

ADJOURNMENT MOTIONS

Meaning and Scope

The primary object of an adjournment motion is to draw the attention of the House to a recent matter of urgent public importance having serious consequences and with regard to which a motion or a resolution with proper notice will be too late. The matter proposed to be raised should be of such a character that something very grave which affects the whole country and its security has happened and the House is required to pay its attention immediately by interrupting the normal business of the House.

2. The adjournment motion is thus an extraordinary procedure which, if admitted, leads to setting aside the normal business of the House for discussing a definite matter of urgent public importance.

3. The subject matter of the motion must have a direct or indirect relation to the conduct or default on the part of the Union Government and must precisely pinpoint the failure of the Government of India in the performance of its duties in accordance with the provisions of the Constitution and Law. A matter which falls within the jurisdiction of a State Government is inadmissible, but a matter concerning the constitutional

developments in a State or atrocities on the Scheduled Castes and Scheduled Tribes and other weaker sections of the society which bring the Union Government into picture may be considered for admission on merits. The refusal to give consent is in the absolute discretion of the Chair and the Chair is not bound to give any reasons therefor.

Notice

4. The notice of an adjournment motion is required to be given on the prescribed form, copies of which are available in the Parliamentary Notice Office. It should be addressed to the Secretary-General and copies thereof endorsed to the Speaker, the Minister concerned and the Minister of Parliamentary Affairs. All the copies of the notice should be given in Parliamentary Notice Office.

5. A member can give not more than one notice for any one sitting. If a notice is signed by more than one member, it is deemed to have been given by the first signatory only.

6. A ballot is held to determine the relative priority of all notices received on the same subject for the sitting for which they are valid.

Time for giving Notice

7. Before the commencement of a session notices of adjournment motion can at the earliest be given on

and after the date notified for the purpose in Bulletin—Part II. This is normally three working days before the commencement of the session. Notices received prior to that date are not considered valid and are returned to the members.

8. Rule 332 *inter alia* provides that every notice shall be given in writing etc. However, as an initiative towards e-Parliament and Paperless Secretariat, an e-Portal for online submission of notices by Members has been in operation since 18 July, 2016. Hence, members can table notices both online and offline.

9. During the session period, notice of an adjournment motion should be given by 10.00 hours on the day on which the motion is proposed to be made. Notices received after 10.00 hours are treated as notices given for the next sitting.

10. As a convention, adjournment motions are not taken up on the day of the President's Address. Notices received for that day are treated as notices for the next sitting.

Admissibility of Notices

11. While giving consent to an adjournment motion the Speaker is guided by the following principles:—

- (i) The matter raised is definite. An adjournment motion is not admissible where the facts are not settled or unless it relates to some precise

recent action or omission of the Union Government. Notices about threatened strike or likely dislocation of a service or about a situation which has not actually arisen are inadmissible.

- (ii) The matter raised is urgent. A matter is deemed to be urgent only if it has arisen suddenly or is in the nature of an emergency. It should not be a continuing matter. The urgency should be such that the matter brooks no delay.
- (iii) The matter raised is of public importance. The importance of the matter should warrant interruption of normal business of the House. It should be a larger issue than a merely individual or local grievance. It should be a question of general public concern.
- (iv) It relates to a specific matter of recent occurrence.
- (v) It does not raise a question of privilege.
- (vi) It does not revive discussion on a matter already discussed in the same session.
- (vii) It does not anticipate a matter which has been previously appointed for consideration.

- (viii) It does not relate to a matter which is *sub-judice*.
- (ix) It does not raise any question which under the Constitution or Rules can be raised only on a distinct substantive motion.
- (x) The matter involves direct or indirect responsibility of the Government of India.

