

CONFERENCE OF SECRETARIES OF LEGISLATIVE BODIES IN INDIA

SUBJECTS DISCUSSED SINCE 2000

Hyderabad, 29th May, 2000

1. Tenth Schedule, Article 102(2) and 191(2) – Provisions as to Disqualification on the ground of Defection
2. Can Sub-Judice matters be discussed in the House?
3. Is there any necessity to fix up a limit for asking supplementary Questions?
4. How to regulate the so-called Zero hour?
5. Can the administrative report of the Government be laid in the House before its release?
6. Is there any scope of the Committee on Papers Laid on the Table to examine any paper/report of any Undertakings or any other statutory authority which are not laid on the Table of the House for strict observance of statutory requirement?
7. Status of Special Motions, Censure Motions or any other Motions not specified in the Rules of Procedure and Conduct of Business in any State Legislature

Chandigarh, 27th June, 2001

1. Can quorum of a House as specified in Article 189(3) of the Constitution be altered by Rules of the House?
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3. Can an item of business, which has the effect of eliciting decision of the house be included in the agenda without sufficient advance intimation?
4. Whether the new Government assuming office after General Elections to the Assembly is competent to seek Grants in advance again viz., Vote on Account for a second time in the same year instead of Revised Estimates notwithstanding the 'Vote on Account' already obtained by the outgoing Government for a specific period?
5. What happens when the person presiding the House does not cast his vote in case of a tie?
6. Should not the Rules of Procedure of the House specify the time limits by which the Governor and the President shall signify their assent to a bill presented to them?
7. Parliamentary privileges-Guidelines for implementation

8. What is the remedy against non-implementation of an assurance given by Minister of the floor of the House?
9. The Scope of Discussion in Legislature on the State of Affairs in Judiciary

Bangalore, 19th June, 2002

1. Provision in the Rules for automatic suspension of member for coming into the well of the House and obstructing its business
2. If the Rules of Procedure and Conduct of Business of a State Legislature stipulating a prescribed number of sitting days of the Assembly is binding on the Government or not?
- 3.. Should not statement explaining reasons for promulgating an ordinance be laid at the time of laying of the ordinance on the Table instead of laying at the time of introduction of bill seeking to replace the Ordinance?
4. Does a Bill involving expenditure from the Consolidated Fund, after introduction, require recommendation of the President/Governor for being referred to a Select Committee?
5. Whether adoption of a Motion by the House is necessary for adjourning the House sine-die?
- 6, Whether a Member suspended from the House can exercise his right to vote as Legislator in elections to statutory bodies?
- 7 Should the facilities available to the Speaker remain suspended during the Conduct of general elections to the Parliament and the State Legislatures? If yes, to what extent and what procedure should be adopted for suspending such facilities?
8. Status of the Secretary of the State Legislatures

MUMBAI, 3rd February, 2003

1. Whether the discussion and voting on the motion for disapproval of ordinance gets precedence over the motion for introduction of the bill seeking replacement of ordinance?
2. The power of Legislature Committees to send for persons, etc for evidence. with specific reference to the Public Service Commissions
3. Need to preserve Independence of Legislatures' Secretariat by giving them Financial Autonomy
- 4, Desirability of not including the Audit Paras pertaining to the State Legislature Secretariat in the C & A.G.'s Report

KOLKATA, 8TH OCTOBER, 2004

1. Admissibility of the notice for the removal of Speaker/Deputy Speaker under Article 179 (c) during the inter-session period
2. Whether the rule relating to the allotment of time for the general discussion on the Budget need be relaxed in order to adopt a Motion or Resolution
3. Should the Speaker be assisted by a Committee while taking decision under Anti-Defection Law which is against the Legislative intent of Parliament?
4. Whether the matters relating to “enforcement of attendance of persons for giving evidence or producing documents before Committees” come within the ambit of the powers, privileges and immunities of a House?
5. Setting up of the Committee on Ethics in Parliament and in the State Legislatures
6. Extension of time limit for presentation of the report of the select Committee
7. Whether a member of Assembly/Council who has been declared absconder by any Court in connection with any criminal case is liable to be suspended from the membership of Assembly/Council till he appears before the said Court. And in case he is also absenting from Assembly or Council simultaneously would he be entitled to get pay and allowance for the period of absence?
8. Can a privilege proceeding be initiated against a Judge of an High Court for summoning a Cabinet Minister in a contempt proceeding pending for non-compliance of its previous order?

