

FUNCTIONS OF PARLIAMENT

MODULE 4

FUNCTIONS

- Functions of Parliament
- The functions of the Parliament are mentioned in the Indian Constitution in Chapter II of Part V. The functions of the Parliament can be classified under several heads. They are discussed below:
- **Legislative Functions**
- The Parliament legislates on all matters mentioned in the Union List and the Concurrent List.
- In the case of the Concurrent List, where the [state legislatures](#) and the Parliament have joint jurisdiction, the union law will prevail over the states unless the state law had received the earlier presidential assent. However, the Parliament can any time, enact a law adding to, amending, varying or repealing a law made by a state legislature.
- The Parliament can also pass laws on items in the **State List** under the following circumstances:
 - If Emergency is in operation, or any state is placed under [President's Rule \(Article 356\)](#), the Parliament can enact laws on items in the State List as well.
 - As per **Article 249**, the Parliament can make laws on items in the State List if the Rajya Sabha passes a resolution by $\frac{2}{3}$ majority of its members present and voting, that it is necessary for the Parliament to make laws on any item enumerated in the State List, in the national interest.
 - As per **Article 253**, it can pass laws on the State List items if it is required for the implementation of international agreements or treaties with foreign powers.
 - According to **Article 252**, if the legislatures of two or more states pass a resolution to the effect that it is desirable to have a parliamentary law on any item listed in the State List, the Parliament can make laws for those states.

EXECUTIVE

- **Executive Functions (Control over the Executive)**
- In the parliamentary form of government, the executive is responsible to the legislature. Hence, the Parliament exercises control over the executive by several measures.
- By a **vote of no-confidence**, the Parliament can remove the Cabinet (executive) out of power. It can reject a budget proposal or any other bill brought by the Cabinet. A motion of no-confidence is passed to remove a government from office.
- The MPs (Members of Parliament) can ask questions to the ministers on their omissions and commissions. Any lapses on the part of the government can be exposed in the Parliament.
- **Adjournment Motion:** Allowed only in the Lok Sabha, the chief objective of the adjournment motion is to draw the attention of the Parliament to any recent issue of urgent public interest. It is considered an extraordinary tool in Parliament as the normal business is affected.
- The Parliament appoints a **Committee on Ministerial Assurances** that sees whether the promises made by the ministers to the Parliament are fulfilled or not.
- **Censure Motion:** A censure motion is moved by the opposition party members in the House to strongly disapprove any policy of the government. It can be moved only in the Lok Sabha. Immediately after a censure motion is passed, the government has to seek the confidence of the House. Unlike in the case of the no-confidence motion, the Council of Ministers need not resign if the censure motion is passed.

AMENDING POWERS

- **Amending Powers**
- The Parliament has the power to amend the Constitution of India. Both Houses of the Parliament have equal powers as far as amending the Constitution is concerned. Amendments will have to be passed in both the Lok Sabha and the Rajya Sabha for them to be effective.
- Read about the important amendments in the Indian Constitution [here](#).
- **Electoral Functions**
- The Parliament takes part in the election of the President and the [Vice President](#). The electoral college that elects the President comprises of, among others, the elected members of both Houses. The President can be removed by a resolution passed by the Rajya Sabha agreed to by the Lok Sabha.
- **Judicial Functions**
- In case of breach of privilege by members of the House, the Parliament has punitive powers to punish them. A breach of privilege is when there is an infringement of any of the privileges enjoyed by the MPs.
- A privilege motion is moved by a member when he feels that a minister or any member has committed a breach of privilege of the House or one or more of its members by withholding facts of a case or by giving wrong or distorted facts. Read more on [privilege motion](#).
- In the parliamentary system, legislative privileges are immune to judicial control.
- The power of the Parliament to punish its members is also generally not subject to judicial review.
- Other judicial functions of the Parliament include the power to impeach the President, the Vice President, the judges of the [Supreme Court](#), High Courts, Auditor-General, etc.

OTHER POWERS

- **Other powers/functions of the Parliament**
- Issues of national and international importance are discussed in the Parliament. The opposition plays an important role in this regard and ensures that the country is aware of alternate viewpoints.
- A Parliament is sometimes talked of as a 'nation in miniature'.
- In a democracy, the Parliament plays the vital function of deliberating matters of importance before laws or resolutions are passed.
- The Parliament has the power to alter, decrease or increase the boundaries of states.
- The Parliament also functions as an organ of information. The ministers are bound to provide information in the Houses when demanded by the members.

CONCLUSION

- India has a parliamentary system of government. The Union Parliament is the supreme legislative body in the country. In this article, you can read all about the functions of the Parliament for the polity and governance segments.
- The Indian Parliament is a bicameral legislature consisting of two houses – the [Lok Sabha](#) and the Rajya Sabha. The members of the Lok Sabha (House of the People) are directly elected by the people through the voting process. The members of the [Rajya Sabha](#) (Council of States) are elected by the members of the states' legislative assemblies. The Parliament consists of the two Houses and the [President](#) of India.