Procedure for Disposal of Notices of Adjournment Motion

12. Where the Speaker is satisfied *prima facie* that the matter proposed to be discussed is in order under the Rules, may give consent to the moving of the motion and at the appropriate time, that is, after Question Hour, call upon the member concerned to ask for leave of the House to move the adjournment motion. If objection to leave being granted is taken, the Speaker will ask those members who are in favour of leave being granted to rise in their places and if not less than fifty members rise accordingly, will declare that leave is granted. If less than fifty members rise, the Speaker will inform the member that leave of the House has not been granted.

13. If leave of the House is granted, the motion 'that the House do now adjourn' shall be taken up at 16.00 hours or at an earlier hour if the Speaker after considering the state of business in the House so directs.

14. Discussions may, however, be postponed to a later date mutually agreeable to the House in the event of any unavoidable circumstances.

15. Where the Speaker is satisfied *prima facie* that the notice of an adjournment motion is inadmissible, the speaker can refuse consent without bringing the matter before the House and the member concerned will be verbally informed of the Speaker's decision.

16. Once a member is informed of the Speaker's decision concerning withholding of consent, no discussion or point shall be permitted to be raised in the House either on the subject matter of the notice or the reasons for disallowance thereof.

17. If, however, the member desires to make a submission to the Speaker to reconsider her/his decision, the member may meet the Speaker in Speaker's Chamber later during the day.

18. Where the Speaker is not in possession of full facts to decide the admissibility of a notice, the Speaker may before giving or refusing her/his consent, read out the notice of the motion and hear from the Minister and/or members concerned, a brief statement on facts and then give the decision on the admissibility of the motion. However, where facts are not readily available the Speaker may defer decision till receipt of the comments from the Minister.

Time for Discussion of Adjournment Motion

19. After leave of the House to the moving of an adjournment motion has been granted by the House, the motion is normally taken up at 16.00 hours. The time

allotted for discussion is not less than 2½ hours unless the debate concludes earlier. The Speaker may, if satisfied that there has been adequate debate, put the question at 18.30 hours or at such other hour not being less than 2½ hours from the commencement of the debate. The discussion commences with the motion moved by the mover 'THAT THE HOUSE DO NOW ADJOURN'. At this stage the text of the notice is not read out. After the mover has spoken on the motion, other members speak. Thereafter the Minister intervenes and at the end the mover has a right of reply. The Minister concerned may, with the permission of the Speaker, speak (whether previously spoken in the debate or not) after the mover has replied.

20. When the motion is being discussed that is, from the hour the discussion on an adjournment motion has commenced to the time the motion is disposed of, the Speaker has no power to adjourn the House for the day because during that time the power vests in the House to take a decision on its adjournment. Once the discussion commences, it has to be concluded and decision arrived at without interrupting the debate. However, there is no bar to taking up formal items *viz.* laying of papers or having a lunch break during the discussion. The Speaker cannot also postpone the voting to the next sitting even if a request is made to that effect. The motion has to be disposed of before the House is adjourned. If the motion is negatived, discussion on the business which had been

interrupted by the adjournment motion is resumed or the next item on the Agenda taken up for a short while and then the House is adjourned by the Speaker for the day. When the motion is withdrawn by leave of the House, the House may be adjourned without resuming further business, if it is time for the House to have adjourned in the normal course.

21. An adjournment motion involves an element of censure against the Government. In the event of an adjournment motion being adopted, the House automatically stands adjourned.

[Adjournment Motions are governed by Rules 56—63 of the Rules of Procedure and Conduct of Business in Lok Sabha and Direction 2 (vi) of Directions by the Speaker.]

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PREFACE

This Abstract is part of the Parliamentary Procedure Abstracts Series and describes the procedure regarding Adjournment Motions. It is based on the Rules of Procedure and Conduct of Business in Lok Sabha, Directions issued by the Speaker under the Rules of Procedure and past precedents. It is intended to serve as a handy guide for ready reference.

The information contained in this Abstract is, however, not exhaustive. It will, therefore, be prudent to refer to and rely on the original sources for full information.

NEW DELHI

Secretary General