

Chapter-3

The Union Legislature- The Parliament

STUDY NOTES

Introduction

As we all know that India is a Federal, Republic Democratic Country. As it is having Federal Structure there are three levels of Government. Centre Government, State Government, Local Government.

Now we are going to study The Union Government.

Parliament

The body that governs India at the centre, India's Union Legislature is known as the Parliament. It is the Law making body of India. It consists of two houses.



Lok Sabha-It is also known as House of People. Because its members are directly elected by the people. The maximum strength of the Lok Sabha is 552. 530 members to represent the States, 20 members to represent the Union Territories, and 2 members to be nominated by the President from the Anglo-

Indian Community. At present the strength of the House is 545. This number increases as the population of the country grows.

Election- It will be conducted every 5 years. For the purpose of elections the country is divided into several Constituencies. During the elections the party which gets an absolute majority (more than half the seats in Parliament), is invited by the president to form the Government.

Qualifications- should be an Indian Citizen above the age of 25 years, should not be bankrupt or mentally unstable, and should not hold any salaried Govt job.

There are three sessions of Lok-Sabha – The Budget Session, The Monsoon Session, and The Winter Session



Speaker- The presiding officer of Lok Sabha. He usually belongs to the ruling party.

The important powers of Speaker-

1. Presides the Lok Sabha
2. Maintains Discipline
3. Certifies Money Bill



4. May cast his vote to resolve the deadlock, if there is tie after voting.
5. Allows the members to ask questions.

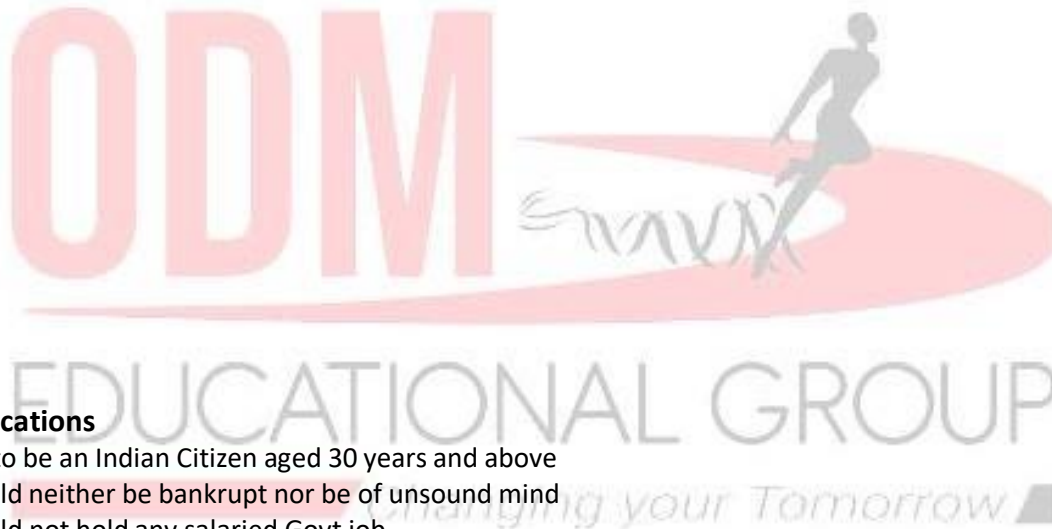
Rajya Sabha –The Rajya Sabha consists of 250 members, its members are elected indirectly by the members of the State Assemblies and two Union Territories (Delhi and Pondicherry) 12 members are nominated by the president of India from among distinguished personalities in the country like authors, journalists jurists, and scientists.

Rajya Sabha is a permanent house because it is not subject to dissolution. Members of the Rajya Sabha are elected for six years and one-third members retire after every two years.





The presiding officer of Rajya Sabha is The Vice-President. He is the ex-officio chairperson why? Because he gets his post only by virtue of being the vice- president.



Qualifications

1. Has to be an Indian Citizen aged 30 years and above
2. Should neither be bankrupt nor be of unsound mind
3. Should not hold any salaried Govt job.

The functions of the Legislature

There are two categories of Bills- Ordinary Bills and Money Bills

Difference between the two – Any member either of the ruling party or the opposition may introduce the ordinary bill and it can be introduced in the Lok Sabha or in Rajya Sabha

