

CHAPTER VII. - QUESTIONS

- Time for questions.** 28. Unless the Speaker otherwise directs, the first hour of every meeting shall be available for the asking and answering of questions.
- Notice of questions.** 29. (1) A member who wishes to ask a question shall give twenty-one clear days' notice of such question and shall specify therein -
(a) the official designation of the Minister to whom it is addressed; and
(b) the date, which the member proposes for placing it on the list for answer.
- Notice of admission of questions to Ministers.** 30. Unless the Speaker otherwise directs, no question shall be placed on the list of questions for answer until twelve days have expired from the time when notice of such question has been given to Government by the Secretary.
- Questions for oral answer to be distinguished.** 31. (1) No member shall give notice of more than four questions for answer, oral or written, for any one day of which any two may be distinguished by an asterisk by the member concerned for which an oral answer is desired. Questions not so distinguished shall be printed in the list of questions for written answer.

(2) The order in which questions for oral answer are to be placed shall be indicated by the member giving notice and, if no such order is indicated, the question shall be placed on the list of questions for oral answer in the order in which notices are received in point of time.
- Allotment of days for oral answers to questions.** 32. The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such department or departments, as the Speaker may, from time to time, provide and on each such day, unless the Speaker with the consent of the Minister concerned otherwise directs, only questions relating to the department or departments for which time on that day has been allotted shall be placed on the list of questions for oral answer.
- Written answers to questions not replied orally.** 33. If any questions placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day, the question shall be treated as a question set down for written answer and no supplementary shall be asked in respect thereof.
- Starred questions of absent members.** 34. If any question placed on the list of questions for oral answer on any day is called for answer and the member is, either absent, without assigning any authority to any other member for asking his question, or if present, does not call his question, the question shall be treated as a question set down for written answer and printed in the proceedings under a separate heading.
- Subject matter of questions.** 35. (1) A question addressed to a Minister shall relate to the public affairs with which he is officially connected, or to a matter of administration for which he is responsible for to a matter of public concern which is within his special cognizance.

(2) A question addressed to a member, other than a Minister shall relate to a Bill, resolution or other matter connected with the business of the Vidhan Sabha for which the member is responsible.

**Conditions of
admissibility
of Questions.**

36. In order that a question may be admissible it shall satisfy the following conditions, namely :-

- (i) it shall be clearly and precisely expressed and shall ordinarily, not exceed two hundred words;
- (ii) it shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (iii) if it contains a statement, the member shall make himself responsible for the accuracy of the statement;
- (iv) it shall not contain arguments; inferences, ironical expressions, imputations, epithets or defamatory statement;
- (v) it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition or for a legal interpretation of a statute, rule or bye-law;
- (vi) it shall not refer to any matter of fact on which a judicial decision is pending or reflect on the decision of a court of law;
- (vii) it shall not relate to a matter which is not primarily the concern of the State Government;
- (viii) it shall not relate to a matter which is primarily the concern of a local authority unless there has been some intervention or there is reasonable ground for intervention by Government;
- (ix) it shall not refer to the character or conduct of any person except in his official or public capacity;
- (x) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (xi) it shall not ask for information on a trivial matter or be vague or meaningless;
- (xii) it shall not ordinarily seek information on matters of past history or require information set forth in accessible document or works of reference;
- (xiii) it shall not relate to a service matter concerning any individual serving under the State Government, unless the Speaker considers the matter of sufficient importance;
- (xiv) it shall not agitate matters on which an application should be made to the State Government in the first instance;
- (xv) it shall not relate to matters within the jurisdiction of the Speaker;
- (xvi) it shall not raise questions of policy too large to be dealt with within the limits of an answer to a question;
- (xvii) it shall not repeat in substance questions already answered or to which answer has been refused;
- (xviii) where a question is framed with reference a report appearing in a newspaper the question shall specify the precise point on which information is sought and not merely ask for the varacity of the newspaper report;

- (xix) it shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter;
- (xx) it shall not in effect be a short speech or limited to giving information or framed so as to suggest its own answer or convey a particular point of view;
- (xxi) it shall not purport to make a suggestion.

Questions regarding controversy with higher authorities.

37. In matter which are or have been the subject of controversy between the Government of India and the State Government no question shall be asked, except as to matters of fact and the answer shall be confined to a statement of fact.

Speaker to decide admissibility of questions.

38. The Speaker shall decide whether a question or a part thereof or is not admissible under the rules and may disallow any question or a part thereof which, in his opinion, is an abuse of the right of questioning or is in contravention of the rules;

Provided that he may amend it in form or give the member concerned an opportunity of amending it.

Speaker to decide if a question is to be treated as starred or unstarred.

39. If in the opinion of the Speaker, the nature of any question or a class of questions is such that a written reply would be more appropriate, the Speaker may, direct that such question be placed on the list of questions for written answer.

Provided that the Speaker may, if he thinks fit, call upon the member who has given notice of a question for a oral answer to state in brief his reasons for desiring an oral answer and, after considering the same may direct that the question be included on the list of questions for written answer.

Modification, division or consolidation of questions.

40. (1) If in the opinion of the Speaker, any question of which notice has been received from a member needs to be modified or divided into different questions or any two or more questions need to be consolidated into one single question, the Speaker may admit the question with necessary modifications, or may divide the question or consolidate the relevant question into one.

(2) The Speaker may, for the purpose of proper admission of a question may require from the member given notice of the question to furnish such information or clarification as may be considered necessary and the notice of question shall thereupon be deemed to have been given on the date on which such information or clarification is received in the office of the Speaker.

