

## PREFACE

With its grounding in the “guiding pillars of Access, Equity, Equality, Affordability and Accountability,” the New Education Policy (NEP 2020) envisions flexible curricular structures and creative combinations for studies across disciplines. Accordingly, the UGC has revised the CBCS with a new Curriculum and Credit Framework for Undergraduate Programmes (CCFUP) to further empower the flexible choice based credit system with a multidisciplinary approach and multiple/ lateral entry-exit options. It is held that this entire exercise shall leverage the potential of higher education in three-fold ways – learner’s personal enlightenment; her/his constructive public engagement; productive social contribution. Cumulatively therefore, all academic endeavours taken up under the NEP 2020 framework are aimed at synergising individual attainments towards the enhancement of our national goals.

In this epochal moment of a paradigmatic transformation in the higher education scenario, the role of an Open University is crucial, not just in terms of improving the Gross Enrolment Ratio (GER) but also in upholding the qualitative parameters. It is time to acknowledge that the implementation of the National Higher Education Qualifications Framework (NHEQF) and its syncing with the National Skills Qualification Framework (NSQF) are best optimised in the arena of Open and Distance Learning that is truly seamless in its horizons. As one of the largest Open Universities in Eastern India that has been accredited with ‘A’ grade by NAAC in 2021, has ranked second among Open Universities in the NIRF in 2024, and attained the much required UGC 12B status, Netaji Subhas Open University is committed to both quantity and quality in its mission to spread higher education. It was therefore imperative upon us to embrace NEP 2020, bring in dynamic revisions to our Undergraduate syllabi, and formulate these Self Learning Materials anew. Our new offering is synchronised with the CCFUP in integrating domain specific knowledge with multidisciplinary fields, honing of skills that are relevant to each domain, enhancement of abilities, and of course deep-diving into Indian Knowledge Systems.

Self Learning Materials (SLM’s) are the mainstay of Student Support Services (SSS) of an Open University. It is with a futuristic thought that we now offer our learners the choice of print or e-slm’s. From our mandate of offering quality higher education in the mother tongue, and from the logistic viewpoint of balancing scholastic needs, we strive to bring out learning materials in Bengali and English. All our faculty members are constantly engaged in this academic exercise that combines subject specific academic research with educational pedagogy. We are privileged in that the expertise of academics across institutions on a national level also comes together to augment our own faculty strength in developing these learning materials. We look forward to proactive feedback from all stakeholders whose participatory zeal in the teaching-learning process based on these study materials will enable us to only get better. On the whole it has been a very challenging task, and I congratulate everyone in the preparation of these SLM’s.

I wish the venture all success.

**Professor Indrajit Lahiri**  
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**Netaji Subhas Open University**  
**Four Year Undergraduate Degree Programme**  
**Under National Higher Education Qualifications Framework (NHEQF) &**  
**Curriculum and Credit Framework for Undergraduate Programmes**  
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**Course Title : Legislative Procedure and Practices**  
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**Netaji Subhas  
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**UG : Political Science  
(HPS)**

**Course Title : Legislative Procedure and Practices  
Course Code : NSE-PS-01**

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# **Module-1**

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## **Unit 1 □ Arrangements of business and list of business**

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### **Structure**

- 1.0 Objective**
- 1.1 Introduction**
- 1.2 Arrangement of Government Business**
- 1.3 Time for Private Members' Business**
- 1.4 List of Business**
- 1.5 Conclusion**
- 1.6 Summing up**
- 1.7 Questions**
- 1.8 Further reading**

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### **1.0 Objective**

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After studying this unit, learners will be able to :

- Understand the classification and arrangement of parliamentary business into Government and Private Members' business.
- Outline the processes for setting the schedule and managing amendments in parliamentary proceedings.
- Examine the role of the Speaker and the Leader of the House in organizing and revising the parliamentary schedule.
- Describe the procedures for handling unfinished and controversial items in parliamentary business.
- Explore the provisions for prioritizing and managing Private Members' Bills and resolutions within the schedule.

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### **1.1 Introduction**

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Parliamentary proceedings consist of two primary categories of business: Government business and Private Members' business. Government business is further divided into items initiated by the Government itself and those initiated by private members but discussed during government-designated time. Each type of business follows a carefully structured

schedule to ensure orderly, efficient discussion and legislative action. The arrangement of business includes processes for setting schedules, handling requests for amendments, and managing both ongoing and unresolved discussions. This structured arrangement promotes an efficient flow of parliamentary activities, balancing government priorities with opportunities for private members to present Bills and resolutions.

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## 1.2 Arrangement of Government Business

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In the Parliament, *Arrangement of Government Business* refers to how government-related items are scheduled for discussion on days specifically set aside for them.

**[i] Setting the Schedule :**

The Secretary-General arranges the order of government business as decided by the Speaker after consulting with the Leader of the House. The Leader of the House shares a tentative list of government business for the first two or three days of the session at least ten days before it begins. This advance notice helps members prepare by allowing them time to submit amendments.

**[ii] Finalizing the List of Business :**

Just before the session starts, the List of Business for the first day is updated to include additional items like notices, statements by Ministers, and reports. After the session begins, the Leader of the House, through the Minister of Parliamentary Affairs, provides the daily list of government business. Any new items can be added through a supplementary List or a Revised List of Business on short notice if necessary.

**[iii] Weekly Business Updates:**

To give members a preview of government business for the following week, the Minister of Parliamentary Affairs, on behalf of the Leader of the House, announces it on the last sitting day of each week. Up to ten members (not part of the Business Advisory Committee) can suggest topics to be added for the next week. The Speaker approves and records these brief suggestions, which are limited to 50 words each.

**[iv] Adjusting the Order of Business:**

Normally, the order in which the business is presented by the Minister of Parliamentary Affairs remains unchanged. However, this order may be adjusted by the Speaker or by the House's decision. If a previously discussed item hasn't been completed, it usually takes priority over new items. But the Speaker can allow exceptions, especially for items scheduled for specific days.



If the government doesn't provide reasons for not listing a partially discussed item for the following day, the Speaker may set it as the first item after formal matters. Certain items, like the Appropriation Bill, may be given priority over partially discussed items if they require little to no debate.

**[v] Requests for Change or Deletion :**

Typically, the daily order of business isn't changed unless the House agrees or the Speaker finds a strong reason. A Minister may request a change in the schedule or removal of an item from the list, but the Speaker must be given valid reasons. Additionally, if an item has low attendance or if formal items conflict with more pressing matters, the Speaker may decide not to take them up.

**[vi] Handling of Undisposed and Controversial Items :**

If an item scheduled for a specific time finishes earlier than expected, previous items that haven't been addressed may be taken up. The Speaker has ruled that items listed for a day cannot be removed simply because some members might disapprove. Additionally, if an item relates to both Houses, objections from one House won't prevent it from being considered in the other; the other House can express its view when it formally addresses the item.

**[vii] Adjustments Due to Adjournment :**

If the House adjourns due to the death of a sitting or former member or another important reason, formal items on that day's List of Business can be moved to the following day. If it's predetermined that the House will adjourn after obituary references, no other business is included for that day.

This arrangement ensures a structured approach to managing government business efficiently, with flexibility to address unforeseen circumstances or urgent matters through the Speaker's discretion and the guidance of the Leader of the House.

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## **1.3 Time for Private Members' Business**

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On Fridays, the last two and a half hours of the session are set aside for private members' business. The Speaker may designate different Fridays for various types of private members' business, giving priority to one type each time. If there is no Friday session, the Speaker can assign two and a half hours on another day for private members' business.

Priority Order for Private Members' Bills :

When private members' Bills are scheduled, they are taken up in the following order:

- (i) Bills with a motion for permission to introduce the Bill.
- (ii) Bills returned by the President with feedback.
- (iii) Bills passed by the House but sent back with amendments by the Council.
- (iv) Bills passed by the Council and sent to the House.
- (v) Bills with a motion to consider them.
- (vi) Bills reviewed by a Joint or Select Committee.
- (vii) Bills circulated for feedback.
- (viii) Bills that were introduced but have no further motions.
- (ix) Any other Bills.

