



AN INTRODUCTION TO PARLIAMENT OF INDIA



**RAJYA SABHA SECRETARIAT
NEW DELHI**



Chandragupta Maurya

A bronze statue of Chandragupta Maurya, installed in Parliament House, one of the greatest figures in ancient Indian history and founder of the Mauryan dynasty, who reigned from 321 B.C. to 296 B.C.

"Shepherd boy—Chandragupta Maurya dreaming of the India he was to create."

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RAJYA SABHA SECRETARIAT
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PREFACE

The Parliament of India is a magnificent manifestation of the democratic ethos of our country. As the national legislature and repository of the constituent powers of the Union, it occupies a central position in our democratic polity. Over the years, Parliament has evolved as an institution having multi-dimensional roles. Nurturing and encouraging participatory democracy, our Parliament has been instrumental in ushering in social change and development through progressive legislations and meaningful debates on crucial issues facing the nation, thus, paving the way for good governance, which constitutes the basic principle of our Constitution.

The federal structure of Indian polity rests on the principle of parliamentary form of government which makes the executive accountable to the legislature. The Parliament of India has three constituents, namely, the President of India, the Rajya Sabha (Council of States) and the Lok Sabha (House of the People). The President of India is the constitutional head of the executive. There is a Council of Ministers headed by the Prime Minister to aid and advise the President in the exercise of his functions.

Besides functioning as the highest law-making body, Indian Parliament has also functioned as the 'grand inquest' and 'watch dog' of the nation. It has been proved that for a peaceful and balanced development of India there is no better substitute to parliamentary democracy. Throwing light on this aspect the

Vice-President of India and the Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat has succinctly observed:

“We are justifiably proud of our democracy. It is the story of the success of democracy in a populated nation which has demonstrated to the world how complex problems can successfully be addressed within constitutional and democratic framework... The success of democracy is...to be measured by the extent of welfare it promotes for our citizens.”

Parliament today has become an integral part of our national life promoting diligently the cause of the people. Evolving as the 'fulcrum of our democracy' it has responded effectively to the new challenges, complex needs and emerging trends of the modern times. Expansion of committee system, televising and broadcasting of parliamentary proceedings and launching of dedicated channels of the two Houses, are some such developments which indicate the adaptability of this institution in the rapidly changing world. They affirm its credibility as a truly representative body which has been functioning progressively to bring people closer through effective use of Information and Communication Technologies, while nurturing and promoting the core ideal of people's welfare enshrined in our Constitution.

This booklet, titled *An Introduction to Parliament of India* is an attempt to acquaint

the lay reader with the organization and functioning of the Parliament of India. The revised edition presents an updated account of the developments that have taken place with regard to the functioning of Indian Parliament since the publication of the last edition. Some important developments such as application of information and communication technologies (ICTs) in Parliament, constitution of Parliamentary Forums, etc.,

also form part of the book. Besides, the present edition also includes useful information which is illustrated through graphical charts, tables and annexure for easy and quick reference of the readers. We hope that this publication would evoke the interest of those readers who are keen on knowing the organizational structure and functioning of Indian Parliament at a glance.

New Delhi
May 2007

Dr. Yogendra Narain
Secretary-General

यद्यदाचरति श्रेष्ठस्तत्तदेवेतरो जनः।
स यत्प्रमाणं कुरुते लोकस्तदनुवर्तते॥

(भगवद् गीता, 3/21)

"What the elder person does is followed by others; what he demonstrates by action, that people follow."

(Bhagwad Gita, 3/21)

INTRODUCTION

Popular democracy and representative institutions are neither entirely alien to the Indian soil nor of recent origin. The history of democratic traditions in India, in fact, goes back to the *Vedic* period. The *Vedas*, the oldest Indian literature, abound with references to popular assemblies known as the *Sabhas* and the *Samitis*. Apart from electing the king, these assemblies used to discuss and decide matters of State. Discussions in these assemblies were free and a resolution passed by them was binding on all and inviolable. In the post-*Vedic* period, the Republics which were known in popular parlance as *Ganarajya* or *Sangha* were functioning as self-governing institutions. In those *Sanghas* rules of Parliamentary procedure were in existence and many of those rules were akin to the modern day procedures followed in Parliaments. They had rules regarding seating arrangement in an Assembly, moving of Motions including Censure Motion, Resolutions, determining Quorum and issuance of Whip. These assemblies followed very elaborate procedure of voting by ballot and had rules relating to the counting

of votes and so on. Some of the inscriptions adorning Committee Rooms and other places in the Parliament House clearly indicate about the functioning of democracy in ancient India. For instance, in the *Rigveda*, the unity of purpose of an assembly has been described thus :

Meet together, talk together, let your minds think alike.

Common be the counsel of the assembled.

Common be the association; common be the purpose, associated be the desire.

“
Democracy must in essence... mean the art and science of mobilizing the entire physical, economic and spiritual resources of all the various sections of the people in the service of the common good of all.
”



Mahatma Gandhi (Father of the Nation)



An inscription inside a dome of Parliament House

"One must not enter either an Assembly Hall,
 Or having entered he must speak there with all the righteousness.
 For one who does not speak or one who speaks falsely,
 Does himself in the equal sin involve." (Manu)

Common be your intention; common be (the wishes of) your heart.

Common be your thoughts so that there may be thorough union among you.

The *Manusmriti*, another ancient text, lays stress on truth and righteousness which are to be observed in an assembly. It ordains :

One must not enter either an assembly hall

Or having entered he must speak there with all the righteousness

For one who does not speak or one who speaks falsely

Does himself in the equal sin involve.

In the epic *Mahabharata*, the role of elders in the assembly has been emphasized in these words :

That's not an assembly where there are no elder men,

Those are not elders who do not speak with righteousness,

That's no righteousness where there is no truth,

That's not the truth which leads one to deceit.

Evolution of modern democratic institutions in the country was a gradual process which stemmed from the Indian struggle against the British rule. In 1858, the sovereignty of India was assumed by the British Crown from the East India Company and the first statute for the governance of India under the British Crown came to be known as the Government of India Act, 1858. The Indian Councils Act of 1861, though introduced a small dose of popular element by providing that the Governor-General's Executive Council would also consist of additional non-official members while transacting legislative business but the Act really did not lead to any kind of representative or deliberative body. The Indian Councils Act, 1892 aimed at giving further opportunities to the non-official and native elements to participate in the work of the Government. The first attempt, however, to introduce popular element was initiated by the Morley-Minto Reforms which were sought to be implemented through the Indian Councils Act, 1909. The Montagu-Chelmsford Reforms led to the enactment of the Government of India Act, 1919 which was certainly a landmark in the constitutional



National Emblem

“

**India, that is Bharat,
shall be a Union of States.**

Article 1(1)

”



India Gate



Preamble to the Constitution of India

history of India. This Act introduced bicameralism for the first time. In the provinces, 'dyarchy' was introduced which aimed at introducing responsible Government in the provinces. The Government of India Act, 1919, however, could not fully meet the aspirations of the people of India. As a result, after a lot of deliberations the Government of India Act, 1935 came into being which introduced federation and the provincial autonomy. Under the Act the Central Legislature was still made bicameral. It also had a provision of distribution of legislative power between the Centre and the provinces. The Indian Independence Act, which came into being in 1947, resulted in the amendment of the Government of India Act, 1935. It led to the abolition of the responsibility of the British Government and Parliament for administration of India. It also made the Governor-General and Governors of provinces as constitutional heads.

After independence, a full-fledged parliamentary system of government with modern institutional framework was established in India. A Constituent Assembly was entrusted

“

My notion of democracy is that under it the weakest should have the same opportunity as the strongest.

Mahatma Gandhi

”

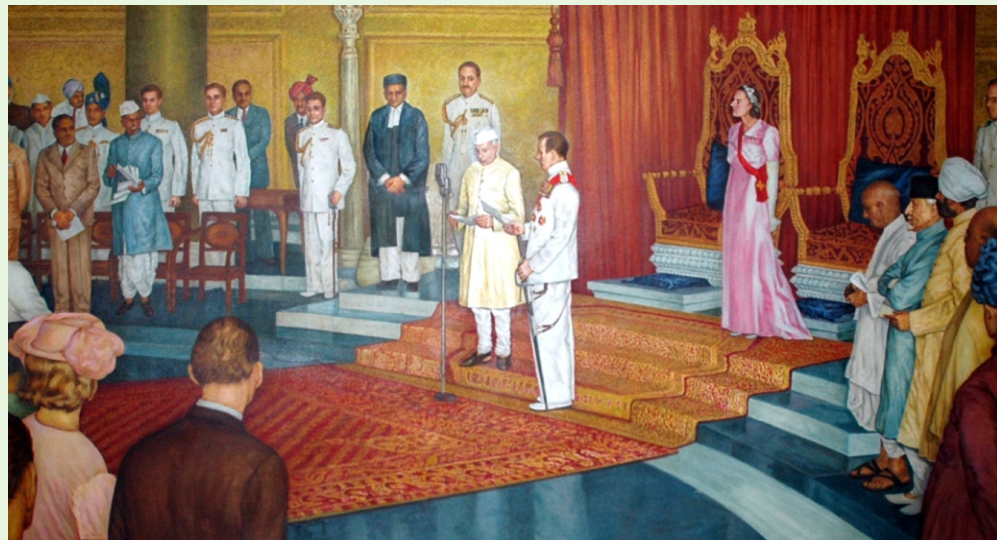


Tricolour formation of School Children at Republic Day Parade

with the task of framing the Constitution for free India. stalwarts of freedom-struggle and veteran statesmen, eminent persons from various walks of life, including legal luminaries and constitutional experts were its members. Most of them have had first-hand knowledge of the working of quasi-parliamentary institutions in British India. The founding fathers, in their collective wisdom decided, after intensive deliberations, to adopt a parliamentary form of government for India.

