



## ◆ QUESTIONS

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## ◆ Time for questions

Unless the Chairman otherwise directs, the first hour of every sitting is available for the asking and answering of questions. <sup>1</sup> The House commences its sitting at 11.00 a.m. and generally proceeds immediately to question time until 12.00 noon. This hour is popularly and commonly known as Question Hour.

When the Rajya Sabha met for the first time under the Constitution on 13 May 1952, and till 26 May 1952, there was no Question Hour in the House. On 16 May 1952, which was the second sitting of the House, the Chairman made the following announcement:

"...After a good deal of discussion, I decided that we should adopt the procedure of the House of Lords. Questions on two days a week, three starred questions a day-that is the procedure of the House of Lords ... Three questions will be answered orally and those questions will be selected in the order of receipt." <sup>2</sup>

On 19 May 1952, a member raised the following question of privilege arising out of the announcement made by the Chairman:

It appears that under powers conferred on him under article 118(2) of the Constitution, the Chairman has modified the practice obtaining in the old Council of State relating to asking of questions by members to the disadvantage of the rights of such members.

The Chairman observed that it was not a question of privilege. It would, however, be considered by the Rules Committee when it was constituted. [3](#) What the member was referring to was that under the Standing Orders of the old Council of State the first hour of every meeting was available for questions [4](#) and not the two days of a week.

On 20 May 1952, immediately after the Motion of Thanks was moved, the Chairman informed the House:

"...Next Tuesday and Wednesday (i.e., May 27 and 28), you will be allowed to have questions raised here. You must give notice of them today or tomorrow. If you are able to put your questions today or tomorrow they may be answered on Tuesday or Wednesday next week. The first half-hour will be devoted to questions." [5](#)

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This was followed by a Bulletin informing members about the allotment of days for answering questions on Tuesday, 27 May and Wednesday, 28 May 1952.

Accordingly, there were 3 starred questions and 12 unstarred questions listed for 27 May 1952 and 3 starred questions and 45 unstarred questions for the next day. The first question was asked by Shri S.V. Krishnamoorthy Rao who later became the Deputy Chairman of the Rajya Sabha.

On 14 July 1952, the Chairman announced that on the recommendation of the Rules Committee, [6](#) he had made certain amendments in the provisions relating to questions. Under the amended rules, the first hour of the sifting on every Monday, Tuesday, Wednesday and Thursday was made available for the asking and answering of questions. If the House did not sit on any of those days, then the following Friday was also to be available. Each member was entitled to put three starred questions. [7](#) These amended provisions were given effect to from 21 July 1952. [8](#) In 1956, a demand was made that there should be Question Hour on Fridays also. The Chairman pointed out that it was a decision of the House that there would be questions only for four days in a week in the Rajya Sabha. [9](#) Question Hour for four days a week therefore, continued until September 1964.

The Committee set up to frame Draft Rules of Procedure under article 118 of the Constitution in its Report submitted on 29 November 1963, proposed that the first hour of every sitting should be made available for questions. Accordingly, all the five sittings in a week were made available for the asking and answering of questions in the Rajya Sabha regularly from the 49th session commencing on 9 September 1964.

## **Non-allotment of time for questions**

As the opening words "Unless the Chairman otherwise directs" in rule 38 make it clear, although the first hour of every sitting is available for questions and answers, the Chairman has the power to dispense with Question Hour or not allot a day or days for questions. The House may also decide to suspend Question Hour upon a motion or otherwise. There have been occasions when Question Hour was dispensed with for devoting more time to other business or Question Hour was not fixed during the whole of a session or some sittings during a session due to some special reasons.

On 15 March 1954, the Deputy Chairman announced that "in order to give more time to the consideration of the motion to refer the Hindu Marriage and Divorce Bill, 1952, to a Joint Committee," there would be no Question Hour on 16 March 1954. Again on 18 March 1954, Question Hour was dispensed with for consideration and passing of the Press (Objectionable Matter) Amendment Bill, 1953. [10](#)

During the 33rd (1961), 93rd (1975), 98th (1976) and 99th (1977) sessions there was no Question Hour as these sessions were summoned for special purposes, namely, Orissa Budget, approval of Proclamation of Emergency, Constitution (Forty-fourth Amendment) Bill, 1976 and approval of President's Rule in Tamil Nadu and Nagaland, respectively. [11](#)

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On 21 July 1975 (93rd session), the Minister of State in the Department of Parliamentary Affairs moved the following motion:

That this House resolves that the current session of the Rajya Sabha being in the nature of an emergent session to transact certain urgent and important Government business, only Government business be transacted during the session and no other business whatsoever ... be brought before or transacted in the House during the session and all relevant rules on the subject ... do hereby stand suspended to that extent.

