



— PARLIAMENT OF INDIA —

BACKGROUND GUIDE

HISTORIC LOK SABHA

Agenda:

*Deliberation on the provisions of
the proposed INDO-US Civil
Nuclear Agreement - 2008*

Letter from the Executive Board

न सा सभा यत्र न सन्ति वृद्धाः वृद्धाः न ते ये न वदन्ति धर्मम् ।

धर्मो न सो यत्र न चास्ति सत्यं, सत्यं न तद् यच्छलनानुविद्धम् ॥

-An assembly does not exist if wise persons are not in it, but one cannot be considered 'wise' unless he promotes righteousness, and there can be no 'righteousness' unless it accords with 'truth'. And 'truth' does not exist where 'deceit' is present

Greetings Delegates

It gives me immense pleasure to welcome you to the second edition of Jaypee Youth Parliament and especially to the Lok Sabha. The above shloka is taken from Mahabharata and is inscribed in the parliament- I sincerely hope that you all will stand true to this during the 2 day deliberations.

The Indian Parliament, for long has been the temple of the democracy- it is not supreme like the British Parliament- but merely a realization of the constitution and therefore of the voice of the people. This is not like a UN committee and therefore will not function like one, certain liberties regarding procedures can be taken but NEVER with parliamentary courtesy.

The agenda in front of us is an extremely interesting one as it has been a major divisive issue in this country. The impact of this could last decades and through generations. A written document is to be presented but the major task ahead is of creating consensus and therefore the concentration should be on the debate and not the written work. The freeze date for the committee shall stand at **July 22, 2008**.

This Guide is by no means the end of research, however neither am I looking for discussions based entirely on extensive reading. I appreciate if there's an argument in your presentation that you substantiate with facts that you read. That makes for an excellent MUN performance.

Now proceed to read the guide, identify your areas that need attention, pick up substantiating figures, facts and concepts, check for legal applicability and viability and Voila!! 😊

Feel free to contact me in case of any doubt

Your Humble Servant

Animesh Mohan

Indo-US Civil Nuclear Agreement

Background of Nuclear Power in India:

As early as 1901, the Geological Survey of India (GSI) had recognised India as potentially having significant deposits of radioactive ores, including pitchblende, uranium and thorium. In the ensuing 50 years, however, little to no effort was made to exploit those resources.

By 1939, Meghnad Saha, the Palit Professor of Physics at the University of Calcutta, had recognised the significance of the discovery of nuclear fission, and had begun to conduct various experiments in his laboratory related to nuclear physics. In 1940, he incorporated nuclear physics into the university's post-graduate curriculum. By 1939, Meghnad Saha, the Palit Professor of Physics at the University of Calcutta, had recognised the significance of the discovery of nuclear fission, and had begun to conduct various experiments in his laboratory related to nuclear physics. In 1940, he incorporated nuclear physics into the university's post-graduate curriculum.

In 1944, Homi J. Bhabha, a distinguished nuclear physicist who had established a research school at the Indian Institute of Science, Bangalore, wrote a letter to his distant cousin J. R. D. Tata, the chairman of the Tata Group. He requested funds to establish a research institute of fundamental physics, "with special reference to cosmic rays and nuclear physics." The Tata Institute of Fundamental Research (TIFR) was inaugurated in Mumbai the following year.

On 23 March 1948, Prime Minister Jawaharlal Nehru introduced the Atomic Energy Bill in the Indian Parliament and it was subsequently passed as the Indian Atomic Energy Act. Modelled on the British Atomic Energy Act 1946, the Act granted sweeping powers to the central government over nuclear science and research, including surveying for atomic minerals, the development of such mineral resources on an industrial scale, conducting research regarding the scientific and technical problems connected with developing atomic energy for peaceful purposes, the training and education of the necessary personnel and the fostering of fundamental research in the nuclear sciences in Indian laboratories, institutes and universities.

With effect from 1 June 1948, the Advisory Board for Research in Atomic Energy, together with its parent organisation the CSIR, was folded into the new Department of Scientific Research and placed directly under the Prime Minister. On 3 August 1948, the Atomic Energy Commission of India (AEC) was established and made separate from the Department of Scientific Research, with Bhabha as its first chairman.

