



## **Government of Tamilnadu**

### **Department of Employment and Training**

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Topic : **Parliament**

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# PARLIAMENT

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- ❖ According to Article 79, the Parliament consists of the President, the Council of States (Rajya Sabha) and the House of the People (Lok Sabha).

### ***Session of the Parliament:***

- ❖ At the discretion of the President
- ❖ Gap should not be more than six months.
- ❖ Budget Session (Longer session) (February - May)
- ❖ Monsoon Session (July - September)
- ❖ Winter Session (November - December)

### **Lok Sabha**

- ❖ Maximum strength - 550 + 2 [530 - States/ 20 - Union Territories].
- ❖ Present strength of Lok Sabha - 545. [530 - States, 13- Union Territories, 2 - Anglo-Indian members are nominated by the President]

- ❖ The Ninety First Amendment, 2001, extended freeze on Lok Sabha and State Assembly seats till 2026.

### ***Tenure:***

- ❖ Lok Sabha - 5 years. (Extended for 1 year each time at the time of National emergency).

### ***Qualification :***

- ❖ Citizen of India.
- ❖ At least 25 yrs of age.
- ❖ Not hold any office of profit.
- ❖ No unsound mind / insolvent.
- ❖ Has registered as voter in any Parliamentary constituency.

### ***Disqualification:***

- ❖ If he voluntarily gives up the membership of party.
- ❖ If he over - rules the 'whip'.
- ❖ Absent for 60 days without intimation.

### ***Oath:***

- ❖ By Pro-Tem Speaker.

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**Presiding Officer:**

- ❖ Speaker (In his absence Deputy Speaker)
- ❖ Member among themselves elect him.
- ❖ The Speaker continues in office even after the dissolution of the Lok Sabha till a newly elected Lok Sabha meets.

**Salary:**

- ❖ From Consolidated Fund of India.

**Resignation:**

- ❖ He resigns by writing to the Deputy Speaker.

**Removal:**

- ❖ Majority of the total membership can remove Speaker after giving a 14 days notice (he doesn't preside over the meetings).
- ❖ After his removal, continues till his successor takes charge.

**Rajya Sabha:**

- ❖ Maximum Strength - 250 (238 – States and Union Territories 12 – nominated by the President).

- ❖ President nominates 12 persons having special knowledge or experience in the fields of literature, science, art and social service.
- ❖ Present strength of Rajya Sabha – 245.
- ❖ 233 seats for the state and the union territories.
- ❖ All the States and the Union Territories of Delhi and Pondicherry are represented.
- ❖ Proportional representation through a single transferable vote.
- ❖ No seats reserved for Scheduled Castes and Scheduled Tribes in Rajya Sabha.

**Qualification:**

- ❖ Citizen of India
- ❖ Age - 30 years

**Special Powers of Rajya Sabha:**

- ❖ Vice President is the ex-officio chairman of Rajya Sabha.
- ❖ Removal of the Vice-President can originate only in the Rajya Sabha.
- ❖ Any resolution- creation of one or more All India Services (All

India Judicial Services - Article 312)

- ❖ Any resolution seeking legislation on any subject of the state list can originate in Rajya Sabha (Article 249)
- ❖ He presides over Rajya Sabha as long as he does not act as the President of India, a vacancy in the office of the President of India.

### ***Different Stages In The Passage Of Bills (Other Than The Money Bills):***

#### ***Introduction of the Bill:***

- ❖ It involves introduction of Bill accompanied by the Statement of Objects and reasons.
- ❖ If a private member wishes to introduce a Bill, he must give one month notice of his intention to introduce the Bill.
- ❖ The introduction of the Bill and its publication in the Gazette constitutes the First Reading of the Bill.

#### ***Second Reading of the Bill:***

- ❖ Discussion of clauses, schedules and amendments.

### **There are four alternate courses:**

1. The Bill may be taken into consideration immediately or on some other fixed date
  1. The Bill may be referred Select Committee of the House.
  2. The Bill may be referred to a Joint Committee of the House.
  3. The Bill may be circulated for the elicit public opinion.
- ❖ If the Bill is referred to the Select Committee or Joint Committee, it is to give its report within a specified date.
  - ❖ The Committee submits its report to the House, which were printed and made available for the members of the House. This is called the report stage of the Bill (discussion clause by clause).

#### ***Third Reading of the Bill:***

- ❖ The third reading is the final reading.

#### **Bill in the Second House:**

#### **Four Alternatives of Second House:**

- i. It may pass the Bill with no amendments - have been passed by both the Houses

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- ii. It may pass the Bill with amendments. The Bill will be returned to the originating House, accepts then the bill is considered to be passed.
  - iii. If the originating House does not agree to the amendments made by the other House and if there is final disagreement amendments between the two Houses, the President summons the Joint session;
  - iv. It may reject the Bill altogether. Again the President can summon Joint Session;
  - v. It may take no action on the Bill by keeping it lying on the table, (six months passes from the date of reception of the President summons for the Joint Session).
- ❖ In case, a bill remains pending un passed for more than 6 months, Joint session is presided over by the Speaker of Lok Sabha (or in his absence Deputy Speaker or by the Deputy Chairman of the Rajya Sabha)
  - ❖ The Lok Sabha is dissolved, before the President notifies a Joint sitting, the bill lapses (no joint sitting is possible).
  - ❖ The deadlock over a Bill is resolved by a majority of the total number of the members of both the Houses present and voting.
  - ❖ No fresh amendments can be done in Joint session.