If multiple Bills fall under the same category, their order is determined by a ballot (random selection), as directed by the Speaker. Bills under category (a) follow the order of submission. In category (h), Bills are sorted as category A or B by the Committee on Private Members' Bills and Resolutions, with category A Bills given priority.

#### **Priority for Private Members' Resolutions :**

Members wanting to propose a resolution will be selected by ballot on a date set by the Speaker.

Private Members' Business Left Unfinished:

If private members' business isn't finished on its designated day, it won't automatically carry over to the next day unless it gets priority in the next ballot. However, if the discussion on a private member's item is ongoing at the end of the day, it will be taken up on the next day designated for that class of business.

#### **Resuming Debates on Private Members' Bills or Resolutions :**

If the debate on a private member's Bill or resolution is postponed to the next session's private members' day, it won't automatically continue unless it gets priority in the next ballot. If the debate is adjourned without a set date, the member can request a new debate date, and the order of discussion will be decided by ballot.

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## **1.4 List of Business**

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The *List of Business* is a schedule of government and private members' items planned to be discussed in the House on a particular day or over several days, following a set order. This list is prepared by the Secretary-General and is shared with each member before the House session begins. Typically, the first item on the List is "Questions," but if there are new members taking their oaths, tributes to deceased members, or introductions of new Ministers, these will come before "Questions."

The “Questions” item on the List includes Starred, Unstarred, and Short Notice Questions, which are printed separately. Likewise, amendments to be proposed on bills, motions, and resolutions, as well as cut motions, are also printed separately. Altogether, these lists, combined with the List of Business, form the *Order Paper* for the day.

No new business that isn’t on the day’s List can be taken up in the House unless the Speaker gives permission. If a member wants to raise an issue not on the List, they must write to the Speaker, who may grant permission.

Certain items can be brought up without needing to be on the List of Business, such as:

- Oaths or affirmations by newly elected members.
- Tributes for deceased members or prominent personalities.
- Adjournment motions.
- Messages from the President.
- Announcements or rulings by the Speaker.
- Issues of privilege.
- Announcements regarding a member’s arrest, resignation, or suspension.

In some cases, Secret Bills may be introduced without being on the List, as long as the Speaker approves. Emergencies, urgent public statements by Ministers, and business matters that need immediate discussion can also be added at the Speaker’s discretion if necessary.

If an item of business depends on the outcome of another item, it will be marked under *Contingent Notice of Bill, Motion, or Resolution*. Items that require prior notice are added to the List only after the notice period ends and relevant rules are met. If a Minister or member requests a rule suspension to address a certain issue, this item and its suspension motion are included in the List of Business.

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## 1.5 Conclusion

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The structured arrangement of parliamentary business is designed to balance flexibility with order, allowing for government priorities to be managed alongside contributions from private members. Through processes like the weekly updates, prioritized lists, and the List of Business, the House can address both planned and urgent issues effectively. This organization, overseen by the Speaker and the Leader of the House, ensures that parliamentary business is conducted in a disciplined, fair manner, with provisions for adjusting or revising the schedule to address emerging needs and concerns.

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## 1.6 Summing Up

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- The structured arrangement of parliamentary business is a well-defined process that ensures a balanced focus on government and private members' initiatives.
- The planning of schedules, regular updates, and prioritization mechanisms enable an organized and productive legislative environment. Led by the Speaker and the Leader of the House, the procedures cater to both routine and urgent matters, allowing the House to effectively manage its legislative agenda.
- Through strategic flexibility, such as revising orders or adjusting schedules for unforeseen events, parliamentary proceedings remain adaptable, ensuring fair consideration of all business items.

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## 1.7 Probable Questions

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### Essay-type Questions :

1. Explain the arrangement of Government Business in the Parliament, including the roles of the Secretary-General, Speaker, and Leader of the House in setting and updating the schedule.
2. Describe the priority system for Private Members' Bills and resolutions. How does the Speaker manage and allocate time for these items in parliamentary proceedings?
3. Discuss the significance of the List of Business in parliamentary operations. How does it ensure an orderly progression of government and private members' business?

### Short-Questions :

1. How does the Speaker adjust the schedule for Government Business in cases of adjournment or unfinished items?
2. Describe the process and criteria for selecting Private Members' Bills for discussion.
3. What items can be discussed in the House without appearing on the List of Business?

### Objective-Questions :

1. What is the role of the Secretary-General in setting the schedule for Government Business in Parliament?
2. How are Private Members' Bills prioritized in parliamentary sessions?
3. What is the purpose of the List of Business in Parliament?

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## 1.8 Further reading

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- Kashyap S. C (2008). Our Parliament, National Book Trust.
- Kaul, M.N., and Shukdher, S.L. (2016). *Practice and Procedure of Parliament*, Lok Sabha Secretariat.

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## Unit 2 Questions

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### Structure

#### 2.0 Objective

#### 2.1 Introduction

#### 2.2 Types of Questions

#### 2.3 How Questions are Admitted

#### 2.4 Scheduling of Questions for Different Ministries

#### 2.5 How Questions Are Asked in Parliament

#### 2.6 Conclusion

#### 2.7 Summing up

#### 2.8 Probable Questions

#### 2.9 Further reading

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### 2.0 Objective

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After studying this unit, learners will be able to :

- Understand the purpose and significance of the Question Hour in the Indian parliamentary system as a tool for holding the government accountable.
  - Identify the different types of parliamentary questions (Starred, Unstarred, Short Notice, and Private Members' Questions) and their unique characteristics.
  - Examine the protocols and procedures governing the acceptance, screening, and presentation of questions in the Lok Sabha.
  - Recognize the roles of Half-an-Hour Discussions and Zero Hour in addressing matters of public importance and enhancing parliamentary discussions.
  - Explore the rules limiting the number of questions and the scheduling of questions by ministries to streamline the parliamentary question process.
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### 2.1 Introduction

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In a parliamentary democracy, asking questions is a key way for Parliament to hold the government accountable for its actions. This process, known as Parliamentary Questions, allows members of Parliament to ask the government about decisions and policies, making the government answerable to the people. In the Lok Sabha (the lower house of India's

Parliament), the first hour of each sitting, from 11:00 A.M. to 12:00 Noon, is dedicated to this practice and is called Question Hour. During this hour, members ask questions, and ministers respond, creating an active session that showcases democracy in action. The rules for managing Question Hour are outlined in the Rules of Procedure and Conduct of Business in Lok Sabha (Rules 32 to 54) and the Speaker's Directions (10 to 18).

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## 2.2 Types of Questions

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Members of the Lok Sabha have the right to ask questions about issues of public importance that fall under a specific Minister's responsibility. These questions are divided into four main types :

- (a) **Starred Questions:** A Starred Question is marked with an asterisk (\*) and requires an oral answer from the Minister in the House. After the Minister's response, members can ask additional questions, known as supplementary questions, for more details.
- (b) **Unstarred Questions:** For an Unstarred Question, the member asks for a written response rather than an oral answer in the House. This answer is provided by the Minister in writing and placed on the table of the House. Since it is a written answer, no follow-up questions are allowed.
- (c) **Short Notice Questions:** If a member wants an urgent answer on a matter of public importance, they can submit a Short Notice Question. These questions are asked with less than 10 days' notice and require an oral response from the Minister.
- (d) **Questions to Private Members:** Members can also ask questions to other members, known as Private Members, if the question is related to a Bill, Resolution, or matter for which that member is responsible. The process for these questions is the same as for questions asked to Ministers, with any necessary changes decided by the Speaker.

### Color-Coded Question Lists:

In the Lok Sabha, each type of question is printed on different colored paper to help members quickly identify them:

- **Starred Questions:** Green paper
- **Unstarred Questions:** White paper
- **Short Notice Questions:** Pink paper
- **Questions to Private Members:** Yellow paper

This system of asking questions ensures that Parliament has an organized way to gather information, keep the government transparent, and allow members to seek answers on important issues that affect the public.

