

## *Chapter Five*

### *LEGISLATURE*

[HTTPS://CHITRABAZAR.COM/](https://chitrabazar.com/)

- ▮ *THE IMPORTANCE OF THE LEGISLATURE;*
- ▮ *THE FUNCTIONS AND POWERS OF THE PARLIAMENT OF INDIA;*
- ▮ *THE LAW MAKING PROCEDURE;*
- ▮ *HOW THE PARLIAMENT CONTROLS THE EXECUTIVE; AND*
- ▮ *HOW THE PARLIAMENT REGULATES ITSELF?*

## *Why Do We Need a Parliament?*

A Parliament is a fundamental institution in a democratic system of government.

Its existence and role are essential for several key reasons:

1. **Representation of the People:** Parliament serves as a platform for the representation of the people. Through regular elections, citizens choose their representatives who will voice their concerns, needs, and aspirations within the legislative body.
2. **Lawmaking:** One of the primary functions of Parliament is to make and amend laws. These laws are crucial for maintaining order, justice, and the smooth functioning of society. They address various aspects of life, from civil rights to economic policies.
3. **Accountability:** Parliament holds the executive branch accountable for its actions. Elected representatives question government officials, examine their decisions, and ensure transparency in the administration. This mechanism prevents misuse of power and corruption.
4. **Debate and Discussion:** Parliament provides a platform for open debate and discussion on various issues. Different viewpoints and opinions are expressed, leading to well-informed decisions and policies. It fosters a culture of dialogue and compromise.
5. **Checks and Balances:** In a parliamentary system, the executive (government) is drawn from the legislature (Parliament). This arrangement ensures that the government remains accountable to Parliament. If the government loses the confidence of the majority in Parliament, it may be replaced.
6. **Representation of Diverse Interests:** Parliament is composed of representatives from various regions, communities, and backgrounds. This

diversity ensures that the interests of different segments of society are taken into account during policy formulation.

7. **Protection of Rights:** Parliament plays a crucial role in safeguarding individual and collective rights. It enacts laws that protect citizens from discrimination, uphold freedom of speech, and ensure the rule of law.
8. **Resource Allocation:** Parliament approves budgets and allocates resources for government programs and services. It ensures that public funds are spent wisely and in the best interests of the people.
9. **International Relations:** Parliament ratifies international treaties and agreements, influencing India's foreign policy. It holds the government accountable for its international commitments.
10. **Voice of the People:** Parliament is the voice of the people in matters of national importance. It debates issues such as national security, economic development, and social welfare that affect the well-being of all citizens.

Parliament serves as a cornerstone of democracy, promoting representation, accountability, and good governance. It is a vital institution that upholds the principles of justice, equality, and the rule of law in a democratic society.

## Why Do We Need Two Houses of Parliament?

Many democratic countries, including India, have a bicameral or two-house system of Parliament. In India's case, the Parliament consists of the Rajya Sabha (Council of States) and the Lok Sabha (House of the People).

**The presence of two houses serves several crucial purposes:**

1. **Checks and Balances:** The primary reason for having two houses is to provide a system of checks and balances. Each house serves as a check on the other's powers and actions. Legislation must be approved by both houses to become law, ensuring that no single house can dominate the decision-making process.
2. **Representation of Diverse Interests:** The two houses represent different interests and constituencies. The Lok Sabha members are directly elected by the people of India, providing a more direct link to the citizens. The Rajya Sabha members are indirectly elected by the state legislatures, representing the states' interests. This dual representation ensures that both national and regional interests are considered.
3. **Review and Revision of Legislation:** Bills are introduced in either house and must go through a rigorous process of debate, discussion, and examination. The second house provides an opportunity for further review and revision of legislation. This process helps in improving the quality of laws and ensures thorough scrutiny.
4. **Expertise and Specialization:** The Rajya Sabha, being a permanent house, often includes members with expertise in various fields, including science, arts, literature, and social service. This expertise enriches the quality of debates and discussions and provides valuable insights into complex issues.
5. **Stability and Continuity:** The Rajya Sabha, unlike the Lok Sabha, is a permanent house with members serving staggered six-year terms. This provides stability and continuity to the legislative process, especially during times of political change when the Lok Sabha might be dissolved.

6. **Protection of Minority Interests:** The Rajya Sabha plays a crucial role in protecting the interests of minorities, both at the state and national levels. It ensures that legislation does not become purely majoritarian and safeguards the rights of states with smaller populations.
7. **Resolution of Deadlocks:** In case of disagreements between the two houses on a particular bill, they can engage in a process of negotiation and resolution. This mechanism helps prevent legislative deadlocks and ensures that essential bills are not delayed indefinitely.
8. **Representation of States:** The Rajya Sabha represents the interests of the states and union territories, ensuring that their concerns are adequately addressed at the national level. It helps in the devolution of powers and resources from the center to the states.

The two houses of Parliament in India play a vital role in ensuring a robust and effective democratic system. They balance power, provide representation to diverse interests, enhance the quality of legislation, and safeguard minority and regional interests. The bicameral system reflects the complex and diverse nature of India's democracy and ensures that important decisions are made with careful consideration and deliberation.

## **Rajya Sabha: The Council of States**

The Rajya Sabha, often referred to as the Council of States, is one of the two houses of India's Parliament, with the other being the Lok Sabha or the House of the People.

