

APPENDIX X

(Vide para 19 of the report)

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 4th November, 1957

S.R.O. 3524.—The following Order made by the President is published for general information:—

THE PUNJAB REGIONAL COMMITTEES ORDER, 1957

In exercise of the powers conferred by clause (1) of article 371 of the Constitution, the President hereby makes, with respect to the State of Punjab, the following Order, namely:—

1. (1) This Order may be called the Punjab Regional Committees Order, 1957.

(2) It shall come into force on the 4th day of November, 1957.

2. In this Order,

- (a) "Assembly" means the Legislative Assembly of the State;
- (b) "Chief Minister" means the Chief Minister of the State;
- (c) "Council" means the Legislative Council of the State;
- (d) "Minister" means a Minister of the State and includes a Deputy Minister of the State;
- (e) "region" means the Hindi region or the Punjabi region as specified in the First Schedule;
- (f) "regional committee" means a regional committee constituted by paragraph 3 of this Order;
- (g) "Scheduled matters" means the matters specified in the Second Schedule;
- (h) "Schedule" means a Schedule appended to this Order;
- (i) "State" means the State of Punjab.

3. (1) There shall be two regional committees of the Assembly, one for the Punjabi region and the other for the Hindi region, con-

sisting respectively of the members of the Assembly who for the time being represent the constituencies within that region:

Provided that the Chief Minister and the Speaker shall not be members of either regional committee.

(2) Every Minister shall have the right to speak in, and otherwise to take part in the proceedings of, any regional committee, but shall not, by virtue of such right, be entitled to vote at any meeting of the regional committee of which he is not a member.

4. All scheduled matters shall be within the purview of the regional committees to the extent and in the manner provided by this Order.

5. Every Bill which is not a Money Bill and contains mainly provisions dealing with scheduled matters shall, upon introduction in the Assembly or if it has been introduced in and passed by the Council, upon transmission to the Assembly be referred to the regional committee or committees concerned for consideration and report to the Assembly.

6. Any Bill referred to the regional committees under paragraph 5 may, if so recommended by them, be passed by the Assembly with such variations as may be necessary in its application to the two regions.

7. Each regional committee shall have the power to consider and pass resolutions recommending to the State Government any legislative or executive action with respect to scheduled matters, so however that, the executive action relates to general questions of policy and the legislative or executive action does not involve any financial commitment other than expenditure of a routine and incidental character.

8. The modifications directed in the Third Schedule shall be made in the Rules of Procedure and Conduct of Business in the Punjab Legislative Assembly and shall not in any way be affected by any amendments that may hereafter be made in the said Rules by the Assembly under article 208 of the Constitution.

9. The modifications directed in the Fourth Schedule shall be made in the Rules of Business of the Punjab Government and shall not in any way be affected by any amendments that may hereafter be made in the said Rules by the Governor under clause (3) of article 166 of the Constitution.

10. The Governor shall have special responsibility for securing the proper functioning of regional committees in accordance with the provisions of this Order.

THE FIRST SCHEDULE

Hindi Region

1. Kangra District
2. Simla District
3. Karnal District
4. Rohtak District
5. Gurgaon District
6. Hissar District
7. Mohindergarh District.

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8. Ambala District excluding the Rupar, Morinda² (SC) and Chandigarh Assembly Constituencies.
9. Jind and Narwana tehsils of Sangrur District.

Punjabi Region

1. Gurdaspur District
2. Amritsar District.
3. Bhatinda District.
4. Jullundur District.
5. Hoshiarpur District.
6. Ferozepur District.
7. Ludhiana District.
8. Kapurthala District.
9. Rupar, Morinda³ (SC) and Chandigarh@ Assembly Constituencies in Ambala District.
10. Patiala District⁴ * * * *
11. Sangrur District excluding Jind and Narwana tehsils.

@Chandigarh Capital Project will not form part of either of the two regions. So long, however, as it does not become a full-fledged constituency on population basis, its representative will sit in the regional committee for the Punjabi region.