At a meeting of the Atomic Energy Commission on 15 March 1955, the decision was made to construct a small nuclear reactor at Trombay. The reactor would be used for training personnel for the operation of future reactors and for research, including experiments in nuclear physics, studying the effects of irradiation and the production of isotopes for medical, agricultural and industrial research. In October 1955, an

agreement was signed by the United Kingdom Atomic Energy Authority and the Indian Department of Atomic Energy, under which Britain would supply uranium fuel elements for a pool-type reactor to be designed by India. The agreement further ensured the "close cooperation and mutual assistance between the Department and the Authority in the promotion and development of the peaceful uses of atomic energy," and provided for future design and collaboration in the construction of a high flux reactor at a later date. Named *Apsara*, the reactor was housed in a 100 x 50 x 70 concrete building. India's and Asia's first nuclear reactor, *Apsara* reached criticality at 3:45 p.m on 4 August 1956 and was inaugurated by Prime Minister Nehru on 20 January 1957.

In April 1955, the Canadian government under Prime Minister Louis St. Laurent offered to assist in building an NRX-type reactor for India under the Colombo Plan, of which both India and Canada were then members. Prime Minister St. Laurent expressed hopes the reactor would serve India well in the development of peaceful atomic research and development. On behalf of the Indian government, Nehru formally accepted the offer that September, stating the reactor would be made available to any accredited foreign scientists, including those from other Colombo Plan member states.

By February 1960, deliberations had begun to build India's first nuclear power stations; it was decided the first power plant would be erected in Western India, with locations in Rajasthan, near Delhi and near Madras noted for future electricity-generating reactors. On 11 October 1960, the Indian government issued a global tender for India's first nuclear power station near Tarapur, Maharashtra and consisting of two reactors, each generating around 150 MW of electricity and to be commissioned in 1965.

Smiling Buddha and Subsequent Nuclear Isolation:

India continued to harbour ambivalent feelings about nuclear weapons, and accorded low priority to their production until the Indo-Pakistani War of 1971. In December 1971, Richard Nixon sent a carrier battle group led by the USS *Enterprise* (CVN-65) into the Bay of Bengal in an attempt to intimidate India. The Soviet Union responded by sending a submarine armed with nuclear missiles from Vladivostok to trail the US task force. The Soviet response demonstrated the deterrent value and significance of nuclear weapons and ballistic missile submarines to Indira Gandhi. India gained the military and political initiative over Pakistan after acceding to the treaty that divided Pakistan into two different political entities.

On 7 September 1972, near the peak of her post-war popularity, Indira Gandhi authorised the Bhabha Atomic Research Centre (BARC) to manufacture a nuclear device and prepare it for a test. Although the Indian Army was not fully involved in the nuclear testing, the army's highest command was kept fully informed of the test preparations. The preparations were carried out under the watchful eyes of the Indian political leadership, with civilian scientists assisting the Indian Army.

Responding to Smiling Buddha, the Nuclear Suppliers Group severely affected the India's nuclear program. The world's major nuclear powers imposed technological embargo on India and Pakistan, which was technologically racing to meet with India's challenge. The nuclear program struggled for years to gain credibility and its progress

crippled by the lack of indigenous resources and dependent on imported technology and technical assistance. At IAEA, Prime Minister Indira Gandhi declared that India's nuclear program was not militarising despite authorising preliminary work on the hydrogen bomb design.

As an aftermath of the state emergency in 1975 that resulted in the collapse of the Prime Minister Indira Gandhi's government, the nuclear program was left with a vacuum of political leadership and even basic management. In 1980, the general elections marked the return of Indira Gandhi and the nuclear program began to gain momentum in 1981. Requests for additional nuclear tests were continued to be denied by the government when Prime Minister Indira Gandhi saw Pakistan began exercising the *brinkmanship*, though the nuclear program continued to advance. Initiation towards hydrogen bomb began as well as the launch of the missile programme began under Late president Dr. Abdul Kalam, who was then an aerospace engineer.

On 11 May 1998, Operation Shakti (Pokhran-II) was initiated with the detonation of one fusion and two fission bombs. On 13 May 1998, two additional fission devices were detonated, and the Indian government led by Prime Minister Atal Bihari Vajpayee shortly convened a press conference to declare India a full-fledged nuclear state.

Prime Minister's Tour of United States 2005 and groundwork for the deal:

The framework for this agreement was a July 18, 2005, joint statement by then Indian Prime Minister Manmohan Singh and then U.S. President George W. Bush, under which India agreed to separate its civil and military nuclear facilities and to place all its civil nuclear facilities under International Atomic Energy Agency (IAEA) safeguards and, in exchange, the United States agreed to work toward *full* civil nuclear cooperation with India.

