Appendix – I

Amendments to the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly

1. Amendment of Rule 2

   (1) In sub-rule (1) of Rule 2, after the "definition of "Legislature Committee", the following definition shall be inserted, namely:

   ""Legislature Complex" means and includes all the buildings and grounds surrounding them within the compound wall of the Legislature Buildings";

   (2) For the definition "Precinets of the Assembly" the following definition shall be substituted, namely:

   ""Precinets of the Assembly" means and includes all the buildings and grounds surrounding them within the compound wall of the Legislature Complex and such other places as the Speaker may from time to time specify"";

II. Amendment of Rule 189

   In sub-rule (1) of Rule 189, before the words "appoint one or more sub-committees" the word's "subject to the approval of the Speaker" shall be inserted.
III. Amendment of Rule 233

In sub-rule (3) Rule 233, for the words "two years" the words "thirty months" shall be substituted.

IV. Amendment of Rule 236

After sub-rule (2) of Rule 236, the following shall be inserted as sub-rule (3) and the existing sub-rule (3) shall be renumbered as sub-rule (4):

"(3) The recommendation of the Subject Committees after the scrutiny of the Demands for Grants shall be considered by the Government in the same financial year. When the recommendations are for the allotment of additional funds to any department, or variation, the action taken or proposed to be taken on such recommendations shall be intimated to the House through a statement by the Minister for Finance. If such recommendation could not be implemented the reason therefore shall also be intimated. Such statement shall be circulated among the Members as soon as the motion for the Demand is moved by the Minister.

Explanation:— For the purpose of this sub-rule a copy each of the report of the Subject Committees on the scrutiny of demands for Grants shall be made available to the Finance Department as confidential document". 
V. Amendment of Rule 243
In Rule 243, for the words "two years" the words "thirty months" shall be substituted.

VI. Amendment of Rule 245
In Rule 245, for the words "two years" the words "thirty months" shall be substituted.

VII. Amendment of Rule 248
In Rule 248, for the words "two years" the words "thirty months" shall be substituted.

VIII. Amendment of Chapter XXIV
1. (i) In item (b) (ix) of Chapter XXIV, for the title "COMMITTEE OF PRIVILEGES" the title "COMMITTEE OF PRIVILEGES AND ETHICS" shall be substituted;

(ii) In Rule 249, after the word "Privileges" the word, "and Ethics" shall be inserted;

(iii) In Rule 250; after sub-rule (1) the following sub-rule shall be inserted as sub-rule (2) and the existing sub-rule (2) shall be re-numbered as sub-rule (3);

"2. The Committee shall also examine the cases involving the moral ethical and other misconduct of Members-inside and outside the House, as may be referred to it by the Speaker".
2. (i) In item (b) (xiiA) of Chapter XXIV, for the title "COMMITTEE ON THE WELFARE OF WOMEN AND CHILDREN" the title "COMMITTEE ON THE WELFARE OF WOMEN, CHILDREN AND PHYSICALLY HANDICAPPED" shall be substituted;

(ii) In Rule 261A for the words "Women and Children" the words "Woman, Children and Physically handicapped" shall be substituted;

(iii) After item (C) of sub-rule (1) of Rule 261B, the following item shall be inserted, namely:— "(d) the atrocities, violence, torture, exploitation and unfair practice imposed on physically handicapped persons and mentally disabled persons;"

(iv) After item (d) of sub-rule (2) of Rule 261B, the following item shall be inserted, namely:— "(c) the functioning of Government Department and Institutions meant for the education, medical aid, employment or any other welfare measure for the physically handicapped and mentally disabled:"

(v) In item (b) of sub-rule of Rule 261B, for the word "Children" the word "persons" shall be substituted:

(vi) After item (d) of sub-rule (3) of Rule 261B, the following item shall be inserted, namely:—

"(e) exploring innovative ways for providing suitable employment and other facilities for improving the overall living standard of the physically handicapped persons and mentally disabled persons."
Appendix – II

Questionnaire for Legislators

1. Name
   : 

2. Age
   : 

3. Educational Qualification
   : Matriculate / Graduate / P.G./ Technical / Professional

4. Number of times elected to the Assembly
   : Once / Twice / More than twice

5. Whether worked in any committee
   : Yes / No

6. If so, in which committee
   : Financial / Scrutiny / Investigative / Select / Subject / Others

7. Are you satisfied with the present system of committee work?
   : Yes / No

8. If not, do you suggest any Existing structural level / Working steps to improve their efficiency
   : level / Inclusion of experts

9. Is there any delay in the submission of reports by committees
   : Yes / No

10. Whether reports of committees, especially financial and scrutiny committees, are given due weight
    : Yes / No

by the executive.
11. Is there any lapse on the Executive affecting efficiency of committees?: Yes / No

12. Does the committee system work above politics?: Yes / No

13. Do you suggest any change in the life span of committees?: Yes / No

14. Whether the committee system is in accordance with parliamentary system?: Yes / No

15. Should our committees work in camera or should a part of the committee work be open to the press, the media and the public?: Yes / No

