# LEGISLATIVE PROCEDURE
## ASSEMBLY ABSTRACT SERIES

5

# Point of Order


TELANGANA LEGISLATURE SECRETARIAT
HYDERABAD

# PREFACE

This abstract containing the information pertaining to the **Point of Order** in the House 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.

# POINT OF ORDER

A point of order relates to the interpretation of enforcement of rules or such articles of the Constitution as to regulate the Business of the House. When a Point of Order is raised by a member, it has the effect of suspending the proceedings before the House and the member who is on his legs, gives way to the member who raises Point of Order.

The member who raises a Point of Order, has to refer the procedure in relation to the Business before the House at the moment. It should relate to arrangement of items included in the list of Business for the day.

## Decision :

The Speaker has to decide whether a Point raised is a Point of Order or not, or whether it involves an interpretation of Rules or the provisions of Constitution that regulate the Business of the House or whether the subject of the Point of Order is within the cognizance of the Speaker. The decision of the Chair is final in such matters.

## When can a point of order be raised :

A point of order can be raised only when there is something in contravention of the Rules or such Articles of the Constitution as to regulate the Business of the House. The point must relate to the Busienss of the House at the moment. The Speaker may permit a member to raise a Point of Order during interval between the termination of one item of business and the commencement of

another if it relates to the maintenance of order or arrangements of Business before the House. No debate is allowed on a Point of Order. The Speaker may, if he thinks fit, hear members before giving his decision.

## Matters on which a Point of Order cannot be raised :

A Point of Order cannot be raised by a member : -

(i) To ask for information; or

(ii) To explain his position; or

(iii) When a question or any motion is being put to the House; or

(iv) Which may be hypothetical; or

(v) That division bells did not ring or were not heard; or

(vi) On ruling given by the Speaker; or

(vii) Regarding Proceedings of an earlier sitting; or

(viii) On a matter on which the Speaker cannot give any relief; or

(ix) For inserting new or additional item in the list of Business.

A point of Order is not a Point of Privilege. The Point of Order cannot be utilised for eliciting further information or clarification.

## How to raise a Point of Order :

A member who seeks to raise a Point of Order, gets up from his seat and say “Point of Order”. The member has, when the Chair permits, to formulate his Point of Order. He has to quote the specific rule or the provision of the Constitution relating to the procedure of the House that has been violated or neglected.

The Member, while raising a Point of Order, should not make a speech. He should directly say the point. The same matter should not be the subject of a Point of Order, again at any time in the House. There shall not be a Point of Order on a Point of Order.

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