

RULES OF PROCEDURE OF THE COMMITTEE ON PUBLIC UNDERTAKINGS
(INTERNAL WORKING)

1. Selection of subjects for examination - (1) The Committee shall select from time to time for examination such Public Undertakings or such subjects as they may deem fit and as fall within their terms of reference.

(2) The programme of work for the examination of subjects may be determined by the committee from time to time.

2. Appointment of Study Groups - (1) The Committee may from time to time appoint one or more Study Groups for carrying out detailed examination of various subjects.

(2) The functions of the Study Groups shall be as set out in the Annexure- I to these rules.

3. Notice of sitting - When the date and time of a sitting of the Committee have been fixed by the Chairman, notice thereof shall be circulated to the Members of the Committee.

4. Material to be furnished to the Committee - The Department Undertaking concerned with the subjects to be examined by the Committee shall be asked in writing by the Secretariat to furnish thirty sets of the necessary material for the use of the members of the Committee. The preliminary material to be furnished to the Committee in respect of an Undertaking shall generally be on the lines set out in Annexure II.

5. Circulation of material to members - The material shall be circulated to the members with a covering memorandum as soon as possible after its receipts in the Secretariat.

6. Papers circulated to the Committee to be treated as confidential. - The papers circulated to the Committee shall be treated as confidential and the contents thereof shall not be divulged to anyone nor shall any reference be made to such information outside the Committee at any time before the report on the subject has been presented to the House. Thereafter, reference may be made only to such information as is available in the documents or records laid on the Table.

7. Questions by Members - (1) The members may, after going through the papers, frame questions or points on which further information is required by them.

(2) These questions or points shall be sent by members to the Secretariat by a date to be specified by the Chairman.

8. Questionnaire for the Department/Undertaking - (1) The questions and points suggested by members, together with other relevant points concerning the subject under examination, shall be consolidated in the form of a questionnaire. The questionnaire shall be circulated to all members of the Committee with explanatory notes wherever necessary.

(2) The questionnaire and the suggestions received from the members shall be considered by the Study Group/Committee. After the approval by the Chairman, the questionnaire shall be sent to the Undertaking/Department, which shall furnish to the Secretariat thirty sets of thereto by a date to be specified by the Chairman.

(3) Copies of the questionnaire shall be circulated to the members of the Committee.

(4) The replies received to the questionnaire from the Undertaking Department shall be circulated to the member in the manner prescribed in rule 5 of these rules.

(5) Where further clarification is required on any point or additional information is desired, it may be called for in the manner prescribed in sub-rule (2) of this rule.

9. Points for oral examination - (1) The Secretariat shall prepare a list of points and/or questions for oral examination of the witnesses incorporating therein any suggestions that may be received from members in this regard, for approval by the Chairman.

(2) Advance copies of the list of points or questions may be circulated to the members of the Committee.

10. Procedure when taking oral evidence - The Chairman shall put questions one by one to the witness. If a member desires to put a question, he shall do so with the permission of the Chairman. In case the witness is not in a position to elucidate any point immediately he may be permitted by the Chairman to furnish a reply to the Secretariat in writing as soon as may be thereafter.

11. Recall of Witnesses -The Committee may recall any witness to give further evidence on any point, which is under consideration of the Committee.

12. Examination of Witnesses - The Committee may, wherever necessary, take the oral evidence of the representative of the Undertakings under examination, separately from those of the Department concerned.

13. Points on which further information is required - The Secretariat shall note down the points on which further information is required by the Committee and under the directions of the Chairman take such action in the matter as may be necessary.

14. Supply of notes and material by Study Group to Committee - The Study Group may make available to the Committee such of the tour notes, study reports and other reports on paper as they consider necessary.

15. Production of Documents - (1) The Committee may send for persons, papers and records required in connection with the examination of the Undertaking / Department, in terms of rule 233 A of the Rules of Procedure. In the case of secret documents required by the Committee, such papers may be made available by Undertaking/ Department confidentially to the Chairman in the first instance unless it is certified by Minister concerned that the document could not be made available on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) The Chairman may give due consideration to the wishes of the Undertaking/ Department before making any secret documents available to the members of the Committee and difference of opinion between the Undertaking/ Department and the chairman may be settled by discussions and if no satisfactory arrangement is arrived at, the matter shall then be placed before the Speaker for his decision.

16. Verbatim Proceedings - The verbatim proceedings shall be for the use of the Committee only and only such papers as have been laid on the Table of the House will be made public.

