

പന്ത്രണ്ടാം കേരള നിയമസഭ

പതിനാലാം സമ്മേളനം

ബുള്ളറ്റിൻ ഭാഗം—2

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കേരള നിയമസഭയുടെ നടപടിക്രമവും കാര്യനിർവ്വഹണവും സംബന്ധിച്ച ചട്ടങ്ങളിൽ വരുത്തിയ മാറ്റങ്ങൾ

കേരള നിയമസഭയുടെ നടപടിക്രമങ്ങളും കാര്യനിർവ്വഹണവും സംബന്ധിച്ച ചട്ടങ്ങൾക്ക് ഭേദഗതികൾ ശുപാർശ ചെയ്തുകൊണ്ടുള്ള ചട്ടങ്ങൾ സംബന്ധിച്ച സമിതിയുടെ രണ്ടാമതു റിപ്പോർട്ട് 2010 മാർച്ച് 15-ാം തീയതി സഭയുടെ മേശപ്പുറത്തു വച്ചു. പ്രസ്തുത റിപ്പോർട്ടിലെ ശുപാർശകൾക്ക് ഭേദഗതി നോട്ടീസുകൾ ലഭിക്കുകയുണ്ടായി. സമിതി അംഗീകരിച്ച ഭേദഗതികൾ കൂടി ഉൾപ്പെടുത്തിക്കൊണ്ടുള്ള ചട്ടങ്ങൾ സംബന്ധിച്ച സമിതിയുടെ മൂന്നാമത് റിപ്പോർട്ട് 2010 മാർച്ച് മാസം 31-ാം തീയതി സഭയുടെ മേശപ്പുറത്ത് വയ്ക്കുകയും സഭ അംഗീകരിക്കുകയും ചെയ്തു. ചട്ടങ്ങൾ സംബന്ധിച്ച സമിതി ശുപാർശ ചെയ്തതും സഭ അംഗീകരിച്ചതുമായ കേരള നിയമസഭയുടെ നടപടിക്രമവും കാര്യനിർവ്വഹണവും സംബന്ധിച്ച ചട്ടങ്ങളുടെ ഭേദഗതികൾ 264-ാം ചട്ടത്തിന്റെ (2)-ാം ഉപചട്ടപ്രകാരം അംഗങ്ങളുടെ അറിവിനായി ചുവടെ ചേർക്കുന്നു. ചട്ടങ്ങൾക്കു വരുത്തിയ ഭേദഗതികൾ ഗസറ്റിൽ വിജ്ഞാപനം ചെയ്യുന്ന തീയതി മുതൽ നടപ്പിൽ വരുന്നതാണ്. [264-ാം ചട്ടത്തിന്റെ (4)-ാം ഉപചട്ടം കാണുക.]

A M E N D M E N T S

1. *Substitution of definition in Rule 2 (1)*

For the existing definition :

“Precincts of the Assembly” in Rule 2 (1) the following definition shall be substituted namely:—

“ “Precincts of the Assembly” means and includes all the buildings and grounds surrounding them within the compound wall of the Legislature Complex and the Legislators’ Hostel. It also means and includes the road leading to stadium gate (No. IV) from Legislators’ Hostel and the approaches to the Legislature Complex including the area in front, within the limit of 6 meters from gate No. II B and 18 meters from the ceremonial gate towards the east and the old Assembly Chamber at the Government Secretariat Buildings and such other places as the Speaker may from time to time specify;”.

2. *Insertion of new sub-rule in Rule 3*

In rule 3, the existing provision shall be numbered as sub-rule 3(1). After the sub-rule 3(1), the following sub-rule shall be inserted before the proviso, namely:—

“(2) The summons under sub rule (1) shall ordinarily be issued 15 days before the date so specified.”

3. *Insertion of new sub-rule in Rule 15*

In Rule 15,

(i) after the sub-rule (4) the following sub-rule shall be inserted, namely:—

“(5) The mover or the seconder shall not have any right of reply after the Chief Minister or any other Minister have explained the position of the Government at the end of the discussion.”

(ii) the existing sub- rules (5) (6) and (7) shall be re-numbered as sub-rule (6), (7) and (8) respectively.

4. *Substitution of Rule 27*

For rule 27, the following rule shall be substituted, namely:—

“Unless the Speaker otherwise directs, not less than ten clear days notice of a question shall be given.”

5. *Substitution of Rule 27 A*

For rule 27A, the following rule shall be substituted, namely:—

“A Member may give notice of only seven questions in a day including starred and unstarred questions. In the list of questions for written answer on any one day, not more than four questions by the same Member if he has three questions in the list of questions for oral answer and not more than seven questions if he has none in the list of questions for oral answer shall be included.”

6. *Insertion of new Rule 28A*

After the rule 28 the following new rule 28A shall be inserted, namely:—

“The priority of notice received on each day shall be determined by a ballot. For this purpose, all notices of questions received upto 12.00 noon of each day will be treated as having been received at 12.00 noon on that date and a ballot shall be held to determine their inter-se priority”.

7. *Substitution of Rule 29*

For rule 29, the following rule shall be substituted, namely:—

“Unless the Speaker otherwise directs, no question shall be placed on the list of questions for answer until six days have expired from the time when notice of the admission of such question by the Speaker has been given by the Secretary to the Minister to whom it was addressed”.

