

## 2. The Indian Parliament



**Parliament House, New Delhi**

We have studied that the parliament plays an important role in parliamentary system of government. In this chapter, we will discuss the Parliament of India.

The Constitution of India has created the Parliament of India. The Legislature at the national level, that is the level of the central government, is called the Parliament. It consists of the President and the two Houses of Parliament - Lok Sabha and Rajya Sabha. Though President is an inseparable part of the Parliament, he/she cannot participate in the discussions in either of the houses of the Parliament.



### Can you find out?

The constituent States in India get seats on basis of their population. For the purpose of elections, the State is divided into territorial constituencies. The population of these territorial constituencies is approximately equal. Use the Internet to find out the number of seats each constituent State has in the Lok Sabha. For example,

Maharashtra : 48 seats

Gujarat :

Madhya Pradesh :

Goa :

The two houses of the Parliament are called the Lok Sabha and the Rajya Sabha.

**Lok Sabha :** The Lok Sabha is the lower and the first house of the Parliament of India. Lok Sabha is the House of Representatives directly elected by the people. Hence, the Lok Sabha is called the 'First' house. The members of Lok

Sabha are elected directly by people from the 'territorial constituencies'. The tenure of Lok Sabha is five years. The elections take place after every five years. These elections are known as General Elections. However, there are examples when the Lok Sabha was dissolved before the completion of five years. Elections held in such a case are called mid-term elections.

Lok Sabha is the representative body of the citizen of the country. As per the constitution there can be a maximum of 552 members in the Lok Sabha. To ensure representation to all sections of the society, some seats are reserved for members belonging to Scheduled Caste and Scheduled Tribes. In case there are no representatives from the Anglo-Indian community, the President can appoint two members from this community to the Lok Sabha.

**Rajya Sabha :** The upper and the second house of Parliament is the Rajya Sabha. The members of Rajya Sabha are indirectly elected. The Rajya Sabha gives representation to 28 states and 9 Union territories in India. Thus, members of Rajya Sabha work as representatives of the constituent states.



### Do it.

- Mary** : Can I contest Lok Sabha elections after I pass my tenth standard?
- Radhika** : No! You can vote after you attain 18 years of age, but you cannot contest elections!
- Ranveer** : Don't you know that for contesting Lok Sabha elections one needs to complete 25 years of age?
- Shabana** : What if a person from neighbouring country decides to contest Lok Sabha election?
- Muskaan** : How is it possible? Is that person an Indian citizen?
- Pranav** : If I want to contest elections from Kerala, is that possible?
- Radhika** : Yes! Because our teacher said that the Lok Sabha election can be contested from any constituency of any state.
- Mrunal** : I understood conditions regarding the age and nationality. But who can be considered as non-qualified for contesting elections?
- Mary** : Like the criteria for qualification, there are conditions for disqualifications as well. Let us understand it with the help of our teachers.

The total membership of Rajya Sabha is 250 members. Amongst them, 238 members are elected from the constituent states and Union Territories. All the constituent states do not get equal representation in the Rajya Sabha. It is proportionate to the total population of each of the state. Remaining 12 members are appointed by the President. These members are usually experienced and distinguished personalities from the fields of literature, arts, science, sports and social work. The members of Rajya Sabha are elected through the system of proportional representation.

Rajya Sabha is never dissolved completely hence it is called a permanent house. 1/3<sup>rd</sup> members of total members of Rajya Sabha who have completed their tenure of six years retire after every two years and equal number of new members get elected. Because the limited members of Rajya Sabha retire step by step, Rajya Sabha can function continuously. Any person contesting for the elections of Rajya Sabha must be an Indian citizen and he must have completed 30 years of age.

Members of Lok Sabha and Rajya Sabha are known as Member of Parliament (MPs). MPs try to resolve the queries and

complaints of their constituencies by raising questions in the Parliament. Government allocates them funds to carry out development work in their respective constituencies.

**Functions of Parliament :** After understanding the basics of Lok Sabha and Rajya Sabha, we will now review their functions.

**Formulation of laws :** In order to achieve welfare of the people and the objectives of the Constitution, the Parliament has to formulate new laws. Also, outdated laws are repealed, necessary changes are made in some laws. The process of the formulation of laws has been described in the constitution. In accordance to the procedures, the Parliament fulfills this primary and important responsibility.

**Control over Council of Ministers:** The Prime Minister and the Council of Ministers are drawn from the Parliament



### Can you tell?

Certain laws which become out-of-date (obsolete) are abolished. Can you give examples of such obsolete laws? For example, abolition of Privy purses.

and Parliament exercises control over them. There are multiple ways through which this control can be exercised. It is the responsibility of the Parliament to see that the Council of Ministers does not disregard the Parliament and functions under its supervision.