17. Minutes of Sitzings - The Secretariat shall draft minutes of the sitting of the Committee/Study Group for approval of Chairman/Convener or the member who presided at the sitting, as the case may be.

18. Circulation of Minutes - The minutes of each sitting of the Committee shall be circulated to the members of the Committee.

19. Laying of Minutes on the Table - The minutes of the sittings of the Committee shall be laid on the Table of the House as soon as possible after the presentation of the report to which they relate.

20. Preparation of Draft Report - (1) When the examination of any subject has been completed, the concerned Study Group shall frame its conclusions and recommendations at a sitting which may be attended by other members of the Committee.

(2) On the basis of the conclusions and recommendations of the Study Group a draft of the report shall be prepared and shall, unless otherwise directed, be circulated to the members of the Study Group for their consideration.

(3) The draft report as prepared under sub-rule (2) above shall be circulated to the members of the Committee after it has been approved by the Chairman and then considered at a sitting of the Committee. The report of the Committee shall embody the decisions of the majority of the members present.

(4) There shall be no minute of dissent to the reports of the Committee.

(5) In case it is not possible or convenient to hold a sitting of the Committee for the consideration and adoption of a draft report, the Chairman may, with the permission of the Committee, finalize such report on the basis of the suggestions and comments received in writing from members.

21. Supply of advance copies of report to Departments for factual verification - Advance copies of the report finalized by the Committee shall be marked 'secret' and sent to the concerned Undertaking/ Department and also to the Finance Department, for verification of factual details. It shall be enjoined on them to treat the contents of the report as secret until the report is presented to the House.

22. On receipt of the comments of the Undertaking/Department, the Chairman may make suitable modifications in the report to correct factual inaccuracies, if any, or may direct that the matter be placed before the Committee for consideration.

23. Presentation of report - The report shall ordinarily be presented to the House by the Chairman, but if he is unable to do so, one of the members of the Committee who may be authorised by him may present the report on his behalf.

24. Distribution of report - As soon as possible after presentation of the report to the House, copies thereof shall be made available to the members of the Rajasthan Legislative Assembly and other persons, authorities etc. concerned.

25. Scrutiny of statement of action taken by Government - (1) The statement showing the action taken by Government on the recommendations contained in the report of the Committee shall be put up with suitable comments to the Study Group appointed for the purpose for examination and then together with the recommendations of the Study Group placed before the Chairman.

(2) Any point, which in the opinion of the Study Group or the Chairman requires consideration by the Committee, shall be specifically referred to the Committee.

(1) On the basis of the comments made by the Study Group and the suggestions of the Chairman, if any, a draft report shall be prepared. The draft report shall then be considered by the Study Group and after it has been approved by the Chairman it shall be circulated to the members of the Committee. The report shall be finalized by the Chairman on the basis of the

comments received from members and after factual verification by the Undertaking/Department concerned, presented to the House in the usual manner.

26. Attendance of persons other than members of the Committee at its sitting - A member of Rajasthan Legislative Assembly who is not a member of the Committee, or a member of any other State Legislature, or an Officer of any other State Legislature, may with the permission of the Chairman, attend, a sitting of the Committee when evidence is being taken by them, but not when the Committee is deliberating. Such member or officer shall not, however, take part in any manner in the proceedings of the Committee nor sit in the body of the Committee.

27. Publicity to activities of the Committee -The Secretariat shall, under the directions of the Chairman, arrange to give suitable publicity, through the Bulletin and the press, to the sittings of the Committee and of its Study Groups for the information of the public.

28. Incorporation of points of procedure in the rules - Any addition or alteration to these rules from time to time shall be incorporated in the rules after due approval.

ANNEXURE I (Vide Rule 2)

Functions of the different Study Groups of the Committee on Public Undertakings,

A. Study Group dealing with a fresh subject:

1. To study intensively the material supplied by the Government/ Department/ Undertaking etc.
2. To prepare the questionnaire to be issued after the approval of the Chairman to the Department /Undertaking etc.
3. To undertake study tours and prepare study notes thereof.
4. To indicate the broad points on which draft reports may be prepared.
5. To discuss the draft report before circulation to the whole Committee.

B. Study Groups dealing with action taken by Government on the earlier Reports:

1. To scrutinize replies received from Government.
2. To indicate points on which draft report may be prepared.
3. To discuss draft report before circulation to the whole Committee.