8. *Substitution of Rule 32(1)*

For rule 32(1), the following rule shall be substituted, namely:—

“Not more than three questions distinguished by asterisks by the same member and more than thirty questions in all shall be placed on the list of questions for oral answer on any one day. Questions in excess of three by the same member and all the questions in excess of the first thirty shall be placed on the list of questions for written answer”.

9. *Substitution of Rule 45*

For rule 45, the following rule shall be substituted, namely:—

“45. (1) Any member when called by the Speaker may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given.

(2) A supplementary question shall be held out of order by the Speaker if in his opinion:—

- (i) it does not arise from the main question or its answer;
- (ii) instead of seeking information, it gives information;
- (iii) it involves more than one separate issue;
- (iv) it seeks confirmation or denial of an opinion; and
- (v) it infringes any of the rules regarding questions.

(3) No discussion shall be permitted during the time for questions under rule 26 in respect of any questions or any answer given to a question.”

10. *Substitution of Rule 46*

For rule 46, the following rule shall be substituted, namely:—

“46. When a meeting of the Assembly, is cancelled or adjourned

without transacting any business, all the questions both starred and unstarred, originally entered in the list of questions for the day will be treated as unstarred questions for the next sitting and will be printed along with their answers in the official report later day.

Provided that if the question hour is interrupted after having taken up the list of questions for oral answer and the list is partly disposed off and sitting continues, answer to the remaining questions in the list of questions for oral answers and answers for the day will be treated as unstarred question and form part of the proceedings of the day:

Provided further that if the last sitting or sittings of a session is cancelled the question in the list of questions for oral as well as written answer for that day/days shall lapse.”

11. *Substitution of Rule 47*

For rule 47, the following rule shall be substituted, namely:—

“47(1) Answers to questions which Ministers propose to give in the Assembly shall be handed over to the Secretary before 5.00 p.m. on the preceding day to the date of answering questions.

(2) If an answer to a question is an interim reply, the final reply to that question shall be given at the earliest, but not later than fifteen days from the date on which the question is placed in the list:

Provided that if such answers could not be given within the time limit specified under sub. rule (2), the Minister concerned shall lay on the Table a statement explaining the reasons thereof in the current session or in the next session of the Assembly whichever is earlier.

(3) Answers to questions which Ministers propose to give in the Assembly shall not be released for publication until the answers have been actually been given on the floor of the Assembly or laid on the Table”.

12. *Substitution of Rule 59(2)*

For rule 59 (2), the following rule shall be substituted, namely:—

“ The Speaker may allot two sittings in a session on which such matters may be taken up for discussion and allow such time for

discussion not exceeding one hour at or before the end of the sitting as he may consider appropriate in the circumstances.”

13. *Insertion of new sub-rule in Rule 69*

In rule 69, the existing provision shall be numbered as sub-rule (1). After the sub-rule (1), the following new sub-rules shall be inserted, namely:—

“ (2) All Bills, except amendment Bills, the parent Act of which was enacted in English, shall be introduced only in Malayalam version

(3) If the member-in-charge of the Bill is unable to introduce the Bill in Malayalam version he may seek the prior permission of the Speaker to introduce the Bill in English version stating reasons thereof.

(4) The Speaker may, if he considers the reasons adequate, permit the member –in-charge to introduce the Bill in English version.

(5) Where a Bill is published in Malayalam, the translation of the same in the English version shall also be published under the authority of the Governor in pursuance of Article 348 (3) of the Constitution and copies of the Bill circulated among members before the date of introduction of the Bill. Where the Bill is published in English, the translation of the Bill in Malayalam version shall be published and circulated in the same manner”.

14. *Insertion of new sub-rule in Rule 70*

After the existing sub-rule 70(3) the following new sub-rule shall be inserted, namely :—

“(4) Not more than two motions shall be moved by a Member under sub rule (1) in a day allotted for that business.”

15. *Substitution of Rule 76(2)*

In rule 76, for the existing sub-rule (2) and its proviso, the following shall be substituted, namely:—

“(2) When an Appropriation Bill is introduced, or on some subsequent occasion, the member-in-charge may make the motion that the Bill be taken into consideration:

Provided that no such motion as referred to in sub-rule (1) or sub-rule (2) of this rule shall be made until after copies of the Bill have been made available for the use of members and that any member

may object to any such motion being made unless copies of the Bill have been so made available three clear days before the day on which the motion is made and such objection shall prevail unless the Speaker in his discretion allows the motion to be made.”

16. *Substitution of Rule 116*

For rule 116, the following rule shall be substituted, namely:—

“A member other than a Minister who wishes to move a resolution shall give a notice to that effect atleast two days before the date of ballot. The names of all the members from whom such notices are received shall be balloted and those members who secure the first three places in the ballot shall be eligible to give notice of one resolution each within two days after the date of ballot:

Provided that the Speaker may allow a resolution received after two days from the date of ballot to be entered in the list of business :

Provided also that in respect of the resolution envisaged in Article 213 (2) (a) of the Constitution the period of notice required and the method of procedure to be followed shall be decided by the Speaker in his discretion consistent with the period and the items of business fixed for the session.”

17. *Substitution of Rule 129*

For rule 129, the following rule shall be substituted, namely:—

“129. A copy of every resolution which has been passed by the Assembly shall be forwarded to the Chief Minister and the Minister in charge of Parliamentary Affairs.”

18. *Substitution of Rule 136*

For rule 136, the following rule shall be substituted, namely:—

“136. The Speaker may after considering the state of business in the Assembly and in consultation with the Leader of House or on the recommendation of the Business Advisory Committee, allot time for the discussion of any such motion.”