The Constitution framed by the Constituent Assembly was adopted on 26 November 1949 and it came into force on 26 January 1950. The first General Elections were held in the year 1952 under the new Constitution. Until then, from 1950 to 1952, the Constituent Assembly itself functioned as the Provisional Parliament. The two Houses of Parliament came into being in 1952.

A painting titled 'Transfer of Power' by V.S. Kulkarni installed in Parliament House Annexe





Parliament House

PARLIAMENT

Parliament consists of the President and the two Houses known respectively as the Council of States (Rajya Sabha) and the House of the People (Lok Sabha).

President of India

The President of India is elected by the members of an electoral college consisting of the elected members of both Houses of Parliament and the elected members of the Legislative Assemblies of the States and Union Territories for a term of five years commencing from the date on which he enters upon his office. He is the head of the executive and also a constituent part of Parliament. He performs a number of important executive as well as legislative functions.

The executive power of the Union is

vested in the President which is exercised by him either directly or through officers subordinate to him in accordance with the provisions of the Constitution. The supreme command of the defence forces of the Union is also vested in the President. The President appoints the Prime Minister and other Ministers on the advice of the Prime Minister. He also appoints important constitutional functionaries such as Governors, Judges of the Supreme Court and High Courts, Attorney-General of India, Comptroller and Auditor-General of India, Chairmen and members of the Finance Commission and of the Union Public Service Commission, Chief Election Commissioner and other Election Commissioners.

As constituent part of Parliament, the President performs certain important

President of India

Elected by members of an electoral college consisting of the elected members of both Houses of Parliament and Legislative Assemblies of States/UTs.

Term: Five Years.

Subject to impeachment by Parliament

Rajya Sabha (Council of States)

Composition: 245 Members; 233 representing States/UTs and 12 nominated by President of India.

Term: A permanent body not subject to dissolution. However, one third of members retire biennially after completing a term of six years.

Lok Sabha (House of the People)

Composition: 545 Members; 543 elected representatives of people; and 2 Members nominated by President of India from the Anglo-Indian community.

Term: Five years.

Subject to dissolution by President of India.



Presidential Convoy

“ **There shall be a President of India.**

Article 52 ”

parliamentary functions, such as summoning and proroguing the Houses, summoning the joint sittings of both Houses in the event of disagreement, addressing either House of Parliament or both Houses of Parliament or both Houses assembled together, and dissolving the Lok Sabha. At the commencement of the first session after each General Election to the House of the People and at the commencement of the first session of each year, the President addresses both Houses of Parliament assembled together and informs Parliament of the causes of its summon. Rules of Procedure of both Houses have made provision for discussion of matters

mentioned in his Address on the basis of a Motion of Thanks. He may send messages to either House of Parliament whether with respect to a Bill pending in Parliament or otherwise, and a House to which any such message is sent considers the matter required by the message.

In the sphere of law-making, a Bill does not become an Act unless it receives the assent of the President. When a Bill is passed by the two Houses of Parliament, it is presented to the President who declares either that he assents to the Bill or that he withholds his assent therefrom. He may also, if it is not a Money Bill, return the Bill to the Houses for reconsideration with or without a message suggesting reconsideration of the Bill or any specific provision thereof. If, however, the Bill so returned by the President is passed again by the Houses with or without amendment, the President cannot withhold his assent therefrom. When Parliament is not in session, the President may, on being satisfied that circumstances exist which render it necessary for him to take immediate action, promulgate Ordinances. An Ordinance promulgated by the President has the same force of law. It has to be laid before both Houses of Parliament. The Ordinance ceases to operate at the expiration of six weeks from the reassembly of Parliament or if before the expiration of



Rashtrapati Bhawan (President House)

“

The executive power of the Union shall be vested in the President and shall be exercised by him either directly or through officers subordinate to him.

Article 53(1)

”



Mughal Garden of Rashtrapati Bhawan

that period resolutions disapproving it are passed by both Houses, upon the passing of the second of those resolutions. The President may at any time, withdraw an Ordinance.

Under the Constitution, a Money Bill cannot be introduced or moved in the Lok Sabha except on the recommendation of the President. A Bill which involves expenditure from the Consolidated Fund of India cannot be passed by either House of Parliament unless the President has recommended to that House the consideration of the Bill. As per the

provisions of the Constitution, reports of the Auditor-General, Finance Commission, Union Public Service Commission, etc. are submitted to the President who then causes them to be laid before each House of Parliament.

Although, the Constitution vests a whole range of executive, legislative and other powers in the President, in actual practice, he exercises these functions in accordance with the advice tendered by the Council of Ministers with the Prime Minister at its head.



Darbar Hall of Rashtrapati Bhawan



Ashoka Hall of Rashtrapati Bhawan



Side view of Rajya Sabha Chamber

“

There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People.

Article 79

”

Rajya Sabha

The Council of States (Rajya Sabha) consists of not more than two hundred and fifty members, out of which two hundred and thirty-eight members represent the States and Union territories and twelve members are nominated by the President. The Fourth Schedule to the Constitution provides for allocation of seats to various States and Union territories. The representatives of the States are elected by the elected members of State Assemblies in accordance with the system of proportional representation by means of the single transferable vote. The representatives of the Union territories in Rajya Sabha are

chosen in accordance with laws enacted by Parliament. Twelve members nominated by the President are from amongst the persons having special knowledge or practical experience in respect of such matters as literature, science, art and social service. The actual strength of Rajya Sabha, at present, is two hundred and forty-five.

The Rajya Sabha is a permanent body and is not subject to dissolution. However, one-third of its members retire biennially. A member who is elected for a full term retains his membership for six years. He is eligible for re-election.



Rajya Sabha Chamber

“

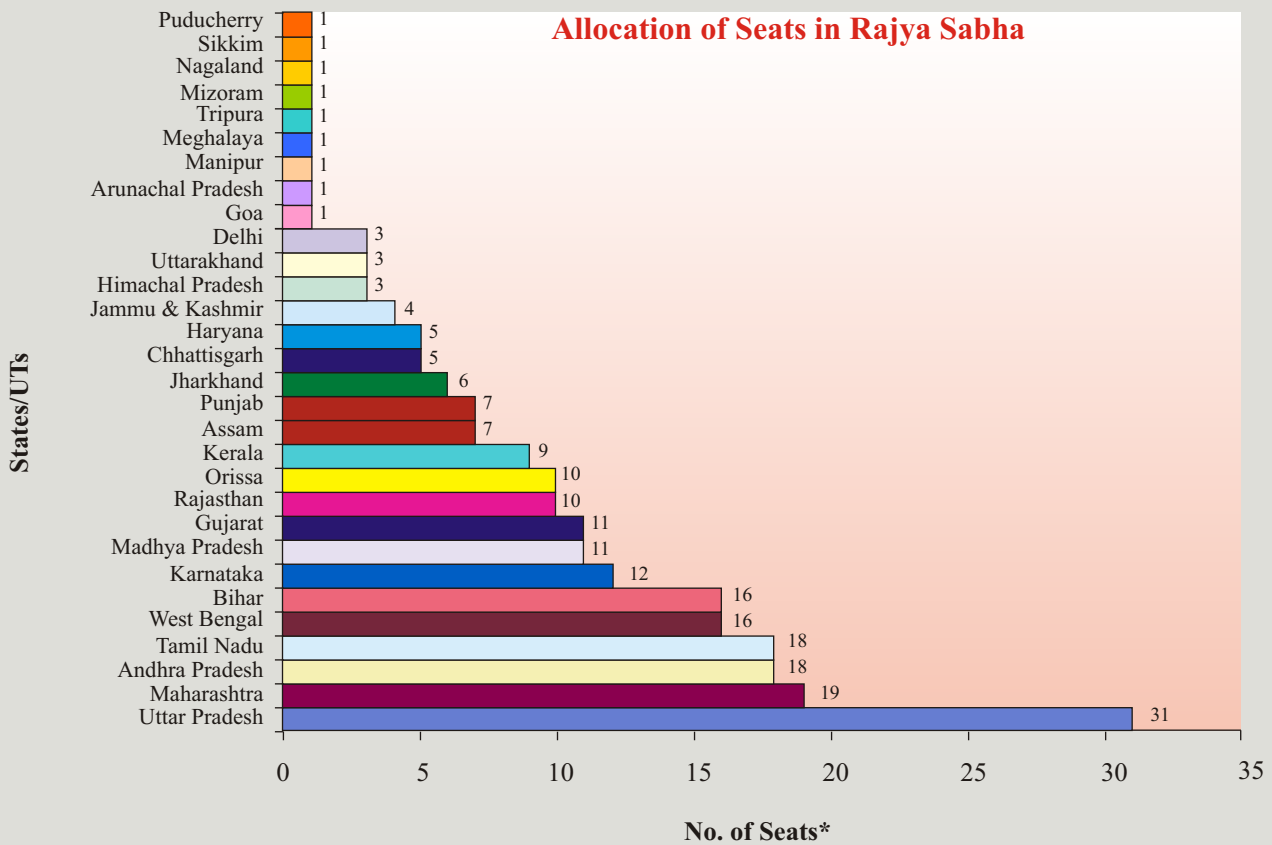
The Council of States shall consist of -
(a) twelve members to be nominated by the President in accordance with the provisions of clause (3); and
(b) not more than two hundred and thirty-eight representatives of the States and of the Union territories.