After a lengthy debate including rejection of an amendment which sought saving of Question Hour, the motion was adopted. Before the motion was moved, some members sought to know under what provision of rule or direction, Question Hour was suspended till the motion was passed. The Chairman ruled:

... regarding allowing the Question Hour or not allowing the Question Hour, it is a point to be decided by me...rule 38 is very clear on this point ... on my own considering the importance of the present situation, I have decided not to have the Question Hour. It is within the authority of the Chairman. He has used it independently of the Government or anybody else. Nobody can question it. [12](#)

A similar motion was adopted on 3 November 1976 (98th session) and Question Hour was suspended. [13](#)

During the 41st session (1962) the Minister of Parliamentary Affairs held a meeting with leaders and representatives of various groups in the Opposition as also some other Members of Parliament and announced in the House that it was the unanimous opinion of those present at the meeting that Question Hour might be dispensed with w.e.f. 26 November 1962. [14](#)

Due to short or inadequate notice, on many occasions no Question Hour was fixed for the first few days of the commencement of the 75th, 100th, 101st and 112th sessions. [15](#)

During the 78th session, the House decided that with effect from 6 December 1971, there would be no Question Hour during the remaining part of the session (due to outbreak of war with Pakistan). [16](#)

## Question Hour during extension of session

When the session is extended for a day or a few days beyond the originally scheduled date of its termination and such extension is announced not very much in advance, no Question Hour is fixed for the extended days of the sittings. [17](#) The Chair accordingly announces while announcing the extension of the session.

After the Chairman announced that the meetings of the House would be continued on 1, 2 and 4 August 1952, a member inquired whether Question Hour was going to be provided on the extended days of the session. The Chairman answered in the negative because of the heavy business. [18](#) After a few days when the matter came up, the Chairman

380 observed, "We decided not to ask any questions hereafter, till the rest of the session."[19](#)

If the decision to extend the session is taken sufficiently in advance which would give members adequate time for giving notices of questions during the extended period, Question Hour is fixed on those days also. [20](#) However, there had been occasions when the decision to extend the session was taken sufficiently in advance but no Question Hour was fixed during the extended period.

By an announcement made on 27 June 1980, the 114th session was extended upto 9 July 1980. There was no mention of Question Hour during the extended days of the session and no Question Hour was fixed on those days. [21](#)

The Business Advisory Committee recommended that the 160th session be extended and the House should sit on 16, 17 and 18 September 1991. The recommendation was announced on 5 September 1991. No Question Hour was, however, fixed. The matter was raised in the House and the Deputy Chairman promised to convey the feelings to the Chairman. It was again raised on the 17 September 1991. [22](#)

When Question Hour is allotted for the additional days of the session, a chart showing the grouping of Ministries and Departments indicating the dates of questions and last dates for receipt of notices for those groups is issued for information of members and the same is also notified in the Bulletin. [23](#)

## **Transfer of Question Hour due to cancellation of a sitting**

Sometimes it had happened that sittings originally fixed on some days were cancelled on account of shifting of holidays of Id, Muharram, Holi, etc. and business including questions slated for those days was carried over to the new sitting day fixed in lieu of the cancelled sitting including Saturday.

Sitting of the House fixed for 5 December 1952, was cancelled and questions listed for that day were taken up on Saturday, 6 December 1952. [24](#)

Holiday on account of Idu'l Zuha was changed from 27 February 1969 to 28 February 1969. Questions, etc. put down for 28 February 1969, were shifted to previous day when the sitting was held. [25](#)

Holiday on account of Holi was changed from 5 March to 4 March 1969, Consequently, the business including the questions set down for 4 March was taken up on 5 March 1969. [26](#)

Holiday on account of Muharram was changed from 12 December to 11 December 1978. Consequently, the business including the questions set down for the 11 December 1978, was taken up on 12 December 1978. [27](#)

## **Suspension of Question Hour**

Technically, there is no specific provision in the Rules of Procedure of the Rajya Sabha for suspension of Question Hour. However, in practice whenever a member desires to move a motion for suspension of rule 39

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relating to questions he has to take recourse to rule 267 relating to suspension of a rule and he can move such a motion only with the consent of the Chairman.

