

## **Rules for the Internal working of the Committee of Privileges**

**1. Examination of questions of privileges referred to Committee:-** When a question of privilege is referred to the Committee by the House or by the Speaker, a memorandum on the Subject shall be prepared by the Rajasthan Legislative Assembly Secretariat for the consideration of the Committee. The memorandum shall also state briefly the point of privilege involved, the facts of the case, and the practice and precedents bearing on the question, including those relating to the House of Commons, U.K.

**2. Notice of sitting and circulation of agenda papers:-** When the date and time of a sitting of the Committee have been fixed, notice thereof along with the agenda shall be circulated to the members of the Committee.

**3. Papers circulated to Committee to be treated as confidential:** The papers circulated to the Committee shall be marked and treated as confidential and the contents thereof shall not be divulged to anyone without the permission of the Chairman.

**4. Minutes of sittings:-** The Secretariat shall prepare draft minutes of the sitting of the Committee for approval of the Chairman or the member who presided at the sitting, as the case may be.

**5. Mention of evidence in minutes:-** The fact that evidence was given before the Committee shall be mentioned in the minutes of the relevant sitting.

**6. Attendance of persons other than members of the Committee at its sittings:-** 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 but sit in the body of the Committee.

**7. Circulation of minutes:-** The minutes of each sitting of the Committee shall be circulated to the members of the Committee.

**8. Report of Committee:-** The Secretariat shall prepare draft report of the Committee containing their recommendations which, after approval by the Chairman, shall be placed before the Committee.

**9. Minutes to be appended to report:** - The minutes of sittings and such evidence as the Committee may direct shall be appended to the report of the Committee.

**10. Presentation of report:-** (1) When a question of privilege has been referred to the Committee by the House under the rule 161 of the Rules of Procedure, the report of the Committee shall be presented to the House by the Chairman or, in his absence by any member of the Committee.

(2) When a question of privilege has been referred to the Committee by the Speaker under rule 162 of the Rules of Procedure, the report of the Committee shall be presented to the Speaker who may pass final orders thereon or direct that it be laid on the Table of the House.

**11. Circulation of report:-** As soon as possible after the report is presented to the House or is laid on the Table, copies thereof shall be circulated to the members of the House.

## ANNEXURE

### Relevant extracts of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly.

**234. Constitution of Committee of Privileges:-** At the commencement of the House or from time to time, as the case may be, the Speaker shall nominate a Committee of Privileges consisting of not more than fifteen members:

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 a Minister, he shall cease to be a member of the Committee from the date of such appointment.

**235. Examination of question by Committee:-** (1) The Committee shall examine every question referred to it and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach, the circumstances leading to it and make such recommendations as it may deem fit.

(2) Where the House or the Speaker, as the case may be, has not fixed any time for the presentation of the report by the Committee, the report shall be presented within a period of six months in the case of a motion referred to the Committee by the Speaker under Rule 162, or where the question of privilege has been referred by the House, not later than the last day of the first week of the session commencing after the expiry of six months from the last day of session in which the question has been so referred:

Provided that where the Committee has not been able to finish its work, the Speaker or the House, as the case may be, may, on a motion made by the Chairman, extend the time for the presentation of the report.

(3) Where a question has been referred to the Committee on the complaint made by a member or any other person, it shall not be open to the complainant to withdraw the complaint at any stage of the examination of the same by the Committee.

(4) The report may also state the procedure to be followed by the House in giving effect to the recommendations made by the Committee.

**236. Consideration of report:-** (1) After the report has been presented, the Chairman or any member of the Committee or any other member shall move that the report be taken into consideration, where upon the Speaker may put the question to the House.

(2) Before putting the question to the House, the Speaker may permit a debate on the motion, not exceeding half an hour in duration, and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the House.

(3) After the motion made under sub-rule (1) is agreed to, the Chairman or any member of the Committee or any other member, as the case may be, may move that the House agree, or disagree or agree with amendments, with the recommendations contained in the report.

**237. Priority for consideration of report of Committee:-** A motion that the report of the Committee be taken into consideration shall be accorded the priority assigned to a matter of privilege under sub-rule (1) of Rule 160, unless there has been undue delay in bringing it forward:

Provided that when a date has already been fixed for the consideration of the report it shall be given priority as a matter of privilege on the day so appointed.

**237A. Treatment of a report in respect of which no motion that the report be taken into consideration has been made:-** The recommendations contained in a report of the Committee which has been presented to the House and in respect of which no motion has been made under sub-rule (1) of Rule 236 before the expiry of the first week of the session succeeding the session in which the same has been presented, shall be deemed to have been agreed to by the Assembly at the expiry of the first week of the session, unless any member moves before such expiry that the House disagrees, or agrees with amendment, with the said recommendations, in which case the matter shall be decided by the House.

□□□