



KARNATAKA LEGISLATURE

**INTERNAL WORKING RULES
OF
COMMITTEE ON GOVERNMENT ASSURANCES
OF
KARNATAKA LEGISLATIVE COUNCIL
(For Members use only)**



**KARNATAKA LEGISLATURE SECRETARIAT
VIDHANA SOUDHA, BANGALORE-560 001.**

RULES OF PROCEDURE
(Internal Working)
OF
COMMITTEE ON GOVERNMENT ASSURANCES
OF
KARNATAKA LEGISLATIVE COUNCIL

P R E F A C E

While replying to questions in the House or during discussions on Bills, Resolutions, Motions etc., Ministers sometimes give assurances, undertakings, promises etc..

In order to watch the implementation of such assurances on behalf of the Council the Rules of Procedure provide for the Constitution of a Committee known as the Committee on Government Assurances.

The Committee on Government Assurances has framed the Internal Working Rules in pursuance of rule 213 of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council to supplement the general procedure for Committees outline in the rules 184 to 215, 259 & 260 of the Rules of Procedure and Conduct of Business of Legislative Council deals regarding the functions and Constitution of the Committee with approval of the Hon'ble Chairman, Legislative Council. These rules seek to facilitate smooth working of the Committees.

The Internal Working Rules were adopted by the Committee on Government Assurances of the Legislative Council on 30th November 1988.

With a view to make this Brochure self-contained relevant extract of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council has been appended.

H. C. RUDRAPPA

Secretary II

**INTERNAL WORKING RULES FOR COMMITTEE
ON GOVERNMENT ASSURANCES OF LEGISLATIVE COUNCIL**

1. **Short Titles** . . . These Rules may be called the "Internal Working Rules of the Committee on Government Assurances".
2. **Definitions** . . . In these Rules, unless the context otherwise requires :
 - (a) "Committee" means the Committee on Government Assurances ;
 - (b) "Chairman" mean, the Chairman of the Committee.
 - (c) "Member" means a Member of the Committee ;
 - (d) "Rules" means the Internal Working Rules of the Committee ;
 - (e) "Secretariat" means the Karnataka Legislature Secretariat ;
 - (f) Words and expressions used but not defined in these rules shall, unless the context otherwise requires, have the same meaning as assigned to them in the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council.
3. **Culling out Assurances after each Session.** **Soon** after the conclusion of each Session, a list of assurances, undertakings, promises, etc., given on the floor of the House by the Ministers shall be culled out by the Secretariat from the proceedings and placed before the Committee for its approval.
4. **Forwarding the Assurances to Departments Concerned.** After the Committee has approved the assurances, they shall be forwarded to the Departments concerned for taking action thereon.
5. **Furnishing Replies to the Assurances by Departments Concerned.** The Departments shall communicate to the Secretary, Legislature Secretariat, the action taken on the assurances within a month from the date of receipt of the same by them.

6. Preparation of Memoranda.

On receipt of replies from the Departments, the Secretariat shall prepare a memorandum on the various items of assurances to be considered, by the Committee. The Memoranda shall state briefly the assurance given by the Minister in the Council, action taken by the Government to implement the assurances, the extent to which it has actually been implemented and whether such implementation has taken place within the minimum time necessary for the purpose.

Consideration of each action taken by the Committee.

- (a) The Committee shall ^{consider} the action taken by the departments on each assurance and decide whether a particular assurance has been implemented fully or whether it should be pursued by the Committee;
- (b) The Committee is the final authority to decide whether an assurance has been implemented or not.
- (c) In deciding the implementation of each assurance, the Committee shall take into account whether the implementation has been within a reasonable time consistent with the nature of the assurance ;
- (d) The assurance should be implemented within a maximum period of two months from the date of receiving.
- (e) If it is not possible to comply with the above requirement, the Department shall send a report to the Committee giving reasons for the delay so as to enable the Committee to judge how far it was beyond the power of the Department concerned to implement the assurances within the stipulated period.