Article 80(1)

”



Side view of Rajya Sabha Chamber



*Besides, there are twelve members nominated by the President of India.

Side view of Rajya Sabha Chamber





Exterior view of Parliament House

Lok Sabha

The House of the People (Lok Sabha) consists of five hundred and fifty-two members out of which five hundred and thirty are directly elected from territorial constituencies in the States and twenty from the Union territories. Two members are nominated by the President from the Anglo-Indian community. Seats are also reserved in the Lok Sabha for the Scheduled Castes and the Scheduled Tribes who are elected from

constituencies specially earmarked for them all over the country. The Representation of the People Act makes provision for allocation of seats to various States and Union territories.

The actual strength of the Lok Sabha at present is five hundred and forty-five which includes the Speaker and the two nominated members. As already stated, the first Lok Sabha under the Constitution was constituted after the General Elections held in 1952. The Lok Sabha, unless sooner dissolved continues for five years from the date appointed for its



Lok Sabha Chamber

First Lok Sabha

17 April 1952– 4 April 1957

Second Lok Sabha

5 April 1957– 31 March 1962

Third Lok Sabha

2 April 1962 – 3 March 1967

“

Subject to the provisions of article 331, the House of the People shall consist of –

(a) not more than five hundred and thirty members chosen by direct election from territorial constituencies in the States, and

(b) not more than twenty members to represent the Union territories, chosen in such manner as Parliament may by law provide.

Article 81(1)

”

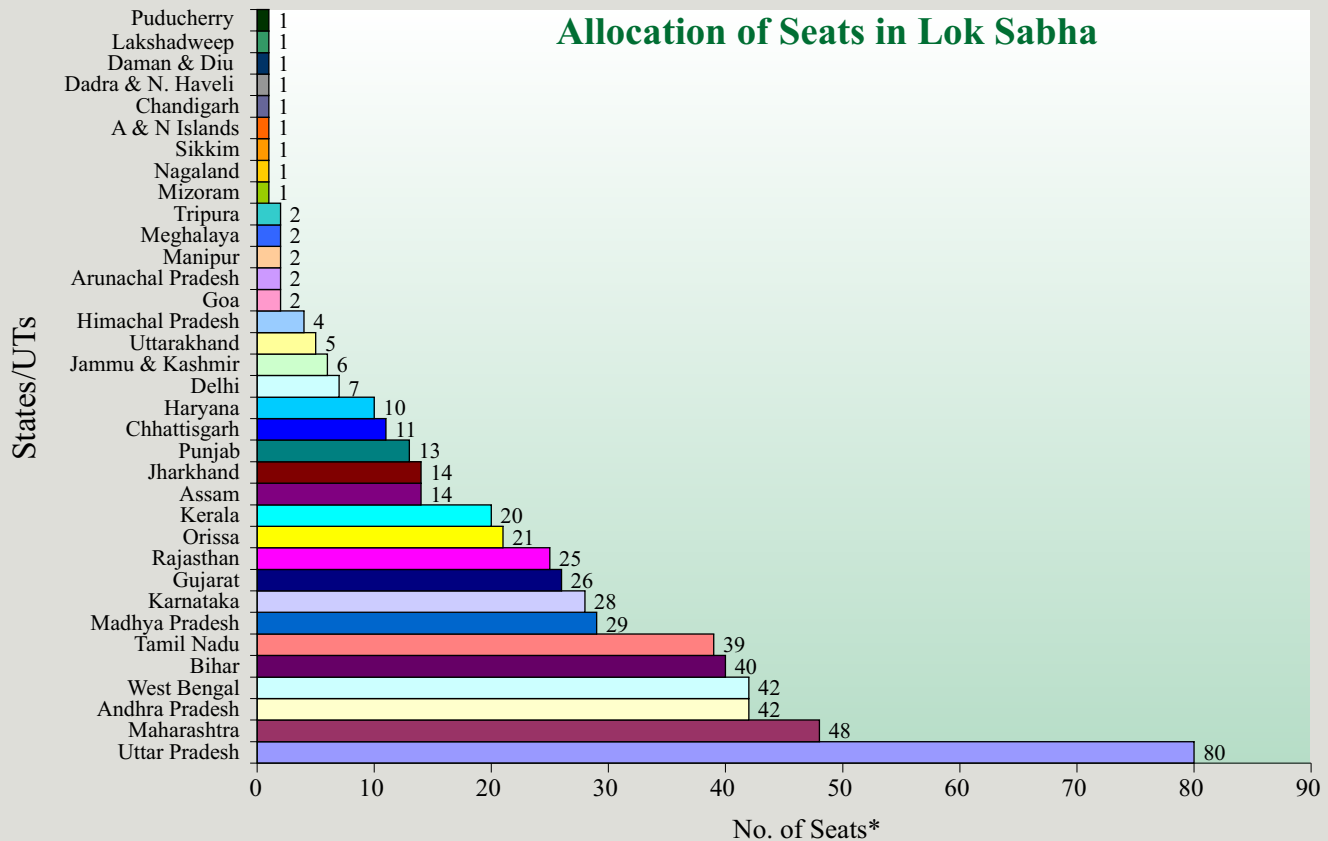


A Tableau at Republic Day Parade depicting the success of Parliamentary democracy in India.

first meeting. 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.

Both Houses held their first sitting on 13 May 1952.



Fourth Lok Sabha

4 March 1967 – 27 December 1970

Fifth Lok Sabha

15 March 1971 – 18 January 1977

Sixth Lok Sabha

23 March 1977 – 22 August 1979

“

The House of the People, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years shall operate as a dissolution of the House:

Provided that the said period may, while a Proclamation of Emergency is in operation, 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.

Article 83(2)

”



Interior of Lok Sabha Chamber

Seventh Lok Sabha

10 January 1980 –
31 December 1984

Eighth Lok Sabha

31 December 1984 –
27 November 1989

Ninth Lok Sabha

2 December 1989 –
13 March 1991

General Elections to Lok Sabha

| | |
|---------------------------------------|--------------------------------|
| First Lok Sabha (1951-52) | October 1951 - February 1952 |
| Second Lok Sabha (1957) | 24 February – 14 March 1957 |
| Third Lok Sabha (1962) | 19 February – 25 February 1962 |
| Fourth Lok Sabha (1967) | 17 February – 21 February 1967 |
| Fifth Lok Sabha (1971) | 1 March – 10 March 1971 |
| Sixth Lok Sabha (1977) | 16 March – 20 March 1977 |
| Seventh Lok Sabha (1980) | 3 January – 6 January 1980 |
| Eighth Lok Sabha (1984) | 24 December – 28 December 1984 |
| Ninth Lok Sabha (1989) | 22 November – 26 November 1989 |
| Tenth Lok Sabha (1991) | 20 May – 15 June 1991 |
| Eleventh Lok Sabha (1996) | 27 April – 30 May 1996 |
| Twelfth Lok Sabha (1998) | 16 February – 23 February 1998 |
| Thirteenth Lok Sabha (1999) | 5 September - 6 October 1999 |
| Fourteenth Lok Sabha (2004) | 20 April – 10 May 2004 |

Tenth Lok Sabha

20 June 1991– 10 May 1996

Eleventh Lok Sabha

15 May 1996 – 4 December 1997

Twelfth Lok Sabha

10 March 1998 – 26 April 1999



Celebrating Golden Jubilee of Indian Parliament



Main Entrance to Parliament House

Qualifications for Membership

In order to be chosen as a member of Parliament a person (a) must be a citizen of India, (b) must not be less than twenty-five years of age in the case of Lok Sabha and not less than thirty years of age in the case of Rajya Sabha.

Disqualifications for Membership

The following grounds could disqualify a person for being chosen and for being a Member of Parliament:

(a) if he holds any office of profit other

than an office declared by Parliament by law not to disqualify its holder;

- (b) if he is of unsound mind and stands so declared by a competent court;
- (c) if he is an undischarged insolvent;
- (d) if he is not a citizen of India or has voluntarily acquired the citizenship of a foreign State; and
- (e) if he is so disqualified by or under any law made by Parliament or the Tenth Schedule of the Constitution.