This U.S.-India deal took more than three years to come to fruition as it had to go through several complex stages, including amendment of U.S. domestic law, especially the Atomic Energy Act of 1954, a civil-military nuclear *Separation Plan* in India, an India-IAEA safeguards (inspections) agreement and the grant of an exemption for India by the Nuclear Suppliers Group. In its final shape, the deal places under permanent safeguards those nuclear facilities that India has identified as "civil" and permits broad civil nuclear cooperation, while excluding the transfer of "sensitive" equipment and technologies, including civil enrichment and reprocessing items even under IAEA safeguards.

Hyde Act:

The *Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006*, also known as the *Hyde Act*, is the U.S. domestic law that modifies the requirements of Section 123 of the U.S. Atomic Energy Act to permit nuclear cooperation with India and in particular to negotiate a 123 Agreement to operationalize the 2005 Joint Statement. As a domestic U.S. law, the Hyde Act is binding on the United States. The Hyde Act

cannot be binding on India's sovereign decisions although it can be construed as prescriptive for future U.S. reactions. As per the Vienna Convention, an international agreement such as the 123 Agreement cannot be superseded by an internal law such as the Hyde Act

The 123 agreement defines the terms and conditions for bilateral civilian nuclear cooperation, and requires separate approvals by the U.S. Congress and by Indian cabinet ministers. The agreement will also help India meet its goal of adding 25,000 MW of nuclear power capacity through imports of nuclear reactors and fuel by 2020.

On March 2, 2006 in New Delhi, George W. Bush and Manmohan Singh signed a Civil Nuclear Cooperation Agreement, following an initiation during the July 2005 summit in Washington between the two leaders over civilian nuclear cooperation. On August 3, 2007, both the countries released the full text of the 123 agreement. Nicholas Burns, the chief negotiator of the India-United States nuclear deal, said the U.S. has the right to terminate the deal if India tests a nuclear weapon and that no part of the agreement recognizes India as a nuclear weapons state (which would be contrary to the NPT).

Opposition in India:

The current situation depicts this treaty facing humongous opposition from several allies as well as opposition at present.

Why this agreement is facing opposition in India? Although many mainstream political parties including the Indian National Congress support the deal along with regional parties like Dravida Munnetra Kazhagam and Rashtriya Janata Dal its realization has run into difficulties in the face of stiff political opposition in India. Also, in November 2007, former Indian Military chiefs, bureaucrats and scientists drafted a letter to Members of Parliament expressing their support for the deal. However, opposition and criticism continued at political levels. The Samajwadi Party (SP) which is with the Left Front in opposing the deal changed its stand after discussing with the ex-president of India and nuclear scientist Dr. A P J Abdul Kalam. Now SP is in support of the government and the deal. Bharatiya Janata Party, the main opposition party BJP which has laid the groundwork for the deal being criticized by saying that the deal in its present form was unacceptable to BJP and wants the deal renegotiated. BJP the current main opposition party in the Indian parliament has asked the government not to accept the deal without a vote in the parliament. However, the government remains steadfast on its commitment to the deal and has refused to back down on the agreement, leading to the possibility of mid-term elections in India.

Left Front: The primary opposition to the Nuclear deal in India, however, comes from the Communist Party of India (Marxist) and its parliamentary allies (CPI, RSP, AIFB).on , November 17 the left parties had provisionally agreed to let the government initiate talks with the IAEA for India specific safeguards which indicated that they may support. The CPI(M), an external parliamentary supporter of government as it stipulates conditions that in some areas are more severe than the clauses in either the NPT or the CTBT. The left front has formally removed the support to UPA-led government on July 8.

United Nationalist Progressive Alliance (UNPA): The UNPA is divided over support of the nuclear deal. While the SP supports it after consultations with Abdul Kalam, the other members of the UNPA led by the TDP oppose it saying that the deal is against India's interest.

Bahujan Samaj Party (BSP): also opposes the nuclear deal, saying that it is anti-muslim. The party has joined hands with the Left Front and the TDP in standing against the government in Parliament on the nuclear deal.

Others: In 2006, some Indian ex-nuclear scientists had written an appeal to Indian Members of Parliament to ensure that "decisions taken today do not inhibit India's future ability to develop and pursue nuclear technologies for the benefit of the nation". Various Indian political and scientific personalities have repeatedly expressed concerns that the United States may use the India-US civilian nuclear agreement as a diplomatic weapon if Indian foreign policy was not in conformity with geopolitical interests of the US.