NEW DELHI, 31ST JULY, 2005

Need for parity in Salary, Allowances, Perks and Terms and Conditions of Service of Secretarial Staff of State Legislatures with State Government / Parliament Secretariat.

RAIPUR THE 14TH NOVEMBER, 2005

1. The Pros & Cons of the Right to Information Act, 2005 with respect to the Power and Functions of the Speaker and Privileges of the State Legislature.
2. Can members of the Legislature give notices of questions / amendments to bills on-line and if so, what are the governing principles under which such a facility can be allowed?
3. What will be the fate of unfinished work of the Committees after dissolution of the Assembly?
4. Is a member of the Assembly / Council who has been declared absconder by any Court in connection with any criminal case liable to be suspended from the membership of the Assembly / Council till he appears before the said Court?

5. Is a member of Assembly or Council, against whom a criminal case is pending, and who is evading his arrest or appearance in Court and a proclamation has been issued against him and, simultaneously, who is absenting from Assembly or Council, as the case may be, entitled to get pay and allowances for the period of his absence from the respective house?
6. Need for uniform guidelines for formation of Independent Legislature Secretariats and review of the question of upgradation of the post of Secretary in the State Legislatures.

THIRUVANANTHAPURAM, 24th MAY, 2007

1. Neither the Tenth Schedule to the Constitution and the Rules thereunder nor any other provisions under the Rules of Procedure in Lok Sabha contain any provisions to deal with the cases of leadership disputes in Legislature Parties. As per the opinion of the Attorney General of India (Shri K. Parasaran) in 1989, in such cases the voice of the majority prevails. In the event of a tie on the issue of leadership in a legislature party, what should be the appropriate course of action for the Presiding Officer to decide such cases ?
2. What if a member of State Legislature elected to the Lok Sabha and not yet resigned from State Assembly, votes in the Lok Sabha and *vice-versa* ? Is there any constitutional bar for such practice ?
3. Desirability of giving effect to Articles 98(2) for Parliament and 187(2) for State Legislatures, related to legislation on the regulation of recruitment and conditions of service of persons appointed to the Secretariat staff of the Houses
4. Procedure for raising matters of urgent public importance for immediate discussion in the House
5. What is the position with regard to the laying of written speeches of Ministers/Members on the Table of the House, particularly when the speeches are supposed to be made on the floor of the House in order to be included in the debates ?
6. Need to evolve certain guidelines for implementation of Right to Information Act.
7. Whether a citizen can be given information relating to proceedings of the House before their Publication ? Similarly, if a matter pending before a Parliamentary Committee lapses due to dissolution of the House without the Report of the Committee being presented to the House or the Speaker, can the proceedings of the Committee (evidence and deliberations) be made available to a citizen under the Right to Information Act ?
8. Right to Information regime *vis-à-vis* Privileges of Legislatures, with special reference to furnishing information relating to administrative matters / parliamentary functioning, events, day to day activities, etc.

CHANDIGARH (HARYANA V.S.), 20TH SEPTEMBER, 2008

1. When will Speakers resume party affiliation after shedding it under para 5 of the Tenth Schedule?
2. In view of the Supreme Court judgment in Rajender Singh Rana Vs. Swami Prasad Maurya delivered on 14.2.07, should not the Speakers and Chairman have powers to pass interim orders to the effect that votes cast by Legislators in violation of whip, be not counted in the result, pending adjudication of such violations on petitions for disqualification?
3. Are Chairmen and Speakers of Upper and Lower Houses of Legislatures empowered to administer oath to Members?
4. Can Oath Taking function be deemed as sitting of the House?
5. When every vote in the Legislatures is routinely bound by whip, should not the Presiding Officers record votes on all motions to check for violations of anti-defection law and abolish "voice vote" from Parliamentary procedure?
6. Notifications and Reports issued by the State Government are laid in the Houses of Parliament when under President's Rule. Whether such notifications and reports can be examined by the new Legislative Committees of the State Legislatures, when appointed?
7. Need to evolve guidelines for implementation of the Right to Information Act.
8. Should Whip be necessarily a Legislator?
9. Is it not conducive for better Parliamentary functioning if notices by fax and e-mail are also allowed?

SUPPLIMENTARY AGENDA:

10. Should a petition filed under para 2(1)(b) of the Tenth Schedule of the Constitution contain the averment that the Party has not condoned the voting or abstention contrary to its directions ? In the absence of such an averment can the petition be rejected ?