1. The words "Kandaghat and Nalagarh tehsils of Patiala District" omitted *vide* the Punjab Regional Committees (Amendment) Order, 1962 (S.O. 1981 dated 21st June, 1962).

2. Inserted *vide* the Punjab Regional Committees (Second Amendment) Order, 1962 (S.O. 3193 dated 17th October, 1962).

3. Inserted *vide* the Punjab Regional Committees (Second Amendment) Order, 1962 (S.O. 3193 dated 17th October, 1962).

4. The words "excluding Kandaghat and Nalagarh tehsils" omitted *vide* the Punjab Regional Committees (Amendment) Order, 1962 (S.O. 1981 dated 21st June, 1962).

THE SECOND SCHEDULE

Scheduled matters

1. Local Self-Government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards and other local authorities for the purpose of local self-government or village administration including panchayats.
2. Public health and sanitation; local hospitals and dispensaries.
3. Primary and secondary education.
4. Agriculture.
5. Preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice.
6. Pounds and the prevention of cattle trespass.
7. Protection of wild animals and birds.
8. Fisheries.
9. Cottage and small-scale industries.
10. Markets and fairs.
11. Inns and inn-keepers.
12. Co-operative societies.
13. Charities and charitable institutions, charitable and religious endowments and religious institutions.
14. Development and economic planning, within the frame-work of the general development plans and policies formulated by the State Legislature.

THE THIRD SCHEDULE

The following modifications shall be made in the Rules of Procedure and Conduct of Business in the Punjab Legislative Assembly, namely:—

1. In Rule 2, after the definition of "Private member" the following definitions shall be inserted, namely:—

"'region' means the Hindi region or the Punjabi region as specified in the Punjab Regional Committees Order, 1957;

'regional Bill' means a Bill which is not a Money Bill and contains mainly provisions dealing with scheduled matters;

'regional committee' means a regional committee constituted by paragraph 3 of the Punjab Regional Committees Order, 1957;

'scheduled matters' means the matters specified in the Second Schedule to the Punjab Regional Committees Order, 1957".

2. After Rule 157, the following shall be inserted, namely:—
“(ee) REGIONAL BILLS.

157. *Special provisions regarding regional Bills.*—Notwithstanding anything contained in Rules 130 to 157, the provisions hereinafter made in relation to regional Bills shall apply to all such Bills; and if any question arises whether a Bill is a regional Bill or not, the question shall be referred to the Governor and a certificate issued by him in this behalf shall be final.

157B. *Motion for introductions of regional Bills.*—When a regional Bill is introduced or on some subsequent occasion the member-in-charge may make one of the following motions in regard to his Bill, namely:—

- (a) that it be referred to the regional committee or committees concerned, or
- (b) that it be circulated for purposes of eliciting opinion thereon by a date specified in the motion:

Provided that no such motion as aforesaid shall be made by any member other than the member-in-charge except by way of amendment to the motion made by the member-in-charge.

157C. *Discussion on principle of regional Bills.*—(1) On the date on which one of the motions referred to in Rule 157B is made or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its general provisions may be discussed but the details shall not be discussed further than is necessary to explain its principles.

(2) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried, and the Bill is circulated in accordance with that direction and the opinions are received thereon, the member-in-charge, if he wishes to proceed with the Bill thereafter, may move that the Bill be referred to the regional committee or committees concerned.

157D. *Procedure before regional committee.*—when a Bill has been referred to a regional committee, the regional committee shall follow the procedure laid down in Chapter XIXA.

157E. *Procedure after presentation of report.* (1) After the presentation of the report of a regional committee on a Bill, the member-in-charge may move that the Bill as reported by the regional committee be taken into consideration :

Provided that any member of the Assembly may object to its being taken into consideration if a copy of the report has not been made available for the use of members for seven days and such objection shall prevail, unless the Speaker allows the report to be taken into consideration.

(2) When a member-in-charge moves that the Bill as reported by the regional committee be taken into consideration any member may move as an amendment that the Bill be re-committed to the regional committee.