In such an hour of uncertainty where the apparent drift between the leaders of the nation has reached such a crucial level where one vision represents and seeks to project India as a self-confident and united nation moving forward to gain its rightful place in the comity of nations, making full use of the opportunities offered by a globalized world, operating on the frontiers of modern science and technology and using modern science and technology as important instruments of national economic and social development while the other challenges its sovereignty and freedom to address its own issues

On June 19, 2008, Indian Prime Minister Dr. Manmohan Singh has threatened to resign his position if the Left Front, whose support was crucial for the ruling United Progressive Alliance to prove its majority in the Indian parliament, continued to oppose the nuclear deal and he described their stance as irrational and reactionary. The Prime minister has initiated that United Progressive Alliance government would not put its signature on any deal with IAEA if it lost the majority in either a 'opposition-initiated no-confidence motion' or if failing to muster a vote of confidence in Indian parliament after being told to prove its majority by the president. So the UPA has reached on the verge of facing its first 'CONFIDENCE' vote to muster the support at this critical time.

The significance of the vote goes well beyond the survival of Mr. Singh's administration, or even the fate of the one policy issue on which he has staked his legacy.

RULES OF PROCEDURE

Seating of Parliamentary Members:

- Ruling party to sit on the right side of the chair
- Opposition and other alliances to sit on the left side of the chair
- Both sides more or less equal in no.

Language:

- English OR Hindi
- Only 1 particular use of language while debating, no '*Hinglish*' allowed.

Procedure:

The following procedure shall take its course during the 2-day session of the Youth Parliament.

- National Anthem
- Statements from the members of the house
- Question Hour
- Zero Hour
- Discussion Sessions
- Introduction of Bills
- Reading of Bills (discussion and amendments)
- Voting (simple majority)

Statements from the House:

After establishing quorum, the speaker will ask for statements from the members. A total of 10 members (5 each from government and opposition) are given time on the floor to make statements. The leader of the house is expected to be the last speaker and the leader of opposition is the first speaker. The maximum time allowed to make statements is **two minutes**. All the points including the points of information are allowed during this time.

Question Hour

It is the one hour where the members of the house are free to ask questions to each other on matters pertaining to agenda or on a national emergency provided that such a

question is sent in writing to the said member via the speaker and with his due approval before the commencement of question hour.

The question has been defined as an instrument by which a member can elicit information on any matter of public importance.

- **Starred Questions** meant for oral answers
- **Un-Starred Questions** meant for written answers

Not more than **two** starred questions are allowed to be asked to a member. Similarly not more than **twenty (20)** un-starred questions are allowed to be asked to a member.

The right to ask a question is governed by the following conditions:-

- It shall be clearly and precisely expressed and shall not be too general incapable of any specific answer or in the nature of a leading question
- If it contains a statement, the member shall make himself responsible for the accuracy of the statement
- It shall not contain arguments, inferences, ironical expressions, Imputations, epithets or defamatory statements;
- It shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition;
- It shall not ask as to the character or conduct of any person except in his official or public capacity
- It shall not ordinarily exceed 150 words
- It shall not relate to a matter which is not primarily the concern of the Government of India.
- It shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion
- It shall not make or imply a charge of a personal character
- It shall not raise questions of policy too large to be dealt with within the limits of an answer to a question;
- It shall not repeat in substance questions already answered or to which an answer has been refused;
- It shall not ask for information on trivial matters;
- It shall not ordinarily ask for information on matters of past history;
- It shall not raise matters under the control of bodies or persons not primarily responsible to the Government of India;

- It shall not ask or information on matter which is under adjudication by a court of law having jurisdiction in any part of India;
- It shall not refer discourteously to a friendly foreign country

The Speaker shall decide whether a question, or a part thereof, is or is not admissible under these rules and may disallow any question, or a part thereof, when in his opinion it is an abuse of the right of questioning or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

All points **except** points of information are allowed in the question hour

Zero Hour:

It is of a recent origin. It starts immediately after the Question Hour. During the Zero Hour any question pertaining to agenda or a national emergency can be raised by a member without any prior written request. The Zero Hour can extend to any period of time depending upon the Speaker's direction. The Government is not obliged to answer any of the questions raised in the Zero Hour.

All points **except** points of information are allowed in the zero hour

Discussion Sessions:

A discussion session is the time allotted (maximum half hours) for the discussion on a sub-agenda which the members feel should be discussed in front of the house. The process of putting up sub-agendas for a discussion is oral and must contain the following information:

Name of the constituency

Topic of the discussion

Total Duration (*not to exceed 30 minutes*)

Individual Speaker Time (*not to exceed 60 seconds*)

On receiving the agenda, the speaker will put it to vote and the result is decided by a simple majority vote.

An extension to a discussion session may be obtained if the total time does not exceed 30 minutes.

All points **except** points of information are allowed in the discussion session

Calling Attention Notice:

The idea of Calling Attention Notice has originated in our country itself a combination of questions for answers with supplementaries and brief comments on a matter of urgency and public importance.

