

**CHAPTER - IX****SESSIONS AND SITTINGS OF THE ASSEMBLY**

***Duration of the Assembly:-*** According to Article 172 (1) of the Constitution of India the Legislative Assembly of a State, unless sooner dissolved, will continue for five years from the date appointed for its first meeting. The expiration of the period of five years will operate as dissolution of the Assembly. The period of five years may, while a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

After the first General Elections, this Assembly held its first sitting on the 3<sup>rd</sup> May 1952 and therefore its term would expire automatically on the 2<sup>nd</sup> May 1957. But in as much as the second General Elections have been completed, the Assembly was dissolved with effect from the afternoon of the 31<sup>st</sup> March 1957.

**Summoning and prorogation by Governor.:-** The Governor is empowered under Article 174 (1) of the Constitution to summon the Assembly from time to time to meet at such time and place as he thinks fit. But, six months should not intervene between its last sitting in one session and the date appointed for its first sitting in the next session. The governor is also empowered under clause (2) of Article 174 to prorogue the Assembly from time to time and also to dissolve it.

The Period from the date of its first sitting in a session to the date of prorogation of the House is called a "session" of the Assembly.

***Meetings: -*** There were nine sessions in all during this period. The actual number of days on which the sittings of the Assembly were held was 314. In terms of hours, the Assembly met for 1,571 hours and 33 minutes.

***Sittings of the House: -*** The normal hours of sitting according to the Legislative Assembly Rules are from 11.a.m.to 5 p.m. But generally, except on the first sitting of a session and on the first day of meeting after an adjournment in the same session, the Assembly used to meet from 8.30 a.m. or 9.am. and conclude at 1.p.m. or 1.30 p.m. with occasional meetings in the afternoon.

***Night sittings: -*** When a large number of members had to participate in any particular discussion, there were night sittings of the Assembly in addition to the usual sittings by day. There were 12 such night sittings during the term of this Assembly.

***Secret sitting: -*** On the 10<sup>th</sup> February 1955 a Member raised a matter of privilege relating to the arrest of a Member of the House. The Leader of the House pointed out that the matter was subjudice. On a motion moved by the Leader of the House on the advice of the Speaker and adopted, the House sat in camera. All strangers including those in the Press Gallery and Council Members withdrew and the House held a secret sitting.

**CHAPTER - X****SWEARING-IN OF MEMBERS**

Article 188 of the Constitution of India provides that the Members of the Legislature should, before taking their seats, make and subscribe before the Governor, or some person appointed in that behalf by him, an oath or affirmation in the prescribed form. If a person sits or votes as a Member of the Legislature of a State before he has complied with the above requirements or when he knows that he is not qualified or that he is disqualified for membership thereof, or that he is prohibited from so doing by the provisions of any law made by parliament or the Legislature of the State, he shall be liable in respect of each day on which he so sits or votes to a penalty of five hundred rupees to be recovered as a debt due to the State.

Swearing-in after General Elections.-When the Assembly was summoned, after the General Elections, to meet for its first session, Sri P.T.Rajan was appointed, under Article 188 of the Constitution, by the Governor of Madras as the person before whom the Members should make and subscribe an oath or affirmation as they chose. The old restriction regarding Members making their oath or affirmation at a meeting of the Council was deleted under the Government of India Act, 1935. Usually the affirmation or oath is now administered in the Assembly Chamber while the House is sitting and in the Speaker's Chamber when the House is not sitting.

On the 3<sup>rd</sup> May 1952, 358 Members took the prescribed oath on the 5<sup>th</sup> May 1952, 12 Members took the prescribed oath in the Assembly chamber and 2 Members in the Speaker's Chamber. One Member took the oath before the Temporary Speaker in his Chamber on the 6<sup>th</sup> May 1952. There has been only one instance during the term of this Assembly when on 5<sup>th</sup> May 1952 a Member was sworn in at his residence on account of his extreme illness

Swearing-in of Members elected at bye-elections.-Twenty-four Members were elected to the vacancies in the Assembly in bye elections. Ten were sworn-in the Assembly (eight at the commencement of the sitting and two in the course of the day after the House had commenced its business) and fourteen in the Speaker's Chamber when the House was not sitting. The dates when each of them was sworn-in are given in Section II-[Table X](#).

