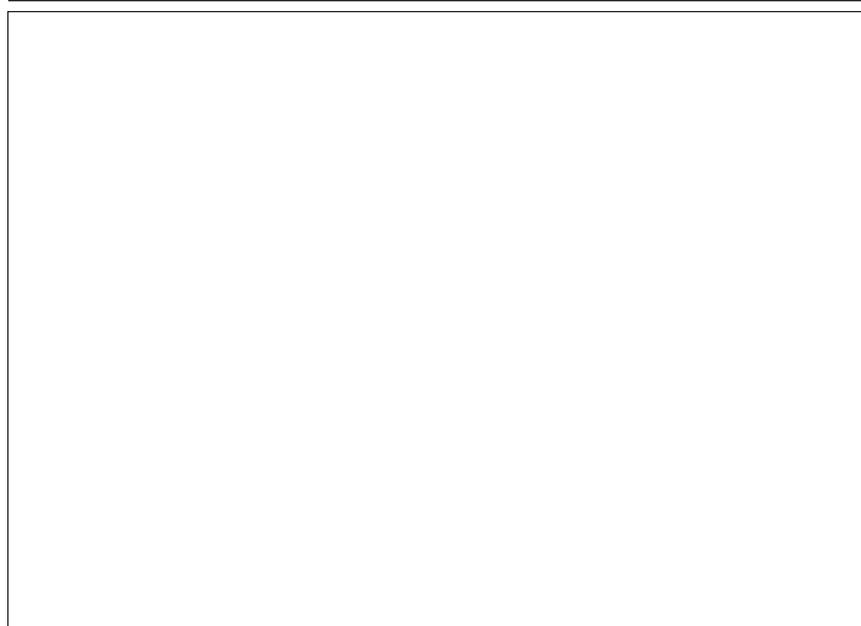




RAJYA SABHA
PRACTICE & PROCEDURE SERIES

**PARLIAMENTARY
DECORUM AND
ETIQUETTE**

17



PARLIAMENTARY DECORUM AND ETIQUETTE

F. No. RS. 17/5/2005-R & L

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**RAJYA SABHA SECRETARIAT
NEW DELHI**

PUBLISHED BY SECRETARY-GENERAL, RAJYA SABHA AND PRINTED
BY MANAGER, GOVERNMENT OF INDIA PRESS,
MINTO ROAD, NEW DELHI-110002.

PREFACE

This booklet is part of Rajya Sabha Practice and Procedure Series which seeks to describe in brief, the established parliamentary customs, conventions and etiquette which a Member of Parliament has to make himself familiar with and observe. These have been evolved over the years from practices, rulings of the Chair and unrecorded traditions of Parliament. Some of these also find a place in the Rules of Procedure and Conduct of Business in Rajya Sabha. The booklet is intended to serve only as a handy guide for ready reference and the information contained in it may not be exhaustive.

New Delhi
February, 2005

DR. YOGENDRA NARAIN
Secretary-General

PARLIAMENTARY DECORUM AND ETIQUETTE

Introduction

Parliament basically is a place where issues are thrashed out and divergent views are reconciled as far as possible by debate, discussion and persuasion. Any fruitful discussion and debate calls for certain amount of discipline, decorum and order in the House. It is, therefore, essential that members of Parliament observe a certain code of conduct, follow a certain norm of behaviour and run the parliamentary system according to rules, customs and conventions. Whether inside the House or outside of it, members' conduct should be in keeping with the dignity and the prestige of Parliament. Observance of parliamentary etiquette, customs and conventions, which have been evolved over the years from practices, rulings of the Chair and unrecorded traditions of Parliament, is essential for enhancing the dignity of Parliament.

Some do's and don'ts for members

There are many established parliamentary customs and conventions which a member elected for the first time has to make himself familiar with. Such customs and conventions (which cannot be taken as exhaustive) are given below:—

- Every member should, while coming to the House for a sitting, bring with him the identity card issued

to him by the Secretary-General, so that the security staff on duty in the premises of the House easily let him in. The staff have strict orders not to allow strangers into the Parliament House without a valid pass and it is not always easy for such staff to get acquainted with the names and appearances of all the members.

- Before making and subscribing the oath or affirmation, it is customary for a member to call on the Chairman. Members should also know the procedure for making and subscribing the oath or affirmation. For this purpose a member can contact the Rajya Sabha Table Office. For information on other matters concerning membership and parliamentary business a member can contact the Rajya Sabha Notice Office.
- Before entering the House, a member has to record his presence in the Attendance Register which remains placed in the Lobby and he has to sign it every day in token of his presence at the sittings of the House. For the convenience of members the Attendance Register has been split up into four parts containing the Division Numbers:—(1) 1 to 61; (2) 62 to 127; (3) 128 to 195; and (4) 196 to 250; each part is kept on a separate rostrum in the Lobby.
- During the sittings of the House, a member may receive one or more slips intimating that someone is waiting outside to see him on an urgent and important

business. Arrangements have been made for members to meet the visitors who come to see them in the Reception Office adjacent to the Parliament House.