The Opposition gets a chance to criticize the Government and its policies.

Procedure:

The Speaker calls the name of the member (or members) in whose name the item has been mentioned. On being called, the member raises in his/her seat and calls the attention of the Minister concerned and requests him/her to make a statement on the matter. The form, in which the member calls the attention, is as follows:

I call the attention of the Minister.....to the following matter of public importance and I request that he/she may make a statement there on.

The Minister then makes a statement of facts. The member or members, in whose name or names the notice has been issued, are permitted to ask questions seeking clarification arising out of the statement made by the Minister. The Minister after hearing all the questions raised by the Members will give a consolidated reply thereto and after that there would be no further discussion on the matter.

Adjournment Motion:

Any matter which is of urgent importance and which is so grave that it affects their interest and safety of the country can be raised through an adjournment motion.

In order that the adjournment motion be admitted it must

1. Be related to a single specific issue,
2. be urgent, and
3. be of public importance.

Legislative Business

Law making is a major function of Parliament and all legislative proposals are brought in the form of Bills before the Parliament. No Bill can become a law unless it has been passed by the parliament and has received assent of the President.

The proposal is given the shape of a Bill and introduced in Parliament. Bills are either Government Bills which are sponsored by Ministers, or private members' bills which are sponsored by individual members other than ministers.

Each Bill undergoes three Readings

First Reading

The First Reading means a motion for permission to introduce a Bill. ON the adoption of the motion the Bill is introduced. We will skip the first reading as it only seeks leave to introduce a bill.

The Second Reading

There are two stages in the Second Reading of the bill. In the first stage, the motion that the Bill be taken into consideration is adopted. [This is followed by discussion on the principles of the bill.]

In the second stage, clause-by-clause consideration of the Bill is taken up.

Notices of amendment are given any time after the introduction of a Bill. An amendment is admissible if it is within the scope of the bill.

After the introduction of the bill, the minister concerned formally moves that the bill be taken up for consideration. The minister will say; "sir, I beg to move that the bill be taken into consideration."

The Minister then makes a brief introductory speech outlining of the importance of the Bill. After this the Speaker formally places the motion before the house with the announcement that "The motion is that the Bill be taken into consideration."

This is followed by a discussion in which the members from either side can take part after giving prior notice of their intention to the secretary-General. It may be noted that the discussion should be held on the general principles and provisions of the Bill. The Speaker asks members from both the Treasury and the Opposition benches to speak on the bill. After the discussion, the Minister concerned makes a closing speech and winds up the discussion.

The motion for consideration is then put to the house. After it has been adopted, clause-by-clause discussion of the bill takes place. Amendments, if any, are permitted and voted upon.

The Third Reading

In the Third Reading the Minister concerned moves that the bill be passed. The Speaker then puts the question before the house in these words: The Question is that theBill, 199... be passed. Those in favor will say "Aye, those against will be 'No.' after taking the voice vote, he/she declares thrice that Ayes (or Noes) have it. He will then say that 'the Bill is passed (not passed)', as the case may be.

It may be noted that for passing an ordinary Bill a simple majority is required and for Bills pertaining to Constitutional Amendments two-thirds majority is necessary.

Privileges to the MPs:

Point of Inquiry:

Enquiry about parliamentary procedures and conduct to the chair

Point of Order

This may be introduced in order to complain about improper parliamentary procedures; however the Chair may overrule the point. This can also be used in case of a factual error

Right to Reply

If a particular member present feels that a grave (or false) statement has made by others towards that member, he/she may privilege the right of reply with the permission of the chair.

Point of Personal Privilege

This may be used in order to remove a personal discomfort.

Point of Information

This may be used to put up questions on a members' statement.

Whips & Anti-Defection Law in Parliament

What is a whip?

A whip is an official appointed by the party whose task is to ensure party discipline in a legislature. They are considered as *party enforcers* who invite fellow legislators to attend voting sessions and vote in accordance with the official party policy.

The term is derived from the “**whipper-in**” during a hunt, who tries to prevent the hounds from wandering away from the pack.

A whip is of 3-kinds:

- A **one-line-whip** is non-binding and merely serves to inform the members of the vote
- A **two-line-whip** seeks attendance in legislature during the vote
- A **three-line-whip** is a clear cut directive, to be present in legislature during the vote and cast their vote according to the party line

A whip however is binding only in four occasions:

1. Passage of a no-confidence motion
2. Passage of a confidence motion
3. Passage of money bill
4. Voting on motion of thanks to the President

A disobedience of a written and binding whip is liable to be punished by the provisions under the 10th schedule to the constitution popularly referred to as **Anti-Defection Law**. The grounds of disqualification are specified in Paragraph 2 of the schedule:

“A member would incur a disqualification under paragraph 2 (1) (a) when he “voluntarily gives up his membership of a party” and under 2 (1) (b) when he/she votes (or abstains from voting) contrary to the directive issued by the party.”