19. *Insertion of new Rule 153A*

After the rule 153, the following new rule 153 A shall be inserted, namely :—

“153A (1) In this rule “Finance Bill” means the Bill ordinarily introduced to give effect to the financial proposals of the

Government of Kerala for the next following financial year and includes a Bill to give effect to supplementary financial proposals for any period.

(2) At any time after the introduction in the House of a Finance Bill, the Speaker may allot a day or days, jointly or severally for the completion of all or any of the stages involved in the passage of the Bill by the House, and when such allotment has been made, the Speaker may, at the specified hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every questions necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted:

Provided that if a Minister has a right of reply to the debate on the motion which is under discussion an hour before the specified hour and has not commenced his reply at that hour, the Speaker shall inquire how much time not exceeding one hour he requires for his reply, and shall call upon any member for the time being addressing the House to resume his seat at such time as will leave available before the specified hour the amount of time which the Minister has stated that he requires for his reply.

(3) Where the question on one of the questions required by sub-rule (2) to be put at the specified hour on the allotted day or the last of the allotted days is that the Bill be passed, sub-rule(2) shall have effect notwithstanding that amendments to the Bill have been made.

(4) Subject to the provision to sub-rule(2), the Speaker may, if he thinks fit, prescribe a time limit for speeches at all or any of the stages for which a day or days have been allotted under that sub-rules.

(5) On a motion that the Finance Bill be taken into consideration, a member may discuss matters relating to general administration, local grievances within the sphere of the responsibility of Government of Kerala or monetary or financial policy of Government.

(6) In other respects the rules applicable to Bill in Chapter XIV of these Rules shall apply”.

20. *Substitution of Rule 167*

For rule 167, the following rule shall be substituted, namely:—

“167. The Speaker shall fix a day or days or part of a day as he may

think fit for the consideration and passing of an amendment to such regulation, rule, sub-rule, bye-laws, etc., of which notice may be given by a member:

Provided that no notice of an amendment to a regulation, rule, sub-rule, bye-law, etc., framed by the State Government in pursuance of the provisions contained in an Act of Parliament the subject matter of which relates to an entry or entries contained in the Union List mentioned in the Seventh Schedule to the Constitution shall be admitted”.

21. *Insertion of new sub-rules in Rule 169*

In rule 169, after the existing sub-rule (1) the following new sub-rules shall be inserted, namely:

(i) “(2) If a Member hands over the letter of resignation to the Speaker personally and informs him that the resignation is voluntary and genuine and the Speaker has no information or knowledge to the contrary, the Speaker may accept the resignation immediately.

(3) If the Speaker receives the letter of resignation either by post or through some one else, the Speaker may make such inquiry as he thinks fit to satisfy himself that the resignation is voluntary and genuine. If the Speaker after making a summary inquiry either himself or through such other agency, as he may deem fit, is satisfied that the resignation is not voluntary or genuine, he shall not accept the resignation.

(4) A Member may withdraw his letter of resignation at any time before it is accepted by the Speaker.”.

(ii) The existing sub-rule (2) and (3) shall be re-numbered as sub-rule (5) and (6). After the sub-rule (6), the following proviso shall be inserted, namely:—

“Provided that when the resignation is to take effect from a future date, the information shall be published in the Bulletin and the Gazette not earlier than the date from which it is to take effect.”

22. *Substitution of Rule 172*

For rule 172, the following rule shall be substituted, namely:—

“ 172. The Secretary shall on the days of sittings of the Assembly, keep an attendance book, which shall be signed every day by the

members (other than the Speaker, the Deputy Speaker, the Ministers, Leader of Opposition and the Government Chief Whip) present. A Member (other than the Speaker, the Deputy Speaker, the Ministers, the Leader of Opposition and the Government Chief Whip) who has not signed the attendance book on any day shall be presumed to have been absent from the Assembly on that day.”

23. *Insertion of new Rule 205A*

After the rule 205, the following new rule 205 A shall be inserted, namely:—

“205 A. The recommendations contained in the report of a committee other than subject committees shall be examined by the Government and statement of action taken on such recommendations shall be furnished by the Government within the time limit specified in the report. In cases where no time limit is specified in the report, the action taken statement shall be furnished within 2 months from the date of receipt of the report by the Government.”

24. *Insertion of new Rule 205(B)*

After the new rule 205A, the following new rule 205 (B) shall be inserted, namely:—

“205 B (1) The Speaker may allot an hour on one day in a week for raising discussion on a matter of sufficient public importance which has been the subject of Report of a Committee.

(2) A member wishing to raise discussion on such a matter shall give notice in writing to the Secretary three clear days before the day in which the matter is desired to be raised.

(3) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion.

(4) There shall be no formal motion before the Assembly nor Voting.

(5) If the member who has given notice is absent any other member authorised by him in writing in his behalf may, with the permission of the Speaker, initiate the discussion”.

25. *Substitution of Rule 232*

For rule 232, the following rule shall be substituted, namely:—

“232(1) There shall be fourteen Subject Committees as enumerated in the Fifth Schedule.

(2) Each Subject Committee shall deal with the Subjects shown against it in the Fifth Schedule and/or matters relating to them:

Provided that the Speaker may in consultation with the Leader of the House modify or vary the allocation of subjects to the Subject Committees, from time to time.”