### ***Prorogation Of House:***

#### **Joint Sitting:**

Can be ordered by President to consider a particular bill in case:

- ❖ A bill passed by one house is rejected by other.
- ❖ The amendments made by the other house are not acceptable to the house, where the bill originated.

- ❖ Means ending the session
- ❖ Pending bills or business does not lapse, they are taken in the next session.

#### **Budget:**

- ❖ The annual financial statement of the Government.

- ❖ It is presented to the Lok Sabha upon the recommendation of the President.
- ❖ It is presented by the Finance Minister.
- ❖ It is the statement of the estimated receipts and expenditures of the Government of India following Financial Year.
- ❖ All the expenditures approved through various demands for grants and expenses charged on the Consolidated Fund of India, are then presented in the form of a single Bill called the Appropriation Bill.
- ❖ The proposals for taxation to raise revenue are presented in form of 'Finance Bill'.

#### ***Dissolution Of The House:***

##### **Only of Lok Sabha.**

- ❖ By President on advices of PM
- ❖ Bill pending in Rajya Sabha, passed by Lok Sabha also lapses unless President call a Joint sitting of the two houses.
- ❖ Bills pending in Rajya Sabha, not passed by Lok Sabha don't lapse.

#### **Conduct Of Business In Parliament:**

##### ***Ordinary Bills:***

All bills, except money bills, are introduced in either house. [Speaker of Lok Sabha decides whether the bill is a money bill or not].

##### ***Money Bills:***

- ❖ It deals with the imposition or abolition of taxes, matters pertaining to borrowing of money by the government custody & maintenance of consolidated funds etc.
- ❖ It can originate only in Lok Sabha on the recommendation of the President. The Rajya Sabha can only delay it by 14 days. Its final authority lies with Lok Sabha only.

#### ***Consolidated Fund of India: (Article 266)***

- ❖ It is fund to which all the revenue, loans raised and income of the Government of India are deposited.
- ❖ Similarly no money can be spent out of this Fund except through the grants made by the Parliament and expenditures charged on the Consolidated Fund of India.

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**Contingency Fund Of India (Article 267):**

- ❖ Through an act of parliament in 1950, Contingency fund of India exists for disasters and related unforeseen expenditures.
- ❖ In 2005 it was raised from Rs. 50 crore to Rs. 500 crores.
- ❖ It is at the disposal of the President. He can make advances out of this fund to meet unforeseen expenses (no need of Parliament's approval)
- ❖ The states have their own Consolidated and Contingency Funds.

**Question Hour:**

- ❖ The First hour of every sitting in both houses (11 am - 12 noon).
  - ❖ In this questions are asked by members & answered by ministers.
1. Starred Questions (I member can ask only one/day) for which oral answers is required.
  2. Unstarred Questions for which written answer (10 days notice) is required.
  3. Short Notice Questions are the ones which relates to matters of urgent public importance and

can be asked by members with notice shorter than the ten days prescribed for an ordinary question.

**Zero Hour:**

- ❖ 12-1 PM daily. Time allotted everyday for miscellaneous business is call-attention notices, questions on official statements & adjournment motions.

**Motion:**

- ❖ It is a proposal brought before the house for its opinion/decision.

**Types:**

**a. Privilege Motion**

- ❖ A resolution introduced by the opposition that a minister has mislead the house by giving wrong information.

**b. Censure Motion**

- ❖ Moved only in Lok Sabha only by the opposition.
- ❖ It can be brought against the ruling government or against any minister (failure to act or seek disapproval of their policy).
- ❖ A censure motion must specify the charges against the

government for which it is moved (no leave of the House is required).

- ❖ If a censure motion is passed in the Lok Sabha, the Council of Minister is bound to seek the confidence of the Lok Sabha as early as possible.

**c. No Confidence Motion:**

- ❖ Can be moved only in Lok Sabha and only by the opposition. It can be brought only against the Council of ministers and not against any individual minister.
- ❖ If the motion is adopted by the house, the council of Ministers is bound to resign.
- ❖ It needs 50 members support in Lok Sabha.

**d. Call- Attention Motion:**

- ❖ A member (after permission from Speaker) calls the attention of the Minister to any matter of 'urgent public importance'.
- ❖ There is no Call-Attention motion in the Rajya Sabha. Instead there exist a motion called 'Motion for Papers'.

**e. Adjournment Motion:**

- ❖ Leads to setting aside the normal business of the House for discussing a definite matter of urgent public importance.
- ❖ Its available only for Lok Sabha.

