

Not for Publication

ASSAM LEGISLATIVE ASSEMBLY

RULES OF PROCEDURE

OF THE

**COMMITTEE ON WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES**

(INTERNAL WORKING)

(For Official use only)



**ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT,
DISPUR**

CONTENTS

	Page
1. Preamble ...	1
2. Definitions ...	1
3. Selection of Subjects for Examination ...	1
4. Appointment of Study Groups ...	1
5. Notice of sitting ..	2
6. Material to be furnished to the Committee ..	2
7. Circulation of Material to Member ...	2
8. Papers circulated to the Committee to be treated as confidential ..	2
9. Questions by Members ...	2
10. Questionnaire for the Deptt. ..	2
11. Points for oral Examination ...	2—3
12. Procedure when taking oral evidence ..	3
13. Points on which further information is required ...	
14. Recall of witness ..	3
15. Supply of notes and material by study Group to committee	3
16. Production of documents ...	3
17. Expunction of words from verbatim proceedings ..	3
18. Verbatim Proceedings ...	3
19. Minutes of sittings ...	4
20. Circulation of minutes ..	4
21. Preparation of Draft report ..	4
22. Presentation of Report ..	4
23. Distribution of Report ..	4
24. Scrutiny of statement of action taken by Government ..	4—5
25. Attendance of persons other than members of the Committee at its sittings ..	5
26. Incorporation of points of procedure in the Rules ..	5
27. Appendix ..	5
28. Extract from the Rules of procedure and conduct of business in Assam Legislative Assembly ..	6—7

RULES OF PROCEDURE OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

(Internal working)

Preamble :

In pursuance of Rule 223 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly the following rules are framed for the internal working of the Committee on Welfare of Scheduled Castes and Scheduled Tribes constituted under Rule 260 C of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly.

1. **Definitions** :—The words and expressions used herein shall, unless the context otherwise requires, have the same meaning as is assigned to them in the Rules of Procedure in Assam Legislative Assembly.

2. **Selection of subjects for examination** :— (1) The Committee shall select from time to time for examination such subjects as they may deem fit and as fall within the scope of their terms of reference (*see* Appendix).

(2) The programme of work for the examination of subjects may be determined by the Committee from time to time.

3. **Appointment of Study Groups** :— (1) The Committee may, from time to time appoint one or more study groups for carrying out detailed study and examination of various subjects.

(2) The functions of the study groups shall *inter alia* be as follows :—

(i) To study intensively the material obtained from or supplied by the Government/Department/Undertaking (including Statutory and Semi-Government Bodies) or referred to the Committee.

(ii) To prepare the questionnaire to be issued, after the approval of the Chairman, to the Government/Department/Undertaking (including statutory and Semi-Government Bodies).

(iii) To examine and consider replies received from Government/Department/Undertaking (including statutory and Semi-Government Bodies).

(iv) To study and report on any matter referred to by the Committee or the Chairman.

(v) To undertake study tours and prepare study notes thereof.

(vi) To indicate the broad points on which reports may be prepared.

(vii) To discuss the draft report before circulation to the whole Committee.

4. **Notice of sitting:**—When the date and time of sitting of the Committee have been fixed by the Chairman, notice thereof shall be circulated to the members of the Committee.

5. **Material to be furnished to the Committee:**—The Department/Undertaking (including statutory and Semi-Government Bodies) concerned, with the subjects to be examined by the Committee, shall be asked in writing by the Secretariat to furnish twenty-five sets of the necessary material for the use of the members.

6. **Circulation of material to member:**—The material shall be circulated to the members as soon as possible after its receipt in the Secretariat.

7. **Papers circulated to the 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 any one nor shall any reference be made to such information outside the Committee at any time before the report on the subject has been presented to the House.

8. **Questions by members:**—(1) The members may, after going through the papers frame questions on which further information is required by them.

(2) These questions shall be sent by members to the secretariat by a due date to be specified by the Chairman.

9. **Questionnaire for the deptt.:**—(1) The questions and points suggested by members together with other relevant points concerning the subject under examination, shall be consolidated in the form of a questionnaire.

