



**DIRECTIONS
BY THE SPEAKER
ASSAM LEGISLATIVE ASSEMBLY**

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SECOND EDITION, 1987

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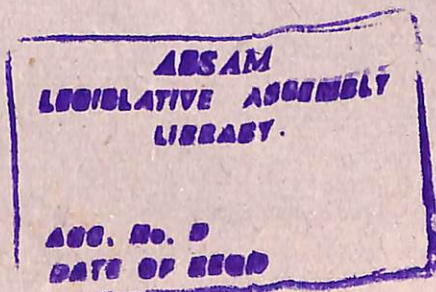
PREFACE

In pursuance of the provision of rule 310 and other rules of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly and under his inherent powers, the Speaker, Assam Legislative Assembly has been issuing directions from time to time for regulating, subject to the provisions of the rules, certain matters not specifically provided for in the rules and also certain matters relating to detailed working of the rules.

2. The First Edition of the Directions was brought out in 1985 ;
3. The Second Edition of the Directions in incorporating all the amendments and new directions made upto July, 1987 was brought out in August, 1987 ;
4. Words expressions used in the Rules of Procedure and Conduct of Business in Assam Legislative Assembly and also in these Directions shall, unless the context otherwise requires, have the meanings assigned to them in the rules.

DISPUR :
GUWAHATI
September ' 1987.

Dr. PUSPENDRA NATH HAZARIKA
Secretary,
Assam Legislative Assembly.



Recognition of and Facilities to Legislature Parties and Groups

1. The Speaker may recognise an association of members as a Legislature Party or Group for the purpose of functioning in the House and his decision shall be final.

2. In recognising a Legislature Party or Group the Speaker shall take into consideration the following principles:-

(i) An association of members who propose to form a Legislature Party—

(a) shall have announced at the time of the general elections a distinct ideology and programme of work on which they have been returned to the House;

(b) shall have an organisation both inside and outside the House; and

(c) shall have atleast a strength equal to the quorum fixed to constitute a sitting of the House, that is, one-sixth of the total number of members of the House.

(ii) An association of members to form a Legislature Group shall satisfy the conditions specified in parts(a) and (b) of clause (i) and shall have atleast a strength of 5 members.

Facilities to recognise Political Parties

3. The Speaker may grant the following facilities to a Party in the House namely :—

(a) Allotment of blocks of seats in the House in proportion to the strength of the Party if such arrangement becomes feasible.

- (b) Allotment of a room in the Assembly premises for the work of the Party in connection with the business of the House if the Party has a strength of not less than 4 elected members.
- (c) Nomination to a Legislature Committee in proportion to the strength of the Party.
- (d) Submission to the Speaker of a panel of names for selection of members to be called to speak in debates.
- (e) Consultation, where necessary, in the matter of arrangement of business of the House or any other important matter coming before the House.
- (f) The Speaker may grant such of the facilities specified in this direction as he may deem fit or feasible to a Legislature Group having a strength of less than 10 but more than 4 members.
- (g) The Speaker's decision in regard to the grant of facilities to Legislature Party or Group shall be final.

Statutory Resolution

4. When a notice of a Resolution has been given in pursuance of a provision of the Constitution or in an Act shall not be ballotted under Rule 115(3).

5. No person other than—

Entry into
the premises,
its buildings
and galleries
of the Assem-
bly.

- (a) a member of the Assam Legislative Assembly;
- (b) an officer or staff of the Assembly Secretariat,
- (c) Accredited Press Reporters or Representatives of News Agency having appropriate passes shall be admitted to the Assembly building premises or to any of the galleries unless he or she is in possession of a pass for admission issued under these rules duly signed by the Secretary of the Assembly :

Provided that a peon or an Assistant accompanying a Minister having appropriate passes issued by the Assembly Secretariat may be allowed to enter into the premises and building but such a person shall not loiter in the corridors of the building or in any part of the premises and shall leave the building and premises as soon as their work is over.