**CHAPTER - XI****GOVERNOR'S ADDRESS**

At the commencement of the first session after each general election to the Legislative Assembly and at the commencement of the first session of each year, the Governor shall, under the provisions of Article 176 (1) of the Constitution address both Houses of the Legislature assembled together and inform the Legislature of the cause of its summons. He may also address either House of the Legislature or both the Houses assembled together under Article 175 (1) of the Constitution.

On the days when he addressed the Members of the Legislature the Governor used to arrive at the Portico of the main entrance to the Assembly on the northern side except in August 1956 when he arrived at the southern side of the Assembly Chamber.

On arrival at the portico he was received by the Speaker of the Legislative Assembly and the Chairman of the Legislative Council and led to the dais in a procession formed in the following order:-

A.D.C.I.	A.D.C.II.
Secretary, Legislative Council	Secretary, Legislative Assembly
Chairman	Speaker
<b>Governor</b>	
Private Secretary to the Governor	Comptroller, Governor's Household

On reaching the dais, the procession divided itself into two parts. The Governor occupied the chair of the Speaker in the centre. The Speaker and Chairman sat on either side of the Governor, the Speaker to the right and the Chairman to the left. The Secretaries occupied their respective chairs. The Aides-de-Camp, the Private Secretary to the Governor and the Comptroller, Governor's House-hold, sat behind the Speaker's chair in seats specially provided for them. All members remained standing till the Governor was seated.

After delivering his speech, the Governor left the Assembly Chamber in a procession reformed in the same order in which it entered the Chamber. All the Members remained standing till the Governor had left the Chamber.

When the Governor rose to deliver his Address to the Members of the Legislative Assembly and the Council assembled together at the Assembly Chamber at 5.p.m on the 6<sup>th</sup> May 1952, a Member of the Council rose to what he termed "a point of order" and made a speech. After making his speech the Member left the Chamber accompanied by some others also. The Governor then delivered his Address. The rules of the Madras Legislative Assembly have since been amended to meet such situations.

The Governor addressed the Members of both the Houses of the Legislature on seven occasions during this period.

## MOTION OF THANKS

The discussion of the matters referred to in the Governor's Address commenced with a Motion of Thanks in the following terms.viz.

"That an humble Address be presented to the Governor that the Members of the Madras legislative Assembly thank him for the Address delivered to the Members of the Legislature on .... (date and month of the year)."

The Member moved a number of amendments and after discussion the amendments were first disposed of by the House and then the original Motion was carried without any amendments. The Motion of Thanks printed on a specially made paper and signed by the Speaker was communicated to the Governor by the Speaker. The Governor in turn acknowledged them with thanks and these messages from the Governor were read to the House by the Speaker.

There was no discussion on the Governor's Address delivered on the 27th June 1952.

The details regarding the number of days allotted for these discussions, the Members who moved the Motions of Thanks, the number of amendments moved on each occasion, etc., are given in Section II-vide [Table XI](#).

## CHAPTER - XII

### QUESTIONS

Questions may be asked by the Members for the purpose of eliciting information on matters of public importance. These questions are of three kinds, namely, (i) Starred, (ii) Unstarred and (iii) Short Notice, Questions.

**(1) Admission and answering of questions:-** The Speaker decides on the admissibility of questions with reference to the Assembly Rules.

As soon as questions are admitted by the Speaker they are communicated to the departments concerned for furnishing answers. Only those starred questions for which answers have been received from the departments are included in the lists of starred questions for the days of a meeting of the Assembly. These lists are printed and circulated to Members a day in advance of the meeting and also laid on the table of the House, before the commencement of the meeting. The number of questions to be included in the starred list for a day is decided by the Speaker. This number usually depends upon the number of answers available-for being included in those lists and also on the number of days of the meeting.

**(2) Lapse of questions:-** On the prorogation of a session of the Legislature all pending questions lapse. Answers to questions received from the Departments but not answered on the floor of the House before prorogation are however communicated to the Members concerned for their information. If a Member ceases to be a Member and if any of his questions are pending with the departments no further action is taken on his questions.

(3) *Progress of questions during this period (1952-56):-* Twenty-one thousand five hundred and eleven questions were given notice of by the Members during this period. Out of these, 16,436 were admitted, 3,927 were disallowed, 80 were withdrawn and 1,068 were referred back. Out of the 16,436 questions admitted, 7,888 were answered on the floor of the House. Answers to 118 questions which were received in this Department and which were not actually answered on the floor of the House before prorogation were communicated to the Members concerned for their information.