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## 2.3 How Questions are Admitted

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Since questions asked in Parliament receive significant attention from the media and the public and are taken seriously by the government, each question submitted by members must go through careful screening before it is accepted. This screening ensures that questions are accurate, relevant, and respectful. Questions that contain wrong or misleading information may be harmful, causing unnecessary embarrassment to the government or private individuals. To prevent this, both Houses of Parliament have set rules to determine whether a question is acceptable.

For instance, questions containing allegations are generally not allowed unless they are based on solid facts and relate to an organization or group, rather than targeting a specific individual. This rule is in place to prevent unfounded allegations from causing harm, especially if the person involved does not have a chance to defend themselves in the House. Before admitting these types of questions, they may be checked by the relevant ministers or departments to confirm their accuracy. Sometimes, members may even be asked to provide evidence for the claims made in their questions.

### **Certain types of questions are not allowed:**

- If the subject is already being addressed in a court, tribunal, or parliamentary committee, it cannot be asked in Parliament.
- Questions that could harm India's relations with friendly countries are also disallowed.
- Questions about individuals are generally not allowed, except when they relate to people in high positions or involve significant policy issues.
- Questions should directly concern the Government of India, and should not contain opinions, accusations, or information that could harm someone's reputation.

### **Types of Questions—Starred and Unstarred:**

Questions are sorted into two main categories—Starred and Unstarred—depending on their content and importance:

- **Unstarred Questions:** If a question seeks detailed or local information that is not widely relevant, it is marked as Unstarred. This means the question will receive a written response only, without further discussion in the House.
- **Starred Questions:** Questions about issues of broad public interest, which may

lead to further discussion or supplementary questions, are marked as Starred. These questions receive an oral response from the minister in the House.

The Speaker of the Lok Sabha has the authority to decide whether a question should be marked for an oral or written response.

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## 2.4 Limits on the Number of Questions

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To manage time efficiently, there are limits on the number of questions each member can ask in a day:

- A member of the Lok Sabha can ask up to five questions per day, including both Starred and Unstarred questions.
- A single member can have only one Starred Question in the Lok Sabha and up to three Starred Questions in the Rajya Sabha on the same day.
- The Starred Question list in the Lok Sabha can include a maximum of 20 questions per day, while the Unstarred Question list can have up to 230 questions. In the Rajya Sabha, there is no strict limit, but usually, fewer than 200 Unstarred Questions are listed each day.

### **Scheduling of Questions for Different Ministries:**

To organize questions by topics, ministries and departments are divided into five groups (Groups A to E). Each group is assigned a specific weekday for answering questions in the Lok Sabha and a different weekday for the Rajya Sabha. This way, each ministry answers questions on the same day each week, allowing them enough time to prepare answers, as they receive the list of questions five days in advance.

This structured process helps Parliament maintain order and ensures questions asked are fair, factual, and properly addressed.

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## 2.5 How Questions Are Asked in Parliament ?

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When a member's question has been selected as a Starred Question for a particular day, the Speaker (in Lok Sabha) or the Chairman (in Rajya Sabha) calls on the member to ask it. The member stands and states only the question's number from the list, without reading the entire text. The minister then provides an answer.

During Question Hour, no debate is allowed on the questions or the answers given. However, follow-up questions, called supplementary questions, are permitted to clarify the answer. The member who originally asked the question is allowed to ask two supplementary questions. After that, the Speaker can allow other members to ask one supplementary



question each, usually switching between government and opposition members. This ensures fair participation and gives members a chance to get more details on the topic.

The Speaker aims to answer as many Starred Questions as possible during the one-hour session, aiming to limit each question to about eight minutes or less to allow for more discussion. Ideally, if 20 Starred Questions are on the list, each should take only about three minutes to cover them all. However, in practice, only about five to seven Starred Questions are usually answered orally each day. The remaining questions, along with answers to all Unstarred Questions, are submitted in writing and placed on the House's record at the end of Question Hour.

**Short Notice Questions:**

A member can ask a question about a matter of urgent public interest with less than the usual 10 days' notice; this is called a Short Notice Question. The member must explain why they want a quicker response. If the Speaker/Chairman agrees it's urgent, they ask the concerned minister if they can answer the question on short notice. If the minister agrees, the question is scheduled for a specific day; if the minister declines but the Speaker/Chairman finds it important, it is placed as the first question for a future day, respecting the usual 10-day notice period. Only one Short Notice Question is allowed per day, and it is handled just like any other Starred Question at the end of Question Hour.

**Questions to Private Members:**

A member can also ask a question to another member (a Private Member) if it relates to something that the Private Member is responsible for, such as a Bill or Resolution they have proposed. These questions are rare in the Lok Sabha, and supplementary questions or Short Notice Questions cannot be asked of Private Members.

This process ensures that the Question Hour runs efficiently and that members can get information on important issues in a structured manner.

**Half-an-Hour Discussions:**

In the Lok Sabha, members can hold a Half-an-Hour Discussion on important topics related to questions previously answered in the House. This discussion takes place in the last half-hour of the session on Mondays, Wednesdays, and Fridays. In the Rajya Sabha, Half-an-Hour Discussions are typically held from 5:00 to 5:30 p.m. on any day decided by the Chairman. These discussions focus on issues of public importance that were raised through recent questions—whether Starred, Unstarred, or Short Notice—that need further clarification.

To request a Half-an-Hour Discussion, a member must give written notice at least three days before the desired date. The notice should clearly state the points they want to

discuss. Only one Half-an-Hour Discussion is scheduled per session, and in the Lok Sabha, a member can only have one discussion per week and up to two in the entire session. The Speaker or Chairman decides whether the topic is significant enough and requires further explanation to be discussed.

During the discussion, the initiating member makes a brief statement. Then, up to four other members, who have also notified their interest, can ask a question each for clarification. The discussion concludes with the relevant minister responding.

**Zero Hour:**

Zero Hour is the time immediately following the Question Hour in both Houses, starting at 12 p.m. It has no formal mention in parliamentary rules and got its name from the press in the early 1960s, as members began raising urgent public matters without prior notice. During this time, various issues of national importance can be brought up, often catching the government off guard. Although not officially recognized, Zero Hour allows members to raise concerns they believe need immediate attention, even if not scheduled.

Initially, Zero Hour was brief, lasting about 5 to 15 minutes, but over time, it has sometimes stretched beyond an hour. Speaker Rabi Ray attempted to formalize it during the Ninth Lok Sabha, though this often led to delays in regular House business. Despite not being formally sanctioned and occasionally causing disruption, Zero Hour has become a significant practice in parliamentary proceedings, allowing members to express urgent matters directly.

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## 2.6 Conclusion

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The parliamentary question system in India serves as an essential pillar of democracy, enabling members to seek information, address issues, and hold the government accountable. Through distinct formats such as Starred, Unstarred, and Short Notice Questions, members engage in a structured dialogue with the government, leading to increased transparency and responsiveness. Half-an-Hour Discussions and Zero Hour further supplement this process by enabling deeper exploration of critical issues and allowing members to raise pressing matters, ensuring that Parliament remains responsive to the public's needs. Overall, the robust framework governing parliamentary questions helps maintain a balance between government efficiency and accountability, underscoring the principles of representative democracy.

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## 2.7 Summing Up

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- The parliamentary questioning mechanism reflects the values of transparency and

accountability integral to a democratic setup. Question Hour, along with Half-an-Hour Discussions and Zero Hour, provides a structured yet flexible approach for members to engage with pressing issues, obtain information, and hold the government accountable.

- This procedural framework ensures that all questions are relevant, respectful, and substantive, upholding Parliament's role in scrutinizing governmental policies and actions.

- Through these processes, Indian democracy empowers its representatives to address public concerns directly, ensuring the Parliament remains a vital forum for the people.

