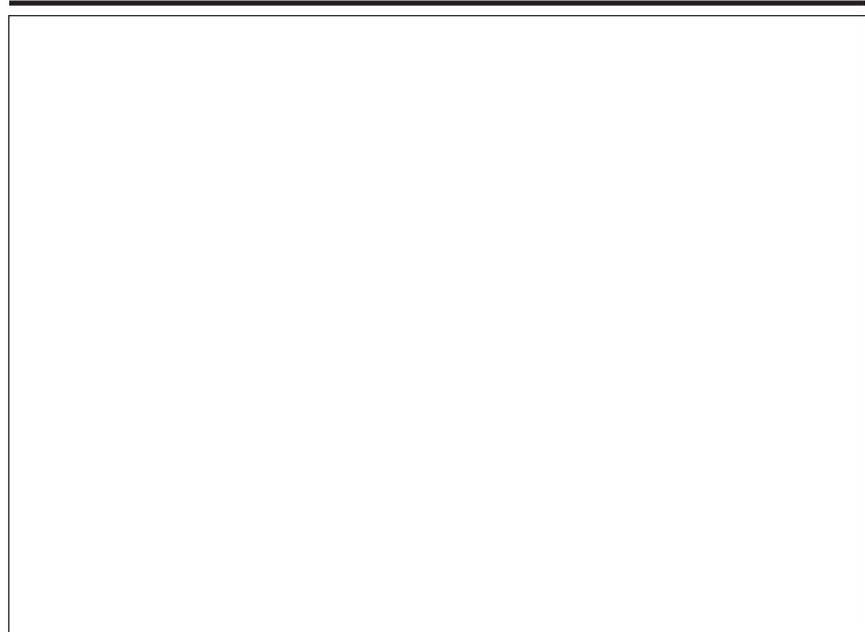




RAJYA SABHA
PRACTICE & PROCEDURE SERIES

18

PERSONAL EXPLANATION
BY MEMBERS



PERSONAL EXPLANATION

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PREFACE

This booklet is part of the Rajya Sabha Practice and Procedure Series which seeks to describe, in brief, a procedural device called 'Personal Explanation'. It is based on the Rules of Procedure and Conduct of Business in Rajya Sabha, practice of the House and rulings given by the Chair. The booklet is intended to serve only as a handy guide for ready reference. For full and authentic information original sources may be referred to and relied upon.

New Delhi
February, 2005

DR. YOGENDRA NARAIN
Secretary-General

PERSONAL EXPLANATION BY MEMBERS

What is personal explanation?

'Personal Explanation' is a procedural device whereby a member, with the previous permission of the Presiding Officer is allowed to make a statement in response to the comments and criticism of personal nature made by a fellow member or a Minister on the floor of the House. This right is also exercised by a member when his conduct has been referred to in a report laid on the Table of the House or when he wants to rebut some allegations made against him in the other House. This right is enjoyed by a member notwithstanding the fact that the allegations made against him in the House do not pertain to his capacity as a Member of Parliament.

The Rules of Procedure and Conduct of Business in Rajya Sabha provide that a member may with permission of the Chairman, make a personal explanation although there is no question before the House. The only restriction put is that no debatable matter is permitted to be brought forward in personal explanation and no debate is permitted thereon.

Procedure to be followed

A member who wants to make a personal explanation is required to write to the Chairman seeking his permission for the statement to be made. The request for personal explanation should be made at the earliest opportunity.

The statement should not introduce any debatable matter. After the Chairman accords permission, the member is allowed to make a personal explanation. It is not the practice to include this item in the list of business. When the member wants to make a personal explanation in view of his name having been referred to by a Minister in a statement before the House, a copy of the statement approved by the Chairman is normally sent to the Minister concerned for information.

It has been ruled by the Chair in Rajya Sabha that when a member participates in the debate and makes criticism of the Government, he should be present in the House to listen to the replies to the criticism so that occasions for personal statements may not arise in such cases.

After the personal explanation has been made, no further questions are allowed on it, if the allegations are denied on the floor of the House, the denial is accepted normally by the member making the allegations. Even if the member is not satisfied with the personal explanation, no further statement is allowed and the matter is treated as closed with the statements of both the sides going on record.