

RULES OF PROCEDURE

BMUN17 -RAJYA SABHA

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Parliamentary devices

1. *Privilege Motion*- This motion is raised when a member of the house believes that another member has misled the house by providing wrong information. This motion is essentially used to censure the concerned MP and should therefore, be used with discretion. It can be raised after a speech or statement.
2. *Adjournment Motion*- This is motioned when an MP feels there has been sufficient discussion of certain topics and that a specific topic needs to be raised. This is usually motioned for when the MP or chairman feels that the question hour should close. It may be raised by any member and requires a simple majority.
3. *Call Attention Motion*- This is used after the Adjournment motion is passed. It allows any MP to raise questions on very specific issues. For the motion to be raised, an MP needs to send a written note to the Chairman to be signed (format is in Annex A). A similar format should be followed for questions sent in for question hour except those do not need the signature of the Chairman. The Dais would look favourably on questions related to the set agendas unlike in question hour where they can be on any topic.
4. *Motion for Leave to Introduce the Bill*- This motion is used for the introduction of a bill to the house. Once the Chairman approves the leave, MPs may leave the house to draft the bill (Temporarily suspending all activities of the house). The bill must follow the format outlined in Annex B. Once all the bills are presented to the dais, the gazette officer will publish both bills to all members of the house. The Chairman will then call on 2 representatives for each bill to read out the declaratory clauses in order to justify their bill over the other. After this a vote will take place in order to determine which bill is to be presented before the house.
5. *Motion to Raise a Subtopic*- This is not a parliamentary motion. However, after the first reading of a bill, most bills are referred to a select committee that raises subtopics related to the issue and provides suggestions for the amendment of the bill. Instead, we are allowing the whole committee to raise subtopics in order to develop a deeper understanding of the issue.
6. *Motion to Adjourn the Sitting of the House*- Adjourns committee till next session.
7. *Adjourn Sine Die Motion*- Adjourns house at the end of all sessions for an indefinite period.
8. *Point of order*- This is used when an MP feels that the code of conduct in parliament has been violated. The Chairman decides whether to entertain the point or not and then takes appropriate action.
9. *Point of Parliamentary Inquiry*- If a MP is unsure of any legislative procedure, he/she may make this point which must be answered by the Chairman.

Flow of Legislative Procedure

1. *Quorum & Majority*- For session to begin, a quorum of 1/10th of the total Members of Parliament (MPs) must be present. However, for the majority of motions and for a bill to be passed, a simple majority of more than 50% of the house must be present and voting.
2. *Attendance*- Attendance is taken by the Vice-Chairperson to ensure a quorum.
3. *Question Hour*- Members of the house may raise pertinent questions related to various agendas that do not necessarily relate to the set agenda. Questions may be raised by any member of the house but are mostly directed to the minister of the government in charge of the issue. However, all questions that you wish to raise must be sent to all members of the dais via E-mail at least 1 day prior to committee beginning. Any question that has to be raised on the spot must be raised as a Call Attention Motion.

Side note:(send to rs.bmun17@gmail.com)

4. *Zero Hour*- It starts immediately after the Question Hour, during the Zero Hour any question pertaining to agenda or a national emergency can be raised by a member without any prior written request. The Zero Hour can extend to any period of time depending upon the Chairman's direction. The Government is not obliged to answer any of the questions raised in the Zero Hour. However in the context of the debate it is highly expected from them to answer all the questions. The chairperson shall choose the MPs on his discretion.
5. *Adjournment Motion Raised*- Once this motion is raised, approved by the chairman and voted on, the house will move on to Call Attention Motions.
6. *Call Attention Motions Raised*- This will focus the discussion on the set agendas.
7. *Motion for Leave to Introduce Bill*- MPs take leave, draft the bill, present it before the house and then it is voted on determining which agenda is passed.
8. *First Reading*- Once the agenda and associated bill have been chosen, a member of the dais will read the full bill out during which time MPs may take notes. After this, because we are not referring the bill to a select committee, we will allow MPs to raise Sub topics related to the agenda discussed in the bill but nothing to do with the exact content of the bill.
9. *Second Reading*- Once the Motion for Consideration is passed, the house then begins speeches on the direct content of the bill making use of the information gathered during the First reading. This is also an ideal time for proposing amendments to the bill. After this, there will be a short recess for MPs to amend the bill by either amending, expunging (delete) or adding clauses.
10. *Third Reading*- MPs now may make brief closing arguments without referring to details of the bill after which there will be a vote conducted by the house. A 2/3 majority of the house is needed to pass the bill to the Lok Sabha hence cooperation between parties is integral (Try to negotiate rather than just arguing. While you don't need to ignore your own or your party's values, making simple compromises is important).
11. *Voting*- On any procedural matter that requires a vote, the Chairman will first initiate a verbal division where all those in favour say 'Aye' and all those opposed say 'No'. If this vote

is challenged by an MP, a lobby division will be initiated where all 'Ayes' are directed to the right side of the room and all 'Noes' are directed to the left (In place of the right lobby and left lobby). The total number in each lobby is recorded and results are announced by the Chairman.