- 8. Examination of Departmental Representatives.** The Committee may examine the Secretaries to Government/Heads of Departments concerned when it considers necessary, with regard to any particular assurance»
- 9. Production of Documents.** The Committee may require the Government Departments to furnish to the Secretariat sufficient number of copies of any memorandum containing its views on the matter under discussion for circulation to members of the Committee in advance of the date on which the representatives of the Department has to give evidence before the Committee.
- 10. Record of Proceedings.** The Verbatim proceedings of the Committee if taken, shall be treated as confidential and not shown to any one who is not a member of the Committee.
- 11. Factual Verification of Proceedings.** Relevant portions of the verbatim proceedings of the sitting at which evidence has been tendered, shall be forward to the witnesses and members concerned for confirmation and return by a date fixed by the Secretariat. If corrected copies of the proceedings are not received back by the specified date, the reporter's copy will treated as authentic.
- 12. Points on further Information to be noted by Secretary.** The Secretary shall note the points on which further information is required by the Committee and under the direction of the Chairman take such action as may be necessary.
- 13. Minutes of the Meeting.** The decisions of the Committee shall be recorded briefly in the minutes of the Committee. The draft minutes will be prepared by the Secretariat and approved by the Chairman. The minutes of each sitting shall be circulated to Members of the Committee. Relevant extracts therefrom may also be circulated to any Department or office, if considered necessary.

14. **Expunction of unparliamentary or irrelevant words from proceedings.** If the Chairman of the Committee is of the opinion that words, phrases or expressions in the proceedings of the Committee contain information which will not be in public interest, contain observation of a purely personal character, he may order that such words, phrases or expressions, be expunged, from the proceedings.
15. **Calling of witness by the Committee.** The Committee may recall and witness to give further evidence on any point which is under the consideration of the Committee.
16. **The Committee Meetings to be treated Confidential.** The meetings of the Committee shall not be open to Press.
17. **Framing of Recommendations.** When the examination of the assurances has been completed partially or wholly the Committee may suggest its recommendations.
18. **Consideration of draft report.** Draft reports based on the observations of the Committee shall be prepared by the Secretariat and placed before the Committee for approval. Each draft report or section thereof shall be considered at a meeting of the Committee and embody the decisions of the majority of the members present and voting.
19. **Sitting of the Committee to be private.** When the Committee is considering the draft report or formulating its views on any matters no one other than the officials of the Secretariat shall be present at such a meeting.
20. **Correction of report by the Chairman.** The Chairman of the Committee shall have power to correct patent errors or matters of factual nature in the report adopted by the Committee before its presentation to the House.

21. **Presentation of Report.** The report, on approval by the Committee, shall be printed and presented to the House by the Chairman or the person who has signed the report or any Member there of so authorised by the Chairman or in his absence or when he is unable to present the report by any Member authorised by the Committee. In case due to unforeseen circumstances printed copies are not available by the scheduled date of presentation, a typescript copy of the report may be presented to the Council and printed copies supplied to Members later.
22. **Circulation of Reports to Departments concerned for implementation of recommendations.** Copies of the report shall thereafter be forwarded to the Departments concerned for taking further action on the recommendations of the Committee.
23. **Preparation of statement showing recommendations and action taken to be placed before the Committee.** The action taken by the department shall be watched by the Secretariat and a consolidated statement showing the action taken on the recommendations made by the Committee shall be prepared and placed before the Committee for further consideration.
24. **Time and Period of Meeting.** The Committee shall meet at such time and for such period as the Chairman may determine from time to time.
25. **No withdrawal or alteration of Documents.** No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.
26. **Additional Points** Any additional points of procedure which are formulated from time to time shall be incorporated in these rules.

APPENDIX—I

Extract from the Rules of Procedure and Conduct of Business in the Karnataka Legislative Council relating to the working, Composition of the Committee on Government Assurances.