6. Before the commencement of every Session of the Assembly all departments of the Civil Secretariat, Public Works, Flood Control and Irrigation Department as well as the Heads of Departments shall intimate in writing to the Secretary of the Assam Legislative Assembly about the number of passes of different kinds that are required by them for the Officer and staff under their control for official purposes. The names of the persons for whom and the number of the cars for which the passes are required shall also be furnished to the Secretary, Legislative Assembly. The Secretary, Legislative Assembly will then after ascertaining the actual requirement, issue such number of passes as he might consider necessary while issuing the passes the names of the persons and the number of the

cars shall be entered in the passes. Passes required for the Officers Gallery during the currency of a Session can be had from the office of the Secretary, Assam Legislative Assembly on requisition by the Head of office or by such person as may be authorised by the Head of the office indicating the name/names of officers equal or above the rank of Under Secretary to the Government of Assam. Owing to the dearth of accommodation in the Officers Gallery, not more than two passes for officers of each Department of the Secretariat excluding Commissioner and Secretary to the Government and one pass for an official of each Heads of Department excluding its Head shall be issued for admission of officers into the Officers Gallery. For this purpose all requisitioning officers shall send a roster indicating the name/names of officers indicating against each to date/dates on which he/she will attend Assembly duty.

7. A car pass shall not be an authority for entering into the buildings or galleries of the Assembly. Similarly a building pass shall not be an authority for entering into any of the galleries. The different galleries and the seats available in each of them have been shown in Annexure 'A' attached to these directions.

8. During the currency of any Session of the Assembly, Car, building and gallery passes may be had from the Receptionist on application made in the prescribed form to the Secretary. The form are obtainable by member of the Assembly from the Office of the Assembly Secretariat or from the Receptionist. Passes issued on such applications will either be handed over to the member recommending the application or will be made over to the person having written authority from the members but in no case passes will be delivered to other persons. Passes for official purposes may be had from the Office of the Assembly Secretariat also. Passes for the Speaker's Gallery will be issued by the Secretary to the Speaker unless otherwise directed by the Speaker.

9. Such applications should reach the Receptionist before 8 A.M. on the day on which admission to the Visitor's gallery is sought for. Applications received after 8 A.M. on a particular day may be considered for entry to the Visitor's gallery on the following day.

Time for making application for passes.

10. Passes except for official purposes will be issued for one day only. No pass issued shall be transferable. Provided that passes may be issued for more than one day under specific order of the Secretary on such grounds and under such conditions and circumstances as the Secretary may think fit.

Passes to be issued only for the day.

11. No person other than those mentioned in rule 6 of these rules and persons holding passes issued for official purposes, shall be allowed to enter into the Assembly premises, building or the galleries through the entrance of the Main Gate of the Assembly Building and their admission passes shall be shown on arrival to the Police Personnels on duty at the gate and also to the Watch and Ward staff of the Assembly Secretariat posted for controlling the entrance to the premises, buildings and galleries. On production of their passes, the holders thereof shall be shown their way to the particular gallery or place for which the passes are issued. No person other than an official holding a car, a member of the Assembly or a person mentioned in rule 6 shall be allowed to depart from the Assembly premises except through the Main Gate of the Assembly premises.

Entry to be made by the appropriate authority.

12. Every holder of a pass other than an official Reporter, Accredited Press Reporter, an officer or a person having a pass which is valid for more than one day shall deliver up his pass to the Watch and Ward Staff employed for that purpose when leaving the Assembly Building.

Return of passes.

13. After the close of each days meeting, the said Watch and Ward Staff shall collect all admission passes to the Visitors Gallery from the holders thereof and hand them over to the officer-in-charge of the Security.

Collection of passes.

14. Loitering in the corridors of Assembly Building is strictly prohibited. Any person found so loitering shall be liable to be expelled forthwith and their passès shall be immediately cancelled.

Loitering strictly prohibited.

15. The Speaker reserves to himself the right of ordering any visitor or person in the Assembly building or in any of the galleries to leave the Assembly building or galleries, as the case may be, notwithstanding that he/she holds an admission pass and upon being so ordered, the person shall forthwith leave the building or the gallery.

Speaker's right to expel a visitor.

