LEGISLATIVE PROCEDURE
ASSEMBLY ABSTRACT SERIES

24

Personal Allegations

TELANGANA LEGISLATURE SECRETARIAT
HYDERABAD

PREFACE

This abstract containing the information pertaining to the **Personal Allegations** is a part of Legislative Procedure and is intended to serve as handy guide for ready reference. The information contained in this abstract booklet is in consonance with the Rules of Procedure and Conduct of Business in the Telangana Legislative Assembly.

The information contained in this publication is not exhaustive and it cannot be quoted as an authority. It is hoped that this publication will meet the reference requirements. However, for authenticity, the original source may be referred to and relied upon.

Hyderabad,
December, 2018.

Dr. V. NARASIMHA CHARYULU,
Secretary to State Legislature.

PERSONAL ALLEGATIONS

(i) A member while speaking should not make any personal charge against another member unless the conduct of the member is in issue.

(ii) No allegations of defamatory or incriminatory nature should be made by a member against any person unless the member has given adequate advance notice to the Speaker and also to the minister concerned so as to enable the minister to make an investigation into the allegations for the purpose of reply.

(iii) The Speaker may, however, at any time prohibit any member from making any such allegation if he is of the opinion that such allegation is derogatory to the dignity of the

House or that no public interest would be served by making such allegation.

(iv) As members are not liable to any prosecution in any court in respect of anything said by them on the floor of the House, allegations should not be made against another member/minister or any individual or public body unless they are verified and supported by adequate proof to substantiate them in the event of the member being challenged in the House. Members should not base their allegations on hearsay or mere press reports unless they are satisfied themselves about their correctness.

(v) Where a member is convinced after making enquiries that there is basis for allegations and he is prepared to take responsibility for the same he should give

notice in writing to the Speaker and the minister concerned at the commencement of the sitting of the day on which he wishes to make allegations duly furnishing the details of allegations together with the documents if any connected therewith. In case, the proof of the allegations is within the personal knowledge of the member, he may brief the Speaker in person. If the allegations proposed to be made are against another member, notice should also be given to the member concerned. When a member gives mere intimation of intention to make allegations without furnishing the details of allegations and documentary evidence etc. he may not be permitted to make the allegations. Members should not make allegations against persons who are not present in the House to defend themselves, where a Member persists in

making serious allegations in the House without complying with the established practice or without the permission of the Chair, the Chair may prohibit the Member from making such allegations besides ruling that they may not form part of the proceedings of the Assembly. The member must wait till he receives the consent of the Speaker to make allegations.

In the light of the foregoing it is necessary that the member concerned should ensure the following conditions before making the allegations.

(1) Adequate notice should be given to the Speaker and Minister concerned.

(2) In case the allegations proposed to be made are against another member notice should also be given to the

member against whom allegations are proposed to be made.

(3) The details of charges/allegations sought to be made should be set out in the notice duly supported by documentary or any other evidence.

(4) The member should be prepared to accept the responsibility for the allegations.

(5) The member should be prepared to substantiate the allegations.

(6) The member should satisfy himself that there is sufficient ground for making the allegations.

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