190. * **Applicability of General Rules to Committees.**—Except for matters for which special provision is made in the rules relating to any particular Council Committee, the general rules in this Chapter shall apply to all Council Committees and if and so far as any provision in the special rules relating to a Council Committee is inconsistent with the general rules, the former rules shall prevail.

191. **Term of the Committees.**—(i) The Committee shall hold Office for a term not exceeding one year.

(ii) **Appointment of Committees.**—No member shall be appointed to a Council Committee if he is not willing to serve on the Committee. The proposer shall ascertain whether the member whose name is proposed by him is willing to serve on the Committee.

192. **Filling up Casual Vacancy.**—Casual vacancy in a Committee shall be filled by nomination by the Chairman and any member so nominated to fill a vacancy shall hold office for the unexpired portion of the term for which the member in whose place he is nominated would have normally held office.

193. **Resignation of Members from Committees.**—A member may resign his seat from a Committee by writing under his hand, addressed to the Chairman.

194. **Chairman to Committees.**—(1) The Deputy Speaker and the Deputy Chairman shall be the Chairman

of the House Committee for a period of one year each. The Committee shall decide who shall be the first Chairman of the Committee.

(2) The Chairman of the Legislative Council shall be the Chairman of the Library Committee.

(3) The Chairman of the following Committees shall be appointed by the Speaker from amongst the members of the committee --

- (i) Committee on Public Accounts.
- (ii) Committee on Subordinate Legislation.
- (iii) Committee on Public Undertakings.
- (iv) Committee on Welfare of S.C./S.T.
- (v) Committee on Estimates.
- (vi) Committee on Welfare of Backward Classes.

(4) The Chairman of all other Committees shall be appointed by the Chairman of the Council from amongst the members of the Committee :

Provided that if the Deputy Chairman is a member of the Committee he shall be appointed Chairman of that Committee.

(5) If the Chairman of the Committee is for any reason unable to act, the Chairman may appoint another Chairman in his place.

(6) If the Chairman of the Committee is absent from any sitting, the Committee shall choose another member to act as Chairman for that sitting.

195. Quorum. (1) Except where otherwise provided the quorum to constitute a sitting of a Committee shall be, as near as may be one-fourth of the total number of members of the Committee.

(2) If at any time fixed for any sitting of the Committee or, if at any time during any such sitting, there is no quorum the Chairman of the Committee shall either suspend the sitting until there is a quorum or adjourn the sitting to some future day.

(3) When the Committee has been adjourned in pursuance of sub-rule (2) on two successive dates fixed for sitting of the Committee the Chairman of the Committee shall report the fact to the Council.

196.- **Discharge of members absent from sittings of the Committees.**—If a member is absent from two or more consecutive sittings of the Committee without the permission of the Chairman of the Committee a motion may be moved in the Council for the discharge of such member from the Committee;

Provided that where the members of the Committee are nominated by the Chairman of the Council a member may be discharged by him.

197.- **Voting in Committee.**—All questions at any sitting of a Committee shall be determined by a majority of votes of the members present and voting.

198.- **Casting votes of Chairman.**—In the case of an equality of votes on any matter the Chairman of the Committee or the person acting as such shall have a second or casting vote.

199. **Power to appoint Sub-Committees.**—(1) A Committee may appoint one or more Sub-Committees each having the powers of the undivided Committee to examine any matters that may be referred to them and the reports of such Sub-Committees shall be the reports of the whole Committee if they are approved at a sitting of the whole Committee.

(2) The order of reference to a Sub-Committee shall clearly state the point or points for investigation. The

report of the Sub-Committee shall be considered by the whole Committee.

200.- **Sittings of Committee.**—The sittings of a Committee shall be held on such days and at such hour as the Chairman of the Committee may fix :

Provided that if the Chairman of the Committee is not readily available the Secretary may fix the date and time of a sitting.