12. The bill then goes to the Lok Sabha, they follow the same procedure and then if they pass it, it returns to the Rajya Sabha to review any amendments made. If there is disagreement between the houses over certain amendments, it goes to a joint session (Which will not be happening in our case meaning that committee will fail) otherwise, it's merely re-voted on and given to the president to either approve or veto. If it's approved, it officially becomes a law and is published to the public by the gazette.

Parliamentary Etiquette

1. *Language*- While as per the constitution both Hindi and English are allowed, only English will be allowed in this committee to ensure that even non-Hindi speakers understand what is going on in session.
2. *Conduct*- MPs are expected to maintain decorum during formal session. Nonetheless, parliamentarians have the right to speak at any time so long as they are not overly disruptive, offensive or use profanity. Should the MP violate any of these regulations, the Chairman may exercise his right to issue a gag order or remove the member from the house.
3. *Addressing members of the house*- While speaking, an MP may refer to him/herself as 'I' but must refer to other MPs as the MP for (State) or the Hon'ble member or can also refer to them by their position such as Leader of opposition or Minister of Finance. Members of the dais will only be referred to by their role such as the Hon'ble Chairman or Mr. Chairman. However, members of the dais may refer to MPs by name.

Preparation and Research

1. MPs should send in as many relevant questions and for question hour as possible.
2. MPs should have a list of sub-topics prepared for committee.
3. MPs must prepare a written policy statement on their stance on the issue. Further details are in the background guide.
4. While Committee will be full of free flowing debate and discussion, MPs must be well versed in and must adhere to all of the outlined procedure.
5. Participants should know the MP they are playing well including their main roles and policies.
6. MPs must know about highly relevant issues both related and unrelated to the agenda to either propose or answer questions based on their role.

Annex A

(Format for Question hour and request of Call Attention Motions):

Example:

From: e.g. Shri. Gulham Nabi Azad
Party: INC (United Progressive Alliance)
State: Jammu & Kashmir

Directed to: Shri. Arun Jaitley
Party: BJP (National Democratic Alliance)
State: Gujrat

Question: What is the central government doing about the situation at the Indo-Pak Border?

Signature of MP

Signature of Chairman

Annex B

(Format for bill):

1. *The Long Title*- This describes the nature of the proposed measure and is prefixed to a Bill – 'A Bill to...etc.'
2. *The Preamble*- This follows the Long Title. It explains certain facts necessitating the enactment— 'WHEREAS... etc.' However, of late most of the Bills do not contain any preamble.
3. *The Short Title*- This serves as an index-heading to an enactment and is cited in the first clause of the Bill – 'This Act may be called the _____ Act, 2016' Where two or more Bills seek to amend the same principal Act and are introduced in the same year, they are numbered consecutively.
4. *Definition Clauses*- It usually comes immediately after the short title and defines various expressions which occur in an Act to avoid ambiguities of the words or phrases used in that Act, or a particular part or chapter of that Act. The definitions are arranged in alphabetical order.
5. *Extent Clauses*- It explicitly specifies whether the proposed law is applicable to the whole of India or to the whole of India excepting the State of Jammu and Kashmir or only to Union territories etc.
6. *Commencement Clauses*- This essentially specifies when the Act shall come into force. The general practice is to place the short title, the extent or application and

commencement clauses in a single clause divided into three sub-clauses. The general rule regarding the commencement of an Act is that if no commencement date is specified, then it comes in to force as soon as the President signs the bill. In view of this, an Act which is intended to take effect at once does not usually have a commencement clause. If the Act has to come in to force on a particular day, the commencement clause is in the form: *'This Act shall be deemed to have come into force on the...'*

7. *Declaratory Clauses*- present in certain Bills, which comes after clause one (citation clause) of a Bill, declares the need or requirement which the bill is framed to fulfil. e.g. *'The present bill aims to decrease...'*
8. *Main Clauses and Sub-Clauses*- this forms the body of the bill and consists of all the proposals to be enacted. If clauses cover different aspects of an issue they can be split in to chapters.
9. *The Duration Clause*- Present in a temporary Bill, which is embodied as one of the sub-clauses in the first clause of a Bill stipulates the period till which the Act will be in operation; The format for this clause will be, *'after the expiry of the stipulated period of ___ days, this enactment ceases to be effective'*.
10. *The Rule Making Clause*- This delegate's rule-making power to the Executive under the proposed law, is in a set form and inserted in all Bills involving power to make rules, regulations, etc. The rules, should be laid on the Table before each House of Parliament, they should be laid for a specified period as soon as may be after they are made and they should be subject to modification by Parliament within a prescribed period.

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