26. *Substitution of Rule 233(1)*

For rule 233(1), the following rule shall be substituted, namely:—

“233(1). Each Subject Committee shall consist of not more than eleven members and not less than seven members who shall be nominated by the Speaker, as soon as may be, after the commencement of the Assembly or from time to time, as the case may be.”

27. *Insertion of new item in Rule 235*

In rule 235, after sub item 235 (1)(v)(e), the following item shall be inserted, namely:—

“(f)Annual Performance Report of Government Departments; and”

28. *Insertion of new Rule 235A*

After the rule 235 , the following new rule shall be inserted, namely:—

“235A. Besides the meetings for scrutiny of Demands for Grants, examination of legislation and examination of draft statutory rules, each subject Committee shall, when the Legislative Assembly is not in session hold at least one meeting every month to discuss any of the matters referred to in rule 235 (1) (iii) & (v).”

29. *Insertion of new sub-rule in Rule 236*

In rule 236, after the sub-rule (4), the following new sub-rule shall be inserted , namely:—

“(5) The report of Action taken by the Government on the recommendations of the Committee on scrutiny of Demands for Grants for each year shall be presented by the Chairman of each Subject Committee as soon as the financial year is over or in the Assembly Session immediately after the close of the financial year. In case if any Government Department fails to furnish the Action taken statement to the Committee, the reason thereof shall be laid

on the Table by the Minister concerned within fifteen days of the presentation of the Report of the Committee or on the commencement of the next session of the Assembly which ever is earlier.

(6) The Annual Performance Report on the Expenditure of the Budget allocation of a year shall be laid on the Table not later than four months after the completion of the financial year.”

30. *Insertion of new sub-rule in Rule 237*

In rule 237, after the existing sub-rule 237 (1), the following sub-rule shall be inserted, namely:—

(i) “(2) There shall be at least one clear day in between the day of reference of a Bill to the Subject Committee and the date of meeting of the Subject Committee for the purpose, unless the Speaker, in his discretion allows the meeting to be convened”.

(ii) The existing sub-rule (2) shall be renumbered as sub - rule (3).

31. *Insertion of new item in Rule 238*

In rule 238, after the existing sub-item (b), and before the Explanation the following item shall be inserted, namely:—

“(c) The draft rules/ regulations which are to be framed pursuant to powers conferred under a statute shall be prepared and forwarded to the concerned Subject Committee with utmost expedition and in any case not later than ninety days from the date of publication of said Act in the Gazette. The Subject Committee shall consider the draft rules/regulations within three months from the date of receipt of such rules/regulations.”.

32. *Insertion of new sub-rule in Rule 250*

In rule 250, after the existing sub-rule 250(2), the following new sub-rule shall be inserted, namely:—

(i) “(3) The Committee shall have the following functions also, namely:—

(a) to oversee moral and ethical conduct of members with reference to the Code of Conduct enumerated in the Annexure-II .

(b) to revise the Code of Conduct for members and to suggest amendments or additions to the Code from time to time; and

(c) to examine cases concerning the alleged breach of the Code of Conduct by the members as may be referred to it by the Speaker and to recommend suggestions in the form of reports.”

(ii) The existing sub-rule (3) shall be renumbered as sub-rule (4).

33. *Insertion of new sub-rule in Rule 258*

In rule 258, the existing provision shall be numbered as sub-rule (1) and after the sub-rule (i), following sub-rules shall be inserted, namely:—

“(2) It shall also be the duty of the Committee,—

(a) to examine whether there has been any unreasonable delay in the implementation of assurances ; and

(b) to examine complaints against the non implementation of an assurance.

(3) If the Committee is of opinion that there has been unjustifiable delay in the implementation of an assurance, the Committee may recommend to furnish reasons for the delay.

(4) The recommendation of the Committee under sub-rule (3) shall be considered by the Government and periodical statements showing the reasons for delay shall be laid on the Table once in six months.”

34. *Substitution of Rule 261 E*

For rule 261E, the following rule shall be substituted, namely:—

“261 E. (1) There shall be a Committee on the Welfare of the Backward Class Communities consisting of not more than nine Members of whom six shall be from Members belonging to Backward class Communities.

(2) The Committee shall be nominated by the Speaker at the Commencement of the Assembly or from time to time, as the case may be :

Provided that a Minister shall not be nominated a member of the Committee and that if a member, after his nomination to the Committee is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.”

35. *Substitution of Rule 261H*

For rule 261 H, the following rule shall be substituted, namely:—

“261 H. The Committee shall consist of eleven members who shall be

elected by the Assembly from among its members according to the principle of proportional representation by means of single transferable vote :

Provided that a Minister shall not be elected a member of the Committee, and that if a member, after his election to the Committee, is appointed as a Minister he shall cease to be a member of the Committee from the date of such appointment.”

36. *Insertion of new Rules 261K, 261L, 261M, 261N, 261-O, 261P, 261Q and 261 R*

In “Chapter XXIV (b) CONSTITUTION AND FUNCTIONS OF THE COMMITTEES”, after the marginal heading “(xiiE) Committee on Official Language” and the entries thereunder, the following marginal headings and rules shall be inserted,namely:—

“(1) (xiiF) *Committee on the Welfare of Fishermen and allied Workers*

Constitution of the Committee 261 K. There shall be a Committee on the Welfare of Fishermen and allied workers consisting of not more than nine members, to be nominated by the Speaker.

Provided that a Minister shall not be nominated as a Member of the Committee and that if a Member after his nomination to the Committee is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.

