

Rules of Internal Working of the Committee on Petition

1. **Examination of petitions and presentation :-** Every petition, received through a member, shall first be examined by the Assembly Secretariat to see that it conforms to the Rules of Procedure and, if found admissible, shall be presented to the House by the member who has countersigned it, or reported to the House by the Secretary, as the case may be.

The Speaker may refer any petition to the Committee on Petitions in inter-session period.

2. **Preparation of memoranda on petitions :-** (1) After the presentation of report of a petition to the House, the Assembly Secretariat shall prepare a memorandum on the petition for the consideration of the Committee indicating briefly therein the grievance and prayer of the petitioner, the background of the case and the remedy suggested, if any.

(2) The facts or comments on the petition obtained from the Government shall also be suitably incorporated in the memorandum.

3. **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 agenda and copies of the petitions mentioned therein, shall be circulated to the members of the Committee.

4. **Papers circulated to 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 without the permission of the Chairman.

5. **Special invitees :-** A member who is not a member of the Committee may be invited to attend a sitting of the Committee under the orders of the Chairman but he shall not have a right to vote.

6. **Record of proceedings :-** A record of the proceedings of each sitting of the Committee shall be kept.

7. **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.

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

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

10. **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, 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.

11. **Facts to be obtained from the Government :-** Where the Committee so direct, facts of the case or comments of the Government on a petition shall be obtained by the Assembly Secretariat and placed before the Committee for consideration.

12. **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. The Committee, after discussion, shall either approve the report or may give further directions.

13. Presentation of Report :- The report of the Committee shall be presented to the House or to the Speaker, as the case may be, by the Chairman or, in his absence, by any member of the Committee who attended the sitting at which the report was approved by the Committee.

14. Circulation of Report :- (1) As soon as possible after presentation of the report to the House, copies thereof shall be circulated to the members of the House and the Departments concerned.

(2) A copy of the report shall also be forwarded to the petitioner concerned:

Provided that in case a petition is signed by more than one person, a copy of the report shall be forwarded to the first signatory to the petition.

15. Implementation of recommendations of Committee :- (1) The Departments shall furnish to the Assembly Secretariat, from time to time, statements of action taken or proposed to be taken by them on the recommendations made by the Committee in their reports. The information so received shall be placed before the Committee for consideration in the form of memoranda.

(2) Where any Department is not in a position to implement, or feels any difficulty in giving effect to a recommendation made by the Committee, the view of the Department shall be placed before the Committee, who may, if necessary, present a further report to the House after considering the views of the Department in the matter.

SCHEDULE - 1

(Rules 96 to 105 and Rule 227 and 228 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly)

96. Scope of petitions :- Petitions may be presented or submitted to the House with the consent of the Speaker on –

(i) a Bill which has been published under rule 58 or which has been introduced in the House;

(ii) any matter connected with the business pending before the House;

(iii) any matter of general public interest provided that it is not one:-

(a) which falls within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body, or a commission;

(b) which can be raised on a substantive motion or resolution; or

(c) for which remedy is available under the law, including rules, regulations, bye-laws made by the State Government or an authority to whom power to make such rules, regulations etc., is delegated.

97. General form of petition :- (1) The general form of petition set out in the First Schedule, with such variations as the circumstances of each case require, may be used, and, if used, shall be sufficient.

(2) Every petition shall be couched in respectful, decorous and temperate language:

Provided that the speaker may, if he thinks necessary make such verbal or other changes in the petition so as to make it concise, brief and presentable.

(Please see Schedule-2)

98. Authentication of petition :- The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by his signature, and if illiterate, by his thumb impression.

99. Documents not to be attached :- Letters, affidavit or other documents shall ordinarily not be attached to any petition.

100. Countersignature :- (1) Every petition shall, if presented by a member, be countersign by him.

(2) A member shall not present a petition from himself.

101. Petition to be addressed to House :- Every petition shall be addressed to the House and shall conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

102. Notice of presentation :- A member shall give advance intimation to the Secretary of his intention to present a petition.

103. Presentation of Petition :- A petition may be presented by a member or be forwarded to the Secretary, who shall report it to the House. The report shall be made in the form set out in the Second Schedule. No debate shall be permitted on the presentation, or the making of such report.

(Please see Schedule-3)

104. Form of petition :- A member presenting a petition shall confine himself to a statement in the following form:

“Sir, I beg to present a petition signed by _____ petitioner(s) regarding”.

and no debate shall be permitted on this statement.

105. Reference to Committee on Petitions :- Every petition shall after presentation by a member or report by the Secretary, as the case may be, stand referred to the Committee on Petitions.

105-A. Reference of petitions to Committee by Speaker :- The Speaker may refer any petition to the Committee on petitions even if the same has not been presented to the House by a member or reported by the Secretary under rule 105.