The Rajya Sabha plays a unique and vital role in India's parliamentary system, and here are some key aspects of its functioning:

1. **Composition:** The Rajya Sabha is a permanent house, and its members are not subject to dissolution. It is a bicameral house, and its members are known as Rajya Sabha members or Rajya Sabha MPs. The maximum strength of the Rajya Sabha is 250 members, of which 238 are elected by the elected members of the Legislative Assemblies of States and Union territories, and 12 are nominated by the President of India for their expertise in various fields.
2. **Representation of States:** The Rajya Sabha represents the states and union territories of India. Each state and union territory has a fixed number of seats in the Rajya Sabha, which is determined by its population. This allocation ensures that the interests of both populous and smaller states are taken into account.
3. **Duration of Membership:** Members of the Rajya Sabha serve a six-year term, with one-third of the members retiring every two years. This staggered arrangement ensures continuity and stability in the functioning of the house.
4. **Roles and Functions:**
  - **Legislation:** The Rajya Sabha plays a crucial role in the legislative process. It reviews, debates, and suggests amendments to bills passed by the Lok Sabha. Bills can only become law when both houses agree on their content.

- **Representation of States:** The Rajya Sabha provides a platform for states to voice their concerns and interests at the national level. It acts as a forum for states to express their views on important national issues.
  - **Review and Oversight:** The Rajya Sabha reviews the work of the government and holds it accountable through discussions, debates, and questioning of ministers. It ensures transparency and checks the executive's actions.
  - **Expertise and Specialization:** The Rajya Sabha often includes members with expertise in various fields, such as science, arts, literature, and social service. This diversity of knowledge enriches debates and discussions.
5. **Resolution of Deadlocks:** In case of disagreements between the two houses of Parliament on a particular bill, the Rajya Sabha and the Lok Sabha can engage in a joint sitting to resolve the deadlock. This mechanism ensures that essential bills are not delayed indefinitely.
  6. **Nominated Members:** The President of India nominates 12 members to the Rajya Sabha who have excelled in various fields, including arts, literature, science, and social service. These nominated members bring diverse perspectives and expertise to the house.

Rajya Sabha is an integral part of India's parliamentary democracy. It represents the interests of states and union territories, contributes to the legislative process, provides a platform for expert opinions, and acts as a check on the government's

actions. The Rajya Sabha's unique composition and functions ensure a balanced and effective functioning of India's bicameral Parliament.

## Lok Sabha: The House of the People

The Lok Sabha, often referred to as the House of the People, is the lower house of India's Parliament, with the Rajya Sabha (Council of States) being the upper house.

The Lok Sabha is a fundamental institution in India's democratic system, and here are some key aspects of its functioning:

- 1. Composition:** The Lok Sabha is the directly elected house of Parliament. Its members are known as Members of Parliament (MPs) or Lok Sabha MPs. The Lok Sabha represents the people of India, and its maximum strength is 552 members, including two Anglo-Indian members nominated by the President of India. Members are elected from territorial constituencies across the country.
- 2. Elections:** Lok Sabha elections are held every five years, or sooner in case of dissolution. Indian citizens who are 18 years of age or older are eligible to vote in Lok Sabha elections. These elections are conducted on the basis of adult suffrage, and citizens choose their representatives through a secret ballot.
- 3. Role and Functions:**
  - Legislation:** The primary role of the Lok Sabha is to make and amend laws. Bills can be introduced and passed in the Lok Sabha, and they



must be approved by both houses of Parliament before becoming law. The Lok Sabha plays a central role in the legislative process.

- **Representation of the People:** The Lok Sabha is the institution that directly represents the will of the people. It provides a platform for citizens to voice their concerns and elect representatives who will work on their behalf.
  - **Accountability:** The Lok Sabha holds the executive branch (the government) accountable for its actions and decisions. Elected representatives question government officials, participate in debates, and oversee the administration's work.
  - **Budget Approval:** The Lok Sabha has the power to approve or reject the budget presented by the government. This ensures that public funds are allocated in a manner consistent with the interests and priorities of the people.
4. **Speaker:** The Lok Sabha elects a Speaker who presides over its proceedings. The Speaker is responsible for maintaining order during debates and ensuring that parliamentary rules and procedures are followed. The Speaker represents the Lok Sabha in its relations with the President and the Rajya Sabha.
  5. **Cabinet Formation:** The leader of the majority party or coalition in the Lok Sabha is invited by the President to form the government and becomes the Prime Minister. The Prime Minister selects members for the Council of Ministers from among the Lok Sabha MPs.

6. **Role in Government Formation:** The Lok Sabha plays a crucial role in government formation and stability. If the government loses the confidence of the majority in the Lok Sabha, it may lead to the government's resignation or dissolution and the calling of new elections.

Lok Sabha is a cornerstone of India's democratic system, representing the people's will and playing a pivotal role in the legislative and executive processes. It ensures accountability, checks the government's actions, and serves as a forum for democratic deliberation and decision-making.

## What Does the Parliament Do?

Parliament is a central institution in democratic systems like India, responsible for various crucial functions that shape the governance and policies of the nation.

