be returned to the member.

(6) The member who has been given notice of the question shall be in his/her seat to read the question when called by the Speaker and the Minister concern shall give reply immediately:

Provided that when a question is shown in the names of more than one member, the Speaker shall call the name of the first member, or in his/her absence, any other name.

(7) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answer, with such modifications as the Speaker may consider necessary or convenient.

RULE 301**Raising a matter which is not a point of order.**

301. A Member who wishes to bring to the notice of the House any matter which is not a point of order shall give notice to the Principal Secretary in the House together with reasons for wishing to raise it and he/she shall be permitted to raise it, only after the Speaker has given his/her consent and at such time and date as the Speaker may fix.

Condition of admissibility.

*301 A. In order that a notice may be admissible it shall satisfy the following conditions :-

(i) It shall not refer to a matter which is not primarily the concern of the Government of Assam;

(ii) It shall not relate to a matter which has been discussed in the same session or which is substantially identical to the matter already raised by a Member under this rule during the session;

(iii) It shall not exceed 250 words;

(iv) It shall not raise more than one issue;

(v) It shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements; and

(vi) It shall not refer to proceedings of a Legislature/ consultative Committee.

Time for tabling notices and their validity.

*301B. (1) Notices received during a week commencing from its first sitting till 10.00 hours on the last day of the week on which the House sits shall be valid for that week.

(2) Notices received after 10.00 hours on the last day of the week on which the House sits shall be valid for the next week. Notices received after 10.00 hours and up to 10.30 hours on that day shall be deemed to have been received at the same point of time and these shall be balloted to determine the inter-se priority of members. Notices received subsequently shall be arranged in accordance with the date and time of their receipt.

(3) Notices not selected during the week for which they have been tabled, shall lapse at the end of the week:

Provided that a notice referred for facts under order of the Speaker shall not lapse till it is finally disposed of.

**Restrictions
on raising
matters.**

*301.C (1) No Member shall raise more than one matter during a week.

(2) Only the text approved by the Speaker shall go on record.

ANNAXURE-III

ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATIONTHE 25TH JULY, 2017

NO. LARC 10/2016/199 : In pursuance of Rule 259 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly, the Hon'ble Speaker, Assam Legislative Assembly has been pleased to nominate the following Members to constitute the Rules Committee of Assam Legislative Assembly.

- | | |
|--------------------------------------------------------------------------------|---------------------|
| 1. Shri Hitendra Nath Goswami,
Speaker,
Assam Legislative Assembly | Ex-Officio-Chairman |
| 2. Shri Chandra Mohan Patowary,
Minister, Parliamentary Affairs etc., Assam | Member |
| 3. Shri Atul Bora,
Minister, Agriculture etc., Assam | Member |
| 4. Shri Ranjit Dutta,
Minister, Irrigation etc., Assam | Member |
| 5. Shri Pranab Kumar Gogoi, MLA | Member |
| 6. Shri Phani Bhusan Choudhury, MLA | Member |
| 7. Smti. Ajanta Neog, MLA | Member |
| 8. Shri Chandan Brahma, MLA | Member |
| 9. Shri Prasanta Phukan, MLA | Member |
| 10. Shri Pabindra Deka, MLA | Member |
| 11. Shri Siddhartha Bhattacharya, MLA | Member |
| 12. Shri Joy Ram Engleng, MLA | Member |
| 13. Shri Mamun Imdadul Haque Chowdhury, MLA | Member |

Hon'ble Shri Hitendra Nath Goswami, Speaker, Assam Legislative Assembly shall be the Ex-Officio Chairman of the Committee.

The term of the Committee shall be for a period of one year with effect from 24th July, 2017 or till a new Committee is constituted in accordance with the Rules.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.