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10.0 OBJECTIVES

This unit examines the evolution, structure and functioning of the Indian Parliament. After going through this unit, you should be able to:

- Trace the evolution of modern legislature in India;
- Discuss the organisation and functions of the Parliament; and
- Explain parliamentary procedures

10.1 INTRODUCTION

The term legislature has been derived from the Latin word *lex*, which means a distinct kind of legal rule mainly of general application. This rule is named legislation, and the institution, which enacts it on behalf of the people, is known as legislature. Essentially, there are two models of legislative structure: the Parliamentary and the Presidential. In the parliamentary model, the executive is selected by the legislature from among its own members. Therefore, the executive is responsible to the legislature. The Presidential system is based on the theory of separation of powers and does not permit any person to serve simultaneously in both executive and legislature.

The Parliament of India, which is the creation of the Constitution, is the supreme representative authority of the people. It is the highest legislative organ. It is the national forum for the articulation of public opinion.

10.2 INDIAN LEGISLATURE HISTORICAL BACKGROUND

Indian Parliament did not emerge overnight; it evolved gradually during the British rule, particularly since 1858 when the British Crown assumed sovereignty over India from the East India Company. By the Government of India Act of 1858 the powers of the Crown were to be exercised by the Secretary of State for India assisted by a Council of India. The Secretary of State, who was responsible to the British Parliament, governed India through the Governor-General, assisted by an Executive Council consisting of high government officials. There was no separation of powers; all the powers--legislative, executive, military and civil-- were vested in this Governor-General in Council.

The Indian Council Act of 1861 introduced little bit of popular element as it included some additional *non-official* members in the Executive Council and allowed them to participate in the transaction of legislative business. The Legislative Council was neither deliberative nor representative. Its members were nominated and their role was limited only to the consideration of legislative proposals placed by the Governor-General.

Indian Councils Act of 1892 made two important improvements. First, non-official members of the Indian Legislative Council were henceforth to be nominated by the Bengal Chamber of Commerce and the Provincial Legislative Councils, while the non-official members of the Provincial Councils were to be nominated by certain local bodies such as universities, district boards, municipalities. Secondly, the Councils were empowered to discuss the budget and address questions to the Executive.

Indian Councils Act of 1909, based on Morley-Minto Reforms, for the first time, introduced both representative as well as popular features. At the Centre, election was introduced in the Legislative Council though the officials still retained the majority. But in the Provinces, the size of the Provincial Legislative Council was increased by including elected non-official members so that the officials no longer constituted the majority. This Act enhanced the deliberative functions of the Legislative Councils and provided them opportunity to move resolutions on the Budget and any other matter of public interest barring certain specified subjects, such as the Armed Forces, Foreign Affairs and the

India States. The Government of India Act of 1915 consolidated all the previous Acts so that the executive, legislative and judicial functions could be derived from a single Act.

The next phase of legislative reforms emerged out of the Government of India Act of 1919 brought further legislative reforms in the form of responsible government in the Provinces. At the Centre, the legislature was made bicameral and elected majority was introduced in both the Houses. However, no element of responsible government was introduced at the Centre. The Governor General in Council continued to be responsible as before to the British Parliament through the Secretary of State.

The Government of India Act of 1935 came into being after several parleys between the Indian national leaders and Britain. It contemplated a federation consisting of British Indian Provinces and native states. It introduced bicameral legislatures in six Provinces. It demarcated legislative power of the Centre and the Provinces through three lists: the Central List, the Provincial List and the Concurrent List. However, the Central Executive was not made responsible to the legislature. The Governor General as well as the Crown could veto bills passed by the Central Legislature. The Governor-General besides the Ordinance-making powers had independent powers of legislation or permanent Acts. Similar limitations existed in case of Provincial Legislatures existed as well.