**Here's an overview of what the Parliament does:**

1. **Lawmaking:** One of the primary functions of Parliament is to make, amend, and repeal laws. Bills, which are proposed laws, can be introduced in either the Lok Sabha or the Rajya Sabha. These bills go through a rigorous process of discussion, debate, and voting before becoming law. Parliament ensures that the laws of the land are in line with the needs and aspirations of the people.
2. **Representation of the People:** Parliament serves as the representative body of the people. Members of Parliament (MPs) in both the Lok Sabha and the Rajya Sabha are elected to voice the concerns, views, and interests of the

citizens they represent. They play a pivotal role in representing the diverse demographics and regions of the country.

3. **Review and Oversight:** Parliament reviews and scrutinizes the work of the government. MPs question government officials, examine policies, and hold the executive branch accountable for its actions. This oversight function helps maintain transparency and checks the misuse of power.
4. **Budget Approval:** The government's budget, which outlines its revenue and expenditure plans for the coming year, is presented in Parliament. The Lok Sabha approves the budget, ensuring that public funds are allocated for essential services, development projects, and welfare programs.
5. **Debate and Discussion:** Parliament provides a platform for open debates and discussions on a wide range of issues, from economic policies to national security. These discussions allow for the exchange of ideas and opinions, fostering a culture of democratic deliberation.
6. **Conflict Resolution:** In cases of disagreement or conflicts between different branches of government, Parliament can act as a mediator and facilitate resolutions. Joint sittings of the Lok Sabha and the Rajya Sabha can be convened to address legislative deadlocks.
7. **International Relations:** Parliament plays a role in India's international relations by ratifying international treaties and agreements. It ensures that international commitments align with the nation's interests and values.
8. **Protection of Rights:** Parliament enacts laws to protect the fundamental rights of citizens, including freedom of speech, equality before the law, and

the right to life. It safeguards the principles of justice, liberty, and fraternity enshrined in the Constitution.

9. **Resource Allocation:** The allocation of resources for various government programs and services is determined by Parliament. It ensures that public funds are distributed fairly and efficiently.
10. **Emergencies:** In cases of national emergencies, such as war or a breakdown of law and order, Parliament plays a crucial role. It can extend the life of the Lok Sabha during an emergency and make important decisions to address the situation.

Parliament is the cornerstone of India's democracy, where elected representatives engage in critical decision-making processes that impact the lives of millions. It upholds democratic principles, ensures accountability, and strives to create a just and equitable society.

## Powers of Rajya Sabha

The Rajya Sabha, or the Council of States, possesses significant powers and plays a crucial role in India's parliamentary system.

Here are some key powers and functions of the Rajya Sabha:

### 1. Legislative Powers:

- **Equal in Legislative Authority:** The Rajya Sabha is co-equal with the Lok Sabha in the legislative process. It has the authority to initiate

and approve bills, including money bills, which must be passed by both houses for enactment.

- **Review and Revision:** The Rajya Sabha reviews and revises bills passed by the Lok Sabha. It can suggest amendments and improvements to legislation, contributing to comprehensive lawmaking.

## 2. Representation of States:

- **Representation of States' Interests:** The Rajya Sabha represents the interests of states and union territories in the national legislative process. Each state and union territory has a specific number of seats in the Rajya Sabha, ensuring their voices are heard.
- **Ensuring Regional Balance:** The Rajya Sabha helps maintain a regional balance in India's federal structure by giving states with smaller populations an equal platform to participate in national decision-making.

## 3. Accountability and Oversight:

- **Questioning the Government:** Rajya Sabha members hold the executive branch accountable through questioning, debates, and discussions. They can demand answers and explanations from government officials.
- **Committees:** The Rajya Sabha forms various parliamentary committees to scrutinize government policies, expenditures, and

actions. These committees play a crucial role in oversight and accountability.

#### 4. Amending the Constitution:

- **Constitutional Amendments:** The Rajya Sabha has the power to amend the Constitution of India. Constitutional amendments require a special majority, and the Rajya Sabha's approval is essential for such changes.

#### 5. International Affairs:

- **Ratifying Treaties and Agreements:** The Rajya Sabha ratifies international treaties, agreements, and conventions. It ensures that India adheres to its international commitments and obligations.

#### 6. Special Powers During National Emergencies:

- **Extension of Lok Sabha's Term:** In the event of a national emergency, the Rajya Sabha can approve the extension of the term of the Lok Sabha beyond five years, ensuring continuity of governance during critical times.

#### 7. Conflict Resolution:

- **Joint Sitting:** In cases of disagreement between the Lok Sabha and the Rajya Sabha on ordinary bills, a joint sitting of both houses can be convened to resolve the deadlock.

#### 8. Nominated Members:

- **Nomination by the President:** The President of India can nominate 12 members to the Rajya Sabha with expertise in various fields, including arts, literature, science, and social service. These nominated members contribute to the Rajya Sabha's diverse perspectives.

Rajya Sabha is not merely a revising house but a crucial part of India's parliamentary democracy. It ensures states' representation, upholds the federal structure, reviews legislation, holds the government accountable, and plays a vital role in amending the Constitution. Its powers and functions contribute to a balanced and comprehensive legislative process in India.