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## 2.8 Probable Questions

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### Essay-Type Questions

1. Discuss the role of Question Hour in the Indian parliamentary system and how it serves as a tool for accountability.
2. Explain the different types of questions allowed in the Lok Sabha and the distinct purposes they serve.
3. Describe the functions of Zero Hour and Half-an-Hour Discussions in the Indian Parliament, and discuss their importance in addressing urgent and significant public matters.

### Short Questions

1. What is the purpose of Starred Questions in the Lok Sabha?
2. How is Zero Hour different from Question Hour in parliamentary proceedings?
3. Why are questions with allegations often restricted in Parliament?
4. How many questions can a Lok Sabha member ask in a single day?

### Objective Questions

1. What is Question Hour in the Indian Parliament?
2. How does a Starred Question differ from an Unstarred Question?
3. What is the purpose of Zero Hour in parliamentary proceedings?

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## 2.9 Further reading

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- Kashyap S. C (2008). Our Parliament, National Book Trust.
- Kaul, M.N., and Shukdher, S.L. (2016 ). *Practice and Procedure of Parliament*, Lok Sabha Secretariat.

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## **Unit 3 □ Calling Attention to Matters of Urgent Public Importance**

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### **Structure**

#### **3.0 Objective**

#### **3.1 Introduction**

#### **3.2 Mode of Giving Notice**

#### **3.3 Conditions of Admissibility**

#### **3.4 Procedure for Calling Attention**

#### **3.5 Conversion of Calling Attention into Short Duration Discussion**

#### **3.6 Scope of Statements**

#### **3.7 Conclusion**

#### **3.8 Summing Up**

#### **3.9 Probable Questions**

#### **3.10 Further reading**

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### **3.0 Objective :**

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After studying this unit, learners will be able to :

- Understand the significance of urgent discussions in Parliament and their role in addressing matters of immediate public importance.
- Learn the procedure for drawing the attention of Ministers to pressing issues and ensuring their prompt response.
- Explore the scope of ministerial statements in response to urgent concerns and their impact on policy discussions.
- Gain insights into how these discussions serve as a mechanism for holding the government accountable for policy implementation and governance.
- Assess the accuracy and comprehensiveness of government responses while ensuring fact-based discussions that uphold parliamentary decorum and efficiency.

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### **3.1 Introduction**

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The concept of 'Calling Attention' is of Indian origin. It is an innovation in the modern

parliamentary procedure and combines the asking of a question for an answer with supplementaries and short comments in which different points of view are expressed concisely and precisely, and the Government has adequate opportunity to state its case. It gives members an opportunity to bring to the surface the failure or inadequate action of the Government on a matter of urgent public importance. This procedural device is analogous to an adjournment motion without its censure aspect.

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### **3.2 Mode of Giving Notice**

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To call a Minister's attention, a member must submit a notice to the Secretary-General, with copies sent to both the Speaker and the relevant Minister. This ensures the Minister is informed in advance and can provide necessary details to the Speaker for deciding if the notice is acceptable. Notices can be submitted a few days before a session starts but must be given by 10:00 AM on the day they are to be raised. If more than five members submit notices on the same topic, a ballot determines which ones will be prioritized. Each member can submit only two notices per sitting, and if multiple members submit on the same subject, only the first signatory is recognized. Notices that aren't addressed within the week they are submitted will lapse unless the Speaker decides otherwise.

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### **3.3 Conditions of Admissibility**

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The main criteria for a calling attention notice's admissibility are urgency and public importance. The Speaker is responsible for determining this admissibility, holding complete authority to allow or reject such notices, with their decision being final and not subject to question in the House. The Speaker may choose to admit a calling attention notice in place of an adjournment motion on the same issue, as the former often renders the latter unnecessary.

Before deciding on the notice's admissibility, the Speaker may consult the relevant Minister to ensure the notice is factually based, requesting details on issues like the Union Government's responsibility, scope, or any specific points. Once admitted, the notice may be addressed the same day, unless a calling attention notice is already listed for that day. In such cases, the Speaker may postpone the additional notice to a later hour, typically at the day's end.

A calling attention notice may be rejected even if an identical notice has been approved in the other House, as each House's Presiding Officer decides independently. Generally, notices must be submitted promptly on the same day a matter arises or becomes publicly known; a delay may result in rejection.

Only matters of primary concern to the Union Government qualify for a calling attention notice, though in exceptional cases, the Speaker has admitted notices on issues that were not primarily under the Union Government's purview due to their significance or financial ties to the Union Government. A notice may also be disallowed or postponed if the Minister has indicated plans to address the issue or if it is set to be discussed in another admitted motion. However, the Speaker may still admit a notice, allowing the Minister to make a statement in cases of high urgency or public demand.

Ministers are generally expected to address issues of public importance proactively by making statements in the House. Notices that have expired or were disallowed can be resubmitted as fresh notices.

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### 3.4 Procedure for Calling Attention

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List of Business may be withdrawn by the members concerned with the Chair's permission, on so stating their intention on the floor of the House.

The procedure for a Calling Attention notice in the Indian Parliament involves specific steps to ensure orderly conduct and efficient handling of urgent matters:

- 1. Listing and Notification:** When a Calling Attention notice is admitted by the Speaker, it is noted in the List of Business. For notices admitted on the same day, an entry in the List of Business shows when the item will be addressed, and the text of the matter is prepared for the Speaker, the concerned member, the Minister, and officers at the Table. If the notice is set for a future date, it is printed in the List of Business.
- 2. Initiating the Notice:** At the designated time, the member whose notice is listed rises to call the Minister's attention to the issue. If the primary member is absent, the next listed member may raise the matter. If none of the members is present, the Minister may lay a statement on the Table, with permission from the Speaker, which is then treated as a statement made *suo motu*.
- 3. Minister's Response:** If the Minister has sufficient information, they may make an immediate statement. If not, they may request additional time to gather details. The Speaker may allow the Minister to extend the time for the statement if requested. If the statement is brief, it is read out in full; for longer statements, the Minister may read a summary, with the complete statement laid on the Table and copies provided to members.
- 4. Clarificatory Questions:** Members listed in the List of Business may ask one clarificatory question on the statement, provided it remains within the subject's scope and avoids critiques of high authority, assurances, or debates. Questions on

matters under investigation are limited to procedural clarifications without reference to case merits.

5. **Time Management and Priority:** A Calling Attention session should typically not exceed 30 minutes, or 45 minutes in significant cases. Members are given limited time to speak, and the Minister responds collectively to questions. If multiple notices are scheduled, priority is determined by the Speaker based on urgency, with any subsequent matters taken at the end of the day. If the Prime Minister is addressing a notice, it may be given precedence in the List of Business.
6. **Withdrawing a Notice:** Members may withdraw a Calling Attention notice with the Speaker's permission by announcing their intention on the House floor.
7. **Session-end Notices:** If a notice is admitted on the last day of the session but not addressed, the Speaker may direct the Minister to provide a written response for later dissemination to the notifying member.

This procedural framework ensures the efficient handling of urgent issues within the structured limits of parliamentary protocol, allowing both members and Ministers to address matters effectively while maintaining order and clarity in the proceedings.

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### 3.5 Conversion of Calling Attention into Short Duration Discussion

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A **Calling Attention notice** on urgent public matters can be converted into a **Short Duration Discussion** with the Speaker's permission and the consensus of the House. This conversion allows for a more extensive debate on the matter and can occur on the same day or later.

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### 3.6 Scope of Statements

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When a statement is made in response to a Calling Attention notice, it need not be limited to factual information alone. The Minister's statement can include opinions, conclusions, and decisions, which may not require unanimous support within the House. Consequently, responses to these statements, such as questions or comments, may include suggestions, criticisms, or alternative views rather than mere factual inquiries. Though an immediate debate on the statement is not permitted, members may later give notice for a formal debate on the matter, allowing the House to discuss and potentially record a stance on the issue through a motion or question.

This flexibility in the parliamentary procedure ensures that significant matters are not only brought to attention but can also be discussed in depth, allowing varied viewpoints within the House to be considered and documented.