Thirteenth Lok Sabha

10 October 1999 – 6 February 2004

Fourteenth Lok Sabha

22 May 2004 – Till date

“

The Vice-President of India shall be *ex officio* Chairman of the Council of States.

Article 89(1)

”

PRESIDING OFFICERS



Chairman's Chair in Rajya Sabha Chamber

Each House has its own Presiding Officer who enjoys ample authority and powers under the Constitution and the Rules of Procedure. The Presiding Officer is the custodian of the rights and privileges of the House, its Committees and Members. It is through him that the decisions of the House are communicated to individuals and authorities outside; he issues warrants to execute the order of the House, wherever necessary. Within the precincts of the House, his authority is supreme. His conduct cannot be discussed except on a substantive motion.

The Vice-President of India is the *ex officio* Chairman of Rajya Sabha and presides over its sittings, and in his absence the Deputy Chairman. The Vice-President of India is elected by the members of an electoral college consisting of members of both Houses of Parliament in accordance with the system of proportional representation by means of the single transferable vote.

Presiding Officers of Rajya Sabha

Chairman : The Vice-President of India is *ex officio* Chairman of Rajya Sabha. He is elected by an electoral college consisting of members of both Houses of Parliament for five years.

Deputy Chairman : Elected by members of Rajya Sabha from amongst themselves. He remains in office till the expiry of his term as a member.

Panel of Vice-Chairmen : Consists of 6 members of Rajya Sabha nominated by the Chairman to preside over the House in the absence of Chairman and Deputy Chairman.



Speaker's Chair in Lok Sabha Chamber

“

The House of the People shall, as soon as may be, choose two members of the House to be respectively Speaker and Deputy Speaker thereof and, so often as the office of Speaker or Deputy Speaker becomes vacant, the House shall choose another member to be Speaker or Deputy Speaker, as the case may be.

Article 93

”

The Deputy Chairman is elected by the members of Rajya Sabha from amongst themselves. In the absence of both, one of the six members nominated by the Chairman on the 'Panel of the Vice-Chairmen' presides.

When the Vice-President acts as or performs the duties of the President of India, the duties of the Chairman of the Rajya Sabha are performed by the Deputy Chairman. In the Lok Sabha, the Speaker presides over its sittings and in his absence the Deputy Speaker. Both of them are elected from amongst its members. In the absence of both, one of the members nominated by the Speaker on the 'Panel of Chairmen' presides.

Presiding Officers of Lok Sabha

Speaker : Elected by members of Lok Sabha from amongst themselves and remains in office till a new House is constituted through general elections.

Deputy Speaker : Elected by members of Lok Sabha from amongst themselves and remains in office till the dissolution of Lok Sabha.

Panel of Chairmen : Consists of 10 members of Lok Sabha nominated by the Speaker to preside over the House in the absence of Speaker and Deputy Speaker.



Exterior of Parliament House

SECRETARY-GENERAL

Apart from the Presiding Officer(s), another functionary whose contribution to the smooth functioning of the House is no less significant is the Secretary-General of the House.

The Secretary-General is appointed by the Chairman in case of Rajya Sabha and by the Speaker in case of Lok Sabha and holds a rank equivalent to the highest civil servant of the Union Government *i.e.* Cabinet Secretary. He works silently, with near anonymity and assists the Presiding Officers in settling points of procedure by giving them detached advice and helps them by offering his wise counsel and expert opinion on contentious issues. He is readily available to Presiding Officers as also to the members of the House alike, irrespective of their party affiliations. Though a witness to the proceedings of the House, he does not participate in them. The only occasion when the Secretary-General speaks is when he reports messages from the other House about Bills or any other matter. All notices under the rules are required to be addressed to Secretary-General who is also the custodian of records of the House and causes to be prepared full report of the proceedings of the House and also issues the List of Business of the House for the day.

“

Parliament is not only a legislative but a deliberative body. So far as its deliberative functions are concerned it will be open to us to make very valuable contributions, and it will depend on our work whether we justify or do not justify this two-Chamber system which is now an integral part of our Constitution.

Dr. Sarvepalli Radhakrishnan
First Chairman of Rajya Sabha

”



Exterior of Parliament House

ROLE OF PARLIAMENT

Parliament of India has the cardinal functions of legislation, control of executive and ventilation of people's grievances. The primary function of Parliament is to legislate but in initiating legislation Parliament plays a limited role. The legislative proposals are introduced mostly by the Government in order to fulfil the promises for which it has received the mandate of the people. Parliament, being the highest elected body, gives final approval to such proposals after discussing them fully and suggesting modifications, wherever felt necessary. Without the approval of Parliament, no Bill can reach the statute book.

Parliament also exercises control over the executive. The control is exercised by it at different levels. The Constitution provides that the Council of Ministers shall be collectively responsible to Lok Sabha. In other words, the Government of the day has to go, if a Motion of No-Confidence is passed by Lok Sabha. Another method by which Parliament

exercises check over the executive is through its control over finances. Parliament approves the 'Budget' of the nation after discussion and voting on Demands for Grants relating to individual Ministries. Lok Sabha has power to assent or refuse to give assent to, any Demand or even to reduce the amount of any Grant sought by the Government. Such parliamentary control over finance helps in securing administrative accountability also. While approving the Budget, not only the principles underlying it, but the policies and administrative functioning of the Ministries and Departments are also discussed.

Parliament performs another important function of highlighting people's grievances. Various procedural devices available to members of Parliament afford ample opportunities for ventilating people's grievances and seeking solutions to them. For example, members make use of Questions (Starred, Unstarred and Short Notice), Half-an-hour Discussions, Short Duration

To legislate

To control the executive including financial control

A forum to ventilate people's grievances

A forum to seek information

To provide the Council of Ministers and hold it responsible

“ A Minister who for any period of six consecutive months is not a member of either House of Parliament shall at the expiration of that period cease to be a Minister.

Article 75(5)

”



Circular Garden of Rashtrapati Bhawan

Discussions, various types of Motions and Resolutions and Special Mentions (Matters raised under Rule 377 in Lok Sabha). In addition, in the Lok Sabha, members may move Adjournment Motions, No-Confidence Motions and Cut Motions. Apart from these significant devices, Motion of Thanks on the President's Address, the Budget, Demands for Grants of various Ministries and Departments (in Lok Sabha) and discussion on the proposals to raise funds to meet the expenditure provide further opportunities not only to ventilate people's grievances but also to review or assess the performance of administration.

Parliament also provides the Council of Ministers. The Ministers are drawn from both Houses of Parliament. A Minister who is not a member of Parliament cannot continue in office beyond six months unless within this period he gets himself elected to either House of Parliament.



Circular Fountain in Rashtrapati Bhawan

THE TWO HOUSES : POWERS AND RELATIONSHIP



Exterior of Central Hall of Parliament House

But for a few exceptions, both Houses of Parliament enjoy similar powers and status under the Constitution. In certain spheres, however, each House has been given some special powers which are not available to the other. Distribution of such powers is based mainly on the nature and composition of the House.

Special Powers of Rajya Sabha

Rajya Sabha which represents the States, enjoys certain special powers under the Constitution. Article 249 of the Constitution provides that Rajya Sabha may pass a resolution, by a majority of not less than two-thirds of the members present and voting, to the effect that it is necessary or expedient in the national interest that Parliament should make a law with respect to any matter enumerated in the State List. Then, Parliament is empowered to make a law on the subject specified in the resolution for the whole or any part of the

territory of India. Such a resolution remains in force for a maximum period of one year but this period can be extended by one year at a time by passing a further resolution.

Again, under article 312 of the Constitution, if Rajya Sabha passes a resolution by a majority of not less than two-thirds of the members present and voting declaring that it is necessary or expedient in the national interest to create one or more All India Services common to the Union and the States, Parliament has the power to create by law such services.

Under the Constitution, President is empowered to issue Proclamations in the event of national emergency (article 352), in the event of failure of constitutional machinery in a State (article 356), or in the case of financial emergency (article 360). Normally, every such Proclamation has to be approved by both Houses of Parliament within

To pass a resolution under article 249 of the Constitution enabling Parliament to legislate on any subject enumerated in the State List.

To pass a resolution under article 312 of the Constitution enabling Parliament to create one or more All India Services common to the Union and the States.

If a proclamation is issued for imposing national emergency (article 352) or failure of Constitutional machinery in a State (article 356) or financial emergency (article 360), at a time when Lok Sabha has been dissolved then the proclamation remains effective even if it is approved by Rajya Sabha alone.

“

The Council of Ministers shall be collectively responsible to the House of the People.

Article 75(3)

”



Interior of Parliament House

a stipulated period. Under certain circumstances, however, Rajya Sabha enjoys special powers in this regard. If a Proclamation is issued at a time when Lok Sabha has been dissolved or the dissolution of Lok Sabha takes place within the period allowed for its approval, then the Proclamation can remain effective if a resolution approving it, is passed by Rajya Sabha.