201. **Committee may sit whilst the Council is sitting.**—A Committee may sit whilst the Council is sitting provided that on a division being called in the Council, the Chairman of the Committee shall suspend the proceedings in the Committee for such time as will in his opinion enable the members to vote in a division.

202. **Sittings of Committee in Private.**—The sittings of a Committee shall be held in private.

203.- **Venue of sittings.**—The sittings of a Committee shall be held within the precincts of the Council and if it becomes necessary to change the place of sitting outside the precincts of the Council the matter shall be referred to the Chairman whose decision shall be final.

204. **All Strangers to withdraw when the Committee is deliberating.**—All persons other than members of the Committee and officers of the Legislature Secretariat shall withdraw whenever the Committee is deliberating.

205.- **Power to take evidence or call for papers records or documents.**—(1) A witness may be summoned by an order, signed by the Secretary and shall produce such documents as are required for use of a Committee.

(2) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(3) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

206. **Power of Council Committees to send for persons, papers and records.**—A Committee shall have power to send for persons, papers and records :

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purpose of the Committee the question shall be referred to the Chairman of the Council whose decision shall be final :

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

207. **Council for a Witness.**—A Committee may, under the direction of the Chairman, permit a witness to be heard by a counsel appointed by him and approved by the Committee.

208. **Evidence on Oath.**—(1) A Committee may administer oath or affirmation to a witness examined before it.

(2) The form of the oath or affirmation shall be as follows :—

swear in the name of God

“I.A.B do-----that the evidence which I shall give in this case shall be true, that I will conceal nothing and the no part of my evidence shall be false”.

Solemnly affirm

209. **Procedure for Examining Witnesses.**—The examination of witnesses before a Committee shall be conducted as follows :—

(i) The Committee shall before a witness is called for examination decide the mode of procedure and the nature of questions that may be put to the witness.

(ii) The Chairman of the Committee may first put to the witness such question or questions as he may consider

necessary with reference to the subject matter under consideration or any subject connected therewith according to the mode of procedure mentioned in clause (i)

(iii) The Chairman of the Committee may call other members of the Committee one by one to put any other questions.

(iv) A witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee.

(v) A Verbatim record of proceedings of the Committee, when a witness is summoned to give evidence, shall be kept.

(vi) The evidence tendered before the Committee may be made available to all members of the Committee.

210. **Record of decision.**—A record of the decisions of a Committee shall be maintained and circulated to members of the Committee under the direction of the Chairman of the Committee.

211. **Evidence Report and Proceedings treated as Confidential.**—(1) A Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table.

(2) No part of the evidence, oral or written, report or proceedings of a Committee which has not been laid on the Table shall be open to inspection by any one **except** under the authority of the Chairman.

(3) The evidence given before a Council Committee shall not be published by any member of the Committee or by any other person until it has been laid on the Table :

212. **Special Reports.**—A Committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the course of its work which it may consider

necessary to bring to the notice of the Chairman or the Council, notwithstanding that such matter is not directly connected with or does not fall within or is not incidental to its terms of reference.

213. Report of the Committee.—(1) Where the Council has not fixed any time for the presentation of the report, the report shall be presented within three months of the date on which reference to the Committee was made or if a session of the Council is not held within three months, at the next session ;

Provided that the Council may at any time on a motion being made, direct that the time for the presentation of the report by the Committee be extended to a date specified in the motion.

(2) Reports may be either preliminary or final.

(3) The report of the Committee shall be signed by the Chairman of the Committee on behalf of the Committee ;

Provided that in case the Chairman of the Committee is absent or is not available the Committee shall choose another member to sign the report on behalf of the Committee.

214. Availability of report before presentation to Government.—A Committee may if it thinks fit, make available to Government any completed part of its report before presentation to the Council. Such report shall be treated as confidential until presented to the Council.

215. Presentation of report.—(1) The report of a Committee shall be presented to the Council by the Chairman of the Committee or in his absence by any member of the Committee.

