

CHAPTER XII

Resolutions

106. Notice of Resolution.— A Private member, who wishes to move a resolution on a day allotted for private members business, shall give notice to that effect at least two days before the date of ballot and shall together with the notice, submit the text of the resolution which he wishes to move:

Provided that notice of not more than two resolutions shall be given by a member for any day allotted for private members business.

107. Form of resolution.— A resolution may be in the form of declaration of opinion, or recommendation; or may be in the form so as to record either approval or disapproval by the House of an act or policy of Government or convey a message; or commend, urge or request an action; or call attention to a matter or situation for consideration by Government; or in such other form as the Speaker may consider appropriate.

108. Deleted.

109. Conditions of admissibility of resolution.— In order that a resolution may be admissible, it shall satisfy the following conditions, namely :-

- (i) it shall be clearly and precisely expressed;
- (ii) it shall raise substantially one definite issue;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (iv) it shall not refer to the conduct or character of persons except in their official or public capacity;
- (v) it shall not relate to any matter which is not primarily the concern of the State Government;
- (vi) it shall not relate to any matter which is under adjudication by a court of law, having jurisdiction in any part of India; and
- (vii) it shall not relate to a matter pending before any statutory tribunal or statutory authority performing

any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter:

Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry, if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

110. Speaker to decide admissibility of resolution.— (1) The Speaker shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in his opinion it is an abuse of the right of moving a resolution or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules:

Provided that the Speaker may, in his discretion, amend the resolution in form or give member concerned an opportunity of amending it.

(2) The Secretary shall give intimation to the member that his resolution has been admitted or admitted as amended or disallowed, as the case may be, and shall, in case the resolution has been disallowed, also state the reason or reasons thereof.

110A. Order and limit of resolution.— (1) The relative precedence of resolutions, which have been admitted under rule 110 shall be determined by ballot to be held in accordance with the orders made by the Speaker on such day as the Speaker may direct.

(2) Unless the Speaker otherwise directs, not more than five resolutions in addition to any resolution which is outstanding under the proviso to rule 26, shall be set down in the list of business for any day.

111. Moving of resolution.— (1) A member in whose name a resolution stands on the list of business shall, except when he wishes to withdraw it, when called upon, move the resolution and shall commence his speech by a formal motion in the terms appearing in the list of business.

(2) A member may, with the permission of the Speaker, authorise any other member, in whose name the same resolution stands lower in the list of business, to move it on his behalf, and the member so authorised may move it accordingly.

(3) If the member, in whose name a resolution stands on the list of business, when called, is absent, any other member authorised by him in writing in this behalf may, with the permission of the Speaker, move the resolution.

112. Amendments.— (1) After a resolution has been moved, any member may, subject to the rules relating to resolutions, move an amendment to the resolution.

(2) If notice of such amendment has not been given one day previous to the day on which the resolution is moved, any member may object to the moving of the amendment, and such objection shall prevail, unless the Speaker allows the amendment to be moved.

(3) The Secretary shall, if time permits, make available to members, from time to time, lists of amendments of which notices have been received:

Provided that the mover of a resolution when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Speaker may permit.

113. Deleted.

114. Scope of discussion.— The discussion on a resolution shall be strictly relevant to and within the scope of the resolution.

115. Withdrawal of resolution and amendment.— (1) A member in whose name a resolution stands on the list of business may, when called upon, withdraw the resolution, and shall confine himself to a mere statement to that effect.

(2) A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the House.

116. Splitting of resolution.— When any resolution involving several points has been discussed, the Speaker may divide the resolution, and put each or any point separately to the vote, as he may think fit.

117. Repetition of resolution.— (1) When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within one year from the date of the moving of the earlier resolution.

(2) When a resolution has been withdrawn with the leave of the House, no resolution raising substantially the same question shall be moved during the same session.

118. Copy of resolution passed to be sent to Minister.— A copy of every resolution which has been passed by the House shall be forwarded to the Minister concerned.

118A. Government resolutions.— A Minister may, with the previous permission of the Speaker, move any resolution on a matter of general public interest, and the rules relating to resolution shall *mutatis mutandis* apply.