The international political scene and the conditions in India and Britain led the British government to an unequivocal acceptance of India's claim to freedom. The Indian Independence Act of 1947 was passed setting up two independent dominions, India and Pakistan. The legislature of each dominion was to have full legislative sovereignty. The powers of the legislature of the dominion were exercisable without any limitations whatsoever by the Constituent Assembly formed in 1946. This Constituent Assembly adopted the Constitution of India, which received the signature of the President on 26th November 1950.

Check Your Progress Exercise-I

Note: i) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

- 1) The important legislative reforms introduced by the Government of India Act of 1919 are.....
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- 2) Division of powers between the Centre and component unit was first introduced by

10.3 UNION LEGISLATURE

Under the provision of Article 79, the Parliament of India consists of the President and the two Houses - the Lower House or Lok Sabha (House of the People) and the Upper House or Rajya Sabha (Council of States). While the Lok Sabha is subject to dissolution, the Rajya Sabha is a permanent chamber which cannot be dissolved. The office of the President also never remains vacant.

10.3.1 The President

While the American President is not a part of the Legislature (Congress), the President of India is an integral part of the Indian Parliament. However, he cannot sit and participate in the deliberations in any of the two Houses.

The President of India performs certain important role vis-à-vis the Parliament. The President summons and prorogues the House from one session to another and has the power to dissolve the Lok Sabha. No bill passed by both the Houses can become a law without the President's assent. Further certain bills can be introduced only after the recommendation of the President has been obtained. The President also has the power to promulgate Ordinances when both the Houses are not in session. These Ordinances, though temporary in nature, have the same force and power as a law passed by Parliament. In Unit 12, we will examine the position and powers of the President of India in detail.

10.3.2 The Lok Sabha

The Lower House or the House of the People is popularly known as Lok Sabha. Its members are directly elected by the people. The maximum number of members to be elected which was fixed by the Constitution at 500. It was raised to 520 members by the Seventh Constitutional Amendment (1956) and to 545 members by the 42nd Constitutional Amendment (1976). This includes not more than 525 members chosen by direct election from territorial constituencies in the States and not more 20 members to represent the Union Territories. In addition,

the President may nominate two members of the Anglo-Indian community if he is of the opinion that the community is not adequately represented in the Lok Sabha.

The distribution of seats among the States is based on the principle of territorial representation which means each State is allotted seats on the basis of its population in proportion to the total population of all the States. For election purpose, each state is divided into territorial units called constituencies which are more or less of the same size with regard to the population.

The election to the Lok Sabha is conducted on the basis of adult franchise; every adult who has attained 18 years of age is eligible to vote. The candidate who secures the largest number of votes gets elected. The Constitution provides for an independent organisation known as the Election Commission to conduct elections. The normal life of the Lower House is five years, though it can be dissolved earlier by the President.

To be a member of the Lok Sabha, a person should be an Indian citizen, must have completed 25 years of age and must possess all other qualifications that are prescribed by a law of the Parliament. A candidate seeking election to the Lok Sabha can contest from any parliamentary constituency from any of the States in India.

The Constitution has laid down certain disqualifications for membership. No person can be member of both Houses of Parliament or member both of Parliament and of a State legislature. The candidate may contest from several seats, but if elected from more than one, he has to vacate all except one according to his choice. If a person is elected both to the State legislature and the Parliament and if he does not resign from the State legislature within the specified time period, he will forfeit his seat in Parliament. A member should not hold any office of profit under the Central or State government except those that are exempted by a law of Parliament, and should not have been declared as an insolvent or of unsound mind by a competent court. A member also gets disqualified when he remains absent from the meetings of the House for a period of sixty days without prior permission or when he voluntarily acquires the citizenship of another country or is under any acknowledgement of allegiance to a foreign state.