Functions of the Committee 261 L. The functions of the Committee shall be,—

(1) to study the various problems of fishermen and allied workers within the State and to recommend the remedial measures thereto ;

(2) to examine the working and activities of the fisheries department/Kerala Fishermen’s

Welfare Fund Board/ Kerala State Co-Operative Federation for Fisheries Development Ltd/ the industrial establishments under the control of the State Government situated within the State ;

(3) to review the implementation of the plans and programmes (both Central and State) relating to Fisheries Department and fishermen and allied workers welfare ;

(4) to examine the Annual Report of the Fisheries Department/Fishermen's Welfare Fund Board relating to the state with a view to find out whether the funds allotted and expenditure incurred was commensurate with the results achieved ;

(5) to examine such other matters as may be deemed fit by the Committee ;

(6) to consider any petitions/ representations received from the individuals or organisations relating to fisheries or allied subjects ;

(7) to report to the Assembly on the action taken by the State government on different measures suggested by the committee ;

(8) to examine such other matters specially referred to it by the House or by the Speaker.

2. (xiiG) *Committee on the Welfare of Non- Resident Keralites (Pravasi Malayalees)*

Constitution of the Committee

261 M. There shall be a Committee on the Welfare of Non-Resident Keralites consisting of not more than nine members, to be nominated by the Speaker.

Provided that a Minister shall not be nominated as a Member of the Committee and that if a Member after his nomination to the Committee is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.

Functions of the Committees

261 N. The functions of the Committee shall be,—

(1) To examine, the complaints regarding ;—

(a) the various problems of Non-Resident Keralites in India and abroad relating to Domestic and International job market.

(b) the Dispute between the employer and the prospective candidates.

(c) the work relating to guidance in VISA formalities and travel regulations.

(d) the work relating to air ticket booking in Domestic and International flight to the best satisfaction of the customers.

(e) the atrocities, violence, torture, exploitation and unfair practice Cheating or any fraudulent activities against any persons belonging to Kerala, workers or employees in flights who travel to foreign countries on being

employed or return to their place of work after enjoying leave in their native place.

(f) the repatriations of dead bodies and to stream line the process of the transfer of dead bodies to their relatives or legal heirs.

(g) the financial assistance to the legal heirs of the deceased/ injured persons and subsequent claims related to the deceased/ injured persons.

(h) the rehabilitation or job opportunities of the returnees.

(i) the functions of Non-Keralites Welfare Fund Board.

(j) to check the unlawful activities of private agencies engaged in job recruitments abroad and all other agencies who are engaged on the welfare of Non-Resident Keralites.

(2) to suggest remedial measures for any or all of the above mentioned complaints.

(3) to examine such other matters as may be deemed fit by the committee or specially referred to it by the House or by the Speaker.

3. (xii H) Committee on the Welfare of Youths and Youth Affairs

Constitution of the Committee

261 O. There shall be a Committee on the Welfare of Youths and Youth Affairs consisting of not more than nine members, to be nominated by the Speaker.

Provided that a Minister shall not be nominated as a Member of the Committee and that if a Member after his nomination to the Committee is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.

Functions of the Committee

261. P The functions of the Committee shall be ;—

(1) to examine, the complaints regarding ;—

(a) the functioning of various schemes implemented through Kerala State Youth Welfare Board in the state.

(b) any matter arising out of the discussion in the House relating to youths and youth welfare.

(c) the petitions/representations received from individuals/ organisations relating to Youths and Youth affairs.

(2) to suggest remedial measures for any or all of the above mentioned complaints.

(3) to ensure that the funds allotted by the Government for youth welfare are fully utilised exactly for the same purpose for which it was intended. To prevent any misuse of funds by the Government Departments or agencies earmarked for the purpose of youth welfare activities.

(4) to examine such other matters as may be deemed fit by the committee or specially referred to it by the House or by the Speaker.

4. (xii I) Committee on the Welfare of Senior Citizens

Constitution of the Committee 261. Q. There shall be a Committee on the Welfare of Senior Citizens consisting of not more than nine members, to be nominated by the Speaker.

Provided that a Minister shall not be nominated as a Member of the Committee and that if a Member after his nomination to the Committee is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.

Functions of the Committees 261 R. The functions of the Committee shall be;—

(1) to examine, the complaint regarding ;—

(a) the functioning of various schemes implemented through State Council and District Council for Senior Citizens in the state.

(b) the functioning of the Old Age Home conducted by the State and Private organisations.

(2) to ensure that the funds allotted by the Government for Senior Citizens are fully utilised exactly for the same purpose for which it was intended.

(3) to suggest remedial measures for any or all of the above mentioned complaints.

(4) to examine such other matters as may be deemed fit by the committee or specially referred to it by the House or by the Speaker.”

37. *Substitution of Rule 265 (1)*

For sub-rule 265 (1), the following shall be substituted, namely:—

“Every notice except notices of questions required by these rules shall be given in writing addressed to the Secretary and signed by the member giving notice and shall be left at the Assembly Office which shall be open for this purpose between the hours of 10.15 a.m. and 3 p.m. on every day except Sunday or a public holiday.”

38. *Amendment of Rule 284*

In rule 284,

(i) for the item (ii) the following item shall be substituted, namely:—

“(ii) make a personal charge by way of making an allegation imputting a motive to or questioning the bonafides of other members of the House unless, it be imperatively necessary for the purpose of the debate bring itself a matter in issue or relevant thereto ;”

(ii) After the item (viii) the following items shall be inserted, namely:—

“(ix) refer to Government officials by name without a prior notice to the Speaker and a copy of the same to the concerned Minister.

