

Mr. Speaker: Order, Order. Question time is over.

2. *Ruling of the Speaker*

On the 29th October, 1968 when the Education Minister moved the Kerala University Bill, as reported by the Select Committee, be taken into consideration, Shri S. P. Luiz raised a point of order that since 9 a.m. the Bill as reported by the Select Committee was not accompanied by a Financial Memorandum the motion for consideration of the Bill was not in order. Pending a final ruling on the matter, I allowed the discussion to be proceeded with.

Under Rule 67 of the Rules of Procedure and Conduct of Business when a Bill is published the statement of Objects and Reasons, the Memorandum regarding delegation of legislative powers and the Financial Memorandum, if any, accompanying the Bill are also to be published under orders of the Speaker along with the Bill. This is a requirement under the rules presumably intended to give a comprehensive idea of the provisions of the Bill proposed to be introduced giving also an estimate of the expenditure involved in case the Bill is passed into law. As may point out the page at 516 and 520 of his book (17th Edition 1964) a financial and/or explanatory memorandum, though not technically part of the Bill is often printed attached to it. The Financial Memorandum sets out briefly the financial effect of the Bill and contains estimates where possible, of the amount of money involved. In the present instance this requirement has been complied with as required under Rule 67. Once a Bill is introduced and referred to Select Committee after discussion the first stage is over and the Bill is before the Select Committee for detailed examination and report. The Select Committee considers the Bill clause by clause, makes changes wherever it considers necessary and also some times adds new clauses or deletes certain clauses that the Committee may consider necessary in keeping with the general principles accepted by the House during the first reading. While making such changes it may happen that certain clauses suggested by the Committee involve expenditure. All such changes, additions or deletions are dealt with in detail in the Select Committee Report presented to the House which is also published. In view of the detailed report submitted to the House by the Select Committee a financial memorandum to the Bill as reported by the Select Committee is not considered necessary. This is clear from the latter part of Rule 223 which reads thus:—

“the report and the Bill as reported by the Select Committee shall be published in the Gazette”.

The absence of the words ‘Financial Memorandum’ in Rule 223 unlike in Rule 67 is significant in that the Rule does not contemplate a Financial Memorandum being attached to the Bill as reported by the Select Committee.

In view of the above, I consider that the motion moved by the Minister is in order and there is no bar to the Bill being proceeded with.