

Adjournment motion

July 17, 2021

In news

Recently, the Shiromani Akali Dal (SAD) has said that it will move adjournment motion in the Parliament against three controversial farm laws.

About adjournment motion

- The primary object of an adjournment motion is **to draw the attention of the House to a recent matter of urgent public importance having serious consequences** and with regard to which a motion or a resolution with proper notice will be too late.
- It is an extraordinary procedure which, if admitted, leads to setting aside the normal business of the House for discussing a definite matter of urgent public importance.
- Adjournment Motions are governed by Rules 56– 63 of the Rules of Procedure and Conduct of Business in Lok Sabha and Direction 2 (vi) of Directions by the Speaker.
- As it involves an element of censure against the union government, it is introduced in the Loksabha and not Rajya Sabha.
- It needs the support of fifty members.

Types of matters

- Under adjournment motion, the matter proposed to be raised should be of such a character that something very grave which affects the whole country and its security has happened and the House is required to pay its attention immediately by interrupting the normal business of the House.
- The subject matter of the motion must have a direct or indirect relation to the conduct or default on the part

of the Union Government

- It must precisely pinpoint the failure of the Government of India in the performance of its duties in accordance with the provisions of the Constitution and Law.
- A matter concerning the constitutional developments in a State or atrocities on the Scheduled Castes and Scheduled Tribes and other weaker sections of the society which bring the Union Government into picture may be considered for admission on merits.
- A matter which falls within the jurisdiction of a State Government is inadmissible

Power of giving consent to the motion

The refusal to give consent is in the absolute discretion of the Chair and the Chair is not bound to give any reasons.

Prior notice

- The notice of an adjournment motion is required to be given on the prescribed form.
- It should be addressed to the Secretary-General and copies thereof endorsed to the Speaker, the Minister concerned and the Minister of Parliamentary Affairs.
- It can be given in online/offline mode.

Time for giving Notice

- This is normally three working days before the commencement of the session.
- As a convention, adjournment motions are not taken up on the day of the President's Address.

Admissibility of Notices(Principles)

While giving consent to an adjournment motion the Speaker is guided by the following **principles**:

The matter raised is definite:

- An adjournment motion is not admissible where the facts are not settled or unless it relates to some precise recent action or omission of the Union Government.
- Notices about threatened strike or likely dislocation of a service or about a situation which has not actually arisen are inadmissible.

The matter raised is urgent:

- A matter is deemed to be urgent only if it has arisen suddenly or is in the nature of an emergency. It should not be a continuing matter.
- The urgency should be such that the matter brings no delay.

The matter raised is of public importance:

- The importance of the matter should warrant interruption of normal business of the House.
- It should be a larger issue than a merely individual or local grievance.
- It should be a question of general public concern.
- It relates to a specific matter of recent occurrence.
- It does not raise a question of privilege.
- It does not revive discussion on a matter already discussed in the same session.
- It does not anticipate a matter which has been previously appointed for consideration.
- It does not relate to a matter which is sub-judice.
- It does not raise any question which under the Constitution or Rules can be raised only on a distinct substantive motion.
- The matter involves direct or indirect responsibility of the Government of India.

Procedure for Disposal of Notices of Adjournment Motion

Where the Speaker is satisfied prima facie that the matter proposed to be discussed is in order under the Rules, may give

consent to the moving of the motion and at the appropriate time, that is, after Question Hour, call upon the member concerned to ask for leave of the House to move the adjournment motion.

Effects of this motion

An adjournment motion involves an element of censure against the Government. In the event of an adjournment motion being adopted, the House automatically stands adjourned

Farm laws

The laws the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020, the "Farmers (Empowerment and Protection) Agreement of Price Assurance and Farm Services Act, 2020 and the "Essential Commodities (Amendment) Act, 2020 were cleared by Parliament last year and have seen sustained protests from farmers groups at the doorstep of Delhi.