10.3.3 The Rajya Sabha

The Rajya Sabha or Council of States consists of not more than 250 members of which 12 members are nominated by the President from amongst persons having 'special knowledge or practical experience in literature, science,

art, and social service.' The remaining members are elected by the members of the State Legislative Assemblies in accordance with the system of proportional representation by means of single transferable vote. Thus, unlike Lok Sabha, Rajya Sabha adopts the method of indirect election. For the purpose of this election, each State is allotted a number of seats, mainly on the basis of their population. The Rajya Sabha, thus reflects the federal character by representing the States or the units of the federation. However, it does not follow the American principle of equality of State representation in the Second Chamber. Whereas every State of the United States sends two representatives to the Senate, in India, the number of representatives of the States to the Rajya Sabha varies from one (Nagaland) to 34 (Uttar Pradesh) depending upon the population of a state.

Rajya Sabha is a continuing chamber as it is a permanent body not subject to dissolution. One third of its members retire at the end of every two years and elections are held for the vacant positions. A member of Rajya Sabha has a six-year term, unless he resigns or is disqualified.

10.3.4 Special Powers of Rajya Sabha:

The Rajya Sabha has hardly any control over the ministers who are individually and jointly responsible to the Lok Sabha. Though it has every right to seek information on all matters which are exclusively in the domain of Lok Sabha, it has no power to pass a vote of no-confidence in the Council of Ministers. Moreover, the Rajya Sabha has not much say in matters of money bills.

Nevertheless, the Constitution grants certain special powers to the Rajya Sabha. As the sole representative of the States, the Rajya Sabha enjoys two exclusive powers which are of considerable importance.

First, under Article 249, the Rajya Sabha has the power to declare that, in the national interest, the Parliament should make laws with respect to a matter enumerated in the State List. If by a two-thirds majority, Rajya Sabha passes a resolution to this effect, the Union Parliament can make laws for the whole or any part of India for a period of one year.

The second exclusive power of the Rajya Sabha is with regard to the setting up of All-India Services. If the Rajya Sabha passes a resolution by not less than two-thirds of the members present and voting, the parliament is empowered to make laws providing for creation of one or more All-India Services common to the Union and the States.

Thus, these special provisions make the Rajya Sabha an important component of Indian Legislature rather than just being an ornamental second chamber like the House of Lords of England. The constitution makers have designed it not just to check any hasty legislation, but also to play the role of an important influential advisor. Its compact composition and permanent character provides it continuity and stability. As many of its members are "elder statesmen" the Rajya Sabha commands respectability.

10.4 PRESIDING OFFICERS

Each house of Parliament has its own presiding officers. The Lok Sabha has a Speaker as its principal presiding officer and a deputy speaker to assist him and officiate as presiding officer in his absence. The Rajya Sabha is presided over by the Chairperson, assisted by a deputy chairperson. The latter performs all the duties and functions of the former in case of his/her absence.

10.4.1 The Speaker

The position of the Speaker of the Lok Sabha is more or less similar to the Speaker of the English House of Commons. The office of the Speaker is symbol of high dignity and authority. Once elected to the office, the speaker severs his party affiliation and starts functioning in an impartial manner. He acts as the guardian of the rights and privileges of the members.

The Speaker is conferred with a number of powers to ensure an orderly and efficient conduct of the business of the House. He conducts the proceedings of the house, maintains order and decorum in the house and decides points of order, interprets and applies rules of the house. The Speaker's decision is final in all such matters. The Speaker certifies whether a bill is money bill or not and his decision is final. The Speaker authenticates that the house has passed the bill before it is presented to the other house or the President of India for his assent. The Speaker in consultation with the leader of the house determines the order of business. He decides on the admissibility of questions, motions and resolutions. The Speaker will not vote in the first instance, but can exercise a casting vote in case of a tie. The Speaker appoints the chairpersons of all the Committees of the house and exercises control over the Secretarial staff of the house.

The Speaker's conduct cannot be discussed in the house except in a substantive motion. His salary and allowances are charged to the Consolidated Fund of India so that the independent character of the office is maintained.