Special Powers of Lok Sabha

Lok Sabha enjoys special powers in regard to the 'collective responsibility' of the Government and in financial matters. The Constitution provides that the Council of Ministers shall be collectively responsible to the House of the People (Lok Sabha). The power to control the purse also lies with Lok Sabha. A Money Bill has to be introduced only in Lok Sabha. Similarly, Demands for Grants of the various Ministries are also made to, discussed and voted in Lok Sabha.

Relationship of the two Houses


As mentioned earlier, a Money Bill can be introduced only in Lok Sabha. After it is passed by that House, it is transmitted to Rajya Sabha for its concurrence or recommendation. The power of Rajya Sabha in respect of such a Bill is limited with regard to the duration of its retention and making amendments thereto.

Rajya Sabha has to return such a Bill to Lok Sabha within a period of fourteen days from its receipt. If it is not returned to Lok Sabha within that time, Bill is deemed to have been passed by both Houses at the expiration of the said period in the form in which it was passed by Lok Sabha. Again, Rajya Sabha cannot amend a Money Bill directly; it can only recommend amendments in such a Bill. Lok Sabha may either accept or reject all or any of the recommendations made by Rajya Sabha. If Lok Sabha accepts any of the recommendations made by Rajya Sabha, the Bill is deemed to have been passed by both Houses with the amendments so recommended and accepted.

If, however, Lok Sabha does not accept any of the recommendations of Rajya Sabha, the Money Bill is deemed to have been passed by both Houses of Parliament in the form in which it was passed by Lok Sabha without any of the amendments recommended by Rajya Sabha.

Apart from a Money Bill, certain other categories of Financial Bills also cannot be introduced in Rajya Sabha but there is no other limitation on the powers of Rajya Sabha with regard to such Bills and Rajya Sabha has powers to reject or amend such Financial Bills like any other Bill.

From all this, however, it does not follow that Rajya Sabha has nothing to do in matters



Each House has full authority to regulate its own procedure within the limits of the Constitution. Neither House, by itself, constitutes Parliament. It is the two Houses together that are the Parliament of India. The successful working of our Constitution, as of any democratic structure, demands the closest cooperation between the two Houses.

Pandit Jawaharlal Nehru
First Prime Minister of India



relating to finance. The Budget of the Government of India is laid every year before Rajya Sabha also and its members discuss it. Though Rajya Sabha does not vote on Demands for Grants of various Ministries – a matter exclusively reserved for Lok Sabha. However, members of Rajya Sabha are also represented in the Department-related Parliamentary Standing Committees which *inter alia* consider Demands for Grants of the related Ministries/Departments. The Appropriation Bill and the annual Finance Bill also pass through Rajya Sabha which can make recommendations that may or may not be accepted by Lok Sabha.

In the sphere of law making, both Houses enjoy equal powers as originating and revising chambers. All Bills (other than Money Bills or

Finance Bills) including the Constitution Amendment Bills, may originate in either House of Parliament. A Bill introduced by the Minister is known as the Government Bill and a Bill introduced by a private member is known as private member's Bill. The procedure for the passage of the Bills is similar in both the cases. A Bill has to pass through three stages known as the first reading, second reading and third reading, in each House of Parliament and receive the assent of the President before it becomes an Act of Parliament. A Bill shall not be deemed to have been passed by Parliament, unless it has been agreed to by both Houses, either without amendment or with amendments agreed to by both Houses.

Council of Ministers is collectively responsible to Lok Sabha and remains in power as long as it enjoys confidence of the House.

Confidence or no-confidence motion can only be moved in Lok Sabha and passed by it.

Lok Sabha controls the purse of the Government. Therefore, a Money Bill can only be introduced in Lok Sabha. Similarly, Demands for Grants of Ministries/Departments can be voted only in Lok Sabha.

LEGISLATIVE PROCESS

FIRST READING

Introduction of a Bill*
Publication of the Bill in Official Gazette

SECOND READING

FIRST STAGE

In the first stage there is discussion on the principles and provisions of the Bill and a motion is passed that: -

it be taken into consideration by the House; or

it be referred to Select Committee of Rajya Sabha; or

it be referred to Joint Committee of the Houses with the concurrence of Lok Sabha; or

it be circulated for eliciting public opinion

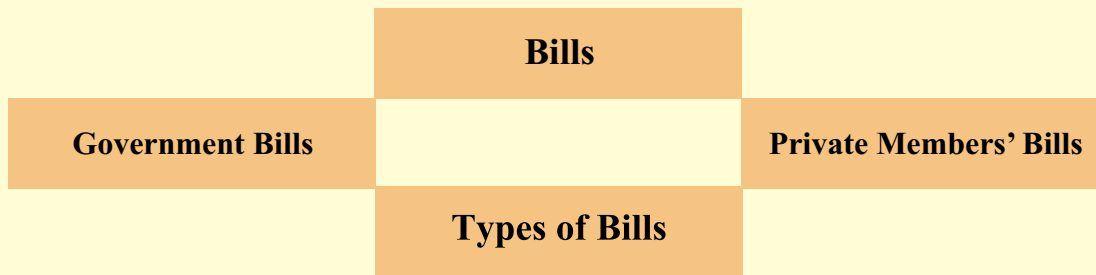
SECOND STAGE

Clause by clause consideration of the Bill as introduced or as reported by the Select/Joint Committee

THIRD READING

Discussion of motion that the Bill (or the Bill as amended) be passed or returned (to the Lok Sabha, in case of a Money Bill)

*Since the inception of Department - related Standing Committees, a new practice has evolved. Nowadays, generally, Bills are referred to the concerned Department-related Committees for examination and report thereon by the Presiding Officers once they are introduced in the House.



- Original Bills (having new proposals, ideas or policies)
- Amending Bills (which seek to modify, amend or revise existing Acts)
- Consolidating Bills (which seek to consolidate existing Acts)
- Expiring Laws (Continuance) Bills (which seek to continue Acts which would expire after a specific date)
- Repealing and Amending Bills (which seek to repeal outdated Acts)
- Validating Bills (which seek to give validity to certain actions)
- Bills to replace Ordinances
- Money and Financial Bills
- Constitution Amending Bills

“

We are for the first time starting, under the new parliamentary system, with a Second Chamber in the Centre, and we should try to do everything in our power to justify to the public of this country that a Second Chamber is essential to prevent hasty legislation

Dr. Sarvepalli Radhakrishnan

”



Inside view of Central Hall of Parliament House

There is a possibility of disagreement between the two Houses on a Bill. Such a disagreement may arise when (i) a Bill passed by one House is rejected by the other House; or (ii) the Houses have finally disagreed as to the amendments to be made in the Bill; or (iii) more than six months elapse from the date of reception of the Bill by the other House without the Bill being passed by it. To resolve the deadlock on a Bill between the two Houses, the Constitution makes provision for the joint sitting of both Houses which may be summoned by the President. If at the joint sitting of the two Houses, the Bill is passed by the majority of the total number of members of both Houses present and voting, it shall be deemed to have been passed by both Houses.

There is no provision for a joint sitting of both Houses on Money Bills.

In the history of Indian Parliament, there have been three occasions when both Houses have sat for a joint sitting to resolve such a deadlock.

Both Houses possess equal powers with regard to a Constitution Amendment Bill. A Bill to amend the Constitution has to be passed by each House of Parliament separately by a majority of the total membership of the House and by a majority of not less than two-thirds of the members of that House present and voting. Some of these Constitution Amendment Bills also require to be ratified by the Legislatures of not less than one-half of the States. There is no provision for a joint sitting with regard to a Constitution Amendment Bill if a deadlock were to arise between the two Houses either due to rejection of such a Bill in one House or both Houses not agreeing to the amendments to be made in such a Bill.

As mentioned, Ministers may belong to either House of Parliament. The Constitution does not make any distinction between the Houses in this regard. Every Minister has the right to speak in and take part in the proceedings of either House but he is entitled to vote only in the House of which he is a member.

Joint Sitzings

**6 and 9 May 1961
on Dowry Prohibition
Bill, 1959**

**17 May 1978
on Banking Service
Commission (Repeal)
Bill, 1977**

**26 March 2002
on Prevention of
Terrorism Bill, 2002**



Exterior of Parliament House

“No member of Parliament shall be liable to any proceedings in any court in respect of any thing said or any vote given by him in Parliament or any committee thereof, and no person, shall be so liable in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings.

Article 105(2)

”

Similarly, with regard to powers, privileges and immunities of the Houses of Parliament, their members and Committees thereof, the two Houses are placed on equal footing by the Constitution.

Other important matters in respect of which both Houses enjoy equal powers are election and impeachment of the President, election of the Vice-President, approving the Proclamation of emergency and the Proclamation regarding failure of constitutional machinery in States and in respect of receiving reports and papers from various statutory authorities, etc.

