

Examrace

Polity Study Material: Indian Parliament

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Indian Parliament

The Union Parliament consists of the President and two Houses Lok Sabha and Rajya Sabha.

Rajya Sabha

Composition: It consists of not more than 250 members, out of which 238 are elected and the remaining 12 nominated by the President for their special contribution to art, literature, science and social services. The elected members are chosen by the State Assemblies in accordance with the system of proportional representation by means of a single transferable vote. The allocation of seats among the States is not on the basis of equality of representation. In the case of Union Territories members are chosen in such a manner as the Parliament by law determines. A candidate for election to the Council of States (Rajya Sabha) must be

1. a citizen of India:
 2. not less than 30 years of age
 3. not holding any office of profit under the Government: And
 4. ordinarily a resident of the State from which he is contesting.
- Duration:** The Council of States is a permanent body, not subject to dissolution. The term of office for its members is six years, one third of the members retiring after every second year.
- Other Provisions:** The Vice President of India is ex-officio Chairman of the Council of States. The Council elects one of its members as Deputy Chairman. Who presides over its meetings in the absence of the Vice President. But whenever the Council is considering a Resolution for the removal of the Vice President or the Deputy Chairman from his office. These officers shall not preside over the sitting of the House, nor can they carry on the resolution, though they are entitled to speak.
- Powers and Functions:** With regard to legislative powers, the authority of the Rajya Sabha is co-extensive with that of the Lok Sabha. No measure can become a law. Unless it has been passed by the Rajya Sabha. It exercises control over the Union Administration by seeking information. By means of questions and supplementaries by moving resolutions or motions of adjournment or censure. But it cannot oust the Ministry from office. As regards the Money Bills. These cannot be introduced in the Council of States. Also when a Money Bill is passed by the Lok Sabha and transmitted to the Rajya Sabha, the latter can delay the Bill for 14 days. It cannot reject the Bill

Lok Sabha

Composition: It consists of not more than 552 members, out of which 530 members are elected from States and not more than 20 members from the Union Territories and tribal areas. The representatives from the States are directly elected by the people on the basis of adult franchise. At present there are 543 elected members. The representatives of the Union Territories are to be chosen in such manner as the Parliament may, by law, provide. The President can also nominate two Members to Lok Sabha to represent the Anglo-Indian community if, in his opinion, it is not adequately represented. Art. 331 A member for election to Lok Sabha must be

1. a citizen of India
2. not less than 25 years of age
3. not holding any office of profit. The number of seats to each State is so allotted that the ratio between the members and population, as far as practicable, is the same for each State. Each member of the House should represent not less than lakh citizens. Tenure: Lok Sabha has a tenure of 5 years unless dissolved earlier. But while a Proclamation of Emergency under Art. 352 is in operation, this period may be extended for a period not exceeding one year at a time and not exceeding in any case beyond a period of six months after the proclamation has ceased to operate.

Disqualification of Members of Parliament

A person shall be disqualified for being chosen as, and for being, a member of either House of Parliament:

- if he holds any such office of profit under the Government of India or Government of State, as is declared by Parliament. By law to disqualify its holder
- if he is of unsound mind and stands so declared by a competent court
- if he is an undischarged insolvent
- if he is not a citizen of India or has voluntarily acquired citizenship of a foreign State
- if he is so disqualified by any law made by Parliament. Powers and Functions of Parliament

Functions

1. Its main function is to enact laws for the good government of the country.
2. It can pass a vote of No-confidence and thus dismiss the Government in power.
3. It controls the finances of the Union.
4. The members can elicit information by asking questions and supplementaries.
5. The members can move adjournment motions and thus criticize the government.
6. It can impeach the President in case he violates the Constitution.

7. Maximum Gap between two sessions of Parliament is 6 months under Art. 85 (1) .

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