ANNEXURE II (Vide Rule 4)

Points to be covered in the Preliminary Material to be furnished by a Department/Undertaking:

- (i) Historical Background together with copies of Statutes/ Memorandum and Articles of Association of the Corporation/Company Rules, Regulations issued there under if any.
- (ii) Note giving briefly the objects and present functions of the Corporation/Company together with copy of the Instrument of instructions issued by Government, if any.

- (iii) (a) Organizational setup of the Corporation / Company, including that of its various projects/ offices. This information may be shown in the form of a Chart supported by short explanatory note.
- (b) Organizational setup in the Administrative Department Which coordinates/controls the work of the Corporation/Company.
- (iv) A detailed account of the working (the financial as well as physical terms) of the Corporation/Company year-wise, since its inception with reference to programme or plan. Reasons for variation between the programme and the achievement, if any may be furnished.
- (v) The original estimates, revised estimates and actual expenditure on the various projects for the last three years together with a brief note indicating the reasons for variations, if any.
- (vi) Current programme and future plans of the Corporation/Company.
- (vii) (a) Copies of the Annual Reports and Accounts for the last three years, together with administrative reports and reviews of Government, if any.
- (b) Copies of monthly/quarterly reports submitted by the Chairman and the Financial Controller to Government during, the last one year.
- (viii) Copies of Reports of any inquiry on investigation conducted into the working of the Corporation/ Company.
- (ix) Notes giving main features of the Project Reports, if any, relating to each Project undertaken by the Corporation Company i.e. their estimated cost, scheduled dates of commissioning of the various units in each project, annual rated capacity (both in terms of quantity and value) and the year of reaching that capacity, staff required (category-wise) etc. together with the latest position with reference to each aspect.
- (x) Copies of agreement, if any, entered into with Consultants/Collaborator.
- (xi) Copies of directives, if any, issued by Government.
- (xii) A brief note indicating the position of similar undertaking in other states.
- (xiii) Any other information, which the Department/Undertaking would like to place before the Committee.

APPENDIX III

Rule 233 A and 233 B of the Rajasthan Legislative Assembly Rules Committee on Public Undertakings

233A. Functions of Committee on Public Undertakings

There shall be a Committee on Public Undertakings for the examination of the working of the public undertakings specified in the Fifth Schedule. The functions of the Committee shall be -

- (a) to examine the reports and accounts of the public undertakings specified in the Fifth Schedule and such other undertakings as may be decided by the House from time to time or the Speaker when the House is not in Session.
- (b) to examine the reports, if any of the Comptroller and Auditor-General on the Public undertakings;

- (c) to examine in the context of the autonomy and efficiency of the public undertakings, whether the affairs of the public undertakings are being managed in accordance with sound business principles and prudent commercial practices; and
- (d) to exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates in relation to the Public Undertakings specified in the Fifth Schedule as are not covered by Clause (a), (b) and (c) above and as may be allotted to the Committee by the Speaker from time to time.

Provided that the Committee shall not examine and investigate any of the following namely:-

- (i) matters of major Government policy as distinct from business or commercial functions of the public undertakings;
- (ii) matters of day to day administration;
- (iii) matters for the consideration of which machinery is established by any special statu under which a particular public undertaking is established:

233 B Constitution of Committee

(1) The Committee shall consist of not more than fifteen members who shall be elected by the House every year from amongst its members according to the principal of proportional representation by means of the single transferable vote:

Provided that the Speaker may fill up casual vacancies not exceeding one-third of the total membership of the Committee by nomination. Such nominated members shall hold Office till the Vacancies to which they are nominated are filled by election by the House or for the remaining term of Office whichever is earlier:

Provided further that a Minister shall not be elected or nominated a member of the Committee, and that if a member, after his election or nomination to the committee, is appointed a minister he shall cease to be a member of the Committee from the date of such appointment.

(2) The term of office of members of the Committee shall not exceed one year:

Provided that the Speaker may at any time extend the term of office not exceeding six months.

FIFTH SCHEDULE LIST OF THE PUBLIC UNDERTAKING (See Rule 233-A)

1. Ganganagar Sugar Mills.
2. Palana Colliery.
3. Rajasthan State Road Transport Corporation.
4. Rajasthan Rajya Vidyut Utpadan Nigam Ltd.
5. Rajasthan Rajya Vidyut Prasaran Nigam Ltd.
6. Jaipur Vidyut Vitran Nigam Ltd.
7. Ajmer Vidyut Vitran Nigam Ltd.
8. Jodhpur Vidyut Vitran Nigam Ltd.