- A member should say or do nothing on the floor of the House that is not warranted by the Rules of Procedure or by the rulings or precedents, or by the accepted and established customs and conventions of the House.
- Information given to a member in confidence or by virtue of his membership of a parliamentary committee should not be divulged to anyone nor used directly or indirectly in the profession in which a member may be engaged, such as in his capacity as an editor or correspondent of a newspaper or a proprietor of a business firm and so on.
- A member should not give certificates which are not based on facts.
- A member should not permit himself to be used as a ready supporter of everybody's grievances or complaints.
- The decorum and seriousness of the proceedings of the House require that there should be no "Thanks", "Thank you", "Jai Hind", "Vande Mataram" or any other slogan raised in the House.
- A notice for raising a matter in the House should not be given publicity by any member or other person

until it has been admitted by the Chairman and circulated to members.

- Rulings given by the Chair should not be criticised directly or indirectly inside or outside the House.
- Questions pertaining to the Rajya Sabha/Lok Sabha Secretariat or the Chairman, Rajya Sabha/Speaker, Lok Sabha should not be asked on the floor of the House.
- References to officers of either House in debates should not be made.
- Arms and ammunition should not be displayed or carried in the House.
- Flags, exhibits or emblems should not be produced or displayed on the floor of the House.

Parliamentary etiquette

The rules of behaviour which the members are required to observe in the House are technically known as parliamentary etiquette. The following are some of the important parliamentary etiquette which the members have generally to observe in the House:—

- Member should be present in the House a few minutes before the scheduled time, which is ordinarily 11.00 a.m. At the appointed time in the House, the Marshal announces the arrival of the

Chairman, whereupon the Chairman immediately enters the Chamber. Members should stop all conversation, be in their seats and rise in their places. Members who enter the House at that time should stand silently in the gangway, till the Chairman takes the Chair and thereafter they should go to their seats.

- While the House is sitting, every member should enter and leave the Chamber with decorum and in such a manner as not to disturb the proceedings of the House.
- Members should bow to the Chair while entering or leaving the House and also before taking or leaving their seats.
- Members should never pass between the Chair and any member who is speaking.
- Members should not sit with their backs to the Chair.
- During a sitting, a member should, if necessary, go out quickly by a back door close to his seat without causing any disturbance to the House.
- Members should not so converse amongst themselves as to disturb the proceedings of the House. Such talks, though not very audible at distance, yet considerably disturb the Chair due to special acoustics in the House.
- Members, in their seats, should not read newspapers, periodicals, books or letters not directly

connected with, or necessary for the business before the House.

- When a member wants to speak he should rise in his place to attract the attention of the Chair. No member should speak unless he or she has caught the eye of the Chair, and has been called upon by the Chair by name or by a sign to speak.
- No member should raise in the House the subject matter of a notice or a communication sent by him to the Chairman, unless he has been specifically permitted by the Chairman to do so. If no intimation has been received by the member, he should presume that the matter is either under the consideration of the Chairman or it has been disallowed by him.
- Every member should resume his seat as soon as the Chairman rises to speak, or calls out "order" and also when any other member is in possession of the floor (*i.e.*, speaking with the permission of the Chair) or has interposed in the course of the debate to raise a point of order, or to offer a personal explanation.
- No member should rise or leave the House when the Chairman is addressing the House. The Chairman should always be heard in silence.
- Except with the prior leave of the Chair no member should read out a written speech, though notes may be referred to.

- A member is not allowed to read the communication/ speech of another member during the latter's presence in the House.
- Members should not leave the House immediately after they finish their speeches. Courtesy to the House requires that after finishing their speeches they resume their seats and leave the House only afterwards, if necessary.
- When any member offers criticism of another member or Minister, the latter is entitled to expect that the critic should be present in the House to hear his reply. To be absent when the latter is replying is a breach of parliamentary etiquette. Members who participate in a debate should be present in the House when the Minister replies to the debate. Members are expected to extend the courtesy to the Minister.
- It is desirable that, as far as practicable, a member should not be referred to by name, but in some other suitable way *e.g.*, "the member who has last spoken", "the member representing such and such State", "the member from....." etc. If unavoidably necessary, full name may be used.
- Repetition of the arguments of previous speakers, or one's own should be avoided.
- Personal reference (unless it be imperatively necessary for the purpose of the debate, being itself a matter in issue or relevant thereto) by way of