16. Whether exercise of privilege by the House at times results in conflict between the legislature and judiciary?: Yes / No

17. When can the House resort to exercise of privilege: To Keep House’s dignity / To protect member’s dignity / Both / To protect House’s dignity and member’s dignity in the discharge of duties
18. Do you agree with the ratio in Narasimha Rao's case? : Yes / No

19. Whether corruption should be excluded from the purview of privilege? : Yes / No

20. Whether 'privilege' places a member above 'rule of law'? : Yes / No

21. Which of the following constitute contempt of the House: Unruly scenes during session / Walkouts during session / Both

22. Whether issue of whip is a violation of freedom of speech : Yes / No
Appendix – III

Interview Schedule

1. Name :

2. Age :

3. Educational qualification :

4. Profession :

5. Are you satisfied with the present system of committee work? If not, what are the steps to improve the efficiency of the Committee system?

Answer :

6. Do you think that there is delay in submitting reports by committees?

Answer :
7. What is your opinion as to the weight given by the executive to the reports of the Committees especially those of the financial and scrutiny committees

Answer:

8. Whether lapse on the part of the executive negates the efficiency of committees? If so, how can it be overcome?

Answer:

9. Does the Committee system in Kerala work above party politics?

Answer:

10. Whether the life span of the Committees should be kept as at present, or curtailed or expanded so as to accommodate the multifarious political interests involved in a coalition.

Answer:
11. Whether reports by committees should be adopted as such or should the House be given the right, as at present, to modify or vary

Answer:

12. In modifying or varying the reports of committees by the House, does political consideration play any role.

Answer:

13. Do committees limit or hamper, in any way, the status of the House

Answer:

14. To what extent the Committees are helpful to the House or is it a sheer waste of energy and loss to the exchequer?

Answer:
15. Whether the participation and involvement of these committees in policy making and in the initial and formative stages of the process of legislation is a feasible proposition consistent with our system of government.

Answer:

16. Should our committees work in camera or should a part of the Committee work be open to the press, the media and the public?

Answer:

17. Is it desirable to equip our committees with experts and consultants and effective secretaries?

Answer:

18. Who should be picked up for committee work and how?

Answer:
19. Whether the exercise of privilege by the House often results in a conflict between the legislature and judiciary?

Answer:

20. Do you suggest any steps to overcome this conflict?

Answer:

21. Do you agree with the new trend in Britain that the question of privilege can be invoked only sparingly and only where the dignity of the House is involved?

Answer:

22. Whether attack on individual member’s rights should be excluded from the purview of privilege? If excluded absolutely or partially?

Answer:
23. Is there any possibility of the Lok Ayuktha creating similar confrontation as between the Legislature and the Judiciary on the question of privilege?

Answer:

24. Do you agree with the ratio in Narasimha Rao’s case?

Answer:

25. Whether corruption by members of the House should be excluded from the purview of privilege?

Answer:

26. Do you think that by virtue of privilege a member of the House is above rule of law?

Answer:
27. Whether misbehaviour on the part of members while the House is in session is contempt of the House?

Answer:

28. What is your opinion of unruly scenes by members in the Assembly? Does it constitute contempt of the House?

Answer:

29. Does walkout from the Assembly come within the meaning of contempt or only a matter of disrespect or disobedience or only a democratic way of expression of discontentment?

Answer:

30. Does the issue of whip constitute a violation of the privilege of freedom of speech of members? If so, how can it be reconciled?

Answer:
Appendix – IV

List of Key Informants

1. Ananthe Lakshmi, Under Secretary, Legislature Secretariat, Trivandrum.
2. Azeez, Lecturer, Government Law College, Trivandrum.
3. Jayakumar, Under Secretary, Legislature Secretariat, Trivandrum.
5. Krishna Pillai P.S., Advocate, High Court of Kerala, Ernakulam and Part-time Lecturer Government Law College, Ernakulam
7. Mohan Das, Section Officer, Legislature Secretariat, Trivandrum.
8. Mohan Kumar, Deputy Secretary, Legislature Secretariat, Trivandrum.
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<th></th>
<th>Name</th>
<th>Position</th>
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<tr>
<td>9.</td>
<td>Ratna Kumari</td>
<td>Joint Secretary, Legislature Secretariat, Trivandrum.</td>
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<td>10.</td>
<td>Sajith</td>
<td>Advocate, High Court of Kerala, Ernakulam and Part-time Lecturer, Government Law College, Ernakulam</td>
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<td>11.</td>
<td>Satheesh Chandran</td>
<td>MLA, Thrikarippur.</td>
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<td>12.</td>
<td>Saju Paul</td>
<td>MLA, Perumbavoor.</td>
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<td>13.</td>
<td>Thomas George</td>
<td>Section Officer, Legislature Secretariat, Trivandrum.</td>
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<td>15.</td>
<td>Vakkom Purushothaman</td>
<td>Present Speaker (XI KLA)</td>
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