### **Amendments to the Constitution :**

The Parliament decides whether to make any amendment to the Indian Constitution. The constitution amendment bill is considered to be an important bill. The Parliament discusses why the amendment is required and decides whether to accept it or not. The Constitution mentions various ways of amending the Constitution. They are as follows- (i) Few provisions in the Indian Constitution are amended by simple majority of the Parliament (ii) Some provisions require special majority (2/3<sup>rd</sup>) of the Parliament. (iii) Few other provisions are amended by special majority of the Parliament plus consent from more than half of the constituent states.

**Speaker of Lok Sabha :** In the very first meeting after the elections of Lok Sabha, the members of Lok Sabha elect a 'Speaker' and 'Deputy Speaker' from

#### **Understand it.**

Both Houses, the Lok Sabha as well as the Rajya Sabha have same set of rights. But there are certain rights that are enjoyed by the Lok Sabha and are not available to the Rajya Sabha. For example, Bills related to taxes are related to finance. Bills related to finance are considered as 'Money Bills' and such bills are introduced and passed in the Lok Sabha. Rajya Sabha has limited powers with respect to money bills.

The Rajya Sabha has certain rights which are not available to the Lok Sabha. For example, If Rajya Sabha feels that as a matter of national interest, the Parliament should make a law on the subject in the State List it can pass a resolution to that effect.

amongst themselves. Lok Sabha functions under the guidance and control of the speaker.

Lok Sabha represents the citizen and the Speaker represents the Lok Sabha. After getting elected as Speaker, he/she has to conduct the business of the House in an unbiased manner. Lok Sabha members have some rights and privileges as the representatives of the people. These are taken care of by the Speaker. Apart from this, the Speaker has to maintain the decorum and dignity of the house as well as interpret the rules of daily functioning of the house and work accordingly.

### **The Chairman of Rajya Sabha :**

The Chairman exercises a control over the functioning of Rajya Sabha. The Vice President of India is the ex-officio Chairman of Rajya Sabha. The functions of Rajya Sabha Chairman also include maintaining the discipline in the house, facilitating discussions, giving members a chance to speak etc.

### **How does the Parliament make laws?**

In our country, the parliament is empowered to make laws. To formulate them, a certain system has been adopted. This system is known as the law-making process. A rough draft of the law is prepared initially. This draft or outline is known as draft proposal of the law or Bill of law.

There are two types of bills that are primarily introduced in House of the Parliament. (1) Money Bill (2) Ordinary Bill.

In order to be converted into an Act (Law), the Bill undergoes following process.

**First reading :** The minister of the concerned department/ministry or member of the parliament presents the bill and briefly explains its nature while presenting it. This is called as 'first reading'.

**Second reading :** There are two stages of second reading. In the first stage, the objectives of the proposed Bill are discussed and members in the house express their opinions on it. The supporters of the bill give favourable opinions while the opponents discuss the defects and faults in the bill. After the discussion within the house, as per the requirement, the bill is sent to a committee of the House. The committee report consisting of instructions and recommendations is sent to the House in order to make the bill flawless.

Now, the second phase of the second reading begins. In this phase, the bill is discussed clause by clause. Members can suggest changes. After this, voting is taken in the house.

**Third Reading :** The bill is discussed briefly again during the third reading. Voting is taken for approving the Bill. If the bill gets an assent by the required

majority, then the bill is considered as passed by the House.

The bill undergoes the same procedure even in the other house. After getting an approval by both the houses, the bill is further sent for assent by the President.

If there occurs a difference of opinion between Lok Sabha and Rajya Sabha over a specific bill, the future of this bill is decided in a joint meeting of both the houses.

After the final assent and signature of the President, the bill is converted into the law and the law is made.

#### Know this too!

- Every year in the month of February, the Finance Minister presents the national Budget to the Lok Sabha.
- The State Legislatures also follow the same procedure of law making as in the Parliament. The Bill passed by the State Legislature can become a Law only after it receives the assent of the Governor.

### Exercise

#### 1. Complete the following sentences by choosing the correct option.

- (1) Candidates to the Lok Sabha are elected through ..... .
  - (a) territorial constituencies
  - (b) religious constituencies.
  - (c) local bodies
  - (d) proportional Representation System
- (2) India's ..... is the ex-officio Chairman of the Rajya Sabha.
  - (a) President
  - (b) Vice-President
  - (c) Prime Minister
  - (d) Chief Justice

#### 2. Find and write.

- (1) Members of Lok Sabha and Rajya Sabha are known as .....
- (2) The responsibility of making laws is with .....

#### 3. Explain following statements with reasons.

- (1) Rajya Sabha is a permanent House.

- (2) Lok Sabha is known as the first House.

#### 4. Answer the following in 25 to 30 words.

- (1) How are members of the Lok Sabha elected?
- (2) Explain the functions of the Speaker of Lok Sabha.

#### 5. Explain the steps involved in the lawmaking process.

#### Project

The President nominates 12 members to the Rajya Sabha. Collect information on what are the criteria for their selection.