## The powers and roles of both the Lok Sabha (House of the People) and the Rajya Sabha (Council of States) in the Indian Parliament:

Aspect	Lok Sabha	Rajya Sabha
Composition	Directly elected by the people of India	Elected by the members of State Legislative Assemblies and by the Electoral College of Union Territories
Maximum Strength	552 members, including 2 nominated members	250 members

Aspect	Lok Sabha	Rajya Sabha
Legislative Powers	Co-equal with Rajya Sabha in lawmaking	Co-equal with Lok Sabha in lawmaking
Money Bills	Can introduce, amend, and pass money bills	Can review, amend, and suggest changes to money bills
Constitutional Amendments	Has the power to initiate and pass	Can review, amend, and pass constitutional amendments
Representation of States	Represents the people of India	Represents the interests of states and union territories
Accountability and Oversight	Holds the executive branch accountable	Holds the executive branch accountable
Review and Revision of Bills	Reviews and revises bills passed by Rajya Sabha	Reviews and revises bills passed by Lok Sabha
Conflict Resolution	Joint sittings with Rajya Sabha for resolving	Joint sittings with Lok Sabha for resolving legislative deadlocks



Aspect	Lok Sabha	Rajya Sabha
	legislative deadlocks	
Special Powers During National Emergencies	N/A	Can approve the extension of Lok Sabha's term during emergencies
Ratification of International Treaties	N/A	Ratifies international treaties and agreements
Regional Representation	Represents the entire country	Ensures regional representation in the legislative process
Budget Approval	Approves the government's budget	Approves the government's budget

## How Does the Parliament Make Laws?

The Parliament of India is responsible for making, amending, and repealing laws that govern the country. The process of making laws involves several stages and both houses of Parliament, the Lok Sabha (House of the People) and the Rajya Sabha (Council of States). Here's an overview of how the Parliament makes laws:

### 1. Introduction of a Bill:

- The process begins with the introduction of a bill in either house of Parliament. A bill is a proposed law that can be introduced by a government minister (government bill) or by a member of Parliament (private member's bill).

### 2. First Reading:

- During the first reading of the bill, the bill's title and main objectives are presented. Members of Parliament receive copies of the bill, but there is no detailed discussion at this stage.

### 3. Second Reading:

- The bill undergoes a detailed examination during the second reading. Members of Parliament debate the bill's provisions, its merits, and its potential impact.
- Amendments to the bill can be proposed and discussed during this stage.

### 4. Committee Stage:

- In many cases, bills are referred to parliamentary committees for a thorough review. These committees, such as the Standing Committee, scrutinize the bill, consult experts, and make recommendations.
- The committee's report may include proposed amendments to the bill.

## 5. Report Stage:

- After the committee's review, the bill returns to the house for the report stage. Members further discuss the bill and the proposed amendments.
- Voting on the bill and any amendments takes place during this stage.

## 6. Third Reading:

- The bill is then presented for the third reading, where members have a final opportunity to debate and discuss it.
- After the third reading, a vote is held on whether to pass the bill in its current form.

## 7. Passage in One House:

- If the bill is approved by a majority vote in the house where it was introduced (Lok Sabha or Rajya Sabha), it moves to the other house for consideration.

## 8. Consideration in the Other House:

- The bill goes through a similar process in the other house. It undergoes readings, debates, committee reviews, and voting.
- If the other house approves the bill without amendments, it proceeds to the President for assent.

## 9. Concurrence or Amendments:

- If the other house suggests amendments to the bill, it returns to the originating house for consideration of those amendments.
- Both houses must agree on the final text of the bill.

### 10. Presidential Assent:

- Once both houses agree on the bill's content, it is sent to the President of India for assent. The President's assent is typically a formality, and once granted, the bill becomes law and is known as an Act of Parliament.

### 11. Publication:

- The Act is then published in the official Gazette of India and becomes part of the legal framework of the country.

This comprehensive process ensures that proposed laws undergo thorough examination, debate, and review by elected representatives and experts before becoming part of the legal system. It reflects the principles of democratic deliberation and checks and balances inherent in India's parliamentary democracy.

## Types of Bills

In the Indian parliamentary system, bills are proposed laws that undergo a legislative process to become acts of Parliament. There are various types of bills, each serving a specific purpose and subject to different procedures. Here are the main types of bills in India:

## 1. Government Bills:

- **Public Bills:** These are introduced by government ministers and pertain to public matters. They are the most common type of bills and include bills related to budget, taxation, and national policies.
- **Money Bills:** These exclusively deal with financial matters, including taxation and government expenditure. Money bills can only be introduced in the Lok Sabha and require the President's recommendation for introduction.

## 2. Private Members' Bills:

- These are bills introduced by members of Parliament who are not government ministers. Private members' bills allow MPs to propose legislation on various issues, and they are typically discussed on Fridays when private members' business is scheduled.

## 3. Ordinary Bills:

- Ordinary bills encompass a wide range of legislative proposals on various subjects, including social, economic, and administrative matters. They follow the regular legislative process and require approval from both houses of Parliament.

## 4. Constitution Amendment Bills:

- These bills are introduced to amend provisions of the Constitution of India. Constitutional amendments require a special majority in both

the Lok Sabha and the Rajya Sabha, as well as ratification by at least half of the state legislatures.

#### **5. Money Bills:**

- As mentioned earlier, money bills exclusively deal with financial matters and can only be introduced in the Lok Sabha. The Rajya Sabha can suggest amendments to money bills but cannot reject them. The Lok Sabha's decision prevails in the case of a disagreement.