(3) When a Bill is referred to both the regional committees under Rule 157B and the Bill as reported by one regional committee is different from the Bill as reported by the other regional committee, the Bill may be passed with such variations as may be necessary in its application to the two regions.

157F. *Scope of debate on report of regional committees.*—The debate on a motion that the Bill as reported by the regional committee be taken into consideration shall be confined to consideration of the report of the regional committee and the matters referred to in that report or any alternative suggestions consistent with the principle of the Bill.

157G. *Restrictions on amendments to the Bill in certain Cases.*—A member of the regional committee who signs its report without a minute of dissent shall not move an amendment to the Bill when it is under consideration in the Assembly”.

3. After Rule 171, the following Rule shall be inserted, namely:—

“171A. *Special provisions regarding regional Bills.*—(1) When a Bill as reported by a regional committee is not passed by the Assembly in the form in which it has been reported but is passed in a form which, in the opinion of the Speaker, is substantially different from that as reported by the regional committee, or is rejected by the Assembly, the Speaker shall submit to the Governor—

- (a) in any case where the Bill has been passed by the Assembly in a substantially different form, the Bill as passed by the Assembly together with the Bill as reported by the regional committee;
- (b) in any case where the Bill is rejected by the Assembly, the Bill as reported by the regional committee.

(2) The Governor shall as soon as possible after the submission to him of the Bill, return the Bill to the Assembly with a message recommending either that Bill be withdrawn or that it be passed in the form in which it has been reported by the regional committee or in the form in which it has been passed by the Assembly and the message received from the Governor shall be reported by the Speaker to the Assembly and accordingly, the Bill shall be deemed to have been withdrawn, or as the case may be, be deemed to have been passed by the Assembly in the form recommended by the Governor”.

4. In part I of the Chapter XVII, after Rule 179, the following Rule shall be inserted, namely:—

“179A. *Special provision regarding regional Bills.*—When a regional Bill as passed or deemed to have been passed by the Assembly is received from the Council under Rule 175

with a message that it has not agreed to the Bill or is returned by the Council under Rule 176 with amendments, the Bill shall be referred to the regional committee or committees concerned and the other provisions of the Rules regarding regional Bills shall then, as far as may be, apply".

5. In Part II of Chapter XVII, after Rule 188, the following Rule shall be inserted, namely:—

"188A. *Special provision regarding regional Bills.*—When a regional Bill originating in the Council has been passed by the Council and is transmitted to the Assembly under Rule 180 or when such a Bill as further amended by the Council is received by the Assembly and laid on the Table under sub-rule (1) of Rule 188, the Bill or the amended Bill as the case may be, shall be referred to the regional committee or committees concerned and the other provisions of the Rules regarding regional Bills shall then, as far as may be, apply".

6. After Chapter XIX, the following new Chapter shall be inserted, namely:—

CHAPTER XIX-A

Regional Committees

225A. *Chairman and Vice-Chairman.*—A regional committee shall, as soon as may be, elect two members of the committee to be respectively Chairman and Vice-Chairman thereof and, so often as the office of the Chairman or the Vice-Chairman becomes vacant, the regional committee shall elect another member to be Chairman or Vice-Chairman, as the case may be.

225B. *Election of Chairman and Vice-Chairman.*—(1) The Chairman of a regional committee shall be elected by the members of the regional committee on such date as the Governor may fix for the purpose and the Secretary shall send to every member notice of this date.

(2) At any time before noon on the day preceding the date so fixed, any member may give notice in writing addressed to the Secretary of a motion proposing the name of another member for office of the Chairman, and the proposal shall be seconded by another member and shall be accompanied by a statement by the member whose name has been proposed that he is willing to serve as Chairman if elected:

Provided that a member shall not propose his own name or second a motion proposing his own name or propose or second more than one motion.

(3) A member in whose name a motion stands on the list of business may, when called, move the motion or withdraw the motion, and shall confine himself to a mere statement to that effect.