APPENDIX I

Glossary of Parliamentary Terms:

Adjournment: It means putting off till another time. It is either adjournment of the debate or adjournment of the house. Adjournment of the debate means postponement to the debate of a Motion/Resolution/bill on which the house is then engaged. Such a motion is moved at any time during a debate. A motion for adjournment of the debate, if carried, postpones the decision of any question. Adjournment of the house means termination of the sitting of the house till the time appointed for the next sitting. It should be differentiated from prorogation and dissolution.

Adjournment sine die: It terminates a sitting of the house without any definite date being fixed for the next sitting. Usually the Speaker adjourns the house sine die on the last day of its session.

Agenda: It means the List of Business for a particular day. It contains items of business to be taken up by the house in the order in which they are listed.

Amendment: It means a change proposed in a motion or a Bill. Amendment can be proposed either by leaving out or adding certain words or both. Amendment to the Constitution can also be proposed, but a special majority is required to pass Constitutional Amendments.

Appropriation Bill: Money cannot be withdrawn from the Consolidated Fund of India except under appropriation made by law. Appropriation Bill is a Bill passed annually for authorization of the house for withdrawing money from the Consolidated Fund of India

Bar of the House: The Bar is the line which is marked by a broad strip of leather laid across the carpet on the floor of the house between the benches. The members are not allowed to speak outside the bar. Persons who are not members of the House, are not allowed to cross the bar during the sitting of the house. Persons who commit breach of

privilege, can be called to the bar of the house for reprimand or admonition by the house.

Bill: it is the draft of a legislative proposal. It is a draft of statute, which can become law only when it has received the approval of a parliament and assent of the president. A bill consists of the title, a preamble and various clauses (sub-divisions of a Bill).

Budget: It is an annual financial statement of the estimated receipts and expenditure of the Government in respect of a financial year.

Calling Attention Notice: A Calling Attention Notice is given by a member to call the attention of a Minister to a matter of urgent public importance.

Casting Vote: In case equal number of votes have been cast both in favour and against any matter (viz. Bill, motion, etc.) the Speaker may cast a vote to decide the matter. Such a vote is called the casting vote.

Closure: At any time during the discussion of a motion a member can move for closure which brings the debate to a close. The motion "That the question be now put" is put by the Speaker. If the motion "That the question be now put" is carried, the matter is immediately decided without any further debate.

(With the coming into force of the Business Advisory Committee in 1953, the time for discussion on various items of business is decided in advance and therefore the need for a closure motion is not felt by the members. Consequently, the occasions for taking recourse to the closure motion have become very rare.)

Contempt of the House: It means any act or omission which obstructs the House in the performance of its functions. For example, if a person disobeys an order to attend a committee, he is liable to be punished for contempt of the house. The person who has committed contempt of the house may apologise and it is up to the House to accept it and let him go. If the house decides to punish him, a motion has to be moved and in the motion the period of imprisonment and the place or jail where the contemner is to be placed, are mentioned. In case the offence is not serious, the person concerned may be called to the bar of the House. He may be then reprimanded or admonished by the Speaker. Contempt of the House may be distinguished from a breach of privilege. A breach of privilege is an offence against a specific privilege of Parliament while contempt of the House is an offence amounting to an obstruction in the proceedings of the house. All breaches of privilege are contempt of the House. It is possible that a person may be guilty of a contempt of the house, but he may not have violated any specific privilege of the members.

Crossing the Floor: When a member passes between the member who is addressing the house (in possession of the house) and the speaker, he is said to have crossed the floor. This act of passing between the member and the Speaker is forbidden, because to cross the floor is a breach of parliamentary etiquette. 'Crossing the floor' also means changing one's political allegiance, i.e. changing from one political party to another.

Division: After the voice vote is taken on any item, the Speaker says, "I think the Ayes (or the Noes) have it." If his opinion is challenged by the minority, he orders division so

that the exact balance of the opinion may be determined. The Speaker directs that the votes be recorded either by operating the automatic vote recorder or by suing 'Aye' and 'No' slips in the House or by members going into the lobbies. In case the votes are to be recorded by members going into the lobbies the members for 'Ayes' go to the right lobby and those for 'noes' go the left lobby. Votes are recorded in the lobbies and then the Speaker announces the result. Thus division is a mode of deciding a question by recording votes for or against it.

