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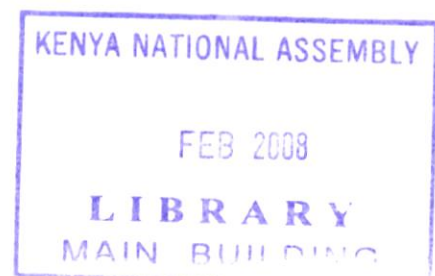
**A  
PAPER  
ON  
UNDERSTANDING THE STANDING ORDERS**

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## UNDERSTANDING THE STANDING ORDERS

One of the basic features of the parliamentary form of Government is free discussion through multiple options on a matter under consideration. To ensure smooth and orderly debate, Parliaments maintain an elaborate system of Standing Orders, also known as the Rules of Procedure in some Legislatures, outlining the multiple options *viz.* different devices such as Questions, Half-an-Hour discussions, Calling Attention, Short-Duration Discussions, debates on Motions and Resolution, on Motion of Thanks on Presidents' Addresses, on Railway and General Budgets, on Confidence and No-confidence motions etc. To facilitate proper functioning of the parliamentary institutions, it thus becomes essential for the Presiding Officers, members, political parties, Press and all those concerned with the parliamentary work to have a proper understanding of these Orders or Rules.

The Standing Orders are part of the broader concept of the parliamentary procedure. Parliamentary procedure, as defined by Erskine May, comprises, in addition to the Standing Orders, 'forms of proceeding' and the 'machinery of direction'. Procedures like various stages of passing a bill and the process of debate by a motion are some of the examples of the forms of proceeding. Insofar as the 'machinery' is concerned, the Presiding Officers, permanent parliamentary officials, party whips and committees of the House among others constitute it. Standing Orders are in practice the rules which govern the working of the 'forms of proceeding' and the 'machinery' of the House.



## **Principles and Purpose**

Being the permanent written rules under which the House regulates its procedure, these Orders assume great significance in the smooth working of a Legislature. Their continuing or 'standing' nature means that they do not lapse on their own. They should, therefore, be based on sound principles, some of which are enumerated below:

- The House must enjoy **complete autonomy in adopting and modifying Standing Orders**. In U.K., the House of Commons passes a formal Out-lawries Bill to assert its right of deliberating without reference to the immediate cause of summons. In India, the Constitution reaffirms this right of each House of the Parliament as under:

Each House of Parliament may make rules for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business. [Article 118(1)]

- It is to be ensured that **all members are equal in terms of use of Standing Orders for participating in the proceedings of the House** or in the determination of a question before the House. In practice, however, considerations of economy of time and speedy disposal of business before the House may put restraints on the equal rights of members. For example, in India, where members belonging to 42 political parties constantly compete in the current Lok Sabha to air their views on a vast array of issues, it is very difficult to accommodate all demands for participation. The Chair, therefore, plays an important role in maintaining a balance among these demands.

- The Standing Orders need to be so designed that fruitless discussions are avoided. There is thus the requirement of giving of notices with the requisite notice period to facilitate advance intimation to the Government and to other members for the purpose of meaningful interaction; conditions of admissibility of the notice; listing of different items on the Order Paper and restricting debate only on the listed items on the day's Agenda.
- Another important principle of Standing Orders is **expedition in the disposal of the business before the House**. Provisions regarding extension of the sittings beyond the usual hours, arrangement of Committee meetings during Sessions of the House and fixation of suitable time for disposal of an item, etc. are some of the examples in this regard.
- It is mandatory that decorum be maintained in parliamentary proceedings. For this, a comprehensive set of **rules for decorous behaviour needs to be part of the Standing Orders**.
- It is imperative that the Rules or Standing Orders are constantly monitored and reviewed to accommodate the needs of the time and to cope with the emerging realities.
- Rules have to take into consideration the native realities of individual countries. A particular rule in country X need not be viable in country Y. What is important is that the Rules should emerge out of a country's experience and immediate realities.