(x) read a written speech except with the previous permission of the Chair ; and

(xi) question or comment on the ruling of the Speaker.”

39. *Substitution of Rule 285*

For rule 285, the following rule shall be substituted, namely:—

“285. No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given prior notice to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of reply:”

40. *Insertion of new sub-rule in Rule 301*

In rule 301,

(i) after sub-rule (1), the following sub-rules shall be inserted, namely:—

“(2) Where the Speaker directs that the vote be recorded by operating the electronic vote recorder, it shall be put into operation and the

members shall cast their votes from the sets respectively allotted to them by pressing the buttons provided for the purpose.

(3) After the result of the voting appears on the indicator board, the result of the division shall be announced by the Speaker.

(4) A member who is not able to cast his vote by pressing the button provided for the purpose due to any reason considered sufficient by the Speaker, may with the permission of the Speaker, have his vote recorded verbally by stating whether he is in favour of or against the motion, before the result of the division is announced.

(5) If a member finds that he has voted by mistake by pressing the wrong button, he may be allowed to correct his mistake provided he brings it to the notice of the Speaker before the result of the division is announced.”

(ii) Sub-rule (2) shall be renumbered as sub- rule (6)

41. *Amendment of Rule 304*

For rule 304, the following rule shall be substituted, namely:—

“304 (1) A member , who wishes to bring to the notice of the Assembly any matter which is not a point of order shall give notice to the Secretary in writing stating briefly the point which he wishes to raise in the Assembly together with reasons for wishing to raise it, and he shall be permitted to raise it only after the Speaker has given consent and at such time and date as the Speaker may fix.

(2) In order that a notice under sub-rule (1) may be admissible, it shall satisfy the following conditions, namely:—

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

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

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

(iv) It shall not contain inferences, ironical expression, imputations, epithets or defamatory statements ; and

(v) It shall not refer to proceedings of a Legislature Committee.

(3) Not more than ten such notices shall be permitted on each day except on Fridays, where it shall be limited to eight.”

42. *Substitution of Fifth Schedule*

For the “Fifth Schedule” the following Schedule shall be substituted, namely:—

“FIFTH SCHEDULE

(See Rule 232)

SUBJECT COMMITTEES

Committee I

Agriculture, Animal Husbandry & Fisheries

Agriculture

Soil and Water Conservation

Government Plantations

Commercial Crops

Special Agriculture Development Programme

Animal Husbandry

Dairy Development

Fisheries and Fishing Harbour

All Marine Products

Committee II

Land Revenue & Devaswom

Land Revenue

Land Reforms

Relief on Account of Natural Calamities

Land Revenue Commissionerate

Devaswom

Committee III

Water Resources

Minor Irrigation

Major & Medium Irrigation

Command Area Development

Committee IV

Flood Control
Anti - sea erosion
Water Supply and Sewerage

Industry & Minerals

Large & Medium Industries
Village & Small Industries
Small Scale Industries and Industrial Estates.
Handloom & Power loom
Khadi & Village Industries
Handicrafts
Coir
Cement, Iron & Steel
Bricks & Tiles
Mineral Development

Committee V**Works, Transport & Communications**

Public Works (including roads & bridges)
Road Transport
Water Transport
Railways
Air Transport
Communications
Ports, Light Houses & Shipping

Committee VI**Education**

Education (including all Technical & Professional Education)
Arts and Culture
Science & Technology (including Research)
Sports & Games

Committee VII**Electricity, Labour & Labour Welfare**

Electricity
Labour (including Agricultural & Plantation Labour)
Employment & Unemployment
Employees' State Insurance

Committee VIII**Economic Affairs**

Economic Development
Excise
Commercial Taxes and Agricultural Income-Tax
Lotteries, Chitties & Chit Funds
Credit Institutions
Insurances
National Savings
Stamp & Registration

Committee IX**Local Administration, Rural Development & Housing**

Municipal Corporations & Municipal Councils.
Panchayats
Integrated Rural Development
Town Planning & Urban Development
Community Development
Urban & Rural Housing

Committee X**Forest, Environment & Tourism**

Forests
Environment
Tourism

Committee XI**Food, Civil Supplies & Co-operation**

Food & Civil Supplies
 Legal Metrology
 Co-operation

Committee XII**Health & Family Welfare**

Health (including Hospitals and Maternity Services)
 Family Planning
 Women & Child Welfare
 Nutrition

Committee XIII**Social Services**

Welfare of Physically Handicapped
 Old Age Pension
 Social Welfare
 Harijan Welfare and Welfare of the Backward Classes

Committee XIV**Home Affairs**

Police & Jails
 Administration of Justice
 Elections (other than elections to Local bodies)
 General Administration (including all service matters)
 Information & Public Relations
 Welfare of Minorities
 Non-Resident Keralites Affairs
 Parliamentary Affairs
 All other subjects not included in any other Committee”

1. *Substitution of Annexure II*

For Annexure II, the following Annexure shall be substituted , namely:—

“ANNEXURE-II

(See Rule 250)

CODE OF CONDUCT FOR THE MEMBERS OF
 THE KERALA LEGISLATIVE ASSEMBLY

CHAPTER I

Preliminary

1. This Code may be called the Code of Conduct for Members of the Kerala Legislative Assembly.
2. The words and expressions used in this Code shall, unless the context otherwise requires, have the meaning assigned to them in the Constitution of India and the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

CHAPTER II

CODE OF CONDUCT FOR MEMBERS INSIDE THE HOUSE

General Rules

3. A member, whilst the House is sitting, shall —
 - (i) bow to the Chair while entering or leaving the House and also when taking or leaving his seat;
 - (ii) always address the Chair;
 - (iii) keep to his usual seat while addressing the House;
 - (iv) maintain silence when not speaking in the House;
 - (v) avoid talking or laughing in Lobby loud enough to be heard in the House;
 - (vi) maintain the inviolability of the Question Hour;
 - (vii) refrain from transgressing into the well of the House;
 - (viii) resume his seat as soon as the Speaker rises to speak.

