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RESEARCH ARTICLE

TYPES OF QUESTIONS IN INDIAN PARLIAMENT

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Abstract

In the context of parliamentary institution, it is an inherent and inalienable right of a member of parliament to elicit information from the government on a matter of public interest in order to enable him to discharge his duty Enjoined by the constitution. It is a unique parliamentary device to exercise surveillance over the administration. It is an important instrument in the hands of the members of parliament to ensure answerability and accountability of the administration for its active commission to the parliament and the people. The entire range of governmental activities comes under the scrutiny of parliament by this procedure. (Rules 32 to 54 and Direction 10 to 18).

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Introduction:-

Rules 32 Question Hour- Unless the Speaker otherwise direct, the first hour of every sitting shall be available for asking and answering of questions.

Meaning and Scope:

To question means to enquire or to interrogate. Questions are normally addressed to one who is competent or expected to be able to answer. The purpose is to elicit information through response or reply.

Very often, members are able to pinpoint the administrative lapses and extract certain information and assurances or even commitments from the government which may be embarrassing and inconvenient to government.

The right to elicit information from the executive government by means of questions was explicitly conceded to the Indian members of the Imperial legislative council for the first time in 1892 under the Indian council's act of 1892. This right was subject to certain conditions of admissibility of and no discussion was permitted in respect of an answer given to a question. the next stage in the development of the question procedure was released with the framing of rules, under the Indian Council act, 1909 when for the first time provision was made for the the asking of supplementary questions.

Another significant stage in the development of question procedure came with the coming into force of the Montague Chelmsford reforms of 1919, when the first power of the meeting of Council was made for asking questions. The practice continues.

The skillful use of this procedure by vigilant members has led to enquiries by the government into matters concerning the violation of Statutes, malpractice and misuse of public funds.

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Some of the more important cases of this nature which came to light include the Jeep scandal, 1951, the Mundhra deal 1957, import license case 1974 and the enquiry into the Steel deal and the use of beef and tallow in the Vanaspati case.

The first hour of every sitting is available for the asking and answering of questions. For the purpose of answering questions in the house, the Ministries or Departments of the Government of India have been divided into five groups which are allotted 5 days of the week and the Ministers concerned answer question by the rotation on the day fixed for their ministries or department.

Question Objectives:

No official study has been done in India so far as to why do members ask question. A study done by the procedure committee of the British House of Common, elicited following representatives responses from the members-

1. It is one of the few areas where, as a back bench MP, you can have a direct impact.
2. To elicit often factual information and comparative data which would otherwise be very time consuming and to get government position on record.
3. To build up a picture, to make a. On behalf of constituents, to give a Minister the opportunity to explain/ justify/ improve policy.
4. To obtain information about constituency matters.
5. To elicit information and / or put pressure on ministers.
6. 6 - To research an issue in depth or help with a local campaign.
7. To pursue National Policy scrutiny and to press constituency issues.
8. Proving to constituents that you really are trying to get answers out of the government.
9. To find things out
10. To gain information, statistics not available from other sources, clarification of policy or lack of it.

An interesting aspects concerning questions is whether the questions are asked by members out of their own thirst for information or on the request of their constituents, Public organizations or lobbyist or for all the for all of these reason. No official study has been done in this behalf in India so far. However from intimate study of the working of Indian Parliament, it can be said with certitude that questions are asked by members for a variety of reasons like seeking authentic information, pressing for action by the government, drawing the attention of the government as also show of their constituents to the issue raised by them. Members being the representatives of the peoples are regularly approached by general public, organization or lobbyist for redressed off problem or for influencing governmental policies. By raising questions, the members send signal to their constituents that they are trying to get answers from the government and also get satisfaction of raising an issue in Parliament.

The moot question therefore is whether it is an unethical on the part of legislators to ask question to further the cause of individual organization or groups. However, As Long S there is no pecuniary consideration; there is obviously, nothing wrong if the members get preliminary Information from diverse sources on which De base dare questions. It would be worth recalling that during the 14 Lok Sabha, 10 members were expelled by the Lok Sabha on the ground of 'cash for query' based on the recommendations of the Ad-hoc inquiry committee.