#### **6. Financial Bills:**

- Financial bills are introduced in both houses and deal with specific financial matters, such as taxation or government expenditure. They are further categorized into:
  - Type I: These bills require the President's recommendation and deal with taxation.
  - Type II: These bills are not related to taxation but also require the President's recommendation.

#### **7. Special Category Bills:**

- These bills are introduced to address unique situations or specific categories of issues. For example, bills related to the creation or abolition of states and union territories fall under this category.

#### **8. Residuary Bills:**

- Residuary bills cover subjects that are not explicitly mentioned in the federal or concurrent lists of the Constitution. The central government has legislative authority over residuary subjects.

### 9. Private Bills:

- Private bills are introduced by individuals or organizations to address specific private interests, such as those related to properties, trusts, or institutions.

### 10. Joint Session Bills:

- In cases of disagreement between the Lok Sabha and the Rajya Sabha on ordinary bills, a joint sitting of both houses can be convened to resolve the deadlock. Bills passed in joint sessions are treated as ordinary bills.

These various types of bills allow for a structured and comprehensive legislative process, ensuring that different aspects of governance and society are addressed through the enactment of laws. The specific procedures and requirements for each type of bill help maintain the integrity of the legislative process in India's parliamentary democracy.

## How Does the Parliament Control the Executive?

In a parliamentary system of government like India, the executive branch is accountable to the legislature, and the Parliament plays a crucial role in controlling and overseeing the actions of the executive. Here's how the Parliament exercises control over the executive:

### 1. Question Hour and Interpellation:

- Members of Parliament (MPs) have the right to ask questions to ministers during the Question Hour. This allows MPs to seek clarifications, demand information, and hold the executive accountable for its actions and policies.
- Interpellation is a formal procedure where MPs can move resolutions to seek explanations from the government on specific issues.

### 2. Debates and Discussions:

- The Parliament regularly holds debates and discussions on various matters, including government policies, bills, and current issues. These sessions provide a platform for MPs to critique, question, and scrutinize the actions of the executive.
- The Lok Sabha and Rajya Sabha have the power to discuss issues of national importance through adjournment motions and calling attention motions.

### 3. Passage of Bills and Budget Approval:

- The Parliament must pass bills, including budget bills, for them to become law. The executive drafts bills, but they require the approval of both houses.
- Budget approval is a significant control mechanism, as it ensures that government funds are allocated and spent in line with the Parliament's consent.



#### 4. Committee System:

- Parliamentary committees, such as the Public Accounts Committee (PAC) and the Estimates Committee, play a vital role in scrutinizing the government's financial activities and performance.
- These committees review audit reports, examine budgetary allocations, and make recommendations, holding the executive accountable for financial management.

#### 5. No-Confidence Motions:

- The Parliament can pass a vote of no confidence against the government. If a majority of members express no confidence in the government, it may lead to the government's resignation or the dissolution of the Lok Sabha.

#### 6. Adjournment Motions and Censure Motions:

- MPs can move adjournment motions to discuss matters of urgent public importance. This provides a forum to criticize government actions.
- Censure motions can be moved to express disapproval of the government's actions or policies. If passed, it is a severe indictment of the executive.

#### 7. Supplementary Questions and Starred Questions:

- During Question Hour, MPs can ask supplementary questions based on the minister's response to the primary question. This allows for deeper scrutiny.
- Starred questions require oral answers in Parliament, enabling direct interaction between MPs and ministers.

#### 8. Public Accountability:

- Parliament serves as a platform to hold the executive accountable to the public. The debates and discussions are open to the media and, consequently, the public, ensuring transparency and public scrutiny.

#### 9. Oversight and Investigations:

- Parliament can establish special committees or commissions to investigate specific issues or allegations of wrongdoing by the executive.

Through these mechanisms, the Parliament in India exercises its constitutional responsibility to control, scrutinize, and oversee the actions of the executive, ensuring that it acts in the best interests of the nation and its citizens. This system of checks and balances is a cornerstone of India's democratic governance.

## Chitrabazar.com Instruments of Parliamentary Control

Parliamentary control over the executive branch is a fundamental aspect of a democratic system of governance. In India, several instruments are employed by the Parliament to ensure accountability and oversight of the executive. These

instruments serve as checks and balances to maintain transparency and uphold the principles of democracy.

**Here are some key instruments of parliamentary control:**

1. **Question Hour:** During this scheduled session in Parliament, members of both the Lok Sabha and Rajya Sabha can pose questions to government ministers. These questions seek information, clarifications, or explanations related to government policies, actions, and decisions. Question Hour is a vital tool for holding the executive accountable.
2. **Adjournment Motions:** Members of Parliament (MPs) can move adjournment motions to interrupt regular proceedings and discuss urgent issues of public importance. These motions enable MPs to criticize the government's actions, demand immediate attention, and seek accountability.
3. **Calling Attention Motions:** MPs can raise calling attention motions to draw the government's attention to specific matters of urgent public concern. These motions lead to brief discussions in Parliament and allow MPs to seek responses from relevant ministers.
4. **Debates and Discussions:** The Parliament regularly conducts debates and discussions on various topics, including government policies, legislative proposals, and current affairs. These sessions provide a platform for MPs to express their views, scrutinize government actions, and debate key issues.
5. **Committees:** Parliamentary committees, such as the Public Accounts Committee (PAC), the Estimates Committee, and various department-

related standing committees, play a crucial role in overseeing the government's functioning. These committees review government expenditure, audit reports, and administrative activities, holding the executive accountable.