Expunction: It means deletion of words or expressions from the proceedings of the house by the Speaker. Such expressions as are considered to be indecent or unparliamentary, are ordered to be deleted from the records.

Gazette: It is an official newspaper containing lists of government appointments, legal notices, despatches and announcements, etc.

Guillotine: It means putting to the vote of the house all outstanding questions relating to the business on hand by the speaker on the expiry of the time allotted for the discussion of such business. Guillotine is a form of closure, but unlike closure it is applied straightway by the Speaker without any motion.

Half-an-hour Discussion: The Speaker may allow discussion on a matter of sufficient public importance which has been the subject of a recent question and the answer to which needs elucidation of a matter of fact. Such a discussion is held in the last thirty minutes of a sitting.

Hear, Hear: It is an explanation. Members are allowed to exclaim Hear, Hear during a debate provided it is used with moderation.

Law: Law is a body of rules given in an Act which in the form a Bill has been duly passed by the two Houses and assented to by the President. It is binding on every citizen and the courts are bound to apply it. The term 'law' covers any rule, regulation, bye-law or sub-rule made by a subordinate authority under delegated powers.

Leader of the House: He is an important functionary and exercises direct influence

Leader of the Opposition: Generally the leader of the largest recognised Opposition party having at least one-tenth membership in the house is recognised as Leader of the Opposition. The Leader of the Opposition is the official spokesman of the Opposition in the House. In India he/she has been granted the same status as that of cabinet Minister.

Lobby: It is the covered corridor immediately adjoining the House. There are two lobbies in the Lok Sabha, the Inner Lobby which is also called Division lobby and the Outer lobby. The Outer lobby is intended for the use of members of Parliament, for members and the press representatives for informal discussion and exchange of views.

Lok Sabha: The House of the People is called the Lok Sabha because it is elected directly by the people.

Message: Under the provision of the Indian Constitution the president can send a communication to either House of Parliament. Such a communication is known as 'Message'. Messages to the Lok Sabha are sent by the President through the Speaker. the

Speaker reads out the message to the house and then the house takes up the matters referred to in the message for consideration.

For example, a Message from the President notifying his intention to call a Joint Sitting of both the houses, in connection with the Dowry Prohibition Bill, 1959, was sent in 1961.

Motion: It means a proposal submitted to the House for its consideration and decision. When the House votes a motion, the motion becomes the opinion or the will of the whole house.

Motions fall into three broad categories:

- (i) Substantive motions;
- (ii) Substitute motions;
- (iii) Subsidiary motions.

A **substantive motion**, is a self-contained proposal submitted for the approval of the House. It is drafted in such a way that it enables the House to express its decision. The motion of thanks on the President's Address to the House, the motion of no-confidence and the motion for adjournment on a matter of public importance are some of the examples of substantive motions.

A **substitute motion** is moved in substitution of the original motion. As a substitute motion arises out of the original motion, it has to be moved before the discussion on the original motion commences.

A **subsidiary motion** is related to other motions or it emerges from some proceedings of the House. It is further sub-divided into ancillary motions, superseding motions, and amendments. Motions made in connection with the various stages of a Bill are called ancillary motions. For example, "That the bill be referred to a select committee," is an ancillary motion. Superseding motions are moved in the course of a debate. They may seek recirculation of a Bill for eliciting further opinion.

Amendments are the third type of subsidiary motions. An amendment may be to a Bill or a motion or even to an amendment.

Motion of No-Confidence is a motion moved in the House to express want of confidence in the Council of Ministers.

Cut Motion is a motion moved in the House during the discussion on the demands for grants to reduce the amount of demand. Cut motions are moved by the members of the Opposition only.

M.P.: It means Members of Parliament. Members of Parliament can use the abbreviation 'M.P.' after their names.

'Order, Order': The Speaker uses these words to call the House to order or to ask the House to hear the Chair or a member who is in possession of the House.

Papers Laid on the Table: It means the papers or documents laid on the Table of the House for the purpose of bringing them on the record of the House. Papers can be laid

on the Table by a Minister or by a Private member or by the Secretary-General with the permission of the Speaker.

Parliamentary privileges: It means the powers other than legislative, possessed by both the Houses and their members. Without these privileges the members cannot discharge their functions. Examples freedom of speech and freedom from arrest during sessions.

Point of Order: It means a point relating to the interpretation or enforcement of the Rules of Procedure or such Articles of the Indian Constitution as regulate the business of the House. A point of order is raised in the House for the attention and decision of the Chair. It can also be raised on a matter relating to the maintenance of decency and decorum of the House.