Statements showing the total number of questions put by each Member during the period 1952-56 and answered and the total number of questions disallowed with the reasons therefore are given in Section II-[Tables XII-A and XII-B](#).

## CHAPTER - XIII

### STATEMENTS BY MINISTERS AND DISCUSSION ON MATTERS OF PUBLIC IMPORTANCE

Ministers may make statements in the House on several occasions. The occasions on which they make such statements and the procedure adopted are given below:-

#### (1) STATEMENTS BY MINISTERS *Suo Motu*

A Member who has resigned the office of Minister may, with the consent of the Speaker, make a personal statement in explanation of his resignation. Such statement should be made after questions and before the further business set down in the list of business for the day is entered upon. There shall be no debate on such a statement, but after it has been made, a Minister may make a statement pertinent thereto.

During the period of this Assembly, there had been no such instance of a statement by a Minister who had resigned.

Ministers may also make statements in the Assembly on matters of public importance. In the Legislative Assembly Rules, a Specific provision has been made enabling a Minister to make a statement on a matter of public importance with the consent of the Speaker but no questions should be asked at the time the Statement is made. During the term of this Assembly, statements by Ministers were made on nine occasions as shown below:-

- i. On the 8<sup>th</sup> December 1952, the Chief Minister made a statements on the extent of damage caused by the cyclone in the districts of Tanjore and Tiruchirappalli on 30<sup>th</sup> November 1952 and the steps taken by the Government to relieve the distress.
- ii. On the 12<sup>th</sup> December 1952, the Minister for Public Works made a statement regarding the report of the Krishna Anicut Enquiry Committee.
- iii. On the 2<sup>nd</sup> April 1953, the Chief Minister, laying on the table of the House a copy of the statement made by the Prime Minister of India in the Lok Sabha on the 25<sup>th</sup> March 1953 in regard to the establishment of the Andhra State and also the Report of Mr. Justice Wanchoo on the subject, made a statement on the formation of the Andhra State.

- iv. On the 25<sup>th</sup> March 1954, the Chief Minister made a statement with reference to the news item that appeared in the Press about his intended resignation
- v. With reference to an adjournment motion in the Assembly raised on the 25<sup>th</sup> March 1954, the Minister for Finance made a statement on the 26<sup>th</sup> March 1954 regarding the steps taken by the Government to safeguard the interests of Indian citizens from the atrocities of the Police of the French territories in India.
- vi. The Minister for Education made a statement in the Assembly on the 18<sup>th</sup> May 1954 regarding the policy of the Government with reference to elementary education.
- vii. On the 3<sup>rd</sup> December 1954, the Minister for Finance made a statement on the disturbances in Madurai, reports of which had appeared in the newspapers.
- viii. On the 15<sup>th</sup> February 1955, the Minister for Agriculture made a statement about the utilization of the Handloom Cess Fund.
- ix. On the 25<sup>th</sup> October 1956, the Minister for Finance made a statement regarding the Government's decision to enhance by a flat rate of Rs.5, the dearness allowance payable to all non-gazetted officers and gazetted officers up to a pay limit of Rs.300 as recommended by the Committee of Officers appointed by the Government to go into this question.

**(2) STATEMENT BY MINISTER ON A MEMBER CALLING HIS ATTENTION  
TO MATTERS OF URGENT PUBLIC IMPORTANCE**

Rule 40 of the Assembly Rules enables a Member with the previous permission of the Speaker to call the attention of a Minister to any matter of urgent public importance and the Minister to make a statement on the matter. Not more than one matter may be raised at a sitting of the House and no debate on the statement of the Minister is to be allowed.

This provision was availed of by the Members to a great extent and has become very popular with them. It has also resulted in a large reduction in the number of adjournment motions for which notices used to be given. In the years 1955 and 1956, when the Assembly sat for 143 days, 69 statements were made by the Ministers on a variety of subjects. As only one matter could be raised at a sitting, some of the notices under this Rule were converted, for want of time, into "Private Notice" questions. On the Member concerned raising the subject in the form of a question the Minister made the statement in reply thereto.

The subject matter of the notices on which statements were made and other details are given in Section II-[Tables XIII and XIII-A](#).

### **(3) DISCUSSION FOR SHORT DURATION ON URGENT MATTERS OF ADMINISTRATION (RULE 56)**

Any Member desirous of raising a discussion on any urgent matter of administration may give notice in writing to the Secretary accompanied by an explanatory note stating the reasons for raising such a discussion.