6. **Budget Approval:** The passage of the annual budget is a significant instrument of control. Parliament must approve the government's budget, ensuring that public funds are allocated and spent in accordance with the legislature's consent.
7. **No-Confidence Motions:** If a substantial number of MPs express a lack of confidence in the government, a no-confidence motion can be moved in the Lok Sabha. If passed, it may lead to the government's resignation or the dissolution of the Lok Sabha.
8. **Censure Motions:** MPs can move censure motions to express disapproval of the government's actions, policies, or decisions. A passed censure motion is a strong rebuke of the executive.
9. **Supplementary Questions:** MPs can ask supplementary questions based on the ministers' responses to their primary questions during Question Hour. Supplementary questions allow for deeper scrutiny and clarification.
10. **Starred Questions:** Starred questions require ministers to provide oral answers in Parliament, facilitating direct interaction between MPs and the executive.

11. **Oversight and Investigations:** Parliament can establish special committees or commissions to investigate specific issues, allegations of wrongdoing, or administrative lapses by the executive.

12. **Public Accountability:** Parliament serves as a forum to hold the executive accountable to the public. Debates, discussions, and proceedings in Parliament are open to the media and, consequently, the public, ensuring transparency.

These instruments collectively empower Parliament to control and oversee the executive, ensuring that government actions align with the principles of democracy, the rule of law, and the welfare of the citizens. They reinforce the concept of checks and balances within the Indian democratic system.

## What Do the Committees of Parliament Do?

Parliamentary committees in India play a pivotal role in the functioning of the Parliament by scrutinizing and examining various aspects of governance, policy implementation, and administrative affairs. These committees are essential for ensuring transparency, accountability, and effective oversight of the executive branch. Here's an overview of what the committees of Parliament do:

1. **Examine Legislation:** Committees review proposed bills and draft legislation in detail. They assess the content, implications, and potential impact of bills before they are presented for debate and voting in the Parliament. The examination process allows for amendments and improvements to legislation.

2. **Financial Oversight:** Committees, such as the Public Accounts Committee (PAC) and the Estimates Committee, scrutinize government expenditure and financial matters. They review audit reports, government spending, and budget allocations to ensure accountability in financial management.
3. **Department-Related Standing Committees:** These committees are responsible for examining the functioning and performance of various government departments and ministries. Each committee is associated with specific departments and monitors their policies, budgets, and administrative actions.
4. **Investigate Issues:** Committees can investigate specific issues, allegations, or lapses in governance. They have the authority to summon witnesses, seek evidence, and conduct inquiries. For example, a committee may investigate a government program's effectiveness or a case of administrative misconduct.
5. **Recommendations:** Committees make recommendations based on their findings and evaluations. These recommendations can lead to policy changes, improvements in government functioning, or suggestions for legislative amendments.
6. **Reports to Parliament:** Committees submit reports to the Parliament detailing their findings, observations, and recommendations. These reports are crucial in informing Parliament members about the committee's work and its implications.

7. **Policy Analysis:** Committees analyze government policies and their impact on various sectors and sections of society. They assess whether policies are achieving their intended goals and suggest improvements if necessary.
8. **Public Accountability:** Committees provide a platform for public accountability. They ensure that government officials and departments are answerable to Parliament and, by extension, the citizens of India.
9. **Oversight of Executive:** Committees serve as a check on the executive branch of government. They monitor the implementation of policies and programs to ensure they are in line with legislative intent.
10. **Bipartisan Cooperation:** Committees often function in a bipartisan manner, with members from different political parties collaborating to achieve common goals. This fosters cooperation and consensus-building in the legislative process.
11. **Detailed Examination:** Committees can conduct in-depth examinations of specific issues, which may not be possible during regular parliamentary sessions. This thorough scrutiny leads to informed decision-making.
12. **Enhance Transparency:** By conducting hearings, seeking expert opinions, and engaging stakeholders, committees enhance transparency in government actions and decisions.

Overall, parliamentary committees in India serve as crucial mechanisms for thorough examination, oversight, and accountability within the democratic framework. They contribute significantly to the effective functioning of the Indian Parliament and the governance of the country.

# How Does the Parliament Regulate Itself?

Parliament, as the supreme legislative body in a democratic system, maintains its integrity and effectiveness by regulating its own proceedings and behavior. Self-regulation is a fundamental aspect of parliamentary democracy, ensuring that the institution functions smoothly, respects democratic norms, and upholds ethical standards.

Here's how the Parliament regulates itself:

1. **Rule-Making:** Parliament establishes its rules of procedure to govern its proceedings. These rules cover various aspects, such as debates, voting, question sessions, and committee operations. Rules are periodically reviewed and updated to adapt to changing circumstances.
2. **Code of Conduct:** Members of Parliament (MPs) adhere to a code of conduct that outlines their responsibilities, ethical standards, and behavior both inside and outside the Parliament. Violations of the code can lead to disciplinary actions.
3. **Ethics Committees:** Both the Lok Sabha and the Rajya Sabha have ethics committees responsible for examining complaints regarding unethical conduct by MPs. These committees investigate allegations of breach of conduct and recommend actions if necessary.
4. **Committees on Privileges:** Parliament has committees on privileges that address cases of contempt or breach of parliamentary privilege. They ensure that the dignity and authority of Parliament are upheld.