Prorogation: It means the termination of a session of the House by an order of the President.

Question: The Parliamentary Question is an effective technique by which a member can elicit authentic and concrete information on programmes, policies and performance of the government.

Question Hour: The first hour of sitting of the House each day is the Question Hour during which members ask questions and the Ministers answer them. In the Lok Sabha it is from 11 a.m. to 12 noon.

Starred Question: A member who desires an oral answer to his question on the floor of the house is required to distinguish it by an asterisk and therefore such a question is known as Starred Question.

Unstarred Question: It is question which does not call for oral answer. Unstarred Questions are listed for written answers which are laid on the Table of the House.

Supplementary Question: A member can ask a supplementary question arising out of the main question and demand an answer. Supplementary Questions are asked for the purpose of further elucidation on any matter of fact.

Short Notice Question: Normally a ten days' notice is required for any Question to be answered. However, a question relating to matter of urgent public importance may be asked for oral answer, with a shorter notice. The member asking such a question has to state the reasons for shorter notice.

Quorum: It means the minimum number of members required to be present at a sitting of the House. The quorum to constitute a sitting of the Lok Sabha is one-tenth of the total number of members of the House.

Readings: There are three Readings or stages through which a bill passes. The First Reading means a motion for leave to introduce a Bill. The Second Reading consists of discussion of the principles of the Bill and also its clause-by-clause consideration. The Third Reading means discussion on the motion that the Bill be passed.

Secretary-General: The Secretary-General of the Lok Sabha is a permanent official of the secretariat of the House. He/she is appointed by the speaker. He/she performs parliamentary and administrative functions. He/she advises the Speaker on various parliamentary matters and procedures.

Session: it is the period from the day the Parliament begins its first sitting to the day the Parliament is prorogued.

Subordinate legislation: It means rules or regulations, having the force of law, They are framed by the subordinate authority in pursuance of the power delegated to it by the Parliament.

Summons: It is an official communication issued by the Secretary-General of the Lok Sabha under the President's order to the Lok Sabha members informing them about the place, date and time of commencement of a session of the House.

Unparliamentary words: Words or expressions which ought not to be used in debate, are known as unparliamentary words. The use of such words or expressions is a breach of order and a member using such words can be called upon to withdraw from the House or be 'named', When the Speaker so names the member to the House, the Leader of the House moves at once "that Shri/Smt. (name of the member) be suspended from the service of the House". The question on this motion is put at once without any debate."

Vote on account: It means grants in advance made by the House to enable the Government to carry on until the voting of the demands for grants and passing of the general Appropriation Bill.

Whip: In the parliamentary form of Government, a party has inside Parliament a number of officials known as Whips. The main duty of the Whips is to ensure attendance of the members at the time of important decisions.

APPENDIX II

Some of the Words and Expression Declared as Unparliamentary

1. Black mailing
2. Impertinent
3. Bloody
4. Indecent
5. Contemptible
6. Insincere
7. Cowardly
8. Insinuation
9. Criminal
10. Insulting

11. Damn-lie
12. Intentionally misleading
13. Definite untruth
14. Mischievous
15. Deliberately false
16. Nonsense
17. Deliberate Misrepresentation
18. Not becoming a gentleman/woman
19. Disgraceful
20. Not true or lie
21. Dishonest
22. Offensive
23. Double-dealing
24. Ridiculous
25. False
26. Rotten lie
27. Fraudulent
28. Scandalous
29. Foolish
30. Untrue
31. Hypocritical
32. Unworthy of the house

To call a member as

1. Barbarous
2. Blackguard
3. Hooligan
4. Black-mailer
5. Idiot
6. Bully
7. Liar
8. Cheat
9. Monkey
10. Corrupt
11. Monster
12. Coward
13. Murderer
14. Dishonest
15. Nonsense
16. Fraud
17. Rat
18. Goonda
19. Rogue



20. Hypocrite

21. Rude

Suggesting that another Member

1. is double dealing
2. is lacking in intelligence
3. is insincere
4. has motives
5. has no respect for womanhood
6. has no patriotic sense
7. has used ungentlemanly methods
8. was exhibiting a bad breeding
9. was ganging up

Important Links

1. <http://www.orfonline.org/research/indo-us-civil-nuclear-cooperation-agreement-implementation-hurdles/>
2. <https://www.cfr.org/backgrounder/us-india-nuclear-deal>
3. <http://www.firstpost.com/india/india-us-nuclear-deal-all-you-need-to-know-about-the-landmark-agreement-3596209.html>
4. <https://2001-2009.state.gov/p/sca/c17361.htm>