A special feature of the Speaker's office is that even when the House is dissolved, the Speaker does not vacate his office. He continues in office until the new House elects another Speaker. In the absence of the Speaker, the Deputy Speaker presides over the House.

10.4.2 Chairperson of Rajya Sabha

The Vice-President of India is the ex-officio chairperson of the Rajya Sabha; but during any period when the Vice President acts as a President or discharges the functions of the President, he does not perform the duties as a presiding officer of the Rajya Sabha. The Vice-President is elected by the members of both the houses of Parliament assembled at a joint meeting, in accordance with the system of proportional representation by means of single transferable vote and the voting at such elections is by secret ballot. The Vice President is not a member of either house of Parliament or of a house of legislature of any State. He holds office for a term of five years from the date on which he enters upon his office or until he resigns his office or is removed from his office by a resolution passed by a majority of members of the Rajya Sabha and agreed to by the Lok Sabha. The functions and duties of the Chairperson of the Rajya Sabha are the same as those of the Speaker of the Lok Sabha.

Check Your Progress-2

Note: i) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

1) What are the qualifications and disqualification for a member of Indian Parliament?

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2) The powers of the Speaker of Lok Sabha are.....

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10.5 LEGISLATIVE PROCEDURE

Law making is the primary function of the legislature. As modern society is very complex in nature, law making also becomes a complex process. The Constitution of India prescribes the following stages of legislative procedure.

The first stage of legislation is introduction of a bill which embodies the proposed law and is accompanied by the "Statement of Objects and Reasons". The introduction of the bill is also called the first reading of the bill. There are two types of bills: ordinary bills and money bills. A bill other than money or financial bill may be introduced in either House of Parliament and requires passage in both the Houses before it can be presented for the President's assent. A bill may be introduced either by a Minister or a private member. Every bill that is introduced in the House has to be published in the Gazette. Normally, there is no debate at the time of introduction of a bill. The member who introduces the bill may make a brief statement indicating broadly the aims and objects of the bill. If the bill is opposed at this stage, one of the members opposing the bill may be permitted to give his reasons. After this the question is put to vote. If the House is in favour of the introduction of the bill, then it goes to the next stage.

In the second stage, there are four alternative courses. After its introduction, a bill (I) may be taken into consideration; (II) may be referred to a Select Committee of the House; (III) may be referred to a Joint Committee of both the Houses; (IV) may be circulated for the purpose of soliciting public opinion. While the first three options are generally adopted in case of routine legislation, the last option is resorted to only when the proposed legislation is likely to arouse public controversy and agitation.

The day one of these motions is carried out, the principles of the bill and its general provisions may be discussed. If the bill is taken into consideration, Amendments to the bill and clause by clause consideration of the provisions of the bill is undertaken. If the bill is referred to the Select Committee of the House, it considers the bill and submits its report to the House. Then the clauses of the bill are open to consideration and amendments are admissible. This is the most

time-consuming stage. Once the clause by clause consideration is over and every clause is voted, the second reading of the bill comes to an end.

In the third stage the member in charge moves that "the bill be passed". At the third reading, the progress of the bill is quick as normally only verbal or purely formal amendments are moved and discussion is very brief. Once all the amendments are disposed off, the bill is finally passed in the House where it was introduced. Thereafter, it is transmitted to the other House for its consideration.

When the bill comes up for considered by the other House, it has to undergo all the stages as in the originating House. There are three options before the House (I) it may finally pass the bill as sent by the originating House; (II) it may reject the bill altogether or amend it and return to the originating House; (III) it may not take any action on the bill and if more than six months pass after the date of receipt of the bill, this means rejection.

The originating House now considers the returned bill in the light of the amendments. If it accepts these amendments, it sends a message to the other House to this effect. If it does not accept these amendments, then the bill is returned to the other House with a message to that effect. In case both the Houses do not come to an agreement, the President convenes a joint-sitting of the two Houses. The disputed provision is finally adopted or rejected by a simple majority of vote of those who are present and voting.