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### 3.7 Conclusion

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The Calling Attention procedure in Indian parliamentary practice serves as a vital mechanism for highlighting issues of immediate public concern, balancing urgency with decorum. By combining elements of question-and-answer sessions with supplementary comments, this procedure provides members with a non-adversarial avenue to address government shortcomings while ensuring ministers can respond adequately. However, its limitations emerge in scenarios where urgency conflicts with procedural restrictions; notices can be delayed or lapsed, leading to missed opportunities for prompt accountability. Additionally, the power held solely by the Speaker in determining admissibility may raise questions of bias, as it centralizes decision-making in one office.

Although it allows members to raise urgent issues and enhances government transparency, the procedure's brief discussion time and limited questioning often constrain the depth of deliberations. Converting certain Calling Attention notices into Short Duration Discussions could provide more robust debates on critical issues, ensuring that public matters receive the thorough examination they merit. In essence, while the Calling Attention procedure is indispensable for responsive governance, refining its parameters to allow more flexible, in-depth dialogue could further enhance its effectiveness and inclusivity.

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### 3.8 Summing up

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- The *Calling Attention* procedure, unique to Indian parliamentary practice, allows members to bring urgent public matters to the government's notice, combining question-asking with concise comments from diverse perspectives. It serves as an alternative to adjournment motions but without a censure component.

- **Notice and Admissibility:** Members submit notices to the Secretary-General, the Speaker, and the relevant Minister. Notices must meet criteria of urgency and public importance, with the Speaker having the final say on admissibility. The Speaker may consult the Minister for factual accuracy and may disallow redundant or delayed notices.

- **Procedure and Response:** When listed in the *List of Business*, members can initiate the notice, and the Minister responds with a statement, either immediately or after further information is gathered. Members may ask clarifying questions but are restricted to relevant inquiries. The entire session typically runs for 30-45 minutes, balancing efficiency and depth.

- **Conversions and Statements:** With the Speaker's consent, a *Calling Attention* notice may be expanded into a Short Duration Discussion, enabling broader debate.



Statements made in response can include opinions and decisions, accommodating criticism and alternate views. Members may later propose a formal debate, allowing the House to take a stand on significant issues.

- This procedure ensures critical issues are highlighted promptly, debated efficiently, and recorded within parliamentary protocol, promoting accountability and transparency in governance.

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### 3.9 Probable question

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#### Essay type Questions:

1. Discuss the significance of the 'Calling Attention' procedure in the Indian Parliament. How does it combine elements of both questions and adjournment motions to ensure urgent public issues are addressed?
2. Explain the process involved in submitting a Calling Attention notice in the Indian Parliament. What conditions of admissibility are considered, and how does the Speaker exercise discretion in this matter?
3. How does the procedure for 'Calling Attention' ensure time management and orderly conduct in the Parliament? Discuss the role of clarificatory questions and the Minister's response in handling urgent public matters.

#### Short Questions:

1. What are the main criteria for the admissibility of a Calling Attention notice?
2. How is priority determined when multiple members submit a Calling Attention notice on the same subject?
3. Describe the conditions under which a Calling Attention notice can be converted into a Short Duration Discussion.

#### Objective Questions:

1. What is a Calling Attention notice?
2. What are the Procedures for Calling Attention?

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### 3.10 Further reading

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- Kashyap S. C (2008). Our Parliament, National Book Trust.
- Kaul, M.N., and Shakhder, S.L. (2016 ). *Practice and Procedure of Parliament*, Lok Sabha Secretariat.

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## **Unit 4 □ Motions for Adjournment on a matter of urgent public importance**

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### **Structure**

- 4.0 Objectives**
- 4.1 Introduction**
- 4.2 Notice of Adjournment Motion**
- 4.3 Admissibility of Adjournment Motions:**
- 4.4 Matter must be definite**
- 4.5 Consent of Speaker**
- 4.6 Manner and Scope of Discussion**
- 4.7 Conclusion**
- 4.8 Summing Up**
- 4.9 Probable Questions**
- 4.10 Further reading**

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### **4.0 Objective**

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- Examine the Role of Adjournment Motions in Parliamentary Democracy  
Understanding how adjournment motions facilitate government accountability and ensure members have the means to address urgent matters impacting the public.
- Understand the Criteria for Admissibility and Importance of Speaker's Consent  
Analyzing the procedural requirements for admissibility, such as specificity, urgency, and public importance, along with the Speaker's discretionary power in granting consent.
- Analyze Historical Context and Evolution of Adjournment Motions  
Examining how the purpose and rules of adjournment motions have adapted since the First Central Legislative Assembly and the post-Independence period.
- Assess the Limitations and Scope of Discussion in Adjournment Motions  
Reviewing how the debate is managed, including time limits, speech restrictions, and the conditions for concluding or withdrawing the motion.

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## 4.1 Introduction

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An adjournment motion is a procedural tool in parliamentary practice that allows members to temporarily set aside scheduled business to address urgent matters of public importance. With the Speaker's consent, this motion brings pressing issues to the attention of the government, bypassing the traditional waiting period required for formal motions or resolutions. Historically, adjournment motions served as a means to bring government policies under scrutiny, especially before Independence, when the Government was not directly accountable to the House. Over time, especially after Independence, the rules and traditions surrounding adjournment motions have evolved to strike a balance between accountability and procedural order. Today, adjournment motions are pivotal in emphasizing a strong disapproval of government policies while providing members a platform to address critical issues that require immediate government intervention.

Without the Speaker's consent, business that isn't on the official List of Business for the day can usually not be conducted. Members may, however, disrupt the House's regular work by introducing an adjournment motion, with the Speaker's consent, to bring up an urgent public issue. Adjournment motions are primarily used to bring urgent concerns to the government's attention, particularly when waiting for a formal motion or resolution with the customary notice time would be too long.

Historically, adjournment motions were seen somewhat as censure motions, albeit not entirely. The procedural rules for such motions have remained largely unchanged since the First Central Legislative Assembly in 1921, but their role and impact have evolved since Independence. Before Independence, members had limited parliamentary mechanisms to discuss urgent public matters, often relying on adjournment motions. At the time, because the Government was not accountable to the House, these motions were not treated as censure motions in the strict sense, and Speakers would often permit discussions by approving them readily. Consequently, it became a common way to bring up significant issues.

After Independence, however, as the Government became accountable to Parliament, this practice created some tension between the Speaker and members, with members seeking to discuss various issues through adjournment motions, while the Speaker encouraged adherence to established parliamentary procedures. The rules, which had not been revised to allow for additional ways to raise urgent matters, contributed to this period of adjustment.

When an adjournment motion is passed, it signals strong disapproval of the Government's policy, potentially more impactful than a censure. To formally remove the Government, however, members must file a no-confidence motion against the Council of Ministers, as specified in parliamentary rules.

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## 4.2 Notice of Adjournment Motion

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The notice's contents are confidential and are not shared with members or the Press. Members are prohibited from publicizing their notice or sharing it with the Press before it is presented to the House, as doing so constitutes a breach of House privileges. An adjournment motion notice must be submitted before the sitting begins on the intended day, directed to the Secretary-General, and copies must be endorsed to the Speaker, the relevant Minister, and the Minister of Parliamentary Affairs. "Before the commencement of the sitting" implies allowing adequate time for the Speaker to receive it in his office before presiding at the start of the session. Notices can only be submitted prior to a session starting on a designated day announced in the Bulletin. Notices are addressed to the Secretary-General with copies for the Speaker and relevant ministers sent to the Parliamentary Notice Office. To ensure the Speaker has enough time to review notices, it is stipulated that notices received by 10:00 a.m. are considered valid for that day. Notices received after 10:00 a.m. are treated as for the next sitting, and if no business is transacted due to adjournment, notices are held over to the following sitting. Members may submit only one notice per sitting. When multiple notices on the same topic are submitted at the same time, a ballot determines priority. If a notice is signed by multiple members, it is regarded as submitted by the first signatory. If a member personally submits a notice to the Speaker by 10:00 a.m. but delivers the Secretary-General's copy later, the Speaker may accept it as timely if the delay is satisfactorily explained by the member. A notice submitted after the cut-off without a specified date is considered for the next sitting, with priority given to whether it was submitted at the first possible opportunity.