(2) In presenting the report the Chairman of the Committee or in his absence, the member presenting the

report shall, if he makes any remarks, confine himself to a brief statement of fact but there shall be no debate on that statement at this stage.

216. Printing, Publication or Circulation of report prior to its presentation to the Council.—The Chairman of the Council may, on request being made to him and when the Council is not in session, order the Printing of a report of a Committee or circulation to members of the Council although it has not been presented to the Council. In that case the report shall be presented to the Council during its next session at the first convenient opportunity. Such report shall be treated as confidential until presented to the Council.

217. Discussion of reports.—The Chairman may after considering the state of business allot such time as may be compatible with the public interest for the discussion of the reports of the Committee.

218. Power to make suggestion on procedure.—A Committee shall have power to pass resolutions on matters of procedure relating to that Committee for the consideration of the Chairman of the Council who may make such variations in procedure as may be considered necessary.

219. Power of Committee to make detailed rules.—A Committee may with the approval of the Chairman of the Council make detailed rules of procedure to supplement the provisions contained in the rules in this chapter.

220. Power of Chairman to give direction on a point of Procedure or otherwise.—(1) The Chairman of the Council may from time to time issue such directions to the Chairman of the Committee as he may consider necessary for regulating its procedure and the organisation of its work.

(2) If any doubt arises on any point of procedure or otherwise, the Chairman of the Committee may, if he

thinks fit, refer the point to the Chairman of the Council whose decision shall be final.

221. **Business before Committee not to lapse on prorogation of Council.**—Any business pending before a Committee shall not lapse by reason only of the prorogation of the Council and the Committee shall continue to function notwithstanding such prorogation.

259. **Functions of the Committee.**—There shall be a Committee on Government Assurance to scrutinise the assurances, promises, undertakings, etc., given by Ministers, from time to time, on the floor of the Council and to report on :—

(a) the extent to which such assurances, promises, undertakings, etc., have been implemented : and

(b) where implemented whether such implementation has taken place within the minimum time necessary for the purpose.

260. **Constitution of the Committee.**—(1) The Committee shall consist of seven members elected by the Council from amongst its members according to the principle of proportional representation by means of the single transferable vote.

(2) The Committee shall hold office for a term not exceeding one year.

APPENDIX-II

Standard List of Forms :

1. The matter is under consideration.
2. I shall look into it.
3. Enquiries are being made.
4. I shall inform the Hon'ble Member.
5. This is primarily the concern of Central Government, but I shall look into it.
6. I shall write to the Central Government or the State Government.
7. I assure the House that all suggestions of Hon'ble Member will be carefully considered.
8. I shall study the conditions on the spot during my tour.
9. I shall consider the matter.
10. I will consider it.
11. I will suggest to the Central Government.
12. We will put the matter in the shape of a resolution.
13. I shall see what can be done about it.
14. I will look into the matter before I can say anything.
15. The suggestion will be taken into consideration.
16. The matter will be considered at the . . . Conference to be held on
17. The matter is still under examination and if anything requires to be done it will certainly be done.
18. The matter will be taken up with the Government of
19. I have no information ; but I am prepared to look into the matter.

20. Efforts are being made to collect the necessary data.
21. The suggestion made will be borne in mind while framing the rules.
22. If the Hon'ble Member so desires I can issue further instruction.
23. Copy of the report when finalised, will be placed in Library of the House.
24. I shall supply it to the Hon'ble Member.
25. I think it can be done.
26. If the Hon'ble Member's allegation is true, I shall certainly have the matter gone into.
27. We shall have to find that out.
28. I will draw the attention of the Government.
29. It is a suggestion for action which will be considered.
30. All the points raised by various members will be considered and the result will be communicated to each Member.
31. Information is being collected and will be laid on the Table of the House.
32. I will consider the position.
33. It will be decided as early as possible.

34. Direction from the chair involving action on the part of Ministers.
35. All Specific points on which information is asked for and promised.
36. Any statement by a Minister in the nature of promise of assurance, shall be taken as an assurance.