If the Speaker is satisfied that the matter is urgent and is of sufficient importance to be raised in the House at an early date, he admits the notice and fixes a date in consultation with the Leader of the House on which such matter is to be taken for discussion and allots time, not exceeding one hour for discussion of the subject. The Member speak on the subject and the Minister replies in the end. No vote is taken on such discussion.

Under this provision four discussions took place during the term of this Assembly, details of which are given below:-

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|--------------------------------|---|
| 20 <sup>th</sup> December 1954 | Fixation of minimum wages for beedi workers.  |
| 14 <sup>th</sup> February 1955 | Exemption given to certain shops under the Madras Shops and Establishments Act, 1947.   |
| 16 <sup>th</sup> February 1955 | Collapse of the House that stood near the canals in the lower Bhavani Project area due to seepage and the failure of the Government to rehabilitate the immates by giving them adequate compensation. |
| 23 <sup>rd</sup> October 1956  | Andhra-Madras border dispute.   |

### **(4) HALF-HOUR DEBATES**

During the question hour, no discussion is permitted in respect of a question or of any answer given to a question. If notice is given to the Speaker at question time, the Speaker may, in his discretion, allow half an hour after the conclusion of the business of the day, to enable a Member to raise a debate on any matter of urgent public importance which was the subject-matter of a question on that day. At the conclusion of the half-hour, no vote shall be taken on such debate.

This provision was availed of on fifteen occasions during the last Assembly. The subjects discussed and the dates of discussion are given below:-

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|----------------------------|---|
| 15 <sup>th</sup> July 1953 | Retrenchment of Madras Electric Tramway Workers.                  |
| 17 <sup>th</sup> July 1953 | Open voting system in Panchayat Board Elections.                  |
| 22 <sup>nd</sup> July 1953 | Flood relief in Malabar.  |
| 28 <sup>th</sup> July 1953 | Cancellation of Teaching Certificates.                            |
| 5 <sup>th</sup> May 1954   | Closure of the Aaron Spinning and Weaving Mills in North Malabar. |

10 <sup>th</sup> May 1954	Stationing of the Special Armed Police in Tanjore district.
11 <sup>th</sup> May 1954	Appointment of ex-Tramwaymen in the City Transport Service.
15 <sup>th</sup> May 1954	Shifting of the Herbarium of the College of Indigenous Medicine, Kilpauk to Arumbakkam.
18 <sup>th</sup> May 1954	Merger of liberated French areas with the Indian Union.
9 <sup>th</sup> September 1954	Allotment of House-sites in Malabar.
11 <sup>th</sup> September 1954	Acquisition of lands for the Lower Bhavani and Malampuzha Projects.
13 <sup>th</sup> December 1954	Sale of some lorries of the Civil Supplies Department.
17 <sup>th</sup> December 1954	Stoppage of stipends to the Madras State students in the Training School at Proddatturpet, Chittoor district.
21 <sup>st</sup> December 1954	Digging of drinking water wells for Harijans in Coimbatore district.
21 <sup>st</sup> February 1955	Assignment of lands to Harijans to Kalpattu village.

### (5) ADJOURNMENT MOTIONS ON MATTERS OF PUBLIC IMPORTANCE

A motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made by any Member. One hundred and twenty nine adjournment motions were actually brought before the House during the term of this Assembly. Of these, leave of the House was given only for two motions, details of which are given below:-

(i) *Modified Scheme of Elementary Education.*:- On the 15<sup>th</sup> July 1953, an adjournment motion was moved regarding the introduction of the modified scheme of work and training of elementary school pupils in rural areas of the State from that academic year and leave of the House was granted. But the motion was not discussed.

(ii) *Police firing at Tuticorin, etc.*:- On the 16<sup>th</sup> July 1953, adjournment motion was moved to discuss the Police firing on the 15<sup>th</sup> July 1953 in a number of places in the State such as Tuticorin and Dalmiapuram, resulting in the death of nine persons and serious injury to many, and was admitted. The motion was taken at 4 p.m on the 21<sup>st</sup> July 1953 and talked out.

All the other motions were ruled out of order.

Besides the above 129 motions, the Speaker withheld his consent in the case of a number of motions and advised the Members to put a short-notice question or to give notice for calling the attention of the Minister under Rule 40 or to raise a discussion for a short duration under rule 56, instead of resorting to adjournment motions.