(2) The questionnaire and the suggestions received from the members, if any, shall be considered by the Study Group/Committee. After its approval by the Chairman, it shall be sent to the Department which shall furnish to the Secretariat twenty-five sets of the replies thereto by a date to be specified by the Chairman.

(3) Copies of the questionnaire, as approved by the Chairman, shall be circulated to the members of the Committee.

(4) The replies received to the questionnaire from the Department shall be circulated to the members in the manner prescribed in rule 5 of these rules.

(5) Where further clarification is required on any point or additional information is desired, it may be called for in the manner prescribed in sub-rule (2) of this rule.

10. **Points for oral examination:**—(1) The Secretariat shall prepare a list of points and/or questions for oral examination of the witnesses incorporating therein any suggestions that may be received from members in this regard, for approval by the Chairman.

(2) Advance copies of the list of points or questions may be circulated to members of the Committee.

11. Procedure when taking oral evidence:—The Chairman may first ask any question and thereafter he may call other members, one by one, to ask question of a witness, if a member desires to put a question, he shall do so with the permission of the Chairman. In case a witness is not in a position to elucidate any point immediately, he may be permitted by the Chairman to furnish a reply to the Secretariat in writing as soon as may be, thereafter.

12. Points on which further information is required:—The Secretariat shall note down the points on which further information is required by the Committee and under the directions of the Chairman take such action in the matter as may be necessary.

13. Recall of witness :—The Committee may recall any witness to give further evidence on any point which is under consideration of the Committee.

14. Supply of notes and material by study Group to Committee:—The Study Group may make available to the Committee such of the tour notes, study reports and other reports as they may consider necessary.

15. Production of documents:—(1) The Committee may send for persons, papers and records required in connection with the examination of a subject in terms of Rule 211 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly. In the case of secret documents required by the Committee, such papers may be made available by Government/Department confidentially to the Chairman in the first instance unless it is certified by the Minister concerned that the document could not be made available on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) The Chairman may give due consideration to the wishes of the Government/Department before making any secret documents available to the members of the Committee. Any difference of opinion between the Government/Department and the Chairman may be settled by discussion and if no satisfactory agreement is arrived at, the matter shall, then, be placed before the Speaker for his decision.

16. Expunction of words from Verbatim proceedings :—If the Chairman is of the opinion that the words used in the verbatim proceedings are indecent, unparliamentary or ungentlemanly, he may at his discretion issue an order to expunge those words from the proceedings of the Committee.

17. Verbatim proceedings :—(1) The verbatim proceedings shall be for the use of the Committee only and only such papers as have been laid on the Table of the House will be made public.

(2) Where the Committee decide to print the whole or any part of the evidence, the same shall be printed in the form of separate Volume and shall form part of the Report of the Committee dealing with the subject.

18. **Minutes of the sittings** :—The Secretariat shall draft minutes of the sittings of the Committee/Study Group for approval of Chairman/Convener or the member who presided at the sitting, as the case may be.

19. **Circulation of Minutes** :—The Minutes of each sitting of the Committee shall be circulated to the members of the Committee.

20. **Preparation of draft report** :—(1) When the examination of any subject has been completed the concerned Study Group shall frame its conclusions and recommendations at a sitting which may be attended by other members of the Committee.

(2) On the basis of the conclusions and recommendations of the Study Group, a draft of the report shall be prepared and shall, unless otherwise directed, be circulated to the members of the Study Group for their consideration.

(3) The draft report as prepared under sub-rule (2) above shall be circulated to the members of the Committee after it has been approved by the Chairman and then considered at a sitting of the Committee. The report of the Committee shall embody the decisions of the majority of the members present.

(4) There shall be no minute of dissent to the Reports of the Committee.

(5) In case it is not possible or convenient to hold a sitting of the Committee for the consideration and adoption of a draft report, the Chairman may, with the permission of the Committee finalise such report on the basis of the suggestions and comment received in writing from members.

21. **Presentation of Report** :—The report shall ordinarily, be presented to the House by the Chairman, but if he is unable to do so, one of the Members of the Committee, who may be authorised by him, may present the report on his behalf.

22. **Distribution of Report** :—As soon as possible after presentation of the report to the House, copies thereof shall be made available to the members of the Assembly and other persons, authorities, etc. concerned.

