*Assignment on Constitution of India:*

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Parliament: Composition, Powers and Functions of Lok Sabha and Rajya Sabha. A comparative study

Parliament is the supreme legislative body of India. The Indian Parliament comprises of the President and the two Houses - Rajya Sabha (Council of States) and Lok Sabha (House of the People). The President has the power to summon and prorogue either House of Parliament or to dissolve Lok Sabha. The Constitution of India came into force on January 26, 1950. The first general elections under the new Constitution were held during the year 1951-52 and the first elected Parliament came into existence in April, 1952.

Lok Sabha:

The House of the People is popularly known as the Lok Sabha. It is the lower and powerful house of the Union Parliament. It represents the people of India. It is directly elected by all the people. It is fully democratic, representative and national House.

**Composition:**

The present membership of the Lok Sabha is 545, out of these 523 are elected by the people of all Indian States and 20 by the people of the Union Territories. The President nominates two members of the Anglo-Indian Community to the Lok Sabha. The maximum membership of the Lok Sabha stands fixed at 552 till the year 2010. Odisha has 21 seats in Lok Sabha, out of which some seats stand reserved for SCs and STs.

**Powers and Functions of the Lok Sabha:**

**1. Legislative Powers:**

An ordinary bill can become law only after it has been passed by both the Houses of Parliament. It can be introduced either in the Lok Sabha or the Rajya Sabha. When a bill is introduced and passed by the Lok Sabha, it is sent to the Rajya Sabha. After it has secured the approval of Rajya Sabha, it goes to the President for his signature.

**2. Executive Powers:**

The Lok Sabha can remove the ministry from office by passing a vote of no- confidence against it. Thus, the life and death of the Ministry depends upon the Lok Sabha. The Lok Sabha maintains a continuous control over the Council of Ministers.

**3. Financial Powers:**

The Lok Sabha has vast financial powers. A money bill can be introduced only in the Lok Sabha. After having been passed by it, the money bill goes to the Rajya Sabha. Such a bill can be delayed by the Rajya Sabha for a maximum period of 14 days.

If the Rajya Sabha fails to pass a money bill and 14 days elapse from the date of the submission of the bill to it, the money bill is deemed to have been passed by both the houses of Parliament. It is sent to the President for his signature.

**4. Judicial Powers:**

The Lok Sabha also performs some judicial functions. The impeachment proceedings can be taken up against the President either in the Lok Sabha or the Rajya Sabha. The President can be removed from office only when an impeachment resolution is adopted by each of the two Houses with a 2/3 majority of its members.

**5. Electoral Functions:**

The Lok Sabha also performs some electoral functions. The elected members of the Lok Sabha take part in the election of the President. Members of the Lok Sabha and the Rajya Sabha together elect the Vice-President of India. The members of the Lok Sabha also elect a Speaker and a Deputy Speaker from amongst themselves.:

Rajya Sabha:

Rajya Sabha is the second chamber of the parliament and represents the states and union territories of the nation. It is empowered to protect the interests of the states and union territories if there is an interference by the centre in their work.

**Composition of Rajya Sabha:**According to the Constitution, the maximum strength of theRajya Sabha has been put at 250 members. Out of 250 members, 12 members are nominatedby the President. These members shall consists of persons having special knowledge orpractical experience in literature, science, art and social service. The remaining 238 membersrepresent the State and the Union Territories. The representatives of the states are elected bythe elected members of their Legislative Assembly in accordance with the system ofproportional representation by means of single transferable.

**Powers and Functions of the Rajya Sabha:**

**1. Legislative Powers:**

In the sphere of ordinary law-making the Rajya Sabha enjoys equal powers with the Lok Sabha. An ordinary bill can be introduced in the Rajya Sabha and it cannot become a law unless passed by it. In case of a deadlock between the two Houses of Parliament over an ordinary bill and if it remains unresolved for six months, the President can convene a joint sitting of the two Houses for resolving the deadlock.

This joint sitting is presided over by the Speaker of the Lok Sabha. If the bill is passed in the joint sitting, it is sent to the President for his signatures. But if the deadlock is not resolved, the bill is deemed to have been killed.

**2. Financial Powers:**

In the financial sphere, the Rajya Sabha is a weak House. However, if within a period of 14 days, the Rajya Sabha fails to pass a money bill, the bill is taken to have been passed by the Parliament irrespective of the fact whether the Rajya Sabha has passed it or not.

**3. Executive Powers:**

Although the Rajya Sabha cannot remove the Ministry from its office yet the members of the Rajya Sabha can exercise some control over the ministers by criticising their policies, by asking questions and supplementary questions, and by moving adjournment motions. Some of the ministers are also taken from the Rajya Sabha. Now the Prime Minister can also be from Rajya Sabha if the majority party in the Lok Sabha may elect/adopt him as its leader.

**4. Amendment Powers:**

Rajya Sabha and Lok Sabha can together amend the constitution by passing an amendment bill with 2/3 majority in each House.

**5. Electoral Powers:**

The Rajya Sabha has some electoral powers also. The elected members of the Rajya Sabha along with the elected members of the Lok Sabha and all the State Legislative Assemblies together elect the President of India. The members of the Rajya Sabha Lok Sabha together elect the Vice- President of India.

**6. Judicial Powers:**

(a) The Rajya Sabha acting along with the Lok Sabha can impeach the President on charges of violation of the Constitution.

(b) The Rajya Sabha can also pass a special address for causing the removal of a judge of the Supreme Court or of any High Court.

(c) The charges against the Vice-President can be leveled only in the Rajya Sabha.

(d) The Rajya Sabha can pass a resolution for the removal of some high officers like the Attorney General of India, Comptroller and Auditor General and Chief Election Commissioner.

Conclusion:

The two Houses of Parliament enjoy co-equal power and status in all spheres except in financial matters and in regard to the responsibility of the Council of Ministers, which are exclusively in the domain of Lok Sabha.However, the Rajya Sabha exercises three special powers jointly with the Lok Sabha. These powers relate to:the election and impeachment of the President of India, amendment of the Constitution, andapproval of the Proclamation of Emergency issued by the President.