

CHAPTER XIII

Motion

119. Discussion on a matter of public interest.— Save in so far as is otherwise provided in the Constitution or in these rules, no discussion on a matter of general public interest shall take place except on a motion made with the consent of the Speaker.

120. Notice of motion.— Notice of a motion shall be given in writing addressed to the Secretary.

121. Conditions of admissibility of motion.— In order that a motion may be admissible, it shall satisfy the following conditions, namely :—

- (i) it shall raise substantially one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;
- (iv) it shall be restricted to a matter of recent occurrence;
- (v) it shall not raise a question of privilege;
- (vi) it shall not revive discussion of a matter which has been discussed in the same session;
- (vii) it shall not anticipate discussion of a matter which is likely to be discussed in the same session;
- (viii) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (ix) if it contains a statement, the member shall make himself responsible for the accuracy of the statement;
- (x) it shall not seek discussion on a paper or document laid on the Table of the House by a private member;
- (xi) it shall not ordinarily relate to matters which are under consideration of a Parliamentary Committee;
- (xii) it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;
- (xiii) it shall not relate to a matter which is not primarily the concern of the State Government;
- (xiv) it shall not raise matters under the control of bodies or persons not primarily responsible to the State Government;
- (xv) it shall not relate to a matter with which a Minister is not officially concerned;
- (xvi) it shall not refer to or seek disclosure of information about matters which are in their nature secret such as Cabinet discussions or advice given to the Governor in relation to any matter in respect of which there is a constitutional, statutory or conventional obligation not to disclose information; and
- (xvii) it shall not relate to a trivial matter.

122. Speaker to decide admissibility of motion.— The Speaker shall decide whether a motion or a part thereof is or is not admissible under these rules and may disallow any motion or a part thereof when in his opinion it is an abuse of the right of moving a motion or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

123. Motion for raising discussion on matters before tribunals, commissions, etc.— No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter shall ordinarily be permitted to be moved:

Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

123A. Publication of admitted motions.— If the Speaker admits the notice of a motion and no date is fixed for the discussion of such motion, it shall be notified in the Bulletin with the heading "No-Day-Yet-named Motions".

124. Allotment of time and discussion of motions.— The Speaker may, after considering the state of business in the House and in consultation with the Leader of the House, allot a day or days or part of a day for the discussion of any such motion.

125. Speaker to put question at the appointed time.— The Speaker shall, at the appointed hour on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to determine the decision of the House on the original question.

125A. Time limit for speeches.—The Speaker may, if he thinks fit, prescribe a time limit for speeches.

126. Discussion of Reports, etc.— In any session or sessions of the House, the House shall discuss every year such of the following reports, etc. as have been laid on the Table of the House, on the recommendation of the Business Advisory Committee, namely :—

- (a) Annual Report of the Rajasthan Public Service Commission;
- (b) Report of the Commissioner for Scheduled Castes and Scheduled Tribes;
- (c) Report of the Lokayukta and the Up-Lokayukta;
- (d) The Annual Accounts and Reports of the following :-
 - (1) Rajasthan State Road Transport Corporation;
 - (2) Rajasthan State Electricity Board, alongwith the Annual Financial Statement thereof;
 - (3) Rajasthan Small Scale Industries Corporation;
 - (4) Rajasthan Financial Corporation;
 - (5) Rajasthan State Agro-Industries Corporation;
 - (6) Rajasthan State Industrial Development and Investment Corporation;
 - (7) Rajasthan State Mines and Minerals Ltd.;
 - (8) Rajasthan State Mineral Development Corporation;
 - (9) Rajasthan Housing Board;
 - (10) Rajasthan Co-operative Dairy Federation;
 - (11) Rajasthan State Tanneries Ltd.;
 - (12) Rajasthan State Text Book Board;

Provided that the Speaker may, on the advice of the Business Advisory Committee, include for discussion during a particular year any other Board, Corporation or Public Undertaking in the above list.