(4) The motions which have been moved and duly seconded shall be put one by one in the order in which they have been moved, and decided, if necessary, by division. If any motion is carried, the person presiding shall, without putting the latter motions, declare elected the member proposed in the motion.

(5) Before the election of a Chairman, the Governor shall appoint a member of the regional committee, who does not intend to contest the election, to preside at the meeting.

(6) The procedure for the election of the Vice-Chairman shall be the same as that in respect of the Chairman except that the date for the election shall be fixed by the Chairman and the Chairman shall preside at the meeting.

225C. *Vacation and resignation of, and removal from, the offices of Chairman and Vice-Chairman.*—A member holding office as Chairman or Vice-Chairman of a regional committee—

- (a) shall vacate his office if he ceases to be a member of the Assembly;
- (b) may at any time, by writing under his hand addressed, if such member is the Chairman to the Vice-Chairman, and if such member is the Vice-Chairman, to the Chairman, resign his office; and
- (c) may be removed by a resolution of the regional committee passed by a majority of all the then members of the Committee.

225D. *Powers of the Vice-Chairman or other person to perform the duties of the office of, or to act as, Chairman.*—(1) While the office of Chairman is vacant, the duties of the office shall be performed by the Vice-Chairman, or if the office of the Vice-Chairman is also vacant, by such member of the regional committee as the Governor may appoint for the purpose.

(2) During the absence of the Chairman from any sitting of the regional committee, the Vice-Chairman, or if he is also absent, such other person as may be elected by the regional committee, shall act as Chairman for that meeting.

(3) The Vice-Chairman or any other member competent to preside over a meeting of a regional committee under these rules, shall, when so presiding, have the same powers as the Chairman when so presiding.

225E. *Chairman and Vice-Chairman not to preside while a resolution for his removal from office is under consideration.*—(1) At any meeting of a regional committee, while any resolution for the removal of the Chairman from his office is under consideration, the Chairman or while any resolution for the removal of the Vice-Chairman from his office is under consideration, the Vice-Chairman, shall not, though he is present, preside, and the provisions of sub-rule (2) of Rule 225D shall apply in relation to every such meeting as they apply in relation to a meeting from which the Chairman, or as the case may be, the Vice-Chairman, is absent.

(2) In any such case, the Chairman or Vice-Chairman as the case may be, shall be entitled to vote only in the first instance on such resolution but not in the case of an equality of votes.

225F. *Quorum.*—(1) In order to constitute a meeting of a regional committee, the quorum shall be as near as may be one-third of the total number of members, the fraction, if any, being ignored.

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

225G. *Sittings of regional committee.*—The sittings of a regional committee shall be held in private and within the precincts of the Assembly building on such days and at such time as the Chairman may fix.

225H. *Voting.*—(1) All questions at any sitting of a regional committee shall be determined by a majority of votes of the members present and voting.

(2) In the case of an equality of votes on any matter, the Chairman or the person acting as such shall have a second or casting vote.

225I. *Power to appoint sub-committees.*—(1) A regional committee may appoint one or more sub-committees to examine any matters that may be referred to the said sub-committee or such committees.

(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 regional committee.

225J. *Power to appoint joint committees.*—(1) Where a Bill has been referred to both the regional committees, any regional committee may desire to obtain the concurrence of the other regional committee in setting up a joint sub-committee of the two regional committees to consider the Bill. If such a motion is carried in a regional committee, a message shall be sent to the other regional committee for its concurrence in the motion and, in case of its concurrence in the motion, for the nomination of its members to serve on the joint sub-committee in accordance with sub-rule (3).

(2) If the other regional committee does not agree to the motion, there shall be no reference of the Bill to the joint sub-committee.

(3) A joint sub-committee shall consist of the member-in-charge and ten members from each of the regional committees.

(4) The joint sub-committee shall elect a Chairman from among its members.

(5) The report of the joint sub-committee shall be submitted to both the regional committees and considered separately by them.