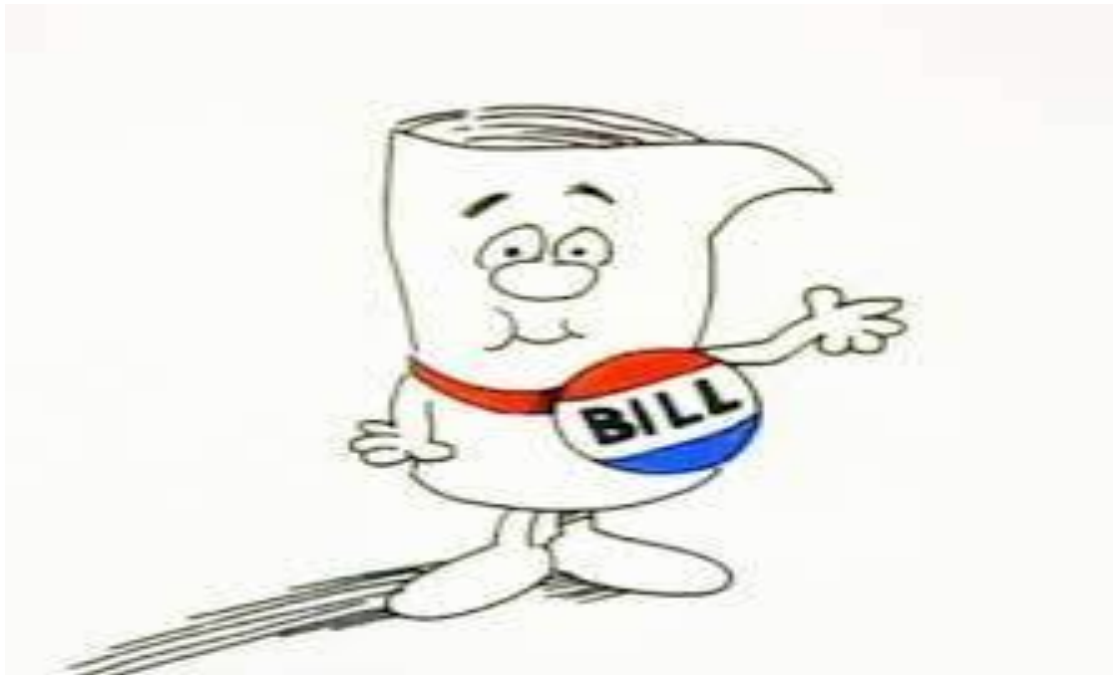
But a money bill can be introduced only in the Lok Sabha and only by the ruling party. The speaker of the Lok Sabha has to certify it as a money Bill

First reading – when a member introduces the Bill in the house copies of the same are given to all the members

Second Reading –After bill is thoroughly discussed members can suggest changes

A Committee from among the members will be set up by the speaker. They belong to various political parties. The committee will scrutinise the bill and understand its positive and negative implications

Third Reading- The bill is drafted finally after the modifications and put to vote. If the majority approves it is passed. Then it passes to Rajya sabha. There also the same process will be followed. Finally it is sent to the President for Signature. If he puts the signature the Bill becomes a law.





Passing a Bill

- Approved bills are sent to the President who can **sign** the bill into law or **veto** it.
 - If the President vetoes the bill, it is sent back to the House and Senate where they can vote to **override** the veto with a 2/3 vote.
- Finally the bill becomes a **law**



Different methods to checking the Executives

Question Hour, Zero Hour, Adjournment Motion, No Confidence Motion, Impeachment

- 1) **Question Hour** – The first hour of every sitting parliament is known as Question – Hour. There are 3 types of Questions.
 - a. **Starred Questions** - Questions with an asterisk mark are known as Starred. It requires an oral Answer.
 - b. **Unstarred questions**- The Questions without an asterisk mark are known as unstarred questions. It needs written Answer
 - c. **Supplementary Questions**

A day in Parliament

The diagram illustrates the daily schedule of the Indian Parliament. It starts with Question Hour from 11 am to 12 pm, followed by Zero Hour from 12 pm to 1 pm. After a lunch break from 1 pm to 2 pm, the session continues with Government Business / Legislative Business from 2 pm to 4 pm. The Lok Sabha session runs from 4 pm to 6 pm, and the Rajya Sabha session runs from 3 pm to 5 pm. Three key functions are highlighted: 'Keep the Govt. in Check / Represent People' (linked to Question Hour), 'Represent people' (linked to Zero Hour), and 'Make Laws / Present Budget' (linked to Government Business / Legislative Business). To the right, a photograph shows OM BIRLA, Hon'ble Speaker, presiding over the session. The photo includes a caption 'OM BIRLA, Hon'ble Speaker' and 'QUESTION HOUR'. A news ticker at the bottom of the photo displays '11:17 12.02.2019 12 - अजय सतीष चौधरी'.

Zero hour

Do you know

The Zero Hour is not defined anywhere, neither in constitution nor in the rules of Parliament, but it still exist.

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- 2) **Adjournment Motion** -It means that the current topic of discussion can be postponed and another topic of greater importance is taken up for discussion during the Adjournment Motion. Members have the right to know about the various aspects of the Govt's policies.
- 3) **No Confidence Motion** -If the parliament loses its confidence in the Council of Ministers and its functioning, a motion of No- Confidence can be introduced in the Lok-Sabha and it is passed with a simple majority, the Prime – Minister and Council of Ministers must resign collectively.
- 4) **Impeachment**— Impeachment is the process by which The Legislature can remove the president of India from office for the violation of the Constitution

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