By convention, adjournment motions submitted before the President's Address are deferred until the sitting following the Address. However, such motions may be taken up on the Address day if needed. During a discussion on a no-confidence motion, adjournment motions are not permitted, and when a no-confidence motion notice is received, adjournment motions may be delayed until the House decides on the no-confidence motion. Adjournment motions are also typically not permitted during budget discussions or the President's Address Motion of Thanks, as members have sufficient opportunity to raise relevant issues during these discussions.

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## 4.3 Admissibility of Adjournment Motions

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An adjournment motion, to be admissible, must possess the following essential elements: Ministerial Responsibility Generally speaking, the subject matter of an adjournment motion must have direct or indirect relation to the conduct or default on the part of the Government

of India and must be in the nature of criticism of the action of the Government of India either for having done some action or for having omitted to do some action which was urgently necessary at the moment. An adjournment motion is not admissible unless there was failure on the part of the Government to perform the duties enjoined by the Constitution and the law. Where the Government of India has no obligation to intervene in a matter, an adjournment motion is out of order. An adjournment motion cannot be moved also on matters where a Minister exercises discretionary powers conferred upon him by a statute. An adjournment motion on a matter concerning a State Government is inadmissible. Notice of an adjournment motion relating to a State subject has, therefore, to be accompanied by a statement showing how the responsibility of the Government of India has not been discharged. However, adjournment motions relating to matters of law and order or any other State subject, if these concern members of the Scheduled Castes and Scheduled Tribes, may be referred to the Minister of Home Affairs for making enquiries in the matter from the Government of the State concerned and furnishing the information direct to the member or members tabling the notice. An adjournment motion on constitutional developments in a State which bring the Union Government into picture may be held to be in order. Thus, consent has been given by the Speaker to the moving of adjournment motions on the failure of the Union Government to prevent the prorogation of a State Assembly by the Governor when the Assembly session had been called to pass the budget and a vote on certain Demands was likely to go against the Government in view of crossing of the floor by several members and dissolution of a State Assembly by the Governor<sup>31</sup>. An adjournment motion regarding dissolution of a State Assembly was also held to be in order. An adjournment motion seeking to discuss the action of the Governor in issuing an Ordinance for appropriation of money after proroguing the State Assembly was held inadmissible, as the action of the Governor was in accordance with the provisions of article 213 of the Constitution. It has been held that calling of armed forces by a competent authority of the Government of a State in aid of the local police force to maintain law and order cannot be the subject matter of an adjournment motion as under the Code of Criminal Procedure, 1973, a Magistrate is empowered to call the armed forces when he feels that an unlawful assembly cannot be otherwise dispersed. The action of the Government of a State which it is empowered to take under the provisions of the Constitution cannot form the subject matter of an adjournment motion. An adjournment motion seeking discussion on Supreme Court judgment was held to be inadmissible. Where the President has, by a proclamation, declared that the powers of the Legislature of a State shall be exercisable by or under the authority of Parliament after having dissolved the Legislature of the State, an adjournment motion on a State subject in respect of that State may be moved in Lok Sabha. The admissibility of such a motion is, however, governed by the Rules of Procedure and Conduct of Business in Lok Sabha and not by those of the State Legislature. Matters relating

to the day-to-day administration of an autonomous organisation/ corporation cannot be raised by way of an adjournment motion. Conduct of a foreign Government as also events in a foreign country over which the Government of India have no jurisdiction cannot be discussed on an adjournment motion.

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## 4.4 Matter must be definite

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For an adjournment motion to be raised, it must meet specific criteria:

- 1. Relate to a Single Specific Issue:** The motion should focus on one specific matter. Broad discussions, such as debating an entire inquiry report, do not qualify. Only one issue should be raised in the motion, though if multiple adjournment motions address the same question, the Speaker may allow them to be discussed together under one motion. If several notices on the same topic are received, the Speaker may select a well-framed notice for consideration, even if it was not the earliest received.
- 2. Avoid Generalization or Overly Broad Scope:** The motion should not address broad topics, such as the national political situation, extensive economic hardships like middle-class unemployment, general lawlessness in a state, or the government's stance if it hasn't been specified. It should also avoid covering a wide array of cases, such as frequent railway delays or increased accident rates. When based on a Minister's statement, the motion must include the full statement or its summary, making the matter specific for the House to consider adjourning.
- 3. Have a Factual Foundation:** The person proposing the motion must be prepared with facts. If the information is personally known to a member, it may be considered factual if they confirm it before the House. Newspaper reports may serve as a basis, but only if additional facts are provided to the Speaker. Government-unconfirmed press reports or private telegrams cannot justify the motion. If the government disputes the reported facts, the member must provide credible evidence to support the notice. In some cases, the Speaker may defer the motion by a day to allow more information to be gathered. An adjournment motion cannot proceed if the facts are unclear, disputed, or not yet available. In such situations, the Speaker generally accepts the government's version of events.

For a matter to be considered under an adjournment motion, it must meet the following criteria:

### **Matter must be urgent:**

The Speaker interprets urgency not in its everyday sense but by the specific rules for

adjournment. An urgent matter is one that arises suddenly and is akin to an emergency. Examples of urgent issues include:

- Government's decision to delay the Currency Bill post-Budget presentation,
- Sending troops abroad without consulting the Assembly,
- Announcing terms for a committee to investigate resource allocation between central and state governments,
- Using religious sites for extremist purposes,
- Increasing fertilizer and petroleum prices right before the Budget Session,
- Security lapses for high-profile figures, such as the President and Prime Minister.

Conversely, issues like widespread unemployment in an industry, the government's stance on specific contracts, or disasters such as a railway accident have not been deemed urgent. For a matter to qualify as urgent, it must be recent and raised at the first available opportunity. Events that continue over time, or those that will soon be discussed in ordinary parliamentary business (such as during the President's Address, budget discussions, or sessions on public importance topics) do not meet the criteria for urgency. Furthermore, issues that can be addressed through other procedural devices (e.g., questions, half-hour discussions) or matters already debated in the session cannot be reintroduced via an adjournment motion. The Speaker may, in some cases, delay considering an adjournment motion to allow more information gathering or conclude ongoing discussions, without affecting the member's right to raise urgent matters.

#### **Public Importance:**

For an adjournment motion to proceed, it must concern a matter of substantial public importance that justifies pausing the House's regular business. While there's no strict rule defining public importance, it is evaluated based on each case's context and broader administrative implications. Factors indicating public importance include:

1. The issue should be broader than a single individual grievance. Personal complaints or issues around appointments or promotions within government service are not fit for adjournment motions.
2. The issue must have a significant public impact; for example, motions about policies promoting Indianization were permitted.
3. Although government policy or stance is generally not suitable for adjournment, exceptions can be made when such policies affect the public significantly.

Public importance is thus assessed in terms of how it impacts the country's administration on a wider scale.

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## 4.5 Consent of Speaker

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The Speaker may consent to an adjournment motion if satisfied that the matter is specific, urgent, and of public significance. However, the Speaker is not automatically required to admit the motion, even if it meets these criteria. The Speaker has full discretion to deny consent without needing to provide a reason. If a motion appears valid under the Rules, the Speaker grants consent, and once consent for a particular subject is given, it cannot be redirected to another topic.

If a motion does not initially appear admissible, the Speaker may deny consent without bringing it to the House, informing only the concerned member. For cases that are borderline or when the Speaker lacks complete information, the Speaker may allow a brief statement from the member or Minister to determine admissibility.

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## 4.6 Manner and Scope of Discussion

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At the scheduled time, the member who has previously received permission from the House to move an adjournment motion will formally move, “That the House do now adjourn.” After the member presents the specific issue they wish the House to address, other members may speak, followed by the concerned Minister. In certain cases, the Speaker may allow the member to introduce the motion without a speech, directing the Minister to provide the necessary information for the subsequent debate. In such a situation, the member speaks after the Minister, who is then permitted to respond again at the end of the debate.

