

LAYING OF PAPERS ON THE TABLE BY PRIVATE MEMBERS

Introduction

Papers are laid on the Table in order to supply authoritative facts and information to the House with a view to enabling members to participate in the debates in a meaningful manner. Papers are laid either in compliance with specific provisions of the Constitution, the various Central statutes and the Rules of Procedure, or in pursuance of the directions issued by the Speaker from time to time or in pursuance of the recommendations of the Parliamentary Committees or the settled practices and conventions in regard thereto. Once a paper is laid on the Table, it becomes permanent record of the House and a public document, open to inspection and use of members.

Scope

2. Normally, it is the Ministers who on behalf of the Government lay documents on the Table of the House. A private member *i.e.* other than Minister can, however, also lay a paper or document on the Table but only with the prior permission of the Speaker. The member is required to supply a copy of such paper or document to

the Speaker in advance to enable her/him to decide whether permission may be given.

3. A paper or document sought to be laid on the Table of the House by a private member is considered for laying on the Table only if the member has quoted therefrom and there is demand for laying it on the Table.

Time for giving Notice

4. Notice seeking permission of the Speaker to lay a paper or document on the Table of the House, accompanied by the document in question, should be given sufficiently in advance, preferably by 10.00 hours on the day on which the paper is sought to be laid on the Table. If, however, a member, during the course of her/his speech in the House, without seeking the permission of the Speaker in advance, seeks to lay a paper or document on the Table, even though duly authenticated by her/him, the same is not automatically treated as paper laid on the Table. The document thus handed over by the member is examined within the parameters of established guidelines on the subject either in the shape of Directions by the Speaker or precedents based on the rulings given by the Chair from time to time.

Authentication of Papers sought to be laid

5. A member who seeks permission to lay a paper or a document on the Table is required to record thereon

a certificate in one of the following forms, as the case may be:

- (a) I certify from my personal knowledge that this is the original document which is authentic.
- (b) I certify from my personal knowledge that this document is a true copy of the original which is authentic.
- (c) I certify that the contents of this document are correct and based on the authentic information.

6. If the paper or document consists of more than one page, the member is required to put her/his signature with date on every page thereof.

Conditions for admissibility

7. While according permission to treat a paper/document as laid on the Table, the Speaker is guided by the following factors :

- (i) that the member had referred to the paper or document in the House, had quoted therefrom and there was a demand for laying the same on the Table;
- (ii) that matter contained in the paper or document was in some way connected with business then before the House;

- (iii) that the document was important enough to be brought on records of the House;
- (iv) that the member was directed by the Chair to lay the paper or document on the Table;
- (v) that the document contained facts and was not propagandist in nature;
- (vi) that the document contained nothing which was against the wider interest of the nation;
- (vii) that by laying document on the Table, the House was not made a forum for expressing views which would lower its prestige or authority;
- (viii) that the document was original and authentic;
- (ix) that the document had been published by the State or any other competent authority.

**Grounds on which permission to lay a paper/
document may not be granted :**

- 8. (i) that the document was in the nature of private correspondences;
- (ii) that the member had cited it merely to reinforce her/his arguments to which the Minister had already given a reply;
- (iii) that there was no demand by the House for its being laid on the Table;

- (iv) that the document did not corroborate the statement made by the member;
- (v) that the document was a statement of figures prepared by the member or contained her/his views and the member could not vouch for the authenticity of its contents;
- (vi) that the document was not original but merely a copy, the authenticity of which could not be verified;
- (vii) that the document was easily available for reference;
- (viii) that the member sought to lay the document independent of any relevant business before the House;
- (ix) that the member has neither quoted from the document nor had been called upon to lay the same nor there was any question of privilege involved so as to require her/him to substantiate the allegations made by her/him with the documentary evidence.

Secret Government Documents

9. So far as the question of permitting a member to lay on the Table of the House a secret document which she/he had referred to in the course of her/his speech is

concerned, it is the prerogative of the Speaker to refuse permission if she/he feels that it would be against the national interest to do so. The decision of the Speaker cannot be questioned. Till the document is permitted to be laid on the Table, any person giving publicity to its contents through any writing or publication in the Press would not be entitled to any protection against action under the law.

Treatment of papers permitted to be laid on the Table of the House

10. Unlike Ministers, members if permitted by the Speaker are not required formally to stand in the House and lay the paper or document on the Table of the House. Where the Speaker accords permission to a private member to lay a paper/document on the Table of the House, an authenticated copy thereof is placed in the Parliament Library for reference by members. This fact is indicated in the Lok Sabha Debates and members are also informed through a paragraph in Lok Sabha Bulletin—Part II.

11. In case a member lays a document on the Table while making a statement and the Chair permits the member to lay the same, the entry about the document laid is made in Bulletin—Part I and no separate para is issued in Bulletin—Part II.

12. When the Speaker does not accord permission to a member to lay a paper/document on the Table, the same is returned to the member concerned.

[Laying of papers or documents on the Table by a Private Member is governed by Directions 117, 118 and 118A of the Directions by the Speaker.]

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PREFACE

This Abstract is part of the Parliamentary Procedure Abstracts Series and describes the procedure for laying of Papers by Private Members. It is based on the Rules of Procedure and Conduct of Business in Lok Sabha, the Directions issued by the Speaker under the Rules of Procedure and decisions/rulings given by the Chair from time to time. 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