It is thus clear that except in the case of collective responsibility of the Cabinet and certain financial matters (which fall in the domain of Lok Sabha only), both Houses enjoy equal powers. Emphasising that neither House of the Indian Parliament was superior to the other and that each House had to perform the specific functions allotted to it by the Constitution, Shri Jawaharlal Nehru, the first

Prime Minister of India, once observed :

“To call either of these Houses an Upper House or a Lower House is not correct. Each House has full authority to regulate its own procedure within the limits of the Constitution. Neither House, by itself, constitutes Parliament. It is the two Houses together that are the Parliament of India... There can be no constitutional differences between the two Houses because the final authority is the Constitution itself. The Constitution treats the two Houses equally except in financial matters which are to be the sole purview of the House of the People.”

Over the years, both Houses have functioned in a spirit of cooperation and the disagreements between the two have been few and far between either in regard to legislation or otherwise.



Rajya Sabha Chamber

PREDOMINANCE OF PARLIAMENT IN LEGISLATIVE FIELD

The scheme of distribution of subject-matters of laws between the Centre and the States, followed in the Constitution emphasizes in many ways the general predominance of Parliament in the legislative field. While a State Legislature can make laws only for the whole or any part of the State territory, Parliament has power to legislate for the whole or any part of the territory of India.

The Seventh Schedule to the Constitution contains an elaborate enumeration of subjects distributed among three Lists defining legislative relations between Parliament and the State Legislatures. While Parliament has exclusive power to make laws with respect to the subjects included in the Union List, Legislature of the State has exclusive power to make laws (for such State) with respect to the matters enumerated in the State List. On matters included in the Concurrent List, both

Parliament and State Legislatures can make laws. Further, Parliament enjoys exclusive power to make laws on subjects not mentioned in any of these three Lists.

Apart from the wide range of subjects allotted to Parliament and the State Legislatures in the Seventh Schedule to 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. If any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament, the law made by Parliament, whether passed before or after the law made by the Legislature of the State, prevails and the law made by the Legislature of the State to the extent of repugnancy becomes inoperative.

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

Seventh Schedule to the Constitution

**Union List
(97 subjects)**

**State List
(66 subjects)**

**Concurrent List
(47 subjects)**



Legislative Assembly of Andhra Pradesh



Legislative Assembly of Karnataka

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 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 wide range of subjects, the Constitution vests the power to initiate amendment to the Constitution in Parliament only.

Legislative Assembly of Goa



Legislative Assembly of Sikkim



“

The President shall from time to time summon each House of Parliament to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session.

Article 85(1)

”

GENERAL WORKING OF PARLIAMENT

Sessions

Normally, three Sessions are held in a year: (i) Budget Session*; (ii) Monsoon Session; and (iii) Winter Session. Parliament on an average meets for 85 to 105 days in a year. However, Parliamentary Committees meet throughout the year.

Arrangement of Business

Both Houses meet in their separate Chambers at 11 a.m. and conclude at 5.00 p.m. (Rajya Sabha) or 6.00 p.m. (Lok Sabha) or beyond. Parliament disposes of matters on a particular day in the order as indicated in the List of Business which is made available to members before the commencement of the sitting of the House on that day. The first hour of sitting everyday generally is the Question Hour during which members ask questions to elicit information from Ministers on matters relating to their Ministries/ Departments. Oath and affirmation to be made by newly elected



Parliament House

*Consequent upon the setting up of the Department-related Standing Committees, the relevant rule provides that after the general discussion on the Budget in the Houses is over, the Houses will be adjourned for a fixed period and the Committees will consider the Demands for Grants of the related Ministries during the aforesaid period.



Entrance to the Chamber of Chairman, Rajya Sabha

members or obituary reference, if any, however, takes precedence over the Questions. Immediately after the Question Hour, Ministers, Chairmen/ members of the Committees, lay papers, reports, etc. on the Table of the Houses which are required to be laid under various statutes or otherwise to share information with Parliament. Thereafter, Calling Attention on a matter of Urgent Public Importance, if any, is taken up. Otherwise, Special Mentions in Rajya Sabha under Rule 180A and matters raised under

Rule 377 in Lok Sabha are made. Sometimes, with the permission of the Chair during this time some points may be raised by members. The afternoon sitting is generally devoted to transacting legislative business. Often Ministers make statements on matters of general public interest. Sometimes half-an-hour discussion may arise on subjects which had been the subject matter of a recent question, oral or written, requiring further elucidation of facts. At times, short duration discussions are also taken up.



Front view of Parliament House

Sessions of Parliament

**Budget Session
(February-May)**

**Monsoon Session
(July-August)**

**Winter Session
(November-December)**

Arrangement of Business*

Oath or affirmation by new members;
obituary references, if any

Question Hour (11 a.m. to 12 noon)

Laying of Papers/Reports, etc.

Matters raised with the permission of the
Chair

Calling Attention on a matter of urgent
public importance, if any

Special Mentions in Rajya Sabha / matters
raised under Rule 377 in Lok Sabha

Lunch Break

Transaction of legislative business such as
introduction, discussion or passage of Bills.

Short Duration Discussions, if any, on matters
of urgent public importance.

Half-an-Hour Discussion, if any on the subject
matter of a recent question (oral or written asked
in the House) for further elucidation of facts

Statements by Ministers on matters of general
public interest, if any

*With special reference to Rajya Sabha

“ Each House of Parliament may make rules for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business.

Article 118(1)

”

PROCEDURAL INNOVATIONS IN PARLIAMENT

Two of the main functions of Parliament are to reflect people's needs and aspirations and highlight their problems. It also exercises vigilance on the executive. Deliberations in the legislature, therefore, have to be constructive, informative, purposeful and within the parameters of the Rules of Procedure. Parliamentary procedure has also to be in tune with these functions and provide members adequate devices to cater to their growing needs and desires to articulate people's feelings. From time to time, several procedural innovations have been introduced in both Houses of Indian Parliament. Certain innovations which are significant in the conduct of parliamentary business are as follows :

Calling Attention

Under this procedure, with the permission of the Presiding Officer, a member calls the attention of a Minister to a matter of urgent public importance and the Minister concerned makes a statement thereon. Copies of the statement are simultaneously distributed to the members in the Chamber. Thereafter, members are entitled to seek clarifications on the statement. This device thus gives opportunities to members to express

their views and the Government to state its case.

Short Duration Discussion

This device enables a member to raise a discussion on matters of urgent public importance. There is no motion before the House when such a discussion is permitted nor is there any voting at the end of the discussion. No question of any censure of the Government is involved in it. Discussion is concluded with the reply of the concerned Minister.

Special Mention in Rajya Sabha and matters raised under Rule 377 in Lok Sabha

A novel method that has been devised in the Indian Parliament is 'Special Mention' in Rajya Sabha and raising of matters under Rule 377 in Lok Sabha, which enables members to raise various matters of public importance at the earliest which would not otherwise come up in any other form. Earlier, there was no rule governing the raising of a matter under Special Mention procedure in Rajya Sabha. The Committee on Rules in its eighth report recommended for the incorporation of Special Mention in the corpus of the Rules of Procedure and Conduct of Business and



Colourful procession at Republic Day Parade



Colourful procession at Republic Day Parade

suggested new Rules 180A to 180E for this purpose which came into effect from 1 July 2000. An extract of the Special Mention is culled out from the proceedings of the day and forwarded to the concerned Ministry for furnishing reply within 30 days under the signature of the Minister direct to the member and copies thereof endorsed to the Secretariat and the Ministry of Parliamentary Affairs. Members are increasingly taking recourse to this procedure to raise matters of public importance including matters pertaining to their constituencies.

Submissions after Question Hour

Members have also invented yet another technique, (though informal and not

institutionalized or incorporated in the Rule Book), of giving expression to their feelings around 12 noon. This time has been described by Indian journalists as 'zero hour', because it starts at mid-day. During this time a number of members rise to make impromptu submissions on matters which they feel are very urgent and they cannot wait for the matter to be raised on the subsequent days as that will undermine the gravity or importance of the issues to be raised. In Lok Sabha it is, of course, for the Speaker to allow or not to allow raising of such matters in the House. In Rajya Sabha, the Chairman after considering the importance and seriousness of the matter may permit a member to raise a matter of public importance but the general tendency in the House is to discourage zero hour submissions.



Main Committee Room, Parliament House Annex

THE COMMITTEE SYSTEM

Standing Committees

A great deal of parliamentary business is transacted in Committees. Both Houses of Parliament have individually and jointly evolved well-organised Committee structure. Amongst the important Committees provided in the rules of both Houses are:

- (i) *Committees to inquire, e.g.,* the Committee on Petitions; the Committee of Privileges; and the Committee on Ethics;
- (ii) *Committees to scrutinize, e.g.,* the Committee on Government Assurances; the Committee on Subordinate Legislation; and the Committee on Papers Laid on the Table;
- (iii) *Committees relating to the day-to-day business of the House, e.g.,* the Business Advisory Committee; the Committee on Private Members' Bills and Resolutions (only in Lok Sabha); and the Committee on Rules;
- (iv) *Committees concerned with the provision of facilities to Members, e.g.,* the General Purposes Committee; the House Committee; and the Committee on Provision of Computers to Members;

- (v) *Other Committees e.g.,* the Committee on Members of Parliament Local Area Development Scheme.

