



# Our Parliament

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Lok Sabha Secretariat  
New Delhi

## Our Parliament

The Parliament of India, representing as it does all politically organized shades of public opinion at the national level, occupies a pre-eminent and pivotal position in the country's constitutional set-up. It has also, over the years, carved out for itself a unique place in the esteem and affection of the people as the forum through which they articulate and realize their grievances and aspirations and seek solutions to their problems.

The Constitution of India provides for a bicameral Parliament consisting of the President and two Houses known as the Council of States (Rajya Sabha) and the House of the People (Lok Sabha).

### **RAJYA SABHA**

The Rajya Sabha is to consist of not more than 250 Members. Of these 12 are nominated by the President from amongst persons having special knowledge or practical experience in respect of such matters as literature, science, art or social service. The remaining seats are allocated to the various States and Union territories, roughly in proportion to their population; each State is, however, represented by at least one member. The representatives of a State are elected by the elected Members of the Legislative Assembly of that State in accordance with the system of proportional representation by means of the single transferable vote. The minimum age for membership of the House is 30 years.

The Rajya Sabha was constituted for the first time on 3 April 1952 and had its first Session on 13 May 1952. It is a permanent body and is not subject to dissolution, but one-third of its Members retire every second year by rotation and are replaced by newly-elected Members. The term of an individual Member of Rajya Sabha is six years. The Rajya Sabha at present consists of 245 Members: 233 represent the States and Union territories and 12 are nominated Members.

The distribution of seats among the States is as under:

● Andhra Pradesh	:	18
● Arunachal Pradesh	:	1
● Assam	:	7
● Bihar	:	16
● Chhattisgarh	:	5
● Goa	:	1
● Gujarat	:	11
● Haryana	:	5
● Himachal Pradesh	:	3
● Jammu & Kashmir	:	4
● Jharkhand	:	6
● Karnataka	:	12
● Kerala	:	9
● Madhya Pradesh	:	11
● Maharashtra	:	19
● Manipur	:	1
● Meghalaya	:	1
● Mizoram	:	1
● Nagaland	:	1
● Odisha	:	10
● Punjab	:	7
● Rajasthan	:	10
● Sikkim	:	1
● Tamil Nadu	:	18
● Tripura	:	1
● Uttarakhand	:	3
● Uttar Pradesh	:	31
● West Bengal	:	16
● Delhi	:	3
● Puducherry	:	1

## LOK SABHA

The Lok Sabha is composed of representatives of the people chosen by direct election on the basis of adult suffrage. The maximum strength of the House envisaged by the Constitution is 552: upto 530 Members to represent the States, upto 20 Members to represent the Union territories and not more than two Members of the Anglo-Indian community to be nominated by the President of India if the President is of opinion that the community is not adequately represented in the House. The total elective membership is distributed among the States in such manner that the ratio between the number of seats allotted to each State and the population of the State is, so far as practicable, the same for all States. The qualifying age for membership of the Lok Sabha is 25 years.

The Lok Sabha, unless sooner dissolved, continues for five years from the date appointed for its first meeting and the expiration of the period of five years operates as dissolution of the House. However, while a Proclamation of Emergency is in operation, this period may be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

Following the first General Elections held in the country in 1952, the First Lok Sabha was constituted on 17 April, 1952 and met on 13 May, 1952.

The Second Lok Sabha came into being in April 1957; the Third Lok Sabha in April, 1962; the Fourth Lok Sabha in March, 1967; the Fifth Lok Sabha in March, 1971; the Sixth Lok Sabha in March, 1977; the Seventh Lok Sabha in January, 1980; the Eighth Lok Sabha in December, 1984; the Ninth Lok Sabha in December, 1989; the Tenth Lok Sabha in June, 1991; the Eleventh Lok Sabha in May, 1996; the Twelfth Lok Sabha in March, 1998; the Thirteenth Lok Sabha in October, 1999; the Fourteenth Lok Sabha in May, 2004; and the Fifteenth Lok Sabha in May, 2009.

The Lok Sabha at present consists of 545 Members, including two nominated Members.

The distribution of seats among the States is as under:

● Andhra Pradesh	:	42
● Arunachal Pradesh	:	2
● Assam	:	14
● Bihar	:	40
● Chhattisgarh	:	11
● Goa	:	2
● Gujarat	:	26
● Haryana	:	10
● Himachal Pradesh	:	4
● Jammu & Kashmir	:	6
● Jharkhand	:	14
● Karnataka	:	28
● Kerala	:	20
● Madhya Pradesh	:	29
● Maharashtra	:	48
● Manipur	:	2
● Meghalaya	:	2
● Mizoram	:	1
● Nagaland	:	1
● Odisha	:	21
● Punjab	:	13
● Rajasthan	:	25
● Sikkim	:	1
● Tamil Nadu	:	39
● Tripura	:	2
● Uttarakhand	:	5
● Uttar Pradesh	:	80
● West Bengal	:	42
● Andaman & Nicobar Islands	:	1
● Chandigarh	:	1
● Dadra & Nagar Haveli	:	1
● Daman & Diu	:	1
● Delhi	:	7
● Lakshadweep	:	1
● Puducherry	:	1

## SESSIONS

Normally, three Sessions of Parliament are held in a year: (i) Budget Session (February-May); (ii) Monsoon Session (July-August); and (iii) Winter Session (November-December).

