

## QUESTIONS (Rule 38 to 52)

The Question Hour in the House of the Legislature has acquired great importance and significance. The proceedings in the Question hour of the House are more attractive and lively. As such, the Visitor's galleries and Press galleries are packed to capacity. During the question hour more light is thrown on several aspects of administration when the members seek to obtain or elicit information on a matter of public interest, on the Floor of the House. It establishes the control and supervision of Legislature over Executive. Putting questions of Ministers to elicit information is an inherent right of a member resulting in the provision of Question hour. The first hour of a sitting is provided for this purpose.

The main purpose of putting a question is to elicit information from the Minister. But it gives an opportunity to the member to bring omissions and commissions in administration to the notice of the Government and prompts it to take immediate action in the matter. The Government is kept in touch with the public through questions, and gauge the public opinion. The Members bring many issues effecting the public through questions. They would, otherwise, have gone unnoticed.

The Questions are of three types.

They are :-

### (1) Starred Questions :

A Starred Question is one to which a member seeks and oral answer on the Floor of the House. A member who desires an oral answer to his/her question is required to distinguish it by an asterik or a star.

### (2) Unstarred Questions :

An unstarred Question is one to which written answer is desired by the Member. If the Member does not distinguish his/her question by an asterik or a star, the question is printed on the list of Questions for written answer.

### (3) Short Notice Questions : (Rule 51)

Short Notice Question is one that pertains to a matter of urgent public importance. It can be asked with shorter notice. If the Speaker is of the opinion that the Question is of an urgent character, he/she may direct that Minister concerned to answer the question on date to be fixed by him/her Where a member desires an oral answer to a question at a shorter notice, he should be given reasons for asking the question with short notice. The Speaker fixes a date for answering the same after it is admitted, within five days from the date of receipt of Question.

### 1. Notice of Questions : (Rule 39)

Every notice of a Question is to be given in writing, addressed to the Secretary. It is to be delivered either in person or sent by post or left in the Notice Box at the Office of the Assembly during office hours on any working day.

### 2. Conditions of Admissibility of Questions : (Rule 43)

No question should be allowed unless it fulfills the following conditions :

- (i) It shall not bring in any name or statement not strictly necessary to make the question intelligible.
- (ii) If it contains a statement, the member shall make himself/herself responsible for the accuracy of the statement;
- (iii) It shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements :
- (iv) It shall not ask for any expressions of opinion of the solution of an abstract, legal question or of a hypothetical propositions;
- (v) It shall not ask as to the character or conduct of any person except in his/her official or public capacity;
- (vi) It shall not ordinarily exceed 150 words;

- (vii) It shall not relate to a matter which is not primarily the concern of the State Government.
- (viii) It shall not ask about proceedings in a Committee which have not been placed before the Assembly by a report from that committee;
- (ix) It shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion ;
- (x) It shall not make or imply a charge of a personal character ;
- (xi) It shall not raise questions or policy too large to be dealt with within the limits of an answer to a question;
- (xii) It shall not repeat in substance questions already answered or to which an answer has been refused;
- (xiii) It shall not ask for information on trivial or frivolous matters;
- (xiv) It shall not ordinarily seek information on matters of past history;
- (xv) It shall not require information set forth in accessible documents or in ordinary works of reference;

- (xvi) It shall not raise matters under the control of bodies or persons not primarily responsible to the State Government;
- (xvii) It shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India.
- (xviii) It shall not relate to a matter with which a Minister is not officially connected;
- (xix) It shall not refer discourteously to a friendly foreign country;
- (xx) It shall not seek information regarding Cabinet, discussions, or advice given to the Governor in relation to any matter in respect of which there is constitutional, statutory or conventional obligation not to disclose information;
- (xxi) It shall not ordinarily seek information on matters which are under consideration before a Committee; and
- (xxii) 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 but may refer to matters concerned with procedure or subject or stage or enquiry, if it is not likely to prejudice the consideration of the matter by the Tribunal or Commission or Court of Enquiry or before a Court of a competent authority.

In matters which are under correspondence between the State Government and the Government of India or the Government of a State, no question should be asked except as to matters of fact, and the answer should be confined to a statement of fact.

## QUESTIONS