A bill that is finally passed by both the Houses is presented with the signature of the Speaker to the President for his assent. This is normally the last stage. If the President gives the assent, the bill becomes an Act and is placed in the Statute Book. If the President withholds his assent, there is an end to the bill. The President may also return the bill for the reconsideration of the Houses with a message requesting them to reconsider it. If, however, the Houses pass the bill again with or without amendments and the bill is presented to the President for his assent for the second time, the President has no power to withhold his assent.

Thus, law-making is a long, cumbersome and time-consuming process; it becomes difficult to pass a bill within a short time. Proper drafting of the bill saves time and skillful soliciting of opposition support makes the task easier.

10.5.1 Money Bills

Financial bill may be said to be any bill which relates to revenue and expenditure. But the financial bill is not a money bill. Art. 110 states that no bill is a money bill unless it is certified by the Speaker of the Lok Sabha. A money

bill cannot be introduced in the Rajya Sabha. Once a money bill is passed by the Lok Sabha, it is transmitted to the Rajya Sabha. The Rajya Sabha cannot reject a money bill. It must, within a period of fourteen days from the date of receipt of the bill, return the bill to the Lok Sabha which may thereupon either accept or reject all or any of the recommendations. If the Lok Sabha accepts any of the recommendations, the money bill is deemed to have been passed by both Houses. Even if the Lok Sabha does not accept any of the recommendations, the money bill is deemed to have been passed by both the Houses without any amendments. If a money bill passed by the Lok Sabha and transmitted to the Rajya Sabha for its recommendations is not returned to it within fourteen days, it is deemed to have been passed by both the Houses at the expiry of the said period in the original form.

10.6 PARLIAMENTARY PRIVILEGES

For free and efficient functioning of the members of Parliament it is important that they are granted some privileges. There are two types of privileges for the members of Parliament: enumerated and unenumerated. The important privileges a member enjoys under the enumerated category are: i) Freedom of speech in each House of the parliament; ii) Immunity from proceedings in any Court in respect of anything said or any vote cast; iii) Immunity of liability in respect of publication by or under the authority of either house of Parliament of any report, paper, votes or proceedings; iv) Freedom from arrest in civil cases for duration of the session for a period of 40 days before and after the session; and v) Exemption from attending as a witness in a Court.

In the unenumerated category fall similar privileges and immunities which are granted to the members of the House of Commons of British Parliament. Like the House of Commons, the Indian Parliament has power to punish a person, whether a member or a non-member, in case of contempt of Parliament.

10.7 PARLIAMENTARY DEVICES TO CONTROL THE EXECUTIVE

As observed, one of the important functions of the Parliament is to control the executive. A number of mechanisms are available to it for this purpose.

The rules of procedure and conduct of business in parliament provide that unless the presiding officers otherwise direct, every sitting begins with the Question Hour, which is available for asking and answering questions. Asking of questions is an inherent parliamentary right of all the members, irrespective of their party affiliations. The real object of the member in asking the question is to point out the shortcomings of the administration, to ascertain the thinking of the government in formulating its policy and where the policy already exists, in making suitable modifications in that policy.

In case the answer given to a question does not satisfy the member who raised it and if he feels the need for detailed 'explanation in public interest' he may request the presiding officer for a discussion. The presiding officer can allow discussion, usually in the last half an hour of a sitting.

Members can, with the prior permission of the presiding officer, call the attention of a Minister to any matter of public importance and request the Minister to make a statement on the subject. The Minister may either make a brief statement immediately or may ask for time to make the statement at a later hour or date.

Members can take the government to task for a recent act of omission or commission having serious consequence by resorting to adjournment motion. This motion is intended to draw the attention of the house to a recent matter of urgent public importance having serious consequences for the country and in regard to which a motion or a resolution in the proper notice will be too late. Adjournment motion is an extraordinary procedure which, if admitted, leads to setting aside the normal business of the house for discussing a definite matter of public importance. Adoption of an adjournment motion amounts to the censure of the government.