The debate on an adjournment motion is allotted two hours and thirty minutes, unless concluded earlier. If the Speaker believes sufficient discussion has taken place, they may put the question to a vote at 18:30 or later, ensuring at least two hours and thirty minutes of debate. The debate on an adjournment motion must be completed within the same day.

A procedural question was once referred to the Rules Committee, which found that no changes were needed to Rule 62 and Direction 44 regarding adjournment motion handling.

To allow multiple members to participate and present diverse views while concluding within the allocated time, the Speaker often sets a time limit on speeches, excluding the mover and the Minister, who may receive more time. Debate is limited strictly to the specific matters cited in the motion and reiterated by the Speaker. The mover has the right to reply, with the Minister allowed to respond afterward if permitted by the Speaker. An adjournment motion can be put to a vote or, in cases of mutual consent, may be withdrawn after discussion.

During an adjournment motion debate, the Speaker cannot adjourn the House for the day, as that decision is reserved for the House itself. The Speaker also cannot delay voting



to the next session, though the House may adjourn briefly, such as for lunch. While formal business like the tabling of papers may briefly pause the debate, the adjournment motion must be resolved before the House adjourns for the day.

If the motion passes, the House is automatically adjourned. If it fails, the House resumes the interrupted business or moves to the next agenda item before the Speaker adjourns for the day. Should the motion be withdrawn with the House's consent, the House may adjourn without further business if the session is at its usual end time.

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## 4.7 Conclusion

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While the adjournment motion is an important parliamentary instrument, its utility and effectiveness are subject to significant limitations and procedural challenges. The stringent conditions around its admissibility—requiring matters to be urgent, specific, and of public importance—often restrict the scope for members to use it effectively. The Speaker's discretionary power in granting consent for adjournment motions further narrows its application, as the Speaker may deny consent without providing reasons, potentially limiting members' ability to raise issues. Additionally, the procedural context since Independence, with increased mechanisms available for parliamentary scrutiny, has relegated the adjournment motion to a relatively rare and occasionally contentious measure, sparking tensions over its admissibility in certain situations. Consequently, while the adjournment motion remains an established method for addressing urgent concerns, its restrictive framework sometimes challenges the timely expression of pressing issues, suggesting that a review of procedural flexibility could be beneficial for more dynamic parliamentary discourse.

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## 4.8 Summing Up

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- Adjournment motions serve as a key procedural tool within parliamentary democracies, allowing members to address issues of urgent public importance by temporarily pausing the day's official business.
- Rooted in historical tradition, they have been instrumental in enabling immediate government accountability on critical issues, although they are governed by strict rules regarding admissibility, specificity, urgency, and scope.
- The Speaker's role is central in granting or denying consent, with the authority to determine whether a motion warrants discussion in the House.
- By allowing members to voice urgent concerns while ensuring procedural order, adjournment motions underscore the flexibility and responsiveness inherent in parliamentary processes.

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## 4.9 Probable Questions

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### Essay-Type Questions:

1. Explain the concept of an adjournment motion in parliamentary procedure. Discuss its historical significance and the conditions under which it is considered admissible in the House.
2. Describe the criteria of specificity, urgency, and public importance required for the admissibility of an adjournment motion. Why are these elements essential, and how do they impact the conduct of parliamentary debate?
3. Discuss the role of the Speaker in the context of adjournment motions. How does the Speaker's discretion shape the procedure and ensure that adjournment motions are used responsibly?

### Short Questions:

1. What is an adjournment motion, and under what conditions can it be moved in the House?
2. How has the function and perception of adjournment motions changed from the pre-Independence period to the present day?
3. Explain the significance of public importance in determining the admissibility of an adjournment motion.

### Objective Questions:

1. What is an adjournment motion?
2. What role does the Speaker play in handling adjournment motions?
3. Why is "public importance" a key criterion for the admissibility of an adjournment motion?

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## 4.10 Further Reading

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- Kashyap S. C (2008). Our Parliament, National Book Trust.
- Kaul, M.N., and Shukdher, S.L. (2016 ). *Practice and Procedure of Parliament*, Lok Sabha Secretariat.

# **Module-2**

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## **Unit 5 □ Legislation: Types of bills and legislative procedure**

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**Structure:**

**5.0 Objective**

**5.1 Introduction**

**5.2 Types of Bill**

**5.3 Legislative Procedure in Indian Parliament**

**5.4 Conclusion**

**5.4 Summing up**

**5.5 Probable Questions**

**5.6 References and Further Readings**

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### **5.0 Objective**

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After studying this unit learner will able to :

- Understand the meaning of a bill.
- Discuss the types of bill in details.
- Explain the Legislative Procedure in Indian Parliament.

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### **5.1 Introduction**

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The Parliament is the supreme legislative body of India. Indian parliament is bicameral. One chamber is the Rajya Sabha or Council of States (Upper house) and the other is the Lok Sabha or House of the People (Lower house). The President of India is an integral part of the Parliament. Without the consent of the President no bill cannot be transformed into law. According to Article 79 of Indian constitution, there shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People. As is natural in a system of parliamentary democracy, the Parliament of India occupies a place of primacy in the governance of the country.<sup>1</sup>

In this unit at first the meaning and types of bill will be discussed in details. The second part of this unit will throw light on legislative procedure in Indian Parliament. Then the entire unit will be summarized.

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## 5.2 Types of Bill

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The main function of the Indian Parliament is to make laws. A draft copy of a law is called a bill. In another words, a bill is a proposal for legislation. When the bill passes by both Houses of Parliament and gets the consent of the President, it becomes a law. There are two kinds of bills in the Indian Parliament. They are – Government Bill and Private Bill.

**Government Bill:** Government bill is also called public bill. It is introduced in the Parliament by a minister. It focuses on the governmental or ruling party's policies. This type of bill is drafted by the concerned department of the government in discussion with the department of Law. To introduce this bill in the Parliament needs seven days' notice. Generally, it has greater chance to be approved by the Parliament as it is the bill of ruling party.

**Private Bill:** On the other hand, private bills are introduced by any member of the Parliament other than the ministers. It emphasises on opposition party's policies on public matter. To introduce this bill in the Parliament requires one month's notice.

On the basis of their content, bill may be further divided into four. Such as – Ordinary Bills, Money Bills, Financial Bills and the Constitution Amendment Bills.

**Ordinary Bills:** Any bill which is not a Money bill or Constitution Amendment bill is called Ordinary Bill. It can be introduced any house of the Parliament by a minister or by any member of the Parliament. This type of bill can be introduced without the recommendation of the President. Both the houses, the Lok Sabha and Rajya Sabha have equal powers regarding Ordinary Bills. The President of India can reject, approve and return these bills for reconsideration to the parliament. There are different types of Ordinary Bills in Indian Constitution.

**Money Bills:** Money Bills are different from Ordinary Bills. The bills which are related to financial matters like taxation, public expenditure etc. are called Money Bills. According to the article 110(1), a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely:—

- (a) the imposition, abolition, remission, alteration or regulation of any tax;
- (b) the regulation of the borrowing of money or the giving of any guarantee by the Government of India, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of India;
- (c) the custody of the Consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such Fund;
- (d) the appropriation of moneys out of the Consolidated Fund of India;

- (e) the declaring of any expenditure to be expenditure charged on the Consolidated Fund of India or the increasing of the amount of any such expenditure;
- (f) the receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money or the audit of the accounts of the Union or of a State; or
- (g) any matter incidental to any of the matters specified in sub-clauses (a) to (f).

Money bill can be introduced only in the Lok Sabha by a minister on the recommendation of the President. The Speaker of the Lok Sabha can take the final decision whether a bill is a money bill or not. The Lok Sabha enjoys more powers than Rajya Sabha regarding money bill. Money bill cannot be introduced in the Rajya Sabha. Rajya Sabha cannot amend or reject money bill. The upper house can only detain a money bill for 14 days. Within that period the Rajya Sabha should return the bill with or without recommendations. These recommendations may be accepted or rejected by the Lok Sabha.

