



Parliament (Part-II)

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Parliament (Part-I)

Leaders in Parliament

- **Leader of the House:** Under the Rules of **Lok Sabha**, the '**Leader of the House**' means the **Prime Minister** (or another minister who is a member of Lok Sabha and is nominated by the PM to function as the Leader of the House).
 - There is also a '**Leader of the House**' in the **Rajya Sabha** who is a minister and a member of the Rajya Sabha and is nominated by the PM to function as such.
 - S/He **exercises direct influence on the conduct of business.**
 - The office of leader of the house is **not mentioned in the Constitution but in the Rules of the House.**
- **Leader of the Opposition:** The **leader of the largest Opposition party** having not less than one-tenth seats of the total strength of the House is recognised as the leader of the Opposition in a House.
 - S/He **provides constructive criticism of the government policies** and to provide an alternative government.
 - The leader of Opposition in both the Houses were **accorded statutory recognition in 1977** and are entitled to the salary, allowances and other **facilities equivalent to that of a cabinet minister.**
 - The office of leader of the opposition is **not mentioned in the Constitution but in the Parliamentary Statute.**

- **Whip:** Every political party, whether ruling or opposition has its own whip in the Parliament.
 - S/He is **appointed by the political party to serve as an assistant floor leader**, charged with the responsibility of ensuring the attendance of his party members in large numbers and securing their support in favour of or against a particular issue.
 - He **regulates and monitors their behaviour in the Parliament** and the members are supposed to follow the directives given by the whip.
 - The office of 'whip' is mentioned neither in the Indian Constitution nor in the other two statues mentioned above. It is **based on the conventions of the parliamentary government**.

Sessions of Parliament

- **Summoning:**
 - Summoning is the process of calling all members of the Parliament to meet. The summoning of Parliament is specified in **Article 85** of the Constitution.
 - The **President** summons each House of the Parliament from time to time. However, the maximum gap between two **sessions of Parliament cannot be more than six months**.
- **Sessions:**

India does not have a fixed parliamentary calendar. By convention, Parliament meets for three sessions in a year.

 - **Budget Session: Longest session**, starts towards the end of January, and concludes by the end of April.
 - **Monsoon Session:** Second session, usually begins in July and finishes in August.
 - **Winter Session:** Third session, held from November to December.
- **Adjournment:**
 - An adjournment suspends the work in a sitting for a specified time, which may be hours, days or weeks.
 - When the meeting is terminated without any definite time/date fixed for the next meeting, it is called **Adjournment sine die**.
 - The **power of adjournment** as well as adjournment sine die **lies with the presiding officer (Speaker or Chairman)** of the House.
- **Prorogation:**
 - Unlike adjournment, **Prorogation terminates a sitting as well as the session** of the House.
 - It is **done by the President** of India.
 - Prorogation is **different from the dissolution** (of Lok Sabha).

- **Quorum:**
 - Quorum refers to the minimum number of the members required to be present for conducting a meeting of the house.
 - The Constitution has fixed **one-tenth strength** as quorum for both Lok Sabha and Rajya Sabha.
- **Joint Session of Parliament:**
 - The Constitution of India, under **Article 108**, provides for the joint sitting of the Lok Sabha and the Rajya Sabha, in order **to break any deadlock between the two**.
 - The joint sitting is **called by the President** and is **presided over by the Lok Sabha Speaker**.
 - In the speaker's absence, the **Deputy Speaker** of the Lok Sabha presides over the meeting.
 - In the absence of both, it is presided over by the **Deputy Chairman of the Rajya Sabha**.
- **Lame Duck Session:** It refers to the last session of the existing Lok Sabha, after a new Lok Sabha has been elected.

Those members of the existing Lok Sabha who could not get re-elected to the new Lok Sabha are called lame-ducks.

Devices of Parliamentary Proceedings

- **Question Hour:**
 - The **first hour of every parliamentary sitting** is termed as **Question hour**. It is mentioned in the **Rules of Procedure of the House**.
 - During this time, the members ask questions and the ministers usually give answers. The questions are of three types:
 - **Starred questions:** These are **distinguished by an asterisk** and **require oral answers**. Hence **supplementary questions can follow**.
 - **Unstarred questions:** It **requires a written answer** and hence, **supplementary questions cannot follow**.
 - **Short notice questions:** The **matters of public importance** and of urgent character are considered under this type of questions. These are asked by **giving a notice of less than ten days** and are **answered orally**.
- **Zero Hour:**
 - A **Zero Hour** is an **Indian parliamentary innovation**. It is not mentioned in the parliamentary rules book.

Under this, the Members of Parliament (**MPs**) **can raise matters without any prior notice**.
 - The zero hour starts **immediately after the question hour** and lasts until the agenda for the day (regular business of the House) is taken up.

In other words, the time gap between the question hour and the agenda is known as zero hour.