4. A member, whilst the House is sitting, shall not —
- (i) read any book, newspaper or letter except in connection with the business of the House;
 - (ii) interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;
 - (iii) pass between the Chair and any member who is speaking;
 - (iv) leave the House when the Speaker is addressing the House;
 - (v) obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when another member is speaking;
 - (vi) applaud when a stranger enters any of the Galleries, or the Special Box;
 - (vii) shout slogans in the House;
 - (viii) sit or stand with his back towards the Chair;
 - (ix) approach the Chair personally in the House. He may send chits to the officers at the Table, if necessary;
 - (x) wear or display badges of any kind in the House;
 - (xi) bring or display arms in the House;
 - (xii) display flags, emblems or any exhibits in the House;
 - (xiii) leave the House immediately after delivering his speech;
 - (xiv) distribute within the precincts of the House any literature, questionnaire, pamphlets, press notes, leaflets etc. not connected with the business of the House;
 - (xv) or enter the House with his coat hanging on the arms.
 - (xvi) carry walking stick in to the House unless permitted by the Speaker on health grounds;
 - (xvii) tear off documents in the House in protest;
 - (xviii) bring or play cassette or tape recorder in the House;
 - (xix) sit on Satyagrah or Dharna inside the House or anywhere within the precincts of the House.
 - (xx) use cellular phones or pagers in the House.

5. A member, while speaking shall not —
- (i) refer to any matter of fact on which a judicial decision is pending;
 - (ii) make personal reference by way of making an allegation imputing a motive to or questioning the bona fide of any other member of the House unless it be imperatively necessary for the purpose of the debate being itself a matter in issue or relevant thereto;
 - (iii) use offensive expressions about the conduct or proceedings of Legislature;
 - (iv) reflect on any determination of the House except on a motion for rescinding it;
 - (v) reflect upon the conduct of persons in high authority unless the discussions is based on a substantive motion drawn in proper terms;
 - (vi) use the Governor's name for the purpose of influencing the debate;
 - (vii) utter reasonable, seditious or defamatory words;
 - (viii) use his right of speech for the purpose of obstructing the business of the House;
 - (ix) make any reference to the strangers in any of the galleries;
 - (x) read a written speech except with the previous permission of the Chair;
 - (xi) question or comment on the ruling of the Speaker;
 - (xii) use insinuation or offensive and unparliamentary expressions while addressing the Chair;
 - (xiii) speak unless called by the Speaker;
 - (xiv) speak unparliamentary words.
6. (a) If a private member desires to lay a paper or document on the Table of the House, he shall supply a copy thereof to the Speaker in advance so as to enable him to decide whether permission should be given to lay the paper or document on the Table. If the Speaker permits the member to lay the paper or document on the Table, the member may at the appropriate time lay it on the Table.

(b) If a private member, in the course of his speech wishes to quote from a secret Government document, in paper or report, he shall supply a copy thereof in advance to the Speaker and also indicate the portions thereof which he wishes to quote in order to enable the Speaker to decide whether permissions should be given. If the Speaker permits the member to quote from the document, the member may do so at the appropriate time. If the Speaker does not accord the necessary permission, the members shall not quote from the document nor refer to its contents.

7. (a) A member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

(b) The member may place before the Speaker such evidence as he may have in support of his allegation.

8. No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given adequate advance notice to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation in to the matter for the purpose of a reply:

Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

9. Members shall not give any advance publicity to various notices given by them.

10. A Member having a personal, pecuniary or direct interest in a matter before the House, while taking part in the proceedings on that matter, shall declare the nature of that interest.

CODE OF CONDUCT FOR MEMBERS DURING GOVERNOR'S ADDRESS

11. It is imperative for each and every member or any other person present on the occasion of the Governor's Address to observe solemnity, dignity and decorum.

12. If any member or other person interrupts or obstructs the Governor's Address to the House either before or during or after the Address, while the Governor is in the Hall, with any speech or point of order or walk out or in any other manner, such interruption, obstruction or show of disrespect shall tantamount

to an act or disorder and disrespect to the Governor and may be considered as a grossly disorderly conduct on the part of concerned member or other person and a contempt to the House which may be dealt with by the House subsequently on a motion moved by a member.

CODE OF CONDUCT FOR MEMBERS IN COMMITTEES

13. Where a member of a Committee has personal, pecuniary or direct interest in any matter which is to be considered by the Committee, he shall state his interest therein to the Speaker through the Chairman of the Committee.

14. Since the proceedings of a Committee are treated as confidential, it is not permissible for a member of the Committee or anyone who has access to its proceedings to communicate directly or indirectly to the press any information regarding its proceedings including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House.