**Financial Bills:** Financial Bills are also concerned with financial matters. But, these Bills are different from Money Bills. There are many difference between money bill and financial bill. The certificate of the Speaker of the Lok Sabha is not required for financial bills but money bill as discussed before. For Subhash C. Kashyap, 'a Financial Bill may be any Bill which relates to revenue or expenditure. Besides providing for any of the matters specified in the Constitution for a Money Bill, a Financial Bill may also provide for other matters.' The financial bill may be divided into two: 1. Financial Bill (I) and 2. Financial Bill (II).

**Constitution Amendment Bills:** Any bill which is related to amendment of Indian Constitution is called Constitution Amendment Bill. Article 368 in Part XX of the Constitution of India deals with amendment of Constitution. There are mainly three ways to amend the Constitution. They are (a) Amendment by simple majority of the two Houses of the Parliament, (b) Amendment by special majority of the Parliament and (c) Amendment by special majority of the Parliament and also the approval of half of the state legislatures. According to the article Constitution Amendment Bill can be introduced by any member of the Parliament of India. Any state legislature cannot introduced an Amendment Bill.

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### 5.3 Legislative Procedure in Indian Parliament

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Legislation is the key function of the Indian Parliament. Making law in Parliament is a procedural matter. In this regard, there is a discussion about the procedure of legislation in Parliament between Articles 107 to 122 of the Constitution. All Bills except Money Bill and Revenue Bill (Financial Bill) can be raised in any House of Parliament. Money Bill can

be raised only in the Lok Sabha with the prior approval of the President of India. Bills other than money bills can be introduced in any house of the Parliament. All Bills except Money Bill have to pass through the following stages in the Parliament before it becomes law.

#### **A. Introduction and First Reading:**

An ordinary bill can be introduced by any member including ministers in any House of the Parliament. After getting permission of the House, the mover of the bill introduces it. But, a discussion or debate in details on the bill does not take place at this stage. In this period, “The title and objectives of the Bill” are read. According to law, then the bill is published in the Gazette of India. This stage of the bill is called first reading of the bill.

#### **B. Second Reading:**

This stage is the most important stage in the legislation of a bill. In fact, at this stage the mover of the bill can raise any of the following four motions; namely-

- (1) The Bill may be considered immediately;
- (2) The Bill may be referred to a “Select Committee” of the House.
- (3) The Bill may be referred to the Joint Committee of both Houses of Parliament;

Or,

- (4) The Bill may be circulated for public opinion.

Generally, a bill is sent to Select Committee or Joint Committee. In this stage, the bill is examined in details and send a report to the House about the bill. After accepting the bill, the House discusses in elaborately clause by clause and voted upon separately. The second stage ends while the core principles are adopted by the members of the respective House.

#### **C. Third Reading:**

As the bill is scrutinized and discussed thoroughly in the committee stage, during the third reading of the bill no discussion and amendment is allowed. At this stage the House can accept or reject the bill. If the majority parts of the members of the House present and cast their votes in favor of the bill, the bill is regarded as passed in the House. Thereafter, the bill is sent to another the House.

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

In the second House the bill passes through the above mentioned stages also. Then the bill is to send to the President of the India for his/ her assent. Here we should keep in mind that there are three alternatives before the second House after accepting the bill in another House. They are:

- (1) The second House may accept the bill;
- (2) The House may reject the bill;

Or,

- (3) It Can withhold the bill for up to 6 months. So there can be conflict between the two Houses over a bill. In this crisis period, the President convenes a joint session of both the Houses to decide the fate of the bill and the Speaker presides over the joint session.

#### **E. Assent of the President of India:**

No bill cannot be transformed into law without the consent of the President of India. In fact, after being passed by the both Houses of the Parliament, a bill is presented to the President for getting his or her assent. In this situation, there are three options before the President. Such as, (i) the President can give his or her consent to the bill, the bill becomes an act. Or, (iii) he or she can withhold the bill. Then the bill ends and does not become a law. Or, (ii) he or she can return the bill to the Parliament for reconsideration. But if the bill is passed again in the Parliament (both Houses), the President must give his or her assent.

In these ways the Government Bills and the Private Bills are transformed into laws. The Legislative Procedure of a Financial Bill will be discussed in another unit.

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## **5.4 Conclusion**

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The Indian Parliament, as the supreme legislative body of the country, plays a crucial role in lawmaking. It follows a structured process to transform a bill into a law, ensuring thorough discussion, scrutiny, and approval. The Parliament comprises two houses- the Rajya Sabha and the Lok Sabha—along with the President of India, whose assent is essential for any bill to become law.

This unit has provided an in-depth understanding of the different types of bills - Government and Private Bills along with their classification into Ordinary, Money, Financial, and Constitution Amendment Bills. Each type of bill follows a specific legislative process, governed by constitutional provisions. The legislative procedure includes multiple stages, from introduction and readings in both houses to final approval by the President. The role of the Parliament in shaping national policies and governance is evident through these well-defined procedures.

By studying the law-making process, one can appreciate the democratic framework of India, where laws are enacted through deliberation and consensus. The effectiveness of the parliamentary system depends on the active participation of members, constructive debates,



and adherence to constitutional principles. This unit thus highlights the significance of legislative procedures in ensuring a responsible and transparent governance system.

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## 5.5 Summing up

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- Indian Parliament is the supreme legislative body. It consists of the President and two Houses. The two Houses are Rajya Sabha or Council of States (Upper house) and the other is the Lok Sabha or House of the People (Lower house).

- The main function of the Indian Parliament is to make laws. A draft copy of a law is called a bill.

- When a bill passes by both Houses of the Parliament and gets the consent of the President, it becomes a law. There are two kinds of bills in the Indian Parliament. They are – Government Bill and Private Bill. On the basis of their content, bill may be further divided into four. Such as – Ordinary Bills, Money Bills, Financial Bills and the Constitution Amendment Bills.

- Making law in Parliament is a procedural matter. In this regard, there is a discussion about the procedure of legislation in Parliament between Articles 107 to 122 of the Constitution.

- All Bills except Money Bill and Revenue Bill (Financial Bill) can be raised in any House of Parliament. Money Bill can be raised only in the Lok Sabha with the prior approval of the President of India. Bills other than money bills can be introduced in any house of the Parliament. All Bills except Money Bill have to pass through different stages in the Parliament before it becomes law. They are- a. Introduction and First Reading; b. Second Reading; c. Third Reading; d. Bill in the Second House; e. Assent of the President of India.

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## 5.6 Some questions to check your progress

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### Essay type Questions :

1. What is a bill? Discuss in details the different types of bill. 2+8
2. Explain the Legislative Procedure in the Indian Parliament.

### Shot type Questions :

1. Money Bill
2. Government Bill and Private Bill.

**Objective Questions :**

1. What is a constitutional amendment bill?
2. Can the upper house reject a money bill?

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**5.7 References and Further Readings**

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1. Himansu Ghosh, (2010), Bharater Shasanbyabastha o Rajniti, Mittram Publication.
2. Subhash C. Kashyap, (1994) Our Constitution An Introduction to India's Constitution and Constitutional Law. National Book Trust, India
3. Prof. M. V. Pylee, (2012) Constitutional Government in India, S. Chand & Company Ltd.
4. M. Laxmikanth, Indian Polity, McGraw Hill Education Series.
5. Anadi Kumar Mahapatra, (2011), Bharater Shasanbyabastha o Rajniti, Suhid Publication.

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## **Unit 6 □ Ordinance and Bill to replace an ordinance**

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**Structure:**

**6.0 Objectives**

**6.1 Introduction**

**6.2 Meaning of Ordinance**

**6.3 Ordinance by the President under the Indian Constitution**

**6.4 Ordinance by the Governor under the Indian Constitution**

**6.5 Key Features of Ordinance**

**6.6 Effects of Ordinance**

**6.7 Conclusion**

**6.8 Summary**

**6