16. Members shall normally be entitled to recommend the names of two persons on the prescribed application forms issued by the Assembly Secretariat for the issue of visitors gallery pass for a day. No pass for a visitors gallery will be issued except on the recommendation of a member of the Assembly. The Secretary may, however, direct the issue of any pass if he thinks proper to do so. Members recommending the issue of a pass to any person shall be responsible for the behaviour of the person concerned during his admission to the Assembly premises and the galleries.

Recommendation necessary for obtaining a pass for visitors' galleries.

17. Passes shall be issued for the galleries subject to availability of seats. Further, all other Provisions of these rules must also be fulfilled before any pass is issued.

Issue of passes is dependant on availability of seats.

18. No particular seat in any of the galleries shall be reserved for any applicant except that the Speaker shall have the power to reserve seats in the "Speaker's Gallery"

Reservation of seats.

19. The Secretary may authorise Watch and Ward Officer or Watch and Ward Assistant of the Assembly Secretariat to check the passes whether in the galleries or in any part of the Assembly premises and building and every person shall on request being made by such Watch and Ward Officer or Watch and Ward Assistant, show the pass to him.

Checking of Passes.

20. Each pass shall specify (1) the name of the visitor, (2) the date and time for which it is valid, (3) the name of member recommending the issue of the pass and (4) the date of issue of the pass. No pass shall be valid unless it bears the signature of the Secretary, Assembly.

Form of passes

21. Members are requested not to recommend students below the age of 10 (ten) years into the Galleries. The Secretary Assembly may however issue a pass to such students on being recommended by the Head of the Institution in which such student is studying.

Students not to be recommended by members.

22. Heads of Educational Institutions should therefore be very strict in recommending students below 10 (ten) years of age for passes and the Heads of the Educational Institutions/Guardians, as the case may be, must take full responsibility for the conduct of the students admitted to the visitors' gallery on their recommendations. Ordinarily no pass will be issued to students unless their teachers/guardians undertake to accompany them.

Responsibility of Head of Educational Institutions in recommendations.

23. Children under 10 (ten) years of age will not be admitted to the visitors gallery.

Visitor's age limit.

24. As seats in the Press Reporters Gallery are limited to 25 only, admission is ordinarily restricted to dailies and recognised news-agencies. No one except accredited representatives of the Press, recognised news-agencies duly recommended by the President or the Secretary of the Assam Assembly Press Reporters' Club will be allowed admission to the Press Reporters' Gallery.

Press Passes and their condition.

However, the Manager, the Editor, the Proprietor of a newspaper or of a recognised news-agency desiring to send a representative to the Assembly meeting must apply before seven days of the meeting of the Assembly to the Secretary, Assam Legislative Assembly for a pass stating the name of the representative they propose to send with his permanent address and his address at Guwahati. A pass for admission for the session will be issued to the

representative by name and shall be issued for any one newspaper or news-agency.

25. Applications under rule 20 which are received after the specified time will not be considered. If the number or such applications received within the prescribed time exceeds the number of seats available in the Press Reporters gallery the seats will be allotted, preference being given to the dailies and news agencies and then to the Bi-weeklies, weeklies etc., if seats are available to others.

Time limit
for Press
Pass.

26. Any wilful misrepresentation of the proceedings of the Assembly, any unfair criticism levelled against any one connected with the proceedings of the Assembly and any other conduct on the part of a news paper or news agency which may be considered to be a breach the privilege of the House will be good grounds for the withdrawal of the pass of the representative of that particular news paper or news agency or for refusal to issue of a pass to him for future Session.

Misrepr-
sentatio
by Press.

27. Passes of admission to Press Representatives shall be issued on the following conditions :-

Condition
of issue of
admission
passes to
Press
Representa-
tives.

(1) That the holder thereof will see that a fair and accurate report of the daily proceedings of the Assembly is published in the paper to which he is responsible.

(2) Authorities of every newspaper, news-agencies or a representative of a periodical to whom a pass has been issued for a particular Session of the Assembly, will see that the Secretary of the Assam Legislative Assembly is supplied with two copies of every issue of the newspaper or periodical publishing the daily proceedings or any summary of several days' proceedings of the Session, immediately after such publication. The prices of the issues that are required to be so supplied would be paid by the Assembly Secretariat and this rule will be applicable in the case of those newspapers only which are not subscribed for the Assembly Library.