(3) The Speaker may also require Government to supply such information as may be considered necessary by him for deciding the admissibility of the question and such information shall be supplied forthwith.

Withdrawal, postponement of question.

41. A member may, by notice given at any time before the meeting for which his question has been placed on the list, withdraw his question or postpone it to a later day to be specified in the notice and on such later day the question shall, subject to the provisions of rule 32 be placed on the list after all questions which have not been so postponed :

Provided that a postponed question shall not be placed on the list until two clear days have expired from the time when the notice of postponement has been received by the Secretary.

Lapse of pending questions referred to members.	42. Where a reference is made to a member in connection with the notice of a question and no reply is received or a reply is received from him too late for the consideration of the Speaker and the placing of the question, if admitted, on the list of question for an appropriate date, such notice shall be deemed to have lapsed.
Mode of asking questions.	43. (1) When the time for asking the question arrives, the Speaker shall call successively each member in whose name a question appears on the list of questions. (2) The member so called shall rise in his place and unless he states that it is not his intention to ask the question standing in his name he shall ask the question by reference to its number on the list of questions.
Questions of absent members.	44. If at the time when a question is called the Member in whose name it stands is absent, any other Member authorised by him, if the Speaker permits, may put it.
Prior Publication of answers to questions.	45. (1) A question of which notice has been given or a question and answer included in a list of questions and answers for any day supplied to members shall not be published until the questions have been answered. (2) When the question hour is eliminated owing to the cancellation of meeting of Vidhan Sabha or its adjournment without transacting any business, all the questions, both starred and unstarred, originally entered in the list of questions for that day shall be treated as unstarred questions for the next meeting and shall be printed alongwith their answer in the proceeding of the later day. (3) When the question hour of a meeting is dispensed with but the meeting itself is not cancelled, all starred questions and their answers together with the answers of the unstarred question, if any, shall be printed in the proceedings for that day.
List of Questions.	46. (1) The list of questions and answers for any day shall ordinarily be made available for the perusal of the members on the day before such list is answered in the Vidhan Sabha. (2) Not more than 25 starred questions shall be included in the starred portion of the list of questions and answers. Starred questions in excess of 25 shall be converted into unstarred questions and shall be printed under a separate heading before the unstarred questions for the day. (3) First of all, not more than one starred questions of any one member shall be included in the starred portion of the list of questions and answers. The precedence of the questions shall be arranged in the same order of the questions in which order the questions of the members may have been drawn by ballot. In the event of the number of the questions in the first round of the starred portion falling below twenty five, the second question of the other members may be included in the order of their questions so that the number of the starred questions may reach up to twenty five. (4) In the event of any starred question of any list of questions and answers being transferred to the list of questions and answers for any other day, the number of the starred questions of the list of questions and answers for that day may exceed twenty five only by as many questions as may have been transferred or adjourned. (5) The Speaker shall call starred questions entered in the list for the day in the order in which they stand in the list within the time available for questions.
Regulations by Speaker regarding questions.	47. The Speaker may make regulations for notice, admission and putting and answering of questions and supplementary questions.

Supplementary questions.

48. (1) Any member may put a supplementary question to a starred question after it is called by the Speaker for the purpose of further elucidating any matter of fact regarding which an answer has been given :

Provided that number of such supplementary questions shall not exceed three unless the Speaker allows it.

(2) The Speaker may disallow any supplementary question if in his opinion, it infringes the rules regarding questions or if a sufficient or reasonable number of supplementary questions has already been put in respect of the same question.

(3) The unstarred questions and answers included in the list for the day will not be called, but they will be printed in the proceeding under the heading “unstarred question.”

Prohibition of discussion.

49. No discussion shall be permitted in respect of any questions or of any answer given to a question.

Short notice Questions.

50. (1) A question relating to a matter of public importance may be asked with shorter notice than twenty one clear days and if the Speaker is of opinion that question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and if so, on what date..

(2) If the Minister concerned agrees to reply, such question shall be answered on a day to be indicated by him and shall be called immediately after the questions which have appeared on the list of questions for oral answer have been disposed of.

(3) If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, he may direct that the question be placed as the first question on the list of questions for the day on which it would be due for answer under rule 29 :

Provided that not more than one such question shall be accorded first priority on the list of questions for any one day.

(4) Where two or more members give short notice questions on a subject matter similar in substance and one of the question is accepted for answer at short notice, names of the other members shall be bracketed with the name of the member whose question has been accepted for answer :

Provided that the Speake may direct that all the notices be consolidated into single notice, if, in his opinion, it is desirable to have a single self-contained question covering all the important points raised by members and the Minister shall then give his reply to the consolidated question :

Provided further that in the case of a consolidated question the names of all the members concerned may be bracketed and shown against the question in the order of priority of their notice.

(5) Where a member desires an oral answer to a question at a shorter notice, he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the member.

(6) The member who has given notice of the question shall be in his seat to read the question when called by the Speaker and the Minister concerned shall give a reply immediately :

Provided that when a question is shown in the name of more than one member, the Speaker shall call the name of the first member or in his absence any other name.

(7) In other respects, the procedure for short notice questions shall be the same as for ordinarily questions for oral answer, with such modifications as the Speaker may consider necessary or convenient.

Answers to questions not fully answered to be laid on the Table of House.

51. The answers to all questions not fully answered on that due date on account of the non-receipt of information, shall be laid on the Table of the House on the opening day of the next session :

Provided that it shall not be necessary to lay on the Table of the House answers to such questions asked in a session immediately preceding the dissolution of the Vidhan Sabha whether such dissolution occurs by efflux of time or otherwise.