

Lesson – 11

Parliament of India

Summary –

The Parliament has two Houses Rajya Sabha and Lok Sabha and the President is an integral part of the Parliament. India has a parliamentary form of government in which the Prime Minister and his Council of Ministers are collectively responsible to the lower House of the Parliament. It is the people who elect their representatives to be members of the Parliament and these representatives legislate and control the executive on behalf of the people.

Composition of the Parliament- The Parliament has two Houses Rajya Sabha and Lok Sabha. Rajya Sabha is upper House and represents the States of India while the Lok Sabha is lower House.

Rajya Sabha: Membership & Election –

- 1) It is a permanent body of parliament, cannot be dissolved.
- 2) Membership of Rajya Sabha cannot exceed 250.
- 3) President nominates 12 members based on their excellence in literature, science, art and social service and the rest are elected.
- 4) Rajya Sabha is the body representing States in Indian Union.

5) Elected members of the State's legislative assemblies elect the members of the Rajya Sabha based on proportional representation through the single transferable vote system.

6) The bigger State gets bigger representation, and the smaller ones have lesser representation.

Qualifications - 1. S/he should be a citizen of India and at least 30 years of age, 2. S/he should make an oath or affirmation stating that he will bear true faith and allegiance to the Constitution of India. 3. S/he should be registered as a voter in the State from which he is seeking election to the Rajya Sabha.

- ✚ But in 2003, two provisions have been made regarding the elections to Rajya Sabha-
- (i) Any Indian citizen can contest the Rajya Sabha elections.
 - (ii) Elections are to be conducted through open voting system.

Tenure–

- ✚ Safe tenure of six years, one third of its members retire after every two years, can be re-elected for next term.

Officials of Rajya Sabha–

- ✚ The Vice-President of India is the ex-officio Chairman of the Rajya Sabha, in his absence Deputy Chairman the person elected by its members amongst themselves.
- ✚ The Vice-President is an ex-officio Chairman and not a member of Rajya Sabha, S/he is normally not entitled to vote. S/he can vote only in case of a tie.

Membership & Election of Lok Sabha –

- ✚ It is elected directly by the people based on universal adult franchise.
- ✚ The maximum permissible membership of Lok Sabha is 550 out of which 530 are directly elected from the States while 20 members are elected from the Union Territories.
- ✚ President may nominate two members from the Anglo-Indian community.
- ✚ Number of seats have been reserved for Scheduled Castes and Scheduled Tribes in the Lok Sabha.

Qualifications - 1. Should be not less than 25 years of age, 2. S/he should declare through an oath that he has true faith and allegiance in the Constitution and he will uphold the sovereignty and integrity of India, 3. Must possess such other qualifications as may be laid down by the Parliament by law, must be registered as a voter in any constituency in India, 4. Person contesting from the reserved seat should belong to the Scheduled Caste or Scheduled Tribe.

Tenure- Term is for five years, but the President on the advice of Council of Ministers may dissolve it before the expiry of five years.

Officials of the Lok Sabha- The Speaker and the Deputy Speaker:

- 1) Presiding officer of Lok Sabha is known as Speaker.
- 2) Speaker & Deputy Speaker can be removed from office by a resolution of Lok Sabha passed by a majority of all the then members of the House.

Powers & functions of Speaker-

1. Preside over the house and conduct the meetings of the House, may ask a member to finish his speech. 2. Bills, reports, motions, & resolutions are introduced with Speaker's permission, 3. Custodian of rights and privileges of the members. 4. Can disqualifies a member of membership in case of defection. 5. In joint sitting of Lok Sabha & Rajya Sabha, Speaker presides over the meeting.

Functions of Parliament-

Parliament is a law-making body. There are three lists – Union List, State List and Concurrent List – Parliament can make laws on 97 subjects of Union List, some of Concurrent List & certain circumstances on the State List also.