- imputation of motive to, or questioning the *bonafides* of any member, should not be resorted to.
- Members, when in the Lobby, should talk with each other in a subdued tone so as not to disturb the proceedings of the House.
- No member should speak to the Gallery from inside the House, nor should he make any reference or appeal to it.
- A member must not address, while speaking, to individual members of the House, but should always address the Chair and make all remarks to other members through the Chair.
- No member should argue with another member when the latter is speaking. He may, however, ask through the Chair, questions with a view to obtaining information from the member who is speaking. But a member who is addressing the House with the permission of the Chair should not be interrupted by another member persistently. It is open to the former not to give way but to go on with his speech if the interruption is not for raising a point of order.
- A member should not interrupt any other member who is speaking, by disorderly expression or noise or in any other disorderly manner.
- The Chairman may direct any member whose conduct is in his opinion grossly disorderly, to withdraw immediately from the House, and any member so ordered to withdraw should do so forthwith and should

absent himself during the remainder of the day's sitting.

- A statement made by a Minister from the records in his possession should be accepted as correct unless a point is specifically raised to challenge it.
- A member may, with the permission of the Chairman, make a personal explanation although there is no question before the House, but in such case no debatable matter may be brought forward, and no debate shall arise.
- If any statement is imputed to another member, and the latter says that he did not make that statement the contradiction should be accepted without demur.
- A member should speak only from the seat allotted to him. When a member is not sitting in his own seat, he may not be called to speak or to ask supplementary questions.
- A member while speaking should not—
 - (a) refer to any matter of fact on which a judicial decision is pending;
 - (b) make a personal charge against another member;
 - (c) use offensive expressions about the conduct of proceedings of Parliament or any State Legislature;

- (d) reflect on any determination of the House except on a motion for rescinding it;
 - (e) use the President's name for the purpose of influencing the debates;
 - (f) utter treasonable, seditious or defamatory words;
 - (g) use his right of speech for the purpose of obstructing the business of the House; and
 - (h) reflect on the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms.
- In their speeches, members should not refer to Government officials by name.
 - Members should not smoke in the Chamber. Members should not also throw burning cigarette ends on the floor anywhere except in the receptacles provided for the purpose, in order to avoid any risk of fire.
 - Two members should not keep standing at the same time on the floor of the House.
 - When a member is making a maiden speech he should not be interrupted.
 - Members should not obstruct proceedings, hiss or interrupt and should avoid making running commentary when speeches are being made in the House.

- Entering the House with coat hanging on the arm is improper and against the decorum of the House.
- Members should not carry walking sticks into the Chamber unless permitted by the Chairman.
- Members ought not to stand in the passage of the Chamber, they may either sit down or go out.
- Members should not, as far as possible, approach the Chair personally in the House; they may send chits to him, if necessary, through the officers at the Table.

Procedure regarding allegations against members

No member should make any allegation of a defamatory or incriminatory nature against any other member or a member of the Lok Sabha unless the member making the allegation has given previous intimation to the Chairman and also to the Minister concerned. The Chairman may prohibit the member from making the allegation if he is of the opinion that such allegation is derogatory to the dignity of the Council.

Rules to be observed by members desiring to participate in a debate

- (i) Members desiring to take part in a debate or discussion may adopt any one of the following three methods:—

- (a) The names of members who wish to participate in a particular debate or discussion may be supplied to the Chairman by the parliamentary parties or groups.
- (b) A member who prefers to write directly to the Chairman may do so without having to go through the machinery of parliamentary party or group.
- (c) A member who may not like to give his name to the Chairman through his party or to write directly to the Chairman but wishes to adopt the well-known parliamentary practice of 'catching the Chairman's eye' may stand in his place whenever he wishes to take part in a debate and speak when called upon by the Chair.
- (ii) Lists of members who wish to participate in any debate in the House or slips from individual members in that regard should be sent to the officers at the Table and not to the Chair directly.
- (iii) The Chairman is not bound by the lists or order in which names have been given by parties or groups or individuals directly. The lists are for his guidance only and it is always open to him to make changes therein whenever he considers it necessary.

Unparliamentary expressions

Propriety, decency and good taste require that members should not use ironical, derogatory or unbecoming words or expressions while speaking. There are certain words and expressions that have been held to be unparliamentary or objectionable or otherwise not in good taste. Some such words are: "black mailers", "blackmarketeers", "buffoons", "bullies", "cheats", "goondas", "monkeys", "monsters", "scoundrels", or "rogues" to describe members; "imbecile" or "irresponsible" to describe the House or a section thereof, "rubbish", "rotten lie", "tissue of lies", "insincere", "ridiculous" or "nonsense", to describe a speech of a member.