BHOPAL, 2ND FEBRUARY, 2010

1. Confidence Vote after the general elections to prove majority: should the address by the President/Governor precede or succeed it?
2. Resignation of Members *en-mass* and the implications thereof
3. Making the Question Hour more Efficient and Effective
4. Declining participation & presence of Members in debates on Bills and sittings of the House

5. Legislatures and the model Code of Conduct of the Election Commission
6. Financial autonomy of Parliament and Legislature Secretariats
7. Confidentiality of Evidence tendered before a Parliamentary Committee *vis-a-vis* disclosures under the RTI Act, 2005
8. Conflict of interests of Members of Committees need to have a fair and reasonable approach

SRINAGAR, 19TH JUNE, 2010

1. Resignation by Member from State Assembly on election to Parliament – Implication of non-acceptance of resignation by the Speaker
2. What is the impact of expulsion of a Member from his party, on his membership of the House? Can he continue to hold various official positions, including Chairmanship of a Parliamentary/Legislative Committee even after his expulsion?
3. Conflict of interests of Members of Committees need to have a fair and reasonable approach
4. Can a Citizen access the report of Committee of Inquiry under RTI before it is laid on the Table of the House of the Legislature
5. Legislative Bodies *vis-a-vis* the RTI
6. Violation of Members' Protocol – Need to evolve a procedure

SUPPLEMENTARY AGENDA:

7. Authority of the House to expel a Member for breach of privilege and the extent of its Judicial Review in view of the Amrinder Singh's case"

JAIPUR, 20TH SEPTEMBER, 2011

1. Disclosure of information from 'Register of Members' Interest' under the RTI Act, 2005.
2. Decisions taken by the Presiding Officers in the Discharge of his Constitutional and Legislative functions – Disclosure of reasons under Right to Information Act.
3. Procedure for Election of Speaker when the Deputy Speaker/Minister is a candidate.
4. Whether State Legislature can withdraw a Bill which has been reserved by the Governor for the consideration of the President?

5. Procedure for presentation of Committee reports when the Chairman is not in agreement with the majority of Members.
6. The consequences of suspension of members by passing the resolution by the House.
7. Whether the Financial Memorandum is required to each and every financial Bill even if it does not involve imposition, abolition, alteration and remission of any Tax?
8. If the principal Act is published after obtaining the Assent of the President, is it necessary to obtain Assent of President for amending the principal Act?
9. Autonomy of Legislature Secretariat in respect of creating new post, recruitment of staff, administration and financial matters.
10. Desirability of periodical interchange of services of the Officers and staff of Rajya Sabha, Lok Sabha and State Legislature Secretariats?
11. Enhancing the Minimum Educational Qualifications for Members of the Municipal Education Board under the Bombay Primary Education Act, 1947.
12. Not maintaining the dignity and respect of the Members in Public and Government functions

LUCKNOW, 30TH JANUARY, 2015

1. The Need for a broad based Questions Procedure.
2. Question of Privilege
3. Whether ratification of a Constitution Amendment Bill under Article 368 by State Legislatures may include a proposal for amendments also?
4. Prioritization of Notices to be done by ballots / lots or should be left to the discretion of the Speaker
5. Legislature and Information Technology
6. Discussions of the Secretaries' Conference – Follow up mechanism

GANDHINAGAR, 21ST JANUARY, 2016

1. Communicating Legislatures to People: Initiatives and Challenges.
2. How to make the Members Information Service more effective, including providing Research Support to the Committees of the Legislature for the Efficacy of their Investigatory Role.

3. Changing Dimensions of Legislative Libraries: Imperative of Digitisation of Legislative Debates and other Relevant Documents.
4. Audio and Video recording of the Debates of the House and their legal validity.
5. Right of the Governor to address the House.
6.
 - (i) Prioritization of notices to be done by ballots / lots or should be left to the discretion of the Speaker.
 - (ii) Procedure followed for determination of inter-se priority when a number of notices of No-Confidence Motion are received for the same sitting.
7.
 - (a) How to reckon the period of six weeks in case of an Ordinance laid before the bicameral State Legislatures?.
 - (b) If an Ordinance is not laid before both the Houses on the same day of re-assembly of the bicameral State Legislature and an Ordinance is laid before one House and the Ordinance conversion Bill is introduced and passed by that House before laying such Ordinance in the other House, what will be the consequences?
8. Whether the Government can seek Supplementary or Additional Demands for Grants before passing of the Appropriation Bill for the Financial Year.
9. Need to simplify and redefine the Rules of Procedure after the experience of sixty five years of Parliamentary Democracy in India.
10. Committee System: Key Instrument of ensuring Executive Accountability to the Legislature.