With the unprecedented growth of governmental activities over the years, Parliament had been finding it difficult to discuss the Demands for Grants of all the Ministries; consequently, budgetary allocations of various Ministries were being passed without debate. With a view to ensuring greater financial accountability, it was decided in 1993 to constitute Departmentally Related Standing Committees to examine Demands for Grants of various Ministries and report to the House. In order to enable these Committees to examine the Demands for Grants, the Budget Session has been, since 1994, divided into two parts. After the General Discussion on the Budget is over and the Vote on Account is passed, the House is adjourned for about one month. The Departmentally Related Standing Committees examine the Demands for Grants of Ministries/Departments during this period and their Reports are presented to the House when it reconvenes after the recess, which constitutes the second part of the Budget Session.

## Functions

As in other parliamentary democracies, the Parliament in India has the cardinal functions of legislation, overseeing of administration, passing of the Budget, ventilation of public grievances, discussing national policies, etc.

The scheme of distribution of powers between the Union and the States, followed in the Constitution of India, emphasises in many ways the general predominance of Parliament in the legislative field. Apart from the wide range of subjects allotted to it in the Seventh Schedule of the Constitution, even in normal times Parliament can, under certain circumstances, assume legislative power over a subject falling within the sphere exclusively reserved for the States.

Further, in times of grave emergency when the security of India or any part thereof is threatened by war or external aggression or

armed rebellion, and a Proclamation of Emergency is made by the President, Parliament acquires the power to make laws for the whole or any part of the territory of India with respect to any of the matters enumerated in the State List. Similarly, in the event of the failure of the constitutional machinery in a State, the powers of the Legislature of that State become exercisable by or under the authority of Parliament.

Besides the power to legislate on a very wide field, the Constitution vests in the Union Parliament the constituent power or the power to initiate amendment of the Constitution.

Under the Constitution, the Union Council of Ministers is collectively responsible to the Lok Sabha. One of the effective methods by which Parliament exercises check over the Executive is through its control over finance. This financial power in the hands of Parliament helps in securing Executive accountability. Besides, the procedures of Parliament afford ample opportunities for the enforcement of Ministerial responsibility, for assessing and influencing governmental policies as well as for ventilating public grievances. The procedure of Questions, with possibilities of supplementaries, and, in case of inconclusive or unsatisfactory answer, of Half-an-Hour Discussions, Calling Attentions, Motions, Short Duration Discussions, Matters Under Rule 377, etc. enable information to be elicited and attention focussed on various aspects of governmental activities.

The more significant occasions for review of administration are provided by the discussions on the Motion of Thanks on the Address by the President, the Budget, including Demands for Grants from various Ministries and Departments, and the proposals to raise funds to meet the expenditure. These apart, specific matters may be discussed through motions on matters of urgent public importance, private members' resolutions and other substantive motions. In extreme cases, the Government can be censured or a motion of no-confidence can be moved against them. Along with these, a close and continuous check on governmental activities is exercised through a comprehensive system of Parliamentary Committees.

## Relative Roles of the two Houses

As between the two Houses, the Lok Sabha has supremacy in financial matters. It is also the House to which the Council of Ministers, drawn from both Houses, is collectively responsible.

On the other hand, the Rajya Sabha has a special role in enabling Parliament to legislate on a State subject if it is necessary in the national interest. It has a similar power in regard to the creation of an All-India Service common to the Union and the States. In other respects, the Constitution proceeds on the theory of equality of status of the two Houses.

Disagreement between the two Houses on amendments to a Bill is resolved by both the Houses meeting in a joint sitting where questions are decided by majority vote. However, this provision of joint sitting does not apply to Money Bills and Constitution Amendment Bills.

## The Presiding Officers

In the Lok Sabha, both the Presiding Officers—the Speaker and the Deputy Speaker—are elected from amongst its Members. In the Rajya Sabha, the Vice-President of India is the *ex officio* Chairman. He is elected by the Members of an electoral college consisting of the Members of both the Houses of Parliament in accordance with the system of proportional representation by means of a single transferable vote. The Deputy Chairman of the Rajya Sabha is, however, elected by the Members of the Rajya Sabha from amongst themselves.

The Constitution of India makes certain specific provisions in regard to the office of the Speaker of Lok Sabha, laying particular emphasis on the importance and the independent character of the office in the context of a parliamentary polity. Her/His salary and allowances are charged on the Consolidated Fund of India.