The questions are of four types:

Starred Questions or Question for Oral Answer:

To which members Desire oral answers in the house and which are distinguished by an Asterix. Supplementary questions maybe asked in respect of answers to these questions. Name of not more than two members can be shown against any questions in the list of starred questions.

Unstarred Questions or Questions for Written Answer:

To which written answer are desired by the members .texts of questions and answers are Deemed to be laid on the table of the house by the Minister and a printed in the debates. No oral answer is given and no supplementary questions can be asked. Question seeking detailed information of statistically nature or replies of which are likely to be very lengthy are admitted for the retain answers written answers.

Short Notice Questions:

These related to matters of urgent public importance and can be asked for oral question answer at a notice of less than 10 days which is minimum notice for a starred or unstarred questions. Admissibility of short notice questions is

depending on two essential criteria: - Its subject matter must be urgent and the Minister concerned should agree to answer it. Names of up to four members can be clubbed to a short notice question and supplementary question can be a short notice printed in a separate list and are asked after the question hour is over.

Private Member's Question:

Questions may also be address to a private members, provided the subject matter of the question related to some bill, resolution or other matter connected with the business of the house for which that member is responsible.

A member have to give a notice of a starred, unstarred of short notice question in writing in the prescribed form, the minimum period of notice was 10 days and the maximum period of notice was 21 clear days for a starred or unstarred question. However, during the 15 Lok Sabha the rules committee decided to amend the rules in regard to question procedure to provide

1. A uniform period of 15 days for giving notice of questions
2. Power to speaker to direct that answer to a starred question to be given even if the member concern is absent
3. For a minister making a statement in the house correcting an earlier reply to a starred, unstarred or short notice question.
4. A limit of 10 notices of questions per day for oral or written answer.

In order to be admissible, questions should relate to matters which are primarily the function of the Government of India. A question should not relate to state matters. It should not reflect on the character and conduct of any person who conduct can only be challenged on a substantive motion. It should not ask for information on a matter which is under adjurisdiction by a court of law having jurisdiction in any part of India or pending before a statutory Tribunal or authority of performing any judicial or quality judicial functions quasi judicial function.

Member may give as many notice of motion as he likes for a particular day but the total number of questions that can be put down in his name in the list of motion, both starred and unstarred together, on a day cannot exceed five. The total number of question in a starred list for a day is not more than 20 while for the unstarred list the maximum number is 230.

The first question:

The first question was asked in the legislative councils, Constituted under the Indian Council act, 1892 on 16 February 1893. Raja Udai Pratap Singh of Bhing a drew the attention of government them to hardship caused to the rural people due to burden of large contingents of officers on tour. The cultivators and the village shopkeepers had to make provisions per force for the revenue official on tour .in UK; it is generally thought that the first recorded question was asked in the house of lord in 1721.

During the period between 1893 and 1909, in all 217 sitting were held and 268 question asked and answered .the questions were few and many long sitting had no question at all but an ominous beginning had been made.

Reference:-

1. Banerji, Anil Chandra (ed.); Indian Constitutional Documents, Vol. I, p. xxvi.
2. Rules for the Conduct of Business in the Legislative Council, framed under the Indian Councils Act, 1892, Rule 6.
3. Until 1921, the Governor-General used to preside over the deliberations of the Legislative Council. In that year, the Council gave place to the Legislative Assembly and its deliberations began to be conducted by an officer known as President. In 1947, the designation was changed to Speaker. The term "Speaker" has, however, been used throughout in the text.
4. Rules for the Conduct of Business, op. cit., Rule 9.
5. Speech of Dr Murali Manohar Joshi, (2015), M.P. and Chairman Estimate Committee Lok Sabha while releasing the book "Parliamentary Question: - Glorious Beginning to an Uncertain Future", page 26 -28.
6. Devender Singh (2015) "Parliamentary Questions: - Glorious Beginning to an Uncertain Future" Orange books International.