

## **RAJYA SABHA QUESTIONS & ANSWERS RULES OF PROCEDURE**

Like other legislatures, Rajya Sabha has provided for the procedure for asking questions in its Rules of Procedure and Conduct of Business. The first sitting of Rajya Sabha was held on 13 May, 1952. However, there was no Question Hour in the House till 26 May, 1952. The first half-an-hour was made available for asking and answering questions on 27 and 28 May, 1952. Questions were thus put in the Rajya Sabha for the first time on **27 May, 1952**. The Chairman, Rajya Sabha made an announcement on 14 July, 1952 regarding amendment in the Rules thereby making the first hour of the sitting on every Monday to Thursday available for asking questions. This procedure was followed in the House from 21 July, 1952 and continued till July, 1964. The procedure was further revised to include Friday also.

The Question Hour used to start at 11.00 a.m. and conclude at 12.00 noon on five days a week. \*Consequent upon amendment to Rule 38 of the Rules of Procedure and Conduct of Business in Council of States, Question Hour in Rajya Sabha was shifted to 12:00 noon to 1:00 p.m.

### **QUESTIONS**

#### **38. Time for questions**

Unless the Chairman otherwise directs, the Question hour shall be from 12:00 noon to 1:00 p.m.

#### **39. Notice of questions**

Unless the Chairman otherwise directs, not less than fifteen clear days' notice of a question shall be given.

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[\\*Thirteenth Report of Committee on Rules adopted by the House on 26.11.2014 vide Bulletin Part-II No.52610 dated 26.11.2014](#)

#### **40. Form of notice of questions**

Notice of a question shall be given in writing to the Secretary-General and shall specify-

- a. the official designation of the Minister to whom it is addressed; and
- b. the date on which the question is proposed to be placed on the list of questions for answers.

#### **41. Notice of admission of questions to Ministers**

Unless the Chairman otherwise directs, no question shall be placed on the list of questions for answers until five days have expired from the day when notice of such question has been given by the Secretary-General to the Minister to whom it is addressed.

#### **42. Starred questions**

A member who desires an oral answer to his question shall distinguish it by an asterisk and if he does not distinguish it by an asterisk the question shall be printed in the list of questions for written answers.

#### **43. Limit of number of starred questions**

(1) Not more than one question distinguished by an asterisk by the same member shall be placed on the list of questions for oral answers on any one day. Questions in excess of one shall be placed on the list of questions for written answers.

(2) Each question included in the List of questions for oral answer will be in the name of one member only by virtue of his position in the ballot.

(3) Unless the Chairman otherwise directs, where a Member has given more than one notice of questions distinguished by an asterisk for same day, his question for the list of questions for oral answer shall be selected in the order indicated by the member and if no such order is indicated, any of these questions shall be placed on the list of questions for oral answer in the order in which notices are received in point of time.

#### **44. Allotment of days for questions**

The time available for answering questions shall be allotted on different days in rotation for the answering of questions relating to such Ministry or Ministries as the Chairman may, from time to time, provide, and on each such day, unless the Chairman with the consent of the Minister concerned otherwise directs, only questions relating to the Ministry or Ministries for which time on that day has been allotted shall be placed on the list of questions for oral answers.

#### **45. Starred questions not replied orally**

If any question placed on the list of questions for oral answers on any day is not called for answer within the time available for answering questions on that day, a written answer to such a question shall be deemed to have been laid on the Table by the Minister concerned at the end of the question hour or as soon as the questions for oral answers have been disposed of, as the case may be:

Provided that if a member on being called by the Chairman states that it is not his intention to ask the question standing in his name, the question shall be treated as having been withdrawn and no written answer shall be deemed to have been laid on the Table.

#### **46. Questions to private members**

A question may be addressed by a member to a private member provided the subject matter of the question relates to some Bill, resolution or other matter connected with the business of the Council for which that member is responsible and the procedure in regard to such questions shall, as far as may be, be the same as that followed in the case of questions addressed to a Minister with such variations as the Chairman may consider necessary or convenient.

#### **47. Conditions of admissibility of questions**

(1) Subject to the provisions of sub-rule (2) of this rule, a question may be asked for the purpose of obtaining information on a matter of public importance within the special cognizance of the Minister to whom it is addressed.