Besides these devices, Parliament exercises control over the executive through various house committees.

10.7.1 Parliamentary Committees

The accountability of the executive to the Parliament and the Parliament's right to oversee and scrutinise the way in which the executive functions are accepted as axiomatic. But in practice due to some unavoidable factors, such as the pressure on Parliament and its operational procedures, it is difficult for parliament as a body to undertake thorough scrutiny of the multifaceted and complex details of day to day administration and its financial transactions.

Parliament has solved the problem by establishing a series of committees with necessary powers to scrutinise the working of the different departments of the government.

Among the important Committees, which scrutinise the government's works, particularly in the area of public finances, two committees need special mention: Public Accounts Committee and Estimates Committee. These and other Committees are expected to keep the executive on its toes. They ensure an effective and comprehensive examination of all the proposed policies. Often, Committees provides an ideal context for discussing controversial and sensitive matters in a non-partisan manner, away the glare of publicity. They provide a useful forum for the utilisation of experience and ability that may otherwise remain untapped. They also constitute a valuable training ground for future ministers and presiding officers.

10.8 STATE LEGISLATURE

In most respects, state legislatures are similar to the Parliament of India. However, the choice of unicameralism or bicameralism was left to the states, depending on how they weighed the functions of the second chamber compared to the costs involved in running it. Very few states have opted to have bicameral legislature consisting of the Legislative Assembly (Vidhan Sabha) and the Legislative Council (Vidhan Parishad).

The Legislative Assembly of each State is composed of members chosen by direct election on the basis of adult suffrage from territorial constituencies. The size of the Assembly varies from a minimum of 40 to no more than 500. The duration of the Legislative Assembly is for five years.

The membership of the Legislative Council shall not be less than 40 but not more than one-third of the total membership of the Assembly. The House is composed of partly elected and partly nominated members. Normally, 1/6 of total members are nominated by the Governor and the rest are indirectly elected on a complicated formula involving graduates, educators and members of the Assembly.

The position of the Council is inferior to that of the Assembly so much so that it may well be considered as unnecessary. A) The very nature of composition

of the Legislative Council makes its position weak, being partly elected and partly nominated, and representing various interests. B) Its survival depends on the will of the Assembly, as the latter has the power to abolish the Second Chamber by passing a resolution. C) The Council of Ministers are responsible only to the Assembly and not to the Council. D) As regard any ordinary bill originating in the Assembly, the Council's position is very weak for it can only delay its passage for a limited period. Hence, the second chamber of the State legislature is not a revising body, but a mere dilatory body.

The legislative process in the State Assembly is similar to that in the Parliament with one significant exception. The Governor can reserve any bill passed by the State legislature for the consideration of the President. Particularly in one case, it is obligatory on the Governor to reserve the bill, i.e., when the bill is derogatory to the powers of the High Court. If the President directs the Governor to return the bill for reconsideration, the Legislature must reconsider the bill within six months and if it is passed again, the bill is presented to the President again. But it shall not be obligatory on the President to give his assent. Thus, it is clear that once the Governor reserves a bill for the President, its subsequent enactment remains with the President and the Governor has no further role in it. Since the Constitution does not put any time limit upon the President either to declare his assent or withhold, the President can keep the bill in cold storage for an indefinite period without revealing his intention.

10.9 DECLINE OF LEGISLATURE:

At present there exists a strong tendency indicating decline of legislature and corresponding enhancement of power of the executive. Several factors have contributed to this decline of the prestige and functioning of the Parliament.

Parliament is simply not able to devote its entire time to the details of the legislative measures. It could at best lay down broad policy and leave the rest to be taken up by the executive. Hence all bills contain a clause empowering the government to frame necessary regulations and bye laws. Thus, delegated legislation robs the Parliament to a great extent, the law making power, resulting in the decline in the prestige of the Parliament.