15. Whenever a paper or document, marked 'secret' or confidential is circulated to the members of the Committee, the contents of such paper or document shall not be divulged by any member either in the minute of dissent or on the floor of the House, or otherwise, without the permission of the Speaker and where such permission has been obtained, any restriction imposed by the Speaker in regard to the manner in which, or the extent to which the information contained in the document may be divulged, shall be strictly observed.

16. The evidence given before a Committee shall not be published by any member of the Committee or by any other person until it has been laid on the Table.

CODE OF CONDUCT FOR MEMBERS DURING STUDY TOURS OF COMMITTEES

17. Committees should not normally undertake tours unless it is absolutely necessary to undertake an on-the-spot study tour for proper examination of the subject before the Committee.

18. Where a Committee proposes to undertake a tour, prior permission of the Speaker should be taken in all cases.

19. During the tours, Committees should avoid visits to places not included in the official tour programme, except local sight seeing.

20. It is necessary that the expenditure on tours and the strain on the local administration and transport authorities should be kept to the minimum.

21. Terms of reference of the Committees on study tours should be precise and laid down in writing.

22. A study tour should be undertaken before the official evidence on the subject is taken by the Committee and not after the evidence.

23. A study tour should be undertaken for the absolutely, minimum necessary period, not exceeding three weeks at a time.

24. Sufficient notice of the tour programme should be given to the State Governments /other Departments or Undertakings concerned.

25. There should be no last minute changes in the tour programme as these result in considerable difficulties to the Railways, Airlines, concerned Government Departments and Officers.

26. Members shall avoid intermediate journeys during the tours. When transport is provided by Government/Undertakings during the tours of the Committee, such transport should be used for Committee work and not by individual members for distant private visits.

27. Members during tours, shall take particular care to maintain proper dignity and decorum so that no criticism is made of the Committee in any manner.

28. During the tour, if a member falls ill and the doctor advises him not to undertake further tour, he shall follow the doctor's advice.

29. No member shall give statements regarding Committee proceedings to the press. Whenever any briefing of the press is required to be done, the same should be done by the Chairman of the Committee.

30. The Committee while on tour, may accept invitation for official lunches or dinner no liquor should be allowed to be served as such occasions.

31. No member shall take any other person during the official tours. An attendant or member's spouse may accompany a member on medical grounds with the prior permission of the Chairman of the Committee. In such cases, the member shall bear all expenses including hotel charges in respect of his/her spouse or attendant.

32. The spouse or attendant of a member in no case, shall accompany Committee members during official visit to any installation, undertakings, office or establishment and during discussions with officers of the concerned establishment, undertaking etc.

CODE OF CONDUCT FOR THE MEMBERS OUTSIDE LEGISLATURE AND GENERAL ETHICAL PRINCIPLES

33. Information given to members in confidence or by virtue of their being members of Committees of Legislature shall not be divulged to any one nor used by them directly or indirectly in the profession in which they are engaged, such as

in their capacity as editors or correspondents of newspapers or proprietors or business firms and so on.

34. A member shall not try to secure business from Government for a firm, company or organization with which he is directly or indirectly concerned.

35. A member shall not give certificates which are not based on facts.

36. A Member shall not make profit out of Government residence allotted to him by sub-letting the premises.

37. A member shall not unduly influence the Government officials or the Ministers in a case in which he is interested financially either directly or indirectly.

38. A member shall not receive hospitality of any kind for any work that he desires or proposes to do from a person or organization on whose behalf the work is to be done by him.

39. A member shall not in his capacity as a lawyer or a legal advisor or a counsel or a solicitor appear before a Minister or an executive officer exercising quasijudicial powers.

40. A member shall not proceed to take of action on behalf of his constituents on some insufficient or baseless facts.

41. A member shall not permit himself to be used as a ready supporter of anybody's grievances or complaints without any bona fides.

42. A member shall not endorse incorrect certificates on bills claiming amounts due to him.

43. A member shall not elicit information from Government in an unauthorized manner by including a subordinate official to give information which in the course of his normal functions he should not do.

44. A member shall not write recommendatory letter to Government officials for employment or business contact for any of his relatives.

GENERAL ETHICAL PRINCIPLES WITH WHICH MEMBERS SHOULD ABIDE

45. Members must utilise their position to advance general well being of the people.

46. In case of conflict between the personal interest of members and public interest, they must resolve the conflict so that personal interest are subordinated to the duty of their public office.

47. Members shall resolve conflict between private financial interest/family interest and public interest in a manner that the public interest is not jeopardized.

48. Members holding public offices shall use public resources in such a manner as it may lead to public good.

49. Members shall keep uppermost in their mind the fundamental duties listed in Part –IV A of the Constitution.

50. Members shall maintain high standards of morality, dignity, decency and values in public life.

PROCEDURE FOR DEALING WITH COMPLAINTS REGARDING BREACH OF CODE OF CONDUCT

51. The Speaker may suo motu take up for consideration cases of breach of the Code that have taken place in the House.

52. In other cases the Speaker may refer complaints regarding violation of Code of Conduct to Committee on Privileges and Ethics for examination and report thereon.

PUNISHMENT FOR BREACH OF CODE OF CONDUCT

53. In case of violation of the Code of Conduct the Speaker can impose any of the following punishment/penalties :—

- (a) Admonition;
- (b) Reprimand;
- (c) Censure;
- (d) Withdrawal from the House;
- (e) Suspension from the service of the House for a specific period;and
- (f) Any other penal action considered appropriate by the House.”

P. D. RAJAN
Secretary