There have been instances when the Chairman has withheld the consent to the moving of a motion for suspension of Question Hour or otherwise has not agreed to suspend Question Hour as requested by members. [28](#)

For the first time in the Rajya Sabha a request was made that Question Hour should be suspended to discuss the situation in West Bengal arising out of the dismissal of the Government there. The Chairman did not allow as, he said, there was no motion before him for the purpose. [29](#)

On an occasion a member who had given notice to suspend Question Hour was permitted to submit why Chair should grant consent and eventually Question Hour was lost. [30](#)

Some of the issues on which request for suspension of Question Hour was sought but was not agreed to were:

Kutch Tribunal Award: The Chairman informed that the Prime Minister would be making a statement on the issue and there would be discussion thereafter. [31](#)

Teachers' strike in U. P. :The Chairman ruled that he was not prepared to suspend the question time and questions must go on. [32](#)

Lathicharge on students and teachers in Allahabad jail: The Chairman informed that a calling attention on the subject had been admitted and would come up the next day. [33](#)

Some members had given notices for the suspension of Question Hour to take up a breach of privilege notice against the Prime Minister for allegedly making a false and misleading statement deliberately in the Rajya Sabha about the existence of middlemen and payment of kickbacks for the purchase of Bofors Guns. After hearing the members the Deputy Chairman ruled that Question Hour could not be suspended for the purpose. [34](#)

Escape of alleged killers of Shri Rajiv Gandhi: The Chairman observed that Question Hour had precedence over everything else. If it was desired not to have Question Hour, a motion should be moved and he had no objection if the House so wished. [35](#)

Ayodhya issue: When some members sought to move a motion to suspend Question Hour, the Leader of the House requested them not to press it in view of previous day's discussion on the issue. The Chairman made the following observations, after which Question Hour proceeded:

I would like to submit, suspension of the Question Hour is a very very serious matter affecting the interest of the House as a whole, every member of the House, especially the back benchers of this House. As you know, a decision has been taken at the Conference of the Presiding Officers that the Question Hour will never be suspended. Therefore, I would like to appeal to you, this matter can be discussed after forty-five minutes, as suggested by the hon'ble Home Minister. Now we should go ahead with the Question

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Hour. I do not think any emergency will be there in the next forty minutes. It is in the interest of the House, as a whole to go ahead with the Question Hour. [36](#)

There have also been instances when motions to suspend Question Hour were put to vote and negatived. [37](#)

There have been instances when consent to move motions for suspension of Question Hour was given and they were adopted or there was consensus for the same and Question Hour was suspended or dispensed with to discuss such urgent matters as developments in Andhra Pradesh, [38](#) Kashmir situation, [39](#) Meham incident (this was discussed on two occasions and on the first occasion the motion to suspend Question Hour was adopted by a division), [40](#) status of Congress (I) as opposition party, [41](#) Gulf War situation, [42](#) Ayodhya issue (the motion to suspend Question Hour was adopted by a division), [43](#) resolution condemning Ayodhya incident, [44](#) destruction of Charar-e-Sharief in Kashmir, [45](#) railway accident of Purushottam Express. [46](#)

On an occasion, consent to move the motion for suspension of Question Hour to discuss firing on farmers in

Andhra Pradesh was given but the member giving notice did not move it and Question Hour proceeded. [47](#)

On a number of occasions Question Hour was not dispensed with formally or otherwise but questions could not be taken up for oral answers owing to disorder, uproarious scenes or members making submissions throughout Question Hour about certain matters or pleading with the Chair for its suspension or the House had to be adjourned frequently or beyond Question Hour. Some of the issues due to which no questions could be taken up were:

New nomenclature of Ministers/Ministries; [48](#) arrest and detention of a lady member; [49](#) water crisis in Delhi; [50](#) irregularities in granting income tax exemptions to certain Trusts in Maharashtra; [51](#) J & K situation; [52](#) postponement of elections to Bihar Legislative Assembly; [53](#) rescheduling of Bihar Legislative Assembly elections; [54](#) atrocities on women in Gaya by CRPF; [55](#) imposition of President's Rule in Bihar; [56](#) Vohra Committee Report on nexus between criminals and politicians; [57](#) Telecommunication Policy (175th session); and Hawala Transactions (176th session).