Executive Functions - 1. Can ask questions & supplementary questions. 2. If the members are not satisfied with the Government's answer, they may demand separate discussion on the subject. 3. Exercises control over the executive through several motions. 4. Lok Sabha can express its lack of confidence in the executive by disapproving budget or money bill or even an ordinary bill.

Financial Functions- It is the custodian of the public money. It controls the entire purse of the Central Government. No money can be spent without its approval. The budget is approved by the Parliament every year.

Electoral Functions- Elected member of Parliament, one members of the electoral college for Presidential election elect the Vice-President, Lok Sabha elects its Speaker & Deputy Speaker & Rajya Sabha elects its Deputy Chairman.

Power of Removal- President of India may be removed through the process of impeachment, judges of Supreme & High Courts can be removed by an order of the President, which may be issued only if a resolution of their removal is passed by both Houses of Parliament by special majority.

Amendment of Constitution - Most of the parts of the Constitution can be amended by the Parliament by special majority, but certain provisions only be amended by the Parliament with the approval of States.

Miscellaneous Functions-

- 1) Parliament approves Proclamations of Emergency
- 2) Parliament may form a new State, it may change the boundaries and the name of any State
- 3) Can abolish or create Legislative Councils in the States.

Law-making Procedure in Parliament -

Ordinary Bills - Every member of the Parliament has a right to introduce an ordinary bill that is two types of bills – government bills and private member's bills.

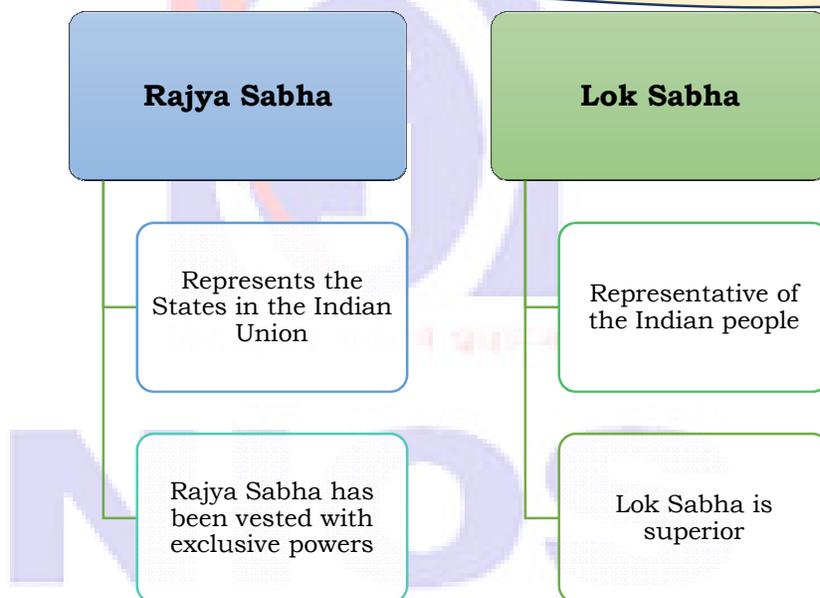
- ✚ A Minister moves a government bill & any bill not moved by a Minister is a Private Member Bill, which means that the bill has been moved by a member of parliament but not a minister in

Money Bills– The money bills are such bills which deal with money matters like imposition of taxes governmental expenditure and borrowings etc.

The Budget –

- ✚ Budget is an annual financial statement showing expected revenue and expenditure of public money. It is not a bill.
- ✚ Budget is presented along with the speech of the finance minister. It remains a closely guarded secret till its presentation.
- ✚ After the speech, the finance minister introduces the Finance Bill, which contains the taxation proposals of the government.

Rajya Sabha & Lok Sabha~Comparative Study



Evaluate yourself –

1. The Parliament is the most important organ, define the structure of the parliament and write down its functions in your own words.
2. Write down the difference between Rajya Sabha and Lok Sabha in brief.
3. Prepare a comparative study of the powers allocated to Lok Sabha & Rajya Sabha.