

ORISSA



ORISSA LEGISLATIVE ASSEMBLY

REPORT
OF THE
COMMITTEE
TO LAY DOWN NORMS TO BE OBSERVED BY
MEMBERS WHEN THE GOVERNOR ADDRESSES
THE HOUSE

CUTTACK
1969

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COMPOSITION OF THE COMMITTEE

1. The Speaker, Chairman
2. Shri Rajendra Narayan Singh Deo, Chief Minister
3. Shri Binayak Acharya, M. L. A.
4. Shri Rabindramohan Das, M. L. A.
5. Shri Gangadhar Paikray, M. L. A.
6. Shri Narayan Sahu, M. L. A.
7. Dr. Harekrushna Mahtab, M. L. A.
8. Shri Radhanath Rath, M. L. A.
9. Shri Achyutananda Mahananda, M. L. A.
10. Shri Harihar Bahinipati, Deputy Speaker

SECRETARIAT

1. Shri N. Rath .. Secretary
2. Shri J. Jee .. Deputy Secretary

REPORT

We, the members of the Committee, appointed by the Speaker on the 5th April 1968 in pursuance of the decision of the House on the 21st February 1968 to lay down norms to be observed by the members when the Governor addresses the House, present this report to the Orissa Legislative Assembly.

2. The Committee was appointed on the 5th April 1968 consisting of the following members to consider and lay down norms to be observed by the Hon'ble members during the occasion of Governor's Address in order to maintain peace, decorum and discipline in the occasion and to establish a healthy convention in this regard for future guidance—

1. The Speaker, who is the Chairman of the Committee
2. Shri R. N. Singh Deo, Chief Minister
3. Shri Binayak Acharya
4. Shri Rabindra Mohan Das
5. Shri Gangadhar Paikray
6. Shri Narayan Sahu
7. Dr. Harekrushna Mahtab
8. Shri Radhanath Rath
9. Shri Achyutananda Mahananda
10. Shri Harihar Bahinipati, Deputy Speaker.

3. The Committee held two sittings on the 10th January and 17th February 1969. In their first sitting the Committee considered the question before them and decided certain guidelines regarding the norms to be observed by the members. At their second sitting the Committee approved the draft report.

4. The Committee in their first sitting decided that the Speaker may circulate the decisions of the Committee for advance information of the members and in due course the report may be presented to the House.

5. On the 19th February 1968, when the Governor began reading his Address, some members interrupted the Address and also staged a walk-out while the Governor was addressing. In order to prevent or avoid any untoward occurrence in future the Speaker appointed a Committee on 5th April 1968.

6. The Committee considered the question carefully. The Governor's visit to address the Assembly is analogous to Queen's visit to address the House of Commons in U. K. The Governor is the Constitutional Head of the State. His address to the legislature under Article 176.(1) is mandatory. His Address is a statement of Government Policy and as such solemnity and dignity on this occasion are of utmost importance. Moreover, under the oath taken by him, the member affirms his allegiance to the Constitution. Any untoward incident on his part is not only unbecoming of him and at variance with the oath taken by him but also a calculated injury to the conception of the unity of the State

7. The Committee examined carefully the practice and procedure of this House *vis-a-vis* those of Lok Sabha and other State Legislatures. Under the direction of the Speaker special instructions are issued to the members that they should observe certain ceremonials when the Governor arrives to deliver the Address.

8. We feel the instructions issued to the members on the occasion of the Governor's Address are not sufficient. Therefore, we thought it necessary to lay down certain norms or standard that would supplement the instructions.

9. The Committee were of opinion that in no form disrespect should be shown to the Governor while he is addressing the Assembly. Instead of providing in the rules to deal with such matters it would be desirable to lay down the norms to be observed by Members when the Governor addresses the Assembly, as follows:—

- (i) That any disorderly conduct on the part of members during the occasion of Governor's Address affects dignity of the Governor, the House and its members.
- (ii) That the Governor's Address is a statement of Government policy, of which, as the constitutional head, he is the mouth piece. As such there should be solemnity, dignity and decorum during the occasion.
- (iii) That the members should listen the Governor with decorum and dignity which is a constitutional obligation.
- (iv) That the Governor is a part of the Legislature under Article 168 and as such members must show respect.
- (v) That it is open for the House to take action against members for their undignified action which is contrary to the oath taken by them.

- (vi) When the Governor is in the House, if any member interrupts or obstructs the Governor, either before, during or after the Address with any speech or point of order or walk-out or in any other manner such action may be considered as a grossly disorderly conduct and may be dealt with by the House in such manner as the House may deem fit.

N. K. MISRA

R. N. SINGH DEO

B. ACHARYA

ଉତ୍କଳ ମୋହନ ଦାସ

G. PAIKRAY

ନାରାୟଣ ସାହୁ

H. MAHTAB

R. N. RATH

ACHYUTANANDA MAHANANDA

HARIHAR BAHINIPATI