The notable Joint Committees in which members of both Houses are represented in the proportion of 1 : 2 are :

- (i) Committee on the Welfare of Scheduled Castes and Scheduled Tribes (it examines various welfare programmes for the Scheduled Castes and Scheduled Tribes);
- (ii) Committee on Salaries and Allowances of Members of Parliament;
- (iii) Committee on Offices of Profit (it examines holding of which offices will or will not involve disqualifications so far as Members of Parliament are concerned);
- (iv) Library Committee.

Besides the above Committees, there are the following financial Committees :

- (i) Committee on Public Accounts;
- (ii) Committee on Public Undertakings;
- (iii) Committee on Estimates (only Lok Sabha members serve on this Committee);

“

There shall be Parliamentary Standing Committees of the Houses (to be called the Standing Committees) related to Ministries/Departments.

Rule 268(1)*

”



Illuminated North & South Blocks on the occasion of Beating Retreat Ceremony

- (iv) Railway Convention Committee (it fixes rate of dividend payable by the Railways to the General Revenue).

Department-related Standing Committees

During the Budget Session, it had been observed for long that Demands for Grants relating to most of the Ministries/Departments could not fully be discussed in Lok Sabha and had to be guillotined due to paucity of time. In 1989, three Subject Committees on Agriculture; Science and Technology; and Environment and Forests were set up. To further strengthen the Committee System, the two Houses of Parliament gave approval on 29 March 1993 for the setting up of seventeen Department-related Standing Committees. These Committees have replaced the three Subject Committees set up in 1989 and encompass for scrutiny purpose within their ambit all Ministries and Departments of the Government of India. These Committees are entrusted with the following functions :

- (a) to consider the Demands for Grants of the related Ministries/Departments and report thereon. The report shall not suggest anything of the nature of cut motions;

- (b) to examine Bills, pertaining to the related Ministries/Departments referred to the Committee by the Chairman or the Speaker, as the case may be, and report thereon;
- (c) to consider the annual reports of the Ministries/Departments and report thereon; and
- (d) to consider national basic long term policy documents presented to the Houses, if referred to the Committee by the Chairman or the Speaker, as the case may be, and report thereon.

These Standing Committees are not to consider matters of day-to-day administration of the related Ministries/Departments.

The new Department-related Standing Committees were inaugurated on 31 March 1993 by the then Vice-President of India and the Chairman, Rajya Sabha, Shri K. R. Narayanan. While inaugurating the Department-related Standing Committee system in the Central Hall of Parliament, he said that the main purpose of these Committees is –

“...to ensure the accountability of Government to Parliament through more detailed consideration of measures in these Committees. The intention is not to weaken or

* Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha)



Independence Day celebrations at historical Red Fort

criticize the administration but to strengthen it by investing it with more meaningful parliamentary support.”

The number of these Committees was increased to twenty-four in July 2004. Of these, eight Committees fall under the jurisdiction of Rajya Sabha and sixteen under that of Lok Sabha. Each of these Committees consists of 31 members – 10 belonging to Rajya Sabha and 21 belonging to Lok Sabha. The Committees which fall under Rajya Sabha

jurisdiction are headed by members of Rajya Sabha whereas those falling under the jurisdiction of Lok Sabha are headed by members of Lok Sabha.

The Department-related Committees have strengthened the executive by offering constructive criticism of the activities of the Ministries/ Departments coming within their purview. Operating within the parameters set for them under the Rules, the Department-related Standing Committees have been receiving the cooperation of the executive.

Classification of Committees of Parliament

Committees common to the two Houses

Committees to inquire

Committee on Petitions
Committee of Privileges
Committee on Ethics

Committees to scrutinise

Committee on Government Assurances
Committee on Subordinate Legislation
Committee on Papers Laid on the Table

Committees relating to day-to-day business of the House

Business Advisory Committee
Committee on Rules
*Committee on Private Members' Bills and Resolutions
*Committee on Absence of Members from the sittings of the House

Committees concerned with the provision of facilities to Members

General Purposes Committee
House Committee
Committee on Provision of Computers to Members

Financial Committees

*Committee on Estimates

Other Committees

Committee on MPLADS

*Only in Lok Sabha.

Committees in which Members of both Houses are represented

Standing Joint Committees

Committee on Empowerment of Women
 Committee on Office of Profit
 Committee on Welfare of Scheduled Castes and Scheduled Tribes
 Committee on Salaries and Allowances of Members of Parliament
 Library Committee

Ad hoc Joint Committees

Committee on Wakf
 Committee on Security in Parliament Complex
 Railway Convention Committee
 Committee on Installation of Portraits/Statues of National Leaders and Parliamentarians in the Parliament House Complex
 Committee on Food Management in Parliament House Complex

Financial Committees

Committee on Public Accounts
 Committee on Public Undertakings

Department-related Standing Committees

Committees under the jurisdiction of Chairman, Rajya Sabha

Committee on Commerce
 Committee on Health and Family Welfare
 Committee on Home Affairs
 Committee on Human Resource Development
 Committee on Industry
 Committee on Personnel, Public Grievances, Law and Justice
 Committee on Science and Technology, Environment and Forests
 Committee on Transport, Tourism and Culture

Committees under the jurisdiction of Speaker, Lok Sabha

Committee on Agriculture
 Committee on Chemicals and Fertilizers
 Committee on Coal and Steel
 Committee on Defence
 Committee on Energy
 Committee on External Affairs
 Committee on Finance
 Committee on Food, Consumer Affairs and Public Distribution
 Committee on Information Technology
 Committee on Labour
 Committee on Petroleum and Natural Gas
 Committee on Railways
 Committee on Rural Development
 Committee on Social Justice and Empowerment
 Committee on Urban Development
 Committee on Water Resources



Tricolour atop Parliament House

PARLIAMENTARY FORUMS

Both Houses of Parliament have an elaborate committee system. The committees have their well defined role, functions and powers as enumerated in the Rules of Procedure and Conduct of Business in the House. With the inception of Department-related Committees in 1993, each Ministry/Department of the Union Government was brought under the jurisdiction of one committee or the other. These committees provide members a platform not only to scrutinise the budgetary proposals, Bills, annual reports and basic long-term national policies of the Ministries/Departments but also an opportunity to deliberate upon the entire gamut of matters dealt with by the Ministries/Departments. However, deliberations/discussions on the fora of Department-related Committees are largely confined within the limits earmarked by the Rules of Procedure. Therefore, at times, committees feel the constraints of not being able to transcend the limitations placed on them by the Rules of Procedure and thus precluding them from looking into all the aspects of a particular issue relating to the Ministries/Departments attached to them.

It is precisely with a view to

supplement the efforts of these committees that this concept of having separate parliamentary forums originated. These forums are not parallel to the Department-related Committees nor they, in any manner whatsoever, tend to dilute the official position of the latter. As a matter of fact, these forums complement the committees insofar as they provide one more platform to the members to deliberate on an issue, in a manner, which a Department-related Committee may not provide.

There are at present four parliamentary forums on four separate subject matters,



A Committee Room in Parliament House



A Committee Room in Parliament House Annex

namely, Water Conservation and Management; Children; Youth; and Population and Public Health. The Parliamentary Forum on Water Conservation and Management is the first of these forums and was set up on 12 August 2005 followed by the Forum on Children set up on 2 February 2006, the Forum on Youth set up on 20 February 2006 and the Forum on Population and Public Health on 31 May 2006.

Each of these forums is composed of members drawn from both Houses. The Speaker, Lok Sabha is the *ex-officio* President of the Forums on Water Conservation and Management; Children; and Youth. Whereas the Chairman, Rajya Sabha is the *ex-officio* President of the Forum on Population and Public Health with the Speaker, Lok Sabha

being its *ex-officio* Co-President. There are some *ex-officio* Vice-Presidents such as the Deputy Chairman, Rajya Sabha, Deputy Speaker, Lok Sabha, Union Ministers of the concerned Ministries and the Chairmen of the concerned Department-related Committees. Unlike the Department-related Committees which are governed by the Rules of Procedure, these forums are governed by a separate set of guidelines issued by the Speaker, Lok Sabha in consultation with the Chairman, Rajya Sabha. While comparing these forums with the parliamentary committees, it may be safe to describe the former as quasi-official bodies and the latter as the official bodies. The forums have come into existence not to supplant the committees but rather to supplement them.