(?) No newspaper or news-agency shall publish (i) questions and resolutions before they are admitted by the Speaker, (ii) motions or Bills before they have been admitted by Speaker or introduced in the House, (iii) reports and proceedings of Select Committees on Bills and minutes of dissent before they are presented to the House or published in the Gazette and similarly of other Legislature Committees appointed or elected by the House under the Rules of Procedure, (iv) the Budget or any of its contents before it has been presented to the Assembly, and (v) any matter concerning the Assembly which is not intended for the public.

28. On breach of any of these orders, the passes for admission shall be liable to be withdrawn forthwith.

Withdrawal of passes if case of breach of orders.

29. Any matter not provided for in these orders shall be regulated by the direction of the Speaker issued from time to time.

Speaker's power to regulate matters not provided in these orders.

30. Visitors must see that silence is maintained whilst the Assembly is sitting. Demonstrations by applause or otherwise in the galleries are strictly prohibited. Noise or movements of any kind which are likely to disturb the proceeding of the House must under all circumstances be avoided by the visitors in the galleries.

Instructions to visitors.

31. No sticks, weapons, umbrellas, books or newspapers will be allowed to be taken into the galleries.

Articles not permitted in galleries.

32. No one will be allowed to stand in any part of a gallery.

Standing in galleries prohibited.

33. Watch and Ward Officers, Watch and Ward Assistants of the Assam Legislative Assembly Secretariat and the Police personnels on duty;

Instruction for guidance of Police Officers and other Assembly staff on duty.

(1) Shall not allow any person to enter into the premises, buildings and galleries Without an appropriate valid pass issued under the orders;

(2) Shall see that the holders of the passes do not abuse their right by loitering in places other than those specified in their passes;

(3) Shall check the passes and see whether the visitors enter by the right way and whether their passes are valid;

(4) Shall collect the passes from their holders when they leave the Assembly building after the close of the day's proceedings of the House;

(5) Shall see that no person is admitted into the galleries with stick, umbrella, weapon books and newspapers, etc ;

(6) Shall not allow any person with or without a pass to enter into the premises, buildings and galleries except through the appropriate gate.

34. (1) The Police in-charge of the security deputed for duty during the period of the Session of the Assembly shall have daily consultation with the Secretary, Assembly three quarters of an hour before the commencement of each day's meeting for carrying out of the duties prescribed by the Secretary, Assembly and of such other instruction as may from time to time, be given by the Secretary, Assembly or the Hon. Speaker. The Police Officers and the other Police personnels shall remain on duty throughout (i. e. during the lunch interval also) until the Assembly rises.

Special instruction for guidance of Police officers and Assembly staff on duty.

(2) Whenever any member of the Assembly Staff is deputed to check the passes in any part of the building or in the galleries he shall consult the Officer incharge of Security before he takes any step to eject any person who refuses to show his or her pass or is found to violate these orders in any other way.

(3) The Police personnels on duty at the Main Gate should, on no account allow any car other than Ministers to enter into the Assembly premises until the passengers of that car are checked. if any outsider is found in any car who is not entitled to enter into the premises and buildings of the Assembly under these orders, he or she should be requested to get down before the car enters the Assembly premises and to proceed to the appropriate entrance.

DIRECTIONS BY THE SPEAKER RELATING TO QUESTIONS

35. Where a large number of notices of questions are received from several members on the same subject, the Speaker may direct that all the notices be consolidated into a single notice if, in his opinion, it is desirable to have a single self-contained question covering all the important points raised by members :

Provided that in the case of such a consolidated question, the names of all the members concerned shall be bracketed and shown against the question in the order of priority of their notices.

36. Questions in the list of questions for oral answer on a day under rule 32 shall be arranged in accordance with the priority secured by each member at the ballot held for the purpose.