The ever-changing political and moral conditions in India are also responsible for the decline of the prestige of the Parliament. Dominance by the

party, the lack of party organisation, the malaise of political defections, corruption and the decline of the morale of politician have all contributed to the erosion of the prestige of the Parliament. A major threat to Parliament in India is posed by the growth of diverse and divisive forces in all the political parties. Both the ruling and opposition parties are prompted more by considerations of expediency and political motives than ideology. The ineffectiveness of the opposition and the lack of a strongly articulated public opinion have added to the erosion of Parliaments position vis a vis the executive headed by the Prime Minister. In theory, we have a parliamentary system where the executive is controlled by the legislature, but in reality, the powers of the legislature have passed into the hands of the executive.

Check Your Progress Exercise-3

Note: I) Use the space below for your answer.

ii) Check your answer with the model answer given at the end of this unit.

1) What is Question Hour?

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2) Bring out the significance of adjournment motion.

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10.10 LET US SUM UP

The Parliament of India, the supreme legislative organ in the country, has a long historical background. While legislature in some form came into being during the days of the East India Company, it was only when the Company rule was replaced by that of the Crown that the powers of the Union Legislature as well as its democratic base began to gradually grown.

The Parliament consists of the President, the Lok Sabha and the Rajya Sabha. To get elected to the Parliament, one has to fulfil certain qualifications prescribed by the Constitution and the Parliament. Members of the Parliament have certain privileges to enable them to function better. Each house has its own presiding officer to conduct the meetings of the House and to protect the dignity and honour of the House.

The primary function of the Parliament is to enact laws. In addition, it holds the Council of Ministers responsible for its policies and criticises the policies wherever necessary. It also has the powers to amend the constitution and to impeach the President. There are several Committees appointed from among its members for effective functioning. Devices like the question hour, adjournment motion, calling attention motion, etc. are available for Parliament to check the government. Passing of the budget, an important function of the Parliament, provides it with an opportunity to scrutinise the activities of the government.

There is a declining trend in the position of the legislature all over the world. Delegated legislation, ascendancy of the executive over the other organs of the government, emergence of strong party system, etc. are some of the reasons for such a trend. Despite these trends, the Parliament still commands respect and is able to maintain its position vis a vis the other organs of the government.

10.10 SOME USEFUL BOOKS

Basu, Durga Das, 1983, *Commentary on the Constitution of India*, Prentice Hall, New Delhi.

Granville Austin 1964, *India's Constitution-Cornerstone of a Nation*,

Mukherjee, Hiren, 1978, *Portrait of Parliament: Reflections and Recollections*, Vikas, New Delhi.

ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise-I

- 1) Bicameral legislature at the Centre- For the first time, elected majority was established in legislature.
- 2) The Government of India Act of 1935 which introduced federalism in India.

Check Your Progress Exercise-2

1) To be a member, the person should be 25 years (for Lok Sabha) or 30 years (for Rajya Sabha) and other qualifications prescribed by the Parliament. A member disqualifies if absent from meetings for more than 60 days without permission, if he holds a office of profit under Government of India, if found to be of unsound mind, if declared insolvent or acquires citizenship of another country or is under any acknowledgement of allegiance to a foreign state. A member elected to the State Assembly, forfeits his membership of Parliament if he does not resign from the State Assembly within a specified period.

2) Has wide and extensive powers-presides over the sitting of Lok Sabha, conducts proceedings, maintains order in the house and determines the order of business in the house- acts as spokesperson of the house-interprets and applies rules of the house-authenticates bills- certifies money bills- etc

Check Your Progress Exercise-3

1) The first hour of the sitting of a house which is available for asking and answering of questions.

2) It is an extraordinary procedure to call the attention of the house to a matter of grave importance and affecting the whole country. Normal business is set aside to discuss the motion. And adoption of this motion amounts to censure of the government.