5. **Speaker's Authority:** The Speaker of the Lok Sabha and the Chairman of the Rajya Sabha have the authority to maintain order during sessions, enforce rules, and take disciplinary measures against disruptive behavior.
6. **Parliamentary Privilege:** Parliament enjoys certain privileges, such as freedom of speech, immunity from legal action for statements made within the Parliament, and control over its own proceedings. These privileges are safeguarded to maintain the independence and integrity of Parliament.
7. **Debates and Discussions:** Parliament regularly conducts debates and discussions on important issues, allowing MPs to express their views and concerns. These debates serve as a means of self-regulation by providing a platform for MPs to criticize government policies and raise concerns.
8. **No-Confidence Motions:** Parliament can pass a vote of no confidence against the government if it believes that the government's actions or policies are not in the best interests of the nation. This mechanism helps in self-regulation by allowing Parliament to assert its authority.
9. **Committee System:** Parliamentary committees, such as the Committee on Ethics and Privileges, play a role in regulating the behavior of MPs and ensuring ethical conduct.
10. **Public Accountability:** Parliament is accountable to the public. Transparency in parliamentary proceedings, media coverage, and public scrutiny act as checks on the behavior and decisions of MPs and the government.

11. **Continuous Review:** The Parliament continuously reviews its rules, procedures, and functioning to ensure that they remain relevant, effective, and aligned with democratic principles.

Self-regulation is vital for maintaining the credibility and effectiveness of the Parliament. It ensures that the institution operates in accordance with democratic values, upholds ethical standards, and serves as a robust platform for representing the interests of the people.

## Article 109 of the Indian Constitution

Article 109 of the Indian Constitution deals with the special procedure to be followed in the case of Money Bills in the Parliament. It outlines the process by which Money Bills are introduced, debated, and passed, highlighting the distinctive features and restrictions associated with such bills. Here is a brief overview of Article 109:

1. **Definition of Money Bills:** Article 109(1) defines a Money Bill as a bill that contains provisions solely related to matters concerning taxation, public expenditure, or loans and advances. These bills primarily deal with the financial aspects of the government.
2. **Introduction in the Lok Sabha:** Money Bills must be introduced in the Lok Sabha, the lower house of Parliament, by a minister. They cannot be introduced in the Rajya Sabha, the upper house.
3. **Recommendation of the President:** Before introducing a Money Bill in the Lok Sabha, the President of India is required to recommend it. The

President's recommendation is essential, and without it, a bill cannot be classified as a Money Bill.

4. **Passage in the Lok Sabha:** Once introduced, the Money Bill goes through the normal legislative process in the Lok Sabha. It is debated and voted upon, and if the Lok Sabha passes it, the bill is deemed to be passed.
5. **Transmission to the Rajya Sabha:** After passing the Lok Sabha, the Money Bill is sent to the Rajya Sabha for its consideration. However, the Rajya Sabha has limited powers regarding Money Bills.
6. **Recommendations by the Rajya Sabha:** The Rajya Sabha can make recommendations on the Money Bill, but it cannot amend or reject it. The recommendations are sent back to the Lok Sabha for consideration.
7. **Final Decision by the Lok Sabha:** The Lok Sabha has the final say on the Money Bill, including whether to accept or reject the Rajya Sabha's recommendations. The Lok Sabha's decision prevails.
8. **Approval by the President:** Once the Money Bill is passed by the Lok Sabha and any recommendations made by the Rajya Sabha are considered, it is sent to the President for his assent. The President's assent is a formality in the case of Money Bills.
9. **Certification by the Speaker:** The Speaker of the Lok Sabha certifies a bill as a Money Bill, and this certification is final. The Speaker's decision cannot be questioned.

Article 109 ensures that Money Bills, which deal with crucial financial matters, are handled with specific procedures and restrictions to safeguard the government's

financial authority while allowing for parliamentary scrutiny and oversight. It maintains the principle of financial accountability within the Indian democratic framework.

1. Alok thinks that a country needs an efficient government that looks after the welfare of the people. So, if we simply elected our Prime Minister and Ministers and left to them the task of government, we will not need a legislature. Do you agree? Give reasons for your answer.

Answer

Alok's perspective may oversimplify the role of a legislature. While an efficient government is essential, the legislature plays a crucial role in representing diverse viewpoints, scrutinizing policies, ensuring checks and balances, and holding the executive accountable. Elected representatives in the legislature bring diverse experiences and opinions, contributing to more comprehensive and balanced decision-making. A functioning legislature complements an efficient government by ensuring transparency, debate, and democratic oversight.

2. A class was debating the merits of a bicameral system. The following points were made during the discussion. Read the arguments and say if you agree or disagree with each of them, giving reasons.

- Neha said that bicameral legislature does not serve any purpose.
- Shama argued that experts should be nominated in the second chamber.