Expunction of words and phrases

If the Chairman is of the opinion that words used in a debate are defamatory or indecent or unparliamentary or undignified he may, in his discretion, order that such words be expunged from the proceedings of the House. When a member, on being asked to withdraw objectionable remarks held to be not relevant to the debate, refuses to do so, the Chair may order expunction thereof. On being asked by the Chair not to quote from a document of which advance notice has not been given and which is not relevant to the debate, if the member continues to quote therefrom, the Chair may order expunction of the quotations. Where a member without

being called upon to speak, continues speaking despite the Chair asking him to desist from it, the Chair may order non-recording or expunction of the speech from the proceedings. Likewise, if a member continues to interrupt the speech of another member or a Minister, the Chairman may direct that interruptions be not recorded.

Conduct outside the House

Corruption in the execution of their duties by members is considered a serious breach of privilege. The acceptance of any fee, compensation or reward or an agreement to that effect in return for advocating the claims of anybody or for opposing any Bill, resolution, or matter submitted for consideration of the House or for drafting or advising on any Bill, petition or document submitted or proposed to be submitted to the House falls in this category and is treated as a case of breach of privilege. Giving of evidence by a member in a court of law in relation to any debates or proceedings in the House or any committee thereof without the leave of the House of which he is a member is considered a misconduct. Any undesirable, undignified and unbecoming conduct on the part of a member, and neglect or breach of duty by members in the execution of the responsibilities of their office as members and cognate offences may also be treated by the House as misconduct.

Restrictions on the use of Parliament House Complex

A member is not to resort to hunger strike or any demonstration or perform any religious function in the precincts of Parliament House. A member can remain within the precincts of the House only for one hour after the House is adjourned. After that he cannot remain in any part of the Parliament House Complex unless specific permission of the Chair has been obtained. A member should not take shelter within the precincts of Parliament House if he knows that he is wanted by police authorities in connection with some case against him. Parliament House is not to be used as a sanctuary or a place of protection from the process of law. Members should not distribute within the precincts of the House, any literature, questionnaire or pamphlets, etc. unless permission has been obtained from the Chairman in writing in advance.

Framework of Code of Conduct for Members of Rajya Sabha

The Members of Rajya Sabha should acknowledge their responsibility to maintain the public trust reposed in them and should work diligently to discharge their mandate for the common good of the people. They must hold in high esteem the Constitution, the Law, Parliamentary Institutions and above all the general public. They should constantly strive to translate the

ideals laid down in the Preamble to the Constitution into a reality. The following are the principles which they should abide by in their dealings:

- (i) Members must not do anything that brings disrepute to the Parliament and affects their credibility.
- (ii) Members must utilise their position as Members of Parliament to advance general well-being of the people.
- (iii) In their dealings if members find that there is a conflict between their personal interests and the public trust which they hold, they should resolve such a conflict in a manner that their private interests are subordinated to the duty of their public office.
- (iv) Members should always see that their private financial interests and those of the members of their immediate family* do not come in conflict with the public interest and if any such conflict ever arises, they should try to resolve such a conflict in a manner that the public interest is not jeopardised.

*Immediate family includes spouse, dependent daughters and dependent sons.

- (v) Members should never expect or accept any fee, remuneration or benefit for a vote given or not given by them on the floor of the House, for introducing a Bill, for moving a resolution or desisting from moving a resolution, putting a question or abstaining from asking a question or participating in the deliberations of the House or a Parliamentary Committee.
- (vi) Members should not take a gift which may interfere with honest and impartial discharge of their official duties. They may, however, accept incidental gifts or inexpensive mementoes and customary hospitality.
- (vii) Members holding public offices should use public resources in such a manner as may lead to public good.
- (viii) If members are in possession of a confidential information owing to their being Members of Parliament or Members of Parliamentary Committees, they should not disclose such information for advancing their personal interests.
- (ix) Members should desist from giving certificates to individuals and institutions of which they have no personal knowledge and are not based on facts.
- (x) Members should not lend ready support to any cause of which they have no or little knowledge.

- (xi) Members should not misuse the facilities and amenities made available to them.
- (xii) Members should not be disrespectful to any religion and work for the promotion of secular values.
- (xiii) Members should keep uppermost in their mind the fundamental duties listed in Part IV-A of the Constitution.
- (xiv) Members are expected to maintain high standards of morality, dignity, decency and values in public life.