## Extension of Question Hour

The making and subscribing of oath or affirmation by the newly elected/ nominated members and obituary and other references such as felicitations/ greetings, introduction of Ministers, welcome to new members, etc. are the items which precede questions. The time spent thereon as also on any other announcement or matter is counted in the time allotted for questions. Question Hour is not extended beyond the first hour, at the end of which the Chair formally declares: "Question Hour is over." There have been many occasions when the entire first hour has been spent on obituaries, etc. The Chair does not agree, to extend Question Hour to make good the loss of time of Question Hour on other items such as obituaries, felicitations, etc. or to cover the next question [58](#) or complete a reply to a supplementary question.

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On an occasion when a member pleaded, after Question Hour was over, that the next question was important, the Chairman observed:

"Usually the first hour is for questions; whatever may be the other question, we must terminate questions at 12 o'clock." [59](#)

After the Chairman declared Question Hour over, a member referred to a question standing in that day's list for answer by the Home Minister which was addressed by the member to the Prime Minister. The Chairman observed, "It is an established convention that we do not refer to questions once the Question Hour is over." [60](#)

After Question Hour was over, a member wanted to ask a supplementary question as reply to only half of his question had been given. The Chairman did not agree to give further opportunities after the question time was over. [61](#)

On an occasion, points were raised during Question Hour regarding the designations of Ministers in Hindi. The entire Question Hour was occupied by the points and no questions could be taken up. A member suggested that under rule 38, Chairman could continue Question Hour. The Chairman did not agree. [62](#)

After Question Hour was declared over, it was represented that the Minister should be permitted to give reply to a supplementary question that had been put during Question Hour. The Chair did not agree. However, later in the day the Minister was allowed to make a statement. [63](#) The next day, the Chairman gave the following ruling :

"...duration of the Question Hour should not normally be extended either for purposes of continuing the

discussion sought by nonofficial member or for the Government for keeping the records straight. The Ministers have, no doubt, the right to come to the House and with the consent of the Chair make pronouncement or official statement or clarification or to rebut a charge levelled against them. This may be done during the sitting of the House even if the original charge is made during the Question Hour. Similarly, the non-official members have the means of seeking further discussion on issues which they think have not been adequately raised during the Question Hour." [64](#)

For about forty-five minutes during Question Hour members raised a matter regarding developments in Bihar and only two questions could be covered. After 12 noon, some members suggested that Question Hour should be extended by half-an-hour as an important question regarding victimisation of employees, which was in the question list could be discussed. The Chairman did not agree. [65](#)

On an occasion the entire Question Hour was taken away by oaths and obituary references. A member suggested that Question Hour should be extended by an hour to discuss closure of industrial units which was the fourteenth question in the list of starred questions. The Chairman observed that he could not enlarge the Question Hour; it was a convention. [66](#)

After Question Hour was declared over, a member continued to ask a supplementary question but the Chair declared that the Minister could not tell him as the time was over. [67](#)

384 On a number of occasions when Ministers wanted to complete the replies to questions asked earlier, the Chairman did not permit as Question Hour was over observing, "The Minister's answer will stop now" or "After the Question Hour is over, even the Minister cannot continue." [68](#)

After the Chairman declared Question Hour as over, the Minister said, "Sir, I may add one thing". The Chairman said, you cannot." [69](#) On another, occasion the Chairman announced twice that Question Hour was over. When the Minister said that she wanted to clarify, the Chairman said, "No" and ended Question Hour by announcing the third time that Question Hour was over. [70](#)

When the Prime Minister was answering a question and had not completed his reply, the Chairman declared that Question Hour was over. Some members demanded that the Prime Minister should be permitted to complete the statement. The Chairman did not agree. [71](#)