The Speaker of Lok Sabha enjoys vast authority and powers under the Constitution and the Rules, as well as inherently. As the conventional head of the Lok Sabha and as its principal spokesman, the Speaker represents its collective voice. She/he is the guardian of the rights and privileges of the House, its Committees and Members. It is through the Speaker that the decisions of the



House are communicated to outside individuals and authorities; she/he issues warrants to execute the orders of the House, wherever necessary, and delivers reprimands on behalf of the House. Within the precincts of the House, her/his authority is supreme. Her/his conduct cannot be discussed, except on a substantive motion.

All the Committees of the House function under her/his overall directions and their Chairpersons are nominated by her/him. Any procedural problems in the functioning of the Committees are referred to her/him for directions. Committees like the Business Advisory Committee, the General Purposes Committee and the Rules Committee, however, work directly under her/his Chairmanship.

The Speaker enjoys a special position insofar as the relations between the two Houses of Parliament in certain matters are concerned. She/he certifies Money Bills and decides finally what are "money" matters by reason of the Lok Sabha's over-riding powers in financial matters. It is the Lok Sabha Speaker who presides over joint sittings called in the event of a disagreement between the two Houses on a legislative measure.

### **Leader of the House**

The Prime Minister, who is the Leader of the majority party in the Lok Sabha, functions as the Leader of the House in the Lok Sabha except when he is not a member of the Lok Sabha. The seniormost Minister, who is a Member of the Rajya Sabha, is appointed by the Prime Minister as the Leader of the House in Rajya Sabha.

In 1966, 1997 and in 2004 the appointment of a Prime Minister who was a Member of the Rajya Sabha necessitated the appointment of a separate Leader of the House in the Lok Sabha. In July, 1991 and again in 1996, at the time of constitution of the Tenth and the Eleventh Lok Sabhas, respectively, the Prime Minister who was not a Member of either House of Parliament, nominated another Minister as the Leader of the House in the Lok Sabha as well as in the Rajya Sabha.

The Leader of the House is an important parliamentary functionary and exercises direct influence on the course of business. The whole

policy of the Government, especially insofar as it is expressed in the inner life of the House and in measures dealing with the course of its business, is concentrated in her/his person.

The arrangement of Government business is the ultimate responsibility of the Leader of the House. He makes proposals for the dates of summoning and prorogation of the House for the approval of the Speaker. She/he has to draw up the programme of official business to be transacted in a Session of Parliament; she/he also fixes *inter se* priorities for various items of business to ensure their smooth passage. Besides, she/he deals with procedural matters relating to the business of the House and advises the House in case any difficulty arises. The Leader of the House normally occupies the first seat in the Chamber at the right side of the Chair except in cases when she/he is not the Prime Minister.

### **Leader of the Opposition**

Prior to the 1977 General Elections to the Lok Sabha, except for a brief spell of one year (December, 1969—December, 1970), there had been no official 'Opposition' in the sense the term is used in the parliamentary system of Government. In November 1969, for the first time since Independence, the Lok Sabha had a recognised Opposition party and a Leader of the Opposition. Similarly, in the Rajya Sabha also, until 1969, there was no Leader of the Opposition in the real and accepted sense of that expression.

The Leaders of the Opposition in the Rajya Sabha and the Lok Sabha are now accorded statutory recognition and given salary and certain other facilities and amenities under the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977. The Leader of the Opposition occupies a seat in the front row left to the Chair. She/he also enjoys certain privileges on ceremonial occasions like escorting the Speaker-elect to the rostrum and a seat in the front row at the time of the Address by the President to Members of both the Houses of Parliament.

## Whips

In the parliamentary form of Government, a party has its own internal organisation inside Parliament and is served by a number of officials known as the Whips, chosen from Members of the party itself. The main function of the Whips is to keep Members of their party within sound of the Division Bell whenever any important business is under consideration in the House. During sessions, the Whips of different parties send to their supporters periodic notices, also sometimes called 'Whips', apprising them when important Divisions are expected, telling them the hour when a vote will probably take place, and requesting them to be in attendance at that time.

Realising the vital role played by the Chief Whips and leaders of parties and groups in Parliament as important party functionaries, an Act namely the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act (Act 5 of 1999) was passed during the Twelfth Lok Sabha. The Act *inter alia* provides additional Secretarial assistance and telephone facilities to the Leaders and Chief Whips.

**Government Chief Whip:** The Chief Whip of the Government Party in the Lok Sabha is the Minister of Parliamentary Affairs. In the Rajya Sabha, the Minister of State for Parliamentary Affairs holds this position. The Chief Whip is directly responsible to the Leader of the House. It is part of his duties to advise the Government on parliamentary business and to maintain a close liaison with the Ministers in regard to parliamentary business affecting their Departments. The Chief Whip is assisted by one or two Ministers of State and at times by Deputy Ministers also.

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LOK SABHA SECRETARIAT  
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*\*Cover Photo: Parliament of India*