- **Half-an-Hour Discussion:**
 - It is meant for **discussing a matter of sufficient public importance**, which has been subjected to a lot of debate and the answer to which needs elucidation on a matter of fact.
 - The Speaker can allot three days in a week for such discussions. There is no formal motion or voting before the House.
- **Short Duration Discussion:**
 - It is also known as **two-hour discussion** as the time allotted for such a discussion should not exceed two hours.
 - The members of the Parliament can raise such **discussions on a matter of urgent public importance**.
 - The Speaker can allot two days in a week for such discussions. There is neither a formal motion before the house nor voting.
 - This device has been in existence since 1953.

Motions in Indian Parliament

Privilege Motion

- It is moved by a member when he feels that a minister has committed a **breach of privilege of the House** or one or more of its members by withholding facts of a case or by giving wrong or distorted facts. Its purpose is to **censure the concerned minister**.
- It can be moved in **Rajya Sabha as well as Lok Sabha**.

Censure Motion

- It should state the reasons for its adoption in the Lok Sabha.
- It can be **moved against an individual minister or a group of ministers or the entire council of ministers**.
- It is moved to **censure the council of ministers for specific policies and actions**.
- It can be moved **only in Lok Sabha**.

Call-Attention Motion

- It is introduced in the Parliament by a member to call the attention of a minister to a matter of **urgent public importance**, and to seek an authoritative statement from him on that matter.
- It can be moved in **Rajya Sabha as well as Lok Sabha**.

Adjournment Motion

- It is **introduced in the Lok Sabha** to draw the **attention of the House to a definite matter of urgent public importance**.
- It involves an element of censure against the government.
- It can be **moved only in Lok Sabha**.

No-Day-Yet-Named Motion

- It is a motion that has been **admitted by the Speaker** but no date has been fixed for its discussion.
- It can be **moved in Rajya Sabha as well as Lok Sabha.**

No Confidence Motion

- **Article 75** of the Constitution says that the council of ministers shall be collectively responsible to the Lok Sabha.
 - In other words, the **Lok Sabha can remove the ministry from office by passing a no-confidence motion.**
 - The motion needs the support of 50 members to be admitted.
- It can be **moved only in Lok Sabha.**

Motion of Thanks

- The **first session after each general election** and the **first session of every fiscal year** is addressed by the president. This address of the president is discussed in both the Houses of Parliament on a motion called the '**Motion of Thanks**'.
- This motion **must be passed in the House.** Otherwise, it **amounts to the defeat of the government.**

Cut Motions

- A cut motion is a **special power vested in members of the Lok Sabha** to oppose a demand being discussed for specific allocation by the government in the **Finance Bill** as part of the **Demand for Grants.**
 - If the motion is adopted, **it amounts to a no-confidence vote**, and if the government fails to jot up numbers in the lower House, **it is obliged to resign** according to the norms of the House.
 - A motion may be moved to reduce the amount of a demand in any of the following ways:
 - **Policy Cut Motion:** It is moved so that the amount of the **demand be reduced to Re.1** (represents disapproval of the policy underlying the demand).
 - **Economy Cut Motions:** It is moved so that the **amount of the demand will be reduced by a specified amount.**
 - **Token Cut Motions:** It is moved so that the amount of the **demand is reduced by Rs.100** (expresses a specific grievance).
 - It can be **moved only in Lok Sabha.**
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Closure Motion

- It is a motion **moved by a member to cut short the debate on a matter before the House.**
- If the motion is approved by the House, debate is stopped forthwith and the matter is put to vote.
- There are four kinds of closure motions:
 - **Simple Closure:** It is one when a member moves that the 'matter having been sufficiently discussed be now put to vote'.
 - **Closure by Compartments:** In this case, the clauses of a bill or a lengthy resolution are grouped into parts before the commencement of the debate. The debate covers the part as a whole and the entire part is put to vote.
 - **Kangaroo Closure:** Under this type, only important clauses are taken up for debate and voting and the intervening clauses are skipped over and taken as passed.
 - **Guillotine Closure:** It is one when the undiscussed clauses of a bill or a resolution are also put to vote along with the discussed ones due to want of time.

Point of Order

- A member can raise a point of order when the proceedings of the **House do not follow the normal rules of procedure.**
- A point of order should relate to the **interpretation or enforcement of the Rules of the House** or such articles of the Constitution that regulate the business of the House and should raise a question that is within the cognizance of the Speaker.
- It is **usually raised by an opposition member** in order to control the government.
- It is an extraordinary device as it suspends the proceedings before the House. No debate is allowed on a point of order.

Special Mention

- A matter which is not a point of order or which cannot be raised during question hour, half-an hour discussion, short duration discussion or under adjournment motion, calling attention notice or under any rule of the House can be raised under the special mention in the Rajya Sabha.
- Its equivalent procedural device in the Lok Sabha is known as '**Notice (Mention) Under Rule 377**'.