2. The right to ask a question is governed by the following conditions:-

- i. it shall be pointed, specific and confined to one issue only;
- 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 statements;
- v. it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;
- vi. it shall not ask as to the character or conduct of any person except in his official or public capacity;
- vii. it shall not exceed 100 words;
- viii. it shall not relate to a matter which is not primarily the concern of the Government of India;
- ix. it shall not ordinarily ask for information on matters which are under the consideration of a Parliamentary Committee;
- x. it shall not ask about proceedings in a Parliamentary Committee which have not been placed before the Council by a report from the Committee;
- xi. it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- xii. it shall not make or imply a charge of a personal character;
- xiii. it shall not raise questions of policy too large to be dealt within the limits of an answer to a question;
- xiv. it shall not repeat in substance questions already answered or to which an answer has been refused;
- xv. it shall not ask for information on trivial matters;
- xvi. it shall not ordinarily seek information on matters of past history;
- xvii. it shall not require information set forth in accessible documents or in ordinary works of reference;
- xviii. it shall not raise matters under the control of bodies or persons not primarily responsible to the Government of India;
- xix. 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;
- xx. it shall not relate to a matter with which a Minister is not officially connected;
- xxi. it shall not refer discourteously to a friendly foreign country;
- xxii. it shall not seek information about matters which are in their nature secret.

#### **48. Questions on matters of correspondence between the Government of India and the Government of a State**

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

#### **49. Chairman to decide admissibility**

(1) The Chairman shall decide whether a question or a part thereof is or is not admissible under these rules and may disallow any question or a part thereof when in his opinion it is an abuse of the right of questioning or calculated to obstruct or prejudicially affect the procedure of the Council or is in contravention of these rules.

(2) Subject to the provisions of rule 44, the Chairman may direct that a question be placed on the list of questions for answers, on a date later than that specified by a member in his notice, if he is of the opinion that a longer period is necessary to decide whether the question is or is not admissible.

#### **50. Chairman to decide if a question is to be answered orally**

If in the opinion of the Chairman any question put down for oral answer is of such a nature that a written reply would be more appropriate, the Chairman may direct that such question be placed in the list of questions for written answers:

Provided that the Chairman may, if he thinks fit, call upon the member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same give his direction.

#### **51. List of questions**

Questions, which have not been disallowed, shall be entered in the list of questions for the day for oral or written answers, as the case may be, in accordance with the orders of the Chairman.

#### **51A. Limit on number of questions for oral and written answers**

The total number of questions to be included in the lists of questions for oral and written answers for any one day shall be limited to 175 including 15 questions for oral answers, questions-postponed from one list of questions to another for written answers and fifteen questions pertaining to the States under the President's Rule.

## **52. Order of calling questions**

Questions for oral answers shall be called, if the time made available for questions permits, in the order in which they stand in the list before any other business is entered upon at the meeting:

Provided that a question not reached for oral answer may be answered after the end of the Question Hour with the permission of the Chairman if the Minister represents to the Chairman that the question is one of special public interest to which he desires to give a reply.

## **53. Withdrawal or postponement of questions**

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 44, 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-General.

## **54. Mode of asking questions**

(1) When the time for asking questions, arrives, the Chairman shall call successively each member in whose name a question appears in 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 in the list of questions.

(3) If on a question being called it is not put or the member in whose name it stands is absent, the Chairman shall direct that the answer to it be given.

## **55. [omitted]**

## **56. Supplementary questions**

(1) No discussion shall be permitted during the time for questions under rule 38 in respect of any question or of any answer given to a question.

(2) Any member when called by the Chairman may put a supplementary question for the purpose of further elucidating any matter of fact regarding which an answer has been given:

Provided that the Chairman shall disallow any supplementary question, if, in his opinion, it infringes the rules regarding questions.

## **57. Answers not to refer to proceedings in House**

An answer to a question in the Council shall not refer to the answer to a question or proceedings in the House during a current session.

## **58. Short notice questions**

(1) A question relating to a matter of public importance may be asked with shorter notice than fifteen clear days and if the Chairman is of opinion that the 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 is in a position to reply, such question shall be answered on a day to be indicated by him and at the time to be determined by the Chairman.

(3) If the Minister is not in a position to answer the question at short notice and the Chairman is of opinion that the question is of sufficient public importance to be orally answered in the Council, 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 39:

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

(4) Where a member desires an oral answer to a question at 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.

(5) The member who has given notice of the question shall ask the question by reference to its number on the list of questions when called by the Chairman and the Minister concerned shall give a reply immediately.

(6) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answers, with such modifications as the Chairman may consider necessary or convenient.

#### **59. No publicity answers to questions in advance**

Answers to questions which Ministers propose to give in the Council shall not be released for publication until the answers have actually been given on the floor of the Council or laid on the Table.