37. When a question, placed on the list of questions or oral or written answer on any day in the name of more than one member, is answered, the names of all such members shall be shown on the question in the printed report of the proceedings of the Assembly :

Provided that in the case of a question orally answered the name of the member who actually asked the question on the floor of the House shall be stated first and indicated by an asterisk mark.

38.—(1) When a statement is to be laid on the Table of the House in answer to a question for oral answer or where reference is made to an answer to a previous question, a copy of the statement together with a copy of the question and answer to which reference is made shall be placed in the Notice Office for use of the member half an hour in advance of the question hour.

(2) The copy of such a statement or answer to previous question referred to in the answer to a question for oral answer shall be supplied on request only to the member in whose name the question stands or to the member who has been authorised by him to ask the question on his behalf or to any person who has been duly authorised by him in writing to receive the statement or answer.

(3) Copies of such statements or answers shall be considered as confidential and shall not be released for publication till after the question is answered or the question hour is over, whichever earlier. If, for any reason such a statement is not laid on the Table or the answer is not given or the contents thereof are altered by the Minister while answering the question in the House, the original statement shall not be made public.

39.(1) Answer to questions given in the House shall be complete and, as far as possible, each part thereof shall be answered separately.

(2) If, on his attention being drawn to an answer, the Speaker is satisfied that it does not fulfil this condition, he may direct the Minister to give a complete answer.

40. Where two or more questions on the same subject addressed to a Minister for oral answer appear on the list of questions for any particular day and when the first of them comes up for answer, the Speaker may himself or on the request of any member, direct that any or all such questions be taken up together for answer, irrespective of the order in which they stand in the list.

41. If on a question being called, it is not asked or the member in whose name it stands is absent without giving any letter of authority to any other member on his behalf, the Speaker may, at his discretion, direct the answer to it to be given in the second round, if in his opinion or that of the Minister concerned, the subject matter of the question is of such importance as to warrant an answer being given in the House.

42. When a Minister wishes to correct any inaccuracy in the information which he has given in answer to a starred/short notice question or a supplementary question or in debate the following procedure shall be followed namely:-

- (i) The Minister shall give to the Secretary notice of his intention to make a statement. The notice shall be accompanied by a copy of the statement proposed to be made by the Minister.

(ii) When the House is in session, the Secretary shall include the item in the list of business on an appropriate day; and the Minister shall, when called upon by the Speaker, make the statement in the House.

(iii) When the House is not in session, the Secretary shall consider whether the statement shall be made by the Minister during the next session in which case the orders of the Speaker shall be taken. If the matter cannot wait till the next session, the statement shall be included in the official report of the proceedings of the House and a foot-note given in the proceedings in the following manner :
 "The original reply or statement by the Minister read as follows :—

‘.....’

The reply as printed above was sent by the Minister afterwards in substitution of the original reply”.

Note :—In cases where it is not considered desirable to publish the original answer, the revised answer only shall be printed with a suitable foot-note.

(iv) The Minister shall ordinarily intimate the Secretary his intention to correct his answer or statement within one week thereof, provided that the Speaker may, on being satisfied with the reasons given, waive this requirement.

(v) The Speaker shall determine in each case whether the statement on the correction may be reported to the House by the Minister or laid on the Table.

43. When a Minister wishes to correct any inaccuracy in the information which he has given in reply to an unstarred question the following procedure shall be followed, namely: —

(i) The Minister shall give to the Secretary notice of his intention to correct the reply given to an

unstarred question. The notice shall be accompanied by a copy of the statement proposed to be laid by the Minister.

- (ii) When the House is in session, the Secretary shall include the item in the list of questions for written answers on the appropriate date in the following manner :

'The Minister of to lay a statement correcting the reply given on the 19, to Unstarred question No. by Shri regarding

- (iii) The statement so laid by the Minister shall be included in the official report of the proceedings of the House for the day at the end of answers to all unstarred questions.

- (iv) When the House is not in session, the procedure laid down in direction 43 (III) relating to questions shall apply.

44. (1) Copies of the statement proposed to be made by a Minister correcting the answer given by him to a starred/short notice question shall be placed in the Notice office in the Assembly Building half an hour before the sitting of the Assembly on the day on which the statement is to be made, for the information of members.