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227. Constitution of Committee on Petitions :- At the commencement of the House or from time to time, as the case may be, the Speaker shall nominate a Committee on Petitions 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.

228. Functions of Committee :- (1) The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct that it

be circulated. Where circulation of the petition has not been directed, the Speaker may at any time direct that the petition be circulated.

(2) Circulation of the petition shall be in extenso or in summary form as the Committee or the Speaker, as the case may be, may direct.

(3) It shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future.

(4) The Committee shall also meet as often as necessary to consider representation, letters and telegrams from various individuals associations etc., which are not covered by the rules relating to petitions, and give direction for their disposal:

Provided that representations which fall in the following categories shall not be considered by the Committee but shall be filed on receipt in the Secretariat:

(i) anonymous letter or letters on which names and/or addresses of senders are not given or are illegible, and

(ii) endorsement copies or letters addressed to authorities other than Speaker or House unless there is a specific request on such a copy praying for redress of the grievance.

(5) The Speaker may, before referring any petition to the Committee on Petitions also, if necessary, ascertain facts from the State Government and inform the member presenting the petition appropriately.

SCHEDULE - 2
Form of Petition
(See rule 97)

To,

THE RAJASTHAN LEGISLATIVE ASSEMBLY, JAIPUR

Subject. : _____

Sir,

Your petitioner(s) request(s) that - -----

and your petitioner(s) as in duty bound will ever pray.

S.No.	Name of Petitioner	Address	Signature or thumb impression
(1)			
(2)			
(3)			
(4)			
(5)			

Counter signature of member Presenting

SCHEDULE - 3

FORM OF REPORT ON PETITION BY THE SECRETARY

(See rule 103)

Sir,

Under Rule _____ of the Rules of Procedure and Conduct of Business in Rajasthan Legislative Assembly, I have to report that _____ petitions as per statement laid on the Table have been received relating to, _____ (in case of Bills) the Bill to provide for _____ which was introduced in the House on the _____ 200.... By Shri _____ .

STATEMENT

Petitions relating to _____ (in case of Bills) the Bill to provide for _____ which was introduced in the House on the _____ 200

Number of Signatories	District or town
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Secretary

SCHEDULE - 4

Direction No. 6

Dated the 29 June, 1966

Subject: Directions issued 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 directions regarding presentation of petitions to the House:

I. General form of petitions received under rule 96 :- (1) As soon as a petition is received, it shall be acknowledged in the form specified in the Schedule.

(2) Every petition before presentation to the House shall be examined in order to see whether it is –

- (a) in proper form;
- (b) couched in respectful, decorous and temperate language;
- (c) in conformity with the rules and decisions that may be taken from time to time

(3) After the petition has been examined and is found to be generally in order, it shall be presented to the House by the Secretary or the member, as the case may be :

Provided that in the case of a petition on a Bill or any matter connected with the business pending before the House, it shall be presented or reported to the House, as soon as possible, after its receipt:

Provided further that in the case of a petition on a Bill pending before a Select Committee, the petition may be referred to that Committee without being presented to the House and the petitioner informed accordingly.

2. Defective petition to be withdrawn :- If a petition, after presentation, is found defective, it may be withdrawn by an order of the Speaker and the petitioner informed accordingly.

3. Grounds of inadmissibility of petitions :- (1) A petition shall be rejected or returned to the petitioner if it

(i) relates to personal or individual grievances, or

(ii) relates to matters specified in clause (i) of rule 96 of the Rules of Procedure and conduct of Business in the Rajasthan Legislative Assembly.

(2) In case it is considered necessary to ascertain the facts from the Department concerned in order to determine the admissibility of the petition, a reference may be made to the Department and facts gathered or action taken by it ascertained.

SCHEDULE
Rajasthan Legislative Assembly

Jaipur, dated

From

The Secretary,
Rajasthan Legislative Assembly,
Jaipur

To,

Shri _____

Sub: _____

Sir,

I am directed to acknowledge receipt of your petition dated the _____ on the above mentioned Subject.

Yours faithfully,

Secretary.

SCHEDULE-5
Direction No. 10
Dated 3rd March, 1976

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 under Rule 307 of the Rules of Procedure and Conduct of Business in the Rajasthan Legislative Assembly, I issue the following direction regarding consideration of petitions by the Committee on Petitions:

Committee on Petitions:

After the presentation of a petition to the House, the Committee on Petitions shall meet to consider it as early as possible:

Provided that in the case of a petition on a Bill or any matter connected with the business pending before the House, it shall meet as soon as possible after it has been presented or reported to the House and submit its report to the House or direct the circulation of the petition to the members, as the case may be, well in advance of the said Bill or matter connected with the business being taken up in the House:

Provided further that in the case of a petition received on a Bill already under discussion in the House, the Committee shall meet to consider it immediately on its presentation after its receipt and submit its report or direct the circulation of the petition to the members, as the case may be, well in advance of the Bill being disposed of by the House.

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