

CHAPTER XII-A

Ratification of Amendment of the Constitution

118A. A. Message regarding ratification of amendment of Constitution.—

(1) If a message from a House of Parliament for the ratification of an amendment of the Constitution under the proviso of Article 368 of the Constitution is received by the Secretary when the House is in session, he shall report the message to the House at the earliest opportunity after its receipt and lay the same on the Table.

(2) If the House is not in session at the time the message is received, a copy of the message shall, as soon as it is received by the Secretary, be forwarded by him to every member and the Secretary shall report the message to the House and lay the same on the Table on the first day of the next session or as soon as may be thereafter.

(3) The Secretary shall forward a copy of the message to the State Government at the first convenient opportunity after its receipt and in any case within three days of its receipt.

(4) Copies of the Bill as passed by the Houses of Parliament making provision for the proposed amendment to the Constitution, received with the message, shall be forwarded to the State Government and shall be made available for use of members.

118B. Notice of resolution.—After the message has been laid on the Table under rule 118AA, any member may, after giving seven days notice, or, with the consent of the Speaker, at shorter notice, move a resolution that the amendment to the Constitution proposed by the Bill be ratified:

Provided that any member may object to the resolution being moved if copies of the Bill have not been made available for the use of members for three days before the resolution is moved and such objection shall prevail unless the Speaker allows the resolution to be moved.

118C Discussion of resolution.— (1) The Speaker shall, in consultation with the Leader of the House, fix a date for a discussion on the resolution.

(2) No amendment shall be proposed to such a resolution.

118D. Communication of decision on resolution.— (1) If the resolution is passed by the House, a message shall be sent to the House of Parliament from which the message referred to in rule 118AA was received, that the Assembly ratifies the amendment.

(2) If the resolution is rejected by the House, a message shall be sent as aforesaid that the Assembly does not ratify the amendment.

(3) If no resolution is moved during the session in which the message of the House of Parliament is laid on the Table, the Secretary shall send information to the effect to the Secretary General or Secretary, as the case may be, of the House of Parliament from which the message was received.

118E. Procedure for ratification when communication received direct by Government.— (1) If instead of a message referred to in rule 118AA, a communication for the ratification of an amendment of the Constitution proposed by a Bill passed by Parliament is received by the State Government, any Minister may, notwithstanding anything contained in this chapter, after giving seven days notice or, with the consent of the Speaker, at shorter notice, move a resolution that the amendment to the Constitution, proposed by the Bill be ratified.

(2) The provisions contained in the proviso to rule 118B and rule 118C shall apply to such resolution.

(3) The decision taken by the House on the said resolution shall be communicated by the Secretary to the State Government and to the Secretary or the Secretary-General, as the case may be, of the House of Parliament from which the communication was received by the State Government.