225K. *Report by regional committee.*—(1) As soon as may be, after a Bill has been referred to a regional committee, the regional committee shall meet from time to time in accordance with Rule 225G to consider the Bill and shall make a report thereon within the time fixed by the Assembly :

Provided that the Assembly may, at any time on a motion being made, extend the time for the making of the report to a date to be specified in the motion.

(2) The report of a regional committee shall ordinarily be signed by the Chairman on behalf of the committee:

Provided that if the Chairman is absent or is not readily available, the report shall be signed by the Vice-Chairman or, in his absence, by any other member specially chosen for the purpose by the regional committee.

(3) Any member of the regional committee may record a minute of dissent on any matter or matters connected with the Bill or dealt with in the report.

(4) A minute of dissent shall be couched in temperate and decorous language and shall not refer to any discussion in the regional committee nor cast aspersions on the committee.

(5) If, in the opinion of the Chairman, a minute of dissent contains words, phrases or expressions which are unparliamentary or otherwise inappropriate, he may order such words, phrases or expressions to be expunged from the minute of dissent.

225L. *Presentation of report.*—(1) The report of a regional committee on a Bill together with minutes of dissent, if any, shall be presented to the Assembly by the Chairman thereof or in his absence, by any member of the regional committee.

(2) In presenting the report, the Chairman or in his absence the member presenting the report shall, if he makes any remarks, confine himself to a brief statement of facts but there shall be no debate at this stage.

225M. *Printing and publication of reports.*—The Secretary shall cause every report of a regional committee together with the minute of dissent, if any, to be printed and a copy thereof shall be made available for the use of every member of the Assembly.

225N. *Power to recommend legislative and executive action.*—A regional committee shall have the power to consider and pass resolutions recommending to the State Government any legislative or executive action with respect to scheduled matters, so however, that, the executive action relates to general questions of policy and the legislative or executive action does not involve any financial commitment other than expenditure of a routine and incidental character.

225O. *Proceedings of regional committees.*—The Rules of Procedure regarding debate and amendments in a regional committee shall be the same as those of the Assembly in these respects.

225P. *Power of regional committee to regulate its procedure and that of its committees.*—A regional committee shall have power to make bye-laws not inconsistent with these Rules, to regulate its own procedure and the procedure of its sub-committees.

69 M. of H.A.—7

225Q. Chapter XX not to apply to regional committees.—The provisions of Chapter XX relating to the Committees of the Assembly shall not apply to the regional committees”.

THE FOURTH SCHEDULE

The following modifications shall be made in the Rules of Business of the Punjab Government, namely :—

Amendment in Part I of the Rules—

In the Schedule annexed to the Business of the Punjab Government (Allocation) Rules, 1953, as in force on the 31st August, 1955, under the heading “General Administration” after item 26, the following item shall be inserted, namely :—

“27. All matters relating to regional committees constituted under paragraph 3 of the Punjab Regional Committees Order, 1957, including resolutions passed by such committees”.

Amendment in Part II of the Rules—

In the Rules of Business of the Government of Punjab, 1953, as in force on the 31st August 1955—

(1) In rule 2, after clause (d), the following clause shall be inserted, namely:—

“(e) ‘regional committee’ and ‘scheduled matters’ shall have the same meanings as in the Punjab Regional Committees Order, 1957”.

(2) After rule 9, the following rule shall be inserted, namely:—

“9A. The Council shall normally give effect to the recommendations of a regional committee made under paragraph 7 of the Punjab Regional Committees Order, 1957, in regard to any legislative or executive action with respect to scheduled matters, but if the Council is of the opinion that it would not be expedient to give effect to any such recommendation, or that the regional committee was not competent to make any such recommendation, the matter shall be referred by the Chief Minister to the Governor whose decision thereon shall be final and binding on the Council and action shall be taken accordingly”.

(3) In the Schedule, after item 27, the following item shall be inserted, namely:—

“28. All matters relating to regional committees including resolutions passed by such committees”.