23. **Scrutiny of statement of action taken by Government** :—

(1) The statement showing the action taken by Government/Department/Undertaking (which includes Statutory and the Semi-Government bodies on), the recommendations contained in the report of the Committee shall be put up with suitable comments to the Study Group for examination and then together with the recommendations of the Study Group placed before the Chairman.

(2) Any point, which in the opinion of the Study Group or the Chairman requires consideration by the Committee shall be specifically referred to the Committee.

(3) On the basis of the comments made by the Study Group and the suggestion of the Chairman, a draft report shall be prepared. The draft report shall then be considered by the Study Group and after it has been approved by the Chairman, it shall be circulated to the Members of the Committee.

24. Attendance of persons other than members of the Committee at its sittings:—A member of the 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 evidences being taken by them, but not when the Committee are deliberating. Such member or officer shall not, however, take a part in any manner in the proceedings of the Committee nor sit in the body of the Committee.

25. Incorporation of points of procedure in the Rules :—Any addition or alteration to these rules from time to time shall be incorporated in the rules after due permission by the Committee and approval by the Speaker.

APPENDIX

[See Sub-rule-(1) of rule 1]

Under rule 260 C of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly, the functions of the committee shall be as follows :—

- (a) to consider the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes under Article 338 (2) of the Constitution so far as they relate to the State of Assam and to report to the House as to the measures that should be taken by the State Government in respect of the matters within the purview of the State Government;
- (b) to report on the action taken by the State Government on the measure proposed by the Committee;
- (c) to examine the measures taken by the State Government to secure due representation of the Scheduled Castes and Scheduled Tribes in services and posts under the control of the State Government (including the appointments in the public sector undertakings, Statutory and Semi-Government Bodies) having regard to provisions of Article 335;
- (d) to report to the House on the working of the welfare programmes for the Scheduled Castes and Scheduled Tribes in the State;
- (e) to consider generally and to report to the House on all matters concerning the welfare of the Scheduled Castes and Scheduled Tribes which fall within the purview of the State Government;
- (f) to examine such matters as may deem fit to the Committee or are specifically referred to it by the House or the Speaker.

**EXTRACT FROM THE RULES OF PROCEEDURE AND CONDUCT
OF BUSINESS IN ASSAM LEGISLATIVE ASSEMBLY**

“ 260C. There shall be a Committee on the Welfare of Scheduled Castes and Scheduled Tribes:

Functions of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes.— The functions of the Committee shall be—

- (i) to consider the reports submitted by the Commissioner for Scheduled Castes and Scheduled Tribes under Article 338(2) of the Constitution so far as they relate to the State of Assam and to report to the House as to the measures that should be taken by the State Government in respect of the matters within the purview of the State Government ;
- (ii) to report on the action taken by the State Government on the measures proposed by the Committee ;
- (iii) to examine the measures taken by the State Government to secure due representation of the Scheduled Castes and Scheduled Tribes in services and posts under the control of the State Government (including the appointments in the Public Sector undertakings, Statutory and Semi-Government Bodies) having regard to the provisions of Articles 335 of the Constitution of India ;
- (iv) to report to the House on the working of the Welfare Programmes for the Scheduled Castes and Scheduled Tribes in the State ;
- (v) to consider generally and to report to the House on all matters concerning the Welfare of the Scheduled Castes and Scheduled Tribes which fall within the purview of the State Government ;
- (vi) to examine such other matters as may deem fit to the Committee or are specifically referred to it by the House or the Speaker”.

“ 260D. Constitution of the Committee— (1) The Committee shall consist of not more than eleven members who shall be elected by the House from amongst its members according to the principle of proportional representation by means of the single transferable vote :

Provided that a Minister shall not be elected as member of the Committee, and that if a member, after his election to the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

(2) The term of the office of member of the Committee shall not exceed 30 months from the date of the first formation provided that the members of the Committee constituted for the first time shall hold office for the duration of the fifth Assembly.

(3) In all other respects the Rules of Procedure and Conduct of Business in Assam Legislative Assembly relating to Assembly Committees shall apply with such variations and modifications as the Speaker may make."