Sansadiya Gyanpeeth (Parliament Library)

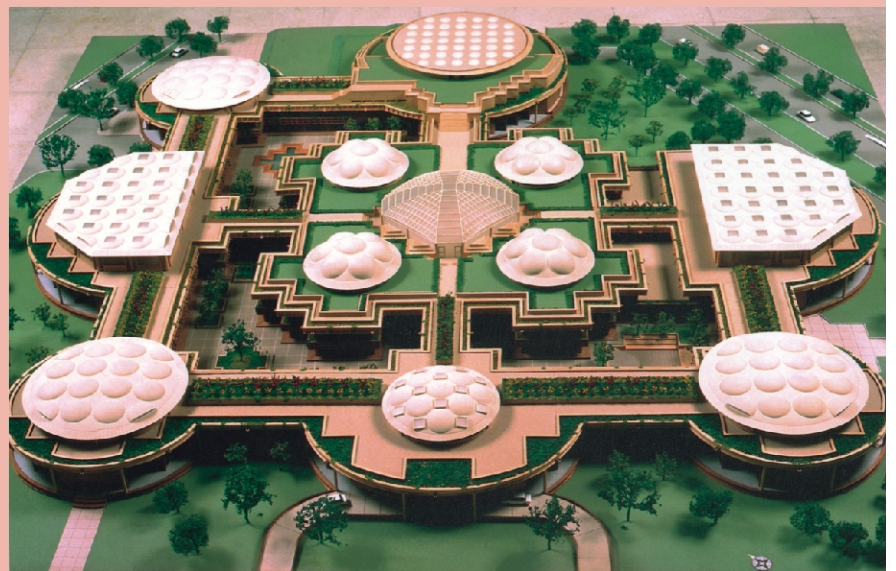


Interior of Parliament Library

PARLIAMENT LIBRARY

There is a well-organized Parliament Library with a rich collection of books on a variety of subjects which caters to the needs of the members. There is also a research and reference wing which supplies factual, objective and unbiased information to members of Parliament. The entire research and library set up is now housed in a new building called *Sansadiya Gyanpeeth*. It is a modular, utilitarian and centrally air-conditioned building. The Library is fully computerized and is equipped with Local Area Network (LAN) and Wide

Area Network (WAN) which provide linkages with State Legislatures, Foreign Parliaments and other international organizations. The new library building is equipped with modern facilities and *inter alia* has a full-fledged conservation laboratory for restoring old and rare documents, an archival room to preserve audio/video materials, micro-film rolls, computer tapes, etc., a media centre with latest telecom facilities, an audio-visual unit, micro-film reader room, two auditoriums with varying capacities, etc.



Model of Parliament Library Building



T.V. Antenna installed within Parliament Estate

TELEVISION AND PARLIAMENT

Televising the proceedings of Parliament was done for the first time when the President's Address to members of both Houses assembled together was telecast on 20 December 1989. It was simultaneously broadcast by the All India Radio. The President's Address, thereafter, continues to be telecast/broadcast live, though initially, this was done purely as an *ad hoc* arrangement.

The Question Hour was telefilmed for the first time on 2 December 1991, when the television covered the Question Hour in the House of the People (Lok Sabha). It was telecast the following morning from 7.15 a.m to 8.15 a.m.

The Question Hour of Rajya Sabha was telefilmed for the first time on 9 December 1991. It was telecast the next morning from 7.15 a.m to 8.15 a.m.

Encouraged by the public response to the initial phase of televising the Question Hour, the General Purposes Committee of Lok Sabha decided not only to continue with it but also to expand the scope of telecasting the proceedings further. Accordingly, besides the President's Address which was telecast on 24 February 1992, the presentation of the Railway Budget and the General Budget was also televised live for the first time on 25 February 1992 and 29 February 1992, respectively.

Live telecast of the Question Hour in

Parliament on the National Network of *Doordarshan* throughout the country was started on 7 December 1994, with *Doordarshan* telecasting live the Question Hour proceedings of Rajya Sabha. The following week, the Question Hour of Lok Sabha was telecast live on the National Network.

Live telecast of the Question Hour and the post-lunch proceedings of Lok Sabha began on 25 August 1994, through a Low Power Transmitter of *Doordarshan*. The proceedings of Rajya Sabha (except Zero Hour submissions and Special Mentions) began to be telecast live from 7 December 1994, also through a Low Power Transmitter.

With the launch of two exclusive satellite channels of *Doordarshan*, namely, DD-Rajya Sabha and DD-Lok Sabha on 14 December 2004 by Shri Bhairon Singh Shekhawat, Chairman, Rajya Sabha and Shri Somnath Chatterjee, Speaker, Lok Sabha, respectively, the proceedings of both Houses began to be telecast live across the length and breadth of the country.

DD-Lok Sabha has now been rechristened as LS TV and has become an exclusive satellite channel owned by Lok Sabha. The channel is under the command, control and supervision of the Speaker, Lok Sabha. To run the channel, in-house programming, engineering and technical units have been created.



Multimedia Centre in Parliament Library

INFORMATION TECHNOLOGY IN PARLIAMENT

Keeping pace with the IT revolution sweeping across the nation, the Parliament of India has also made significant strides in the direction of achieving complete automation. The website of Indian Parliament was inaugurated on 15 March 1996 by the then President of India Shri K.R. Narayanan. Both Houses have their separate homepages which *inter-alia* carry a whole lot of information such as parliamentary questions, parliamentary proceedings, directions from the Chair, information relating to business of the House, biographical details of members, information about parliamentary committees, rules of procedure and conduct of business in the House, information relating to Bills, etc. The websites also provide various

useful links to homepages of President of India, Council of Ministers, Union and State Government sites, Constitution of India, State Legislatures, Supreme Court of India and High Courts, Parliament Library, Foreign Parliaments, Inter-Parliamentary Union etc.

Another milestone in this direction was achieved when the webcast of the live proceedings of Rajya Sabha was inaugurated by the Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat on 11 December 2003 as part of the celebrations organized to commemorate the 200th Session of Rajya Sabha. The webcast of the live proceedings of Lok Sabha also began on 11 December 2003.

“

An act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority...

Right to Information Act, 2005

”

RIGHT TO INFORMATION AND PARLIAMENT

With the enactment of the Right to Information Act, 2005, the functioning of the two Secretariats of Parliament has also come under its purview. Both Rajya Sabha and Lok Sabha Secretariats have their own Central Public Information Officers duly appointed by the Presiding Officers of the two Houses. To facilitate the supply of information to anyone desirous of getting it, the Chairman, Rajya Sabha and the Speaker, Lok Sabha have made rules for respective Secretariats as per section 28 of the Right to Information Act, 2005. As a result, like any Government Ministry / Department, the functioning of the Secretariats of Parliament, in particular and those of the two Houses, in general will be under public scanner.

“

Men and governments tend to live up to the dignity of their habitation and this high service justifies the art of architecture.

Sir Herbert Baker

”

PARLIAMENT ESTATE

The estate of Parliament of India has three main buildings, namely Parliament House, Parliament House Annexe and Parliament Library. The Parliament House is a massive circular edifice with a Central Hall in the middle and three Chambers of the House of the People, Council of States and Library Reading Hall for MPs (formerly the Princes Chamber) located around it. The Parliament House was designed by Sir Herbert Baker, the renowned British architect and inaugurated on 18 January 1927 by the then Governor-General of India Lord Irwin. The building also has chambers/rooms for the Chairman/Deputy Chairman, Speaker/Deputy Speaker, Ministers, Chairmen of Parliamentary Committees, Party

Offices, Secretaries-General of two Houses, etc.

To the north of the Parliament House building stands the Parliament House Annexe which was inaugurated on 24 October 1975 by Shrimati Indira Gandhi, the then Prime Minister of India. The Annexe largely houses the administrative branches/sections of the Secretariats of the two Houses, Committee Rooms and a host of other services/utilities.

The latest addition to Parliament Estate is the new building of Parliament Library called *Sansadiya Gyanpeeth*. The new library building was inaugurated on 7 May 2002 by Shri K.R. Narayanan, the then President of India.



Parliament House



Parliament Library



Parliament House Annexe

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**Each House of Parliament shall have a separate secretarial staff :
Provided that nothing in this clause shall be construed as preventing
the creation of posts common to both Houses of Parliament.**

Article 98(1)

”

RAJYA SABHA AND LOK SABHA SECRETARIATS

As provided in the Constitution, each House of Parliament has a separate Secretariat, namely Rajya Sabha Secretariat and Lok Sabha Secretariat. Some posts are common to both Houses of Parliament. Rules have been made by the President in consultation with the Chairman, Rajya Sabha and the Speaker, Lok Sabha regulating the recruitment and conditions of service of persons appointed to the Secretariat staff of the two Houses. The two Secretariats function under the overall control of the Chairman and the Speaker, respectively. Each Secretariat is headed by a Secretary-General who reports directly to the Chairman or the Speaker, as the case may be.



Parliament House Annexe

ANNEXURE

Organization and structure of the Council of States (Rajya Sabha) and the House of the People (Lok Sabha)

| | Rajya Sabha | Lok Sabha |
|---------------------------------|--|--|
| No. of Members | 233 (elected) 12 (nominated) | 543 (elected) 2 (nominated) |
| Minimum age for becoming member | 30 years | 25 years |
| Requirement for nomination | Persons having special knowledge or practical experience in literature, science, art and social service. | Persons belonging to Anglo-Indian community, if not adequately represented in the House. |
| Term of members | Permanent House, the term of a member is 6 years. 1/3 rd of members retire every second year. | 5 years (unless dissolved earlier) |
| Presiding Officers | Chairman (Vice-President of India is the <i>ex officio</i> Chairman) Deputy Chairman | Speaker Deputy Speaker |





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Parliament House, New Delhi-110 001

<http://parliamentofindia.nic.in>
<http://rajyasabha.nic.in>