**f. Cut Motions:**

- ❖ They are moved in the Lok Sabha only. They are part of the Budgetary Process which seeks to reduce the amounts for grants.

**Cut Motions can be divided into three categories:**

- a. **Policy Cut:** A cut motion which says "The amount of the demand be reduced to Re. 1.
- b. **Economy Cut:** The object of the motion is to reduce the amount of the expenditure and the form of the motion is "The amount of the demand reduced by Rs .... (a specified amount)".
- c. **Token Cut:** Where the object of the motion is to ventilate a specific grievance within the sphere of responsibility of the Government of India form is "The amount of the demand be reduced by Rs.100".

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**1. Whip:**

A directive issued by any political party to ensure the support of its members voting in favour or against a particular issue on the floor of the House. A person may lose the membership of the party and the legislature if he votes against the whip or abstains from voting.

**2. Lame duck session:**

This refers to the last session of the old parliament which is held after a new Lok Sabha has been elected after the general election (not eligible for re-election).

**3. Snap vote:**

Refers to a vote taken unexpectedly without voters being briefed or informed about it in advance.

**4. Speaker Pro-tem:**

As soon as the new Lok Sabha is constituted a President appoints a Speaker Pro-tem who is usually the senior most member of the House. (Two members are equally qualified, weightage given to members age)

**Functions:**

- ❖ Include administering the oath to the newly elected Lok Sabha members and presiding over the election of the new Speaker.
- ❖ His term ceases as soon as the Speaker is elected.

**5. Guillotine:**

- ❖ When due to lack of time, demand for grants are put to vote whether they are discussed or not in the House on the last day of the allotted time, it is called Guillotine and it concludes the discussion on demands for grants.

**6. Quorum:**

- ❖ A Quorum is the Minimum number of members of a deliberative assembly necessary to conduct the business of that group. Quorum for either house (Article 100(c) is  $\frac{1}{10}$  the of the total numbers of members)

## COMMITTEES IN PARLIAMENT:

- ❖ Appointed to save time
- ❖ Most of them functions under the direction of Speaker

### **Classified under two heads:**

- a. Standing Committees
  - b. Ad hoc Committees
- ❖ Members of the Rajya Sabha are associated with all committees (Except estimate committees).
  - ❖ Strength 1/3 of members on each committee
  - ❖ Either elected by Rajya Sabha or nominated by the Chairman of Rajya Sabha.
  - ❖ The members of the Committee are generally elected for not more than one year
  - ❖ Chairman of all the Committees (except the Joint Committee on Salaries and Allowances of MPs) are appointed by the Speaker from amongst the members of the Committee.
  - ❖ Joint Committee on Salaries and Allowances appoints its own Chairman.

## Public Accounts Committee

- ❖ This committee was setup first in 1921 under the provisions of the Government of India Act of 1919 and has since been in existence.
- ❖ At present, it consists of 22 members (15 from the Lok Sabha and 7 from the Rajya Sabha). The term of office of the members is one year.
- ❖ The function of the committee is to examine the annual audit reports of the comptroller and auditor general of India (CAG), which are laid before the Parliament by the president.

## Estimates Committee

- ❖ The origin of this committee can be traced to the standing financial committee set up in 1921.

### **The functions of the committee are :**

1. To report what economies, improvements in organisation, efficiency and administrative reform consistent with the policy underlying the estimates, can be affected.



2. To suggest alternative policies in order to bring about efficiency and economy in administration.
  3. To examine whether the money is well laid out within the limits of the policy implied in the estimates.
  4. To suggest the form in which the estimates are to be presented to Parliament.
- ❖ To exercise such other functions vested in the public accounts committee and the estimates committee in relation to public undertakings which are allotted to it by the Speaker from time to time.

### **Committee on Public Undertakings**

This committee was created in 1964 on the recommendation of the Krishna Menon Committee. Originally, it had 15 members ( 10 from the Lok Sabha and 5 from the Rajya Sabha). However, in 1974, its membership was raised to 22 (15 from the Lok Sabha and 7 from the Rajya Sabha).

The functions of the committee are :

- ❖ To examine the reports and accounts of public undertakings.
- ❖ To examine the reports of the comptroller and auditor general on public undertakings.
- ❖ To examine whether the affairs of the public undertakings are being managed in accordance with sound business principles and prudent commercial practices.

### **Departmental Standing Committees**

- ❖ On the recommendation of the Rules Committee of the Lok Sabha, 17 departmentally related standing committees were set-up in 1993. In 2004, seven more such committees were set up, thus increasing their number from 17 to 24.

#### ***The functions of each of the standing committees are:***

1. To consider the demands for grants of the concerned ministries / departments before they are discussed and voted in the Lok Sabha. Its report should not suggest anything of the nature of cut motions.
2. To examine bills pertaining to the concerned ministries departments.
3. To consider annual reports of ministries/departments.
4. To consider national basic long-term policy documents presented to the Houses.