➤ **Tridib said that if a country is not federation, then there is no need to have a second chamber.**

**Answer**

- a. **Disagree with Neha:** A bicameral legislature serves several purposes, including providing a platform for diverse representation, accommodating regional interests, and enabling in-depth scrutiny of legislation.
- b. **Agree with Shama:** Nominating experts in the second chamber can bring specialized knowledge and perspectives, enhancing the quality of legislative deliberations.
- c. **Disagree with Tridib:** Even in unitary states, a bicameral system can enhance the legislative process by providing an additional layer of review and promoting thorough discussion.

**3. Why can the Lok Sabha control the executive more effectively than the Rajya Sabha can?**

**Answer**

The Lok Sabha can control the executive more effectively than the Rajya Sabha because it directly represents the will of the people. The Lok Sabha members are elected by the public, and the majority party in the Lok Sabha usually forms the government. As a result, the government is directly accountable to the Lok Sabha, and its survival depends on maintaining the support of the Lok Sabha members. This accountability ensures that the Lok Sabha has greater control over the executive.

**4. Rather than effective control of the executive, the Lok Sabha is a platform for the expression of popular sentiments and people's expectations. Do you agree?**

**Give reasons.**

Disagree with the statement. While the Lok Sabha does serve as a platform for expressing popular sentiments and expectations, it also plays a crucial role in effective control of the executive. The Lok Sabha debates, scrutinizes, and passes legislation, approves budgets, questions the government's actions, and holds it accountable. It is not merely a forum for expression but a central institution for lawmaking and executive oversight in a parliamentary democracy.

**5. The following are some proposals for making the Parliament more effective. State if you agree or disagree with each of them and give your reasons. Explain what would be the effect if these suggestions were accepted.**

**Parliament should work for longer period.**

- a. Agree: Longer parliamentary sessions provide more time for debate, discussion, and scrutiny of bills and policies.

**Attendance should be made compulsory for members of Parliament.**

- b. Agree: Compulsory attendance ensures that legislators fulfill their responsibilities, participate in debates, and represent their constituents effectively.

**Speakers should be empowered to penalise members for interrupting the proceedings of the House.**

c. Agree: Empowering Speakers to penalize members for disrupting proceedings promotes decorum and productive debates. It discourages disruptions that hinder legislative work.

6. Arif wanted to know that if ministers propose most of the important bills and if the majority party often gets the government bills passed, what is the role of the Parliament in the law making process? What answer would you give him?

The role of the Parliament in the lawmaking process is multifaceted. While ministers propose important bills, the Parliament plays a vital role in scrutinizing, amending, and passing these bills. Parliamentarians represent diverse constituencies and bring various perspectives to the legislative process. Their debates, discussions, and votes ensure that laws reflect the broader interests of society and undergo rigorous examination.

7. Which of the following statements you agree with the most? Give your reasons.

- Legislators must be free to join any party they want.
- Anti-defection law has contributed to the domination of the party leaders over the legislators.
- Defection is always for selfish purposes and therefore, a legislator who wants to join another party must be disqualified from being a minister for the next two years.

The choice depends on one's perspective:

- If one values legislators' freedom to choose their political affiliations, the first statement is preferred.
- If one believes anti-defection laws curb opportunistic defections and promote stable governance, the second statement is favored.
- If one views defection as primarily self-serving, the third statement supports stricter consequences for switching parties.

8. Dolly and Sudha are debating about the efficiency and effectiveness of the Parliament in recent times. Dolly believed that the decline of Indian Parliament is evident in the less time spent on debate and discussion and increase in the disturbances of the functioning of the House and walkouts etc. Sudha contends that the fall of different governments on the floor of Lok Sabha is a proof of its vibrancy.

What other arguments can you provide to support or oppose the positions of Dolly and Sudha?

Additional arguments:

- Dolly's position highlights the need for greater decorum and constructive debates to make the Parliament more efficient.
- Sudha's perspective underscores the importance of Parliament as a dynamic institution that can hold governments accountable.

9. Arrange the different stages of passing of a bill into a law in their correct sequence:



## Answer

Correct sequence for passing a bill into law:

The concerned minister proposes the need for a bill.

Legislative department in the Ministry of Law drafts a bill.

A resolution is passed to admit the bill for discussion.

The bill is referred to the subcommittee; the committee makes changes and sends it back to the house for discussion.

The bill is read clause by clause, and each is voted upon.

The bill is referred to the other House and is passed.

The bill is passed in the house in which it was proposed.

The bill is referred to the President of India; if not signed, it returns to Parliament for reconsideration.

### 10. How has the system of parliamentary committee affected the overseeing and appraisal of legislation by the Parliament?

The system of parliamentary committees has significantly enhanced the oversight and appraisal of legislation by Parliament. These committees provide a platform for in-depth examination, expert input, and detailed scrutiny of bills and policies.

They allow for comprehensive discussions, amendments, and recommendations, ensuring that proposed legislation is well-informed and thoroughly evaluated.

Parliamentary committees contribute to more robust and effective legislative processes, promoting accountability, transparency, and better lawmaking.



**FOR MOST POPULAR PDF GO TO WEBSITE**

<https://chitrabazar.com/pdf-drive-room/>

**FOR RAS PDF GO TO WEBSITE**

**CLICK HERE**

*chitrabazar.com*