

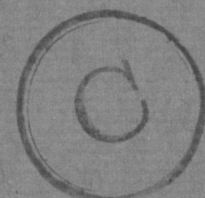
Educational (1900) Department.

ORDINARY MS.

G.O., No. 302

DATED 21. 7. 00

INDEXED



Bairam - 3-

[Despatch Abstract.]

Recording prop. Leg. dept on letter from the Govt
of India stating that a sufficient case
has not been made out for altering rule 8.
of the rules framed under Sec. 2 of the
Indian Councils' Act, 1892. for asking
questions in the Local Leg Council.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

AL CURRENT NO. 952 ✓

Government {1900} of Madras.

LEGISLATIVE.

125 Leg
99

order
hs. 302 of 21.7.00

Recorded.

Recd.

Enclosures

Regd.

1900.

Spare copies

G.O., No. 55, 9th July 1900.

JULY.

Interpellations in the Legislative Council.

Recording letter from the Government of India stating that a sufficient case has not been made out for altering rule 8 of the rules framed under section 2 of the Indian Councils Act, 1892, for asking questions in the local Legislative Council.

12/7/00

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

READ—the following paper:—

From J. P. HEWETT, Esq., C.S.I., C.I.E., Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Simla, 13th June 1900, No. 1579.

I am directed to say that the Governor-General in Council has had under consideration the proposal dealt with in your letter, No. 125, dated the 5th December 1899, that rule 8 of the rules framed under section 2 of the Indian Councils Act, 1892, for asking questions in the local Legislative Council, should be amended so as to make it obligatory on a member who wishes to ask a question to give ten instead of six clear days' notice in writing to the Secretary of the Council, submitting in full the question he wishes to ask.

2. The Governor-General in Council has made inquiries as to the practice of dealing with questions submitted under the rule, and has found that it appears to vary in the different Provinces. In Madras the questions are received in the Legislative Department and printed and then forwarded to the Executive Department. On receipt of advice that the questions are admissible, the consent of His Excellency the President to admit them is sought and the agenda paper is then issued. The draft answers furnished by the department are subsequently discussed and settled at a meeting of the Executive Council specially held for the purpose, and the answers, as thus settled, are printed and furnished to the members who have to read them at the meeting. In Bombay references are made to the Secretariat offices for the records of cases connected with the questions. In the North-Western Provinces and Oudh it is usually found necessary to obtain from the Secretariat, or perhaps from other offices, files connected with the points raised. In Bengal, though the questions in many cases enter into extraordinary detail, the rule is relaxed and answers are given in less than six days when the questions are really urgent.

3. A perusal of the correspondence now received and of some of the replies recently given in the local Legislative Councils has led the Government of India to the conclusion that questions are frequently allowed to be put in too elaborate a form and that they are answered in too much detail. It is, in the opinion of the Governor-General in Council, desirable that the usage of the British House of Commons should be more closely followed in dealing with interpellations by Additional Members of Council. In Parliament it is recognized that any question which interests the public should be answered as speedily as possible, but that it is not entitled at once to more than a fair general reply; if elaborate information is sought for, a provisional answer is given showing that the question is understood and that particulars which can properly be demanded will be furnished as soon as they can be conveniently obtained. Abuse of the right of putting questions in the House of Commons is checked in the following ways:—

(1) The Speaker uses his authority not only to cut out improper questions, but also to alter questions which are argumentative or unduly minute.

(2) The member of the Government answering does not follow all the intricacies of a minute or captious interrogatory.

(3) When the day or hour comes for the questions to be answered, the interrogator is informed, if his question be a complex or contentious one, that the Government or Department have not had time during the period since he sent in the notice to frame an adequate reply, and that leave is accordingly asked to postpone the answer until the next sitting.

4. Under the rules in force in the local Legislative Councils in India questions, which are in an argumentative or otherwise improper form, can be returned for correction (rule 9); any question can be disallowed on the ground that it cannot be answered consistently with the public interests (rule 10), and, if necessary, longer notice than six days can be required, or the time for answering a question may be extended (rule 11). It appears to the Governor-General in Council that the notice now required before a question is put should be quite sufficient if the Presidents exercise their authority somewhat more freely in rejecting, postponing, modifying or curtailing questions, and if it be recognized that all replies in Council need not be elaborated as though they were formal resolutions, and if replies are confined to what can safely or conveniently or reasonably be given.

5. For these reasons the Government of India are of opinion that a sufficient case has not been made out for altering rule 8, and they think that the Governor in Council should endeavour by adopting the suggestions above made to remove such abuses as at present exist in the exercise of the right of interpellation.

Endt. No. 1607.

Transferred to the Legislative Department.

(Signed) A. R. KNAPP,
Under Secretary.

23rd June 1900.

ORDER—No. 55, Legislative, dated 9th July 1900.

Recorded.

(True Extract.)

A. Wilson
for Secretary to Government.

To all Departments of the Secretariat. (Edt)

When given for copying _____
When copied _____ } 190
When examined _____
When signed _____

READ AGAIN G.O., No. _____, DATED
190 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DIITO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.