9. Rajasthan Small Scale Industries Corporation.
10. Rajasthan State Hotel Corporation.
11. Rajasthan Financial Corporation.
12. Rajasthan State Warehousing Corporation.
13. Rajasthan State Agro-Industries Corporation Ltd.
14. Rajasthan State Industrial Development and Investment Corporation.
15. Woollen Mills, Bikaner.
16. Sodium Sulphate Works, Didwana.
17. Rajasthan Housing Board.
18. Rajasthan Cooperative Dairy Federation Ltd.
19. Rajasthan State Tanneries Ltd.
20. Rajasthan State Text-Book Board.
21. Rajasthan State Mines and Minerals Ltd.
22. Rajasthan Tourism Development Corporation Ltd.
23. Rajasthan State Road Development & Construction Corporation Ltd.
24. Rajasthan State Seeds Corporation Ltd.
25. Rajasthan State Handloom Development Corporation Ltd.
26. Rajasthan Land Development Corporation.
27. Rajasthan Khadi Gramodyog Mandal.
28. Rajasthan State Forest Development Corporation Ltd.
29. Rajasthan Tribal Area Development Cooperative Federation Ltd.
30. Rajasthan State Cooperative Sheep & Wool Marketing Federation Ltd.
31. Rajasthan Rajya Sahakari Upbhokta Sangh Ltd.
32. Rajasthan State Cooperative Marketing Federation Ltd.
33. Rajasthan State Cooperative Housing Federation Ltd.
34. Shri Keshoraipatan Sahakari Sugar Mill Ltd., Keshoraipatan.
35. Rajasthan Cooperative Spinning and Jining Mills Federation Ltd.
36. Shri Ganganagar Cooperative Oil Seed Processing Mills Ltd., Gazingpura..
37. Rajasthan Rajya Sahakari Tilhan Sangh (Tilam Sangh).
38. Rajasthan Water Development Corporation Ltd.
39. Rajasthan Renewable Energy Corporation Ltd.

RAJASTHAN LEGISLATIVE ASSEMBLY

Direction No. 1.

Dated the 27th August. 1957.

Subject-Points of conduct and etiquette for the guidance of witnesses appearing before the Committees of the Legislative Assembly and their committees,

In pursuance of the provision of rule 307 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly, the Speaker has approved the following points of conduct and etiquette for the guidance of witnesses appearing before the Committees of the Legislative Assembly and their sub-committees -

1. Due respect to the Chairman and the Committee/ Sub-Committee should be shown by the witness by bowing while taking his seat.

2. The witness should take the seat earmarked for him opposite to the seat of the Chairman.

3. The witness should take the oath or make affirmation, if so asked by the Chairman. The oath or affirmation will be administered by the Secretary. The witness will take the oath or make affirmation standing in his seat and bow to the Chair just before taking the oath or making the affirmation and immediately afterwards.

4. The witness should answer specific questions put to him either by the Chairman or by a Member of the Committee or by any other person authorised by the Chairman the witness may be asked to place before the Committee any other points that have not been covered and which a witness thinks are essential to be placed before the Committee.

5. All submissions to the Chair and the Committee should be couched in courteous and polite language.

6. When the evidence is completed and the witness is asked to withdraw, he should while leaving, bow to the Chair.

7. The witness should not smoke or chew when he is seated before the Committee.

8. The following acts shall constitute breaches of privileges and contempt of committee:-

- (a) Refusal to answer questions, unless it be on the ground that the disclosure of the information sought for would be prejudicial to the safety or interest of the State.
- (b) Prevarication or willfully giving false evidence or suppressing the truth or misleading the Committee.
- (c) Trifling with the Committee, returning insulting answers.
- (d) Destroying or damaging a material document relative to the enquiry.

RAJASTHAN LEGISLATIVE ASSEMBLY

Direction No.3.

Dated the 21st July, 1961

Subject – Direction by the Speaker under the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly.

In exercise of the powers conferred upon me under rule 307 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly, I issue the following directions regarding presentation of a report of a Committee to the Speaker under rule 205 :-

“Presentation of a Report of a Committee to the Speaker under rule 205.

(1) Ordinarily the report of a Committee shall be presented to the House, but in case the Committee complete their when the House is not in session, the Chairman of the Committee may present it to the Speaker.

(2) The Speaker may under the provisions of rule 205 order the printing, publication or circulation of the report before it is presented to the House.