(2) Copies of such statements shall be considered as confidential and shall not be released for publication until the statement is actually made.

(3) After the statement has been made, the Speaker may permit members to ask supplementary questions which are strictly relevant to the subject matter of the correction made by the Minister.

45. If on a short notice question being called, it is not asked by the member or the member in whose name it stands, is absent or if the member has not authorised another member to ask the question on his behalf, the Speaker shall cause a written answer to such question being laid on the Table of the House :

Provided that where a Minister expresses a desire to give an answer thereto, on the ground that it is a matter of public importance, the Speaker may, if he thinks fit, permit the question to be asked by any other member or may allow the Minister to read the question and the answer.

46. All admitted questions which do not find a place in the Starred List of questions shall be included in the Unstarred List of Questions, subject to the condition that each member has at least one question in his name and no member has more than 5 (five) questions (both Starred and Unstarred together) on any one day and the total number of questions in the Unstarred List shall not exceed 50 (fifty).

47. After the last date of receipt of questions is over, the admitted questions are arranged in order of priority obtained by the members in ballot and the order of preference indicated on the notice. In putting down the question in the List, OP. 1 questions of the members are included unless they have been admitted as Unstarred or disallowed or transferred. Where there is no question admitted as Starred from any of the member securing position within 20, a question from the Member securing 21st position is put down in the List and so on.

Supplementary Questions

48. Any member with the permission of the Speaker may put Supplementary Questions to a Starred Question after it is called by the Speaker for the purposes of further elucidating any matter of fact regarding which any answer has been given. But not more than 5 minutes shall be devoted for putting supplementaries to a particular question.

Zero Hour

49. Unless the Speaker otherwise directs no matter of public importance shall be allowed to be raised during Zero Hour which occurred three days before the day on which it is proposed to be raised. The member desiring to raise such matter shall give notice of his intention to

raise such matter to the Speaker and Secretary, atleast one hour before the commencement of the Session. The Speaker in his discretion may allow the member to raise the matter and the concerned Minister may give a reply if required information and other materials are available with him, otherwise the replies shall be given by the Minister according to his convenience and the matter shall be treated as 'raised'.

Provided that not more than three such matters shall be allowed to be raised on any particular day.

DIRECTION BY SPEAKER RELATING TO THE COMMITTEE ON PETITION

Consideration of representations etc.

50. The Committee shall also meet as often as necessary to consider representations, letters and telegrams from various individuals, associations etc., which are not covered by the rules relating to petitions, and give directions for their disposal.

Provided that representations which fall in the following categories shall not be considered by the Committee, but shall be filed on receipt in the Secretariat :-

- (i) anonymous letters or letters on which names and/or addresses of senders are not given or are illegible; and
- (ii) endorsement copies of letters addressed to authorities other than the Speaker or House unless there is a specific request on such a copy praying for redress of the grievance.

Intimation to Petitioner.

After the report has been presented, the petitioner shall be informed about, it.

ANNEXURE 'A'

The following seats are available in the defferent galleries of the Assembly Chamber:—

1. **Officers Gallery**—It consists of 45 seats and they are available exclusively for the Chief Secretary, Commissioners, Special Secretaries, Secretaries, Joint Secretaries, Officer on Special Duty, Deputy Secretaries, Under Secretaries, to the Government and Heads of the Department or their representatives who are likely to be required to be present in connection with the Assembly proceedings.

N.B.—As the number of seats in the "Official Gallery" is limited, officers are requested not to occupy seats in this gallery without a pass already issued for the purpose and not to bring with them unauthorised persons to this gallery.

2. **Press Reporter's Gallery**.—This consists of 25 seats and these seats are exclusively available to the accredited Press Reporters or representatives of the News Agencies.

3. **Visitor's Gallery**.—It consists of 132 seats and these are available to the visitors only (both gentlemen and ladies).

4. **Speaker's Gallery**.—It consists of 10 seats and issue of passes for this gallery will be in the absolute discretion of the Speaker and may be asked through a member.

5. **Governor's Box**.—It is reserved for the Governor and the member of the Governor's Staff.