(3) Where a report presented to the Speaker or where its printing, publication or circulation have been ordered by the Speaker, the fact shall be notified in the Bulletin.

(4) The Speaker may, if so requested by the Committee, direct that matters of factual nature, or Patent errors may be corrected, in the report presented to him by a Committee, before the report is printed, published or circulated and later presented to the House.

(5) The report shall be presented to the House during the next session at the first convenient opportunity by the Chairman or in his absence by a Member of the Committee. While presenting the report, the Chairman or in his absence the Member presenting the report shall confine himself to a brief statement to the effect that the report was presented to the Speaker when the House was not in session and that orders for its printing, publication or circulation were given by the Speaker under rule 205.

(6) Where the Assembly is dissolved after the presentation of the report to the Speaker, and before the presentation of the report to the House, the report shall be laid by the Secretary on the Table of the new House at the first convenient opportunity, While laying the report the Secretary shall make a statement to the effect that the report was presented to the Speaker of the preceding Assembly before its dissolution and where it was ordered by the Speaker to be printed, published or circulated under rule 205, the Secretary shall also report that fact to the House.”

RAJASTHAN LEGISLATIVE ASSEMBLY

Direction No. 7

Dated the 17th November, 1969

Subject – Directions by the Speaker under Rule 307 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly.

In exercise of the powers conferred upon me under rule 307 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly, I issue the following directions regarding appointment of a member of Government Committee as Chairman or member of Committee on Estimates/Public Accounts/Public Undertakings:-

Appointment of a member of Government Committee as Chairman or member of Committee on Estimates/Public Accounts/Public Undertakings:-

(1) Whenever a member, who is a member of Committee Constituted by Government is elected to the Committee on Estimates or the Committee on Public Accounts or the Committee on Public Undertakings, the matter shall be placed before the Speaker for deciding whether the member shall be permitted to continue his membership of the former Committee.

(2) Where the Speaker considers it in appropriate that a member should continue to serve on the Government Committee after his election to the Committees on Estimates or the Committee on Public Account or the Committee on Public Under takings, its the case may be, the member shall, if so required by the Speaker resign membership of the Committee constituted by Government.

(3) Where in the interest of Parliamentary work, the Speaker Permits a member elected to the Committee on Estimates or Public Accounts or Public Undertakings to continue to hold the membership of a Committee constituted by the Government, he may, require that report of the Government Committee shall be placed before the Committee on Estimates Public Accounts or Public Undertakings, as the case may be, for such comments as the later Committee may deem fit to make before it is presented to Government.

RAJASTHAN LEGISLATIVE ASSEMBLY

Direction No. 11

Jaipur, September 5, 1981

Subject – Direction by the Speaker under rule 307 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly.

In exercise of the powers conferred upon me by rule 307 of the Rules of Procedure and Conduct of Business, in the Rajasthan Legislative Assembly. I issue the following direction with the object of removing any difficulty in the functioning of a Committee of the Rajasthan Legislative Assembly in the event of the office of the Chairman thereof being Vacant or of his not being unavoidably available:-

“Where the office of the Chairman of any of the Committees of the Rajasthan Legislative Assembly is vacant or where the Speaker is satisfied that he is unavoidably not available owing to reasons of illness or otherwise and where the Speaker is further satisfied that circumstances exist wherein it is expedient to call a meeting of the Committee, he may direct the Secretary to call a meeting of the said Committee, provided that no such meeting has already been fixed by a decision of the Committee,”

Direction No. 12

Jaipur, Dated 18th May, 1982

Subject – Attendance of Hon'ble Members in the sittings of the various Committees of the Legislative Assembly.

In exercise of power conferred upon me by rule 307 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly, the following direction is issued regarding the sittings of various Committees of the Rajasthan Legislative Assembly in pursuance of sub-rule (2) of rule (2) of rule 184 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly :

1. At each sitting the Committee shall ordinarily meet for at least one and a half hour unless the Chairman certifies in writing that a shorter duration of the sitting will serve the purpose.

2. If there is no quorum after half an hour from the commencement of the sitting the sitting shall stand adjourned.

3. In case of the adjournment of the sittings for two consecutive days, the Chairman shall fix the next date for the sitting.

4. Unless a member is present during the sitting for at least half the total duration of the sitting, he shall not be paid daily allowance for that day in accordance with sub-rule (3) of rule 13 of the Rajasthan Legislative Assembly Member's Travelling and Daily Allowance Rules, 1964.

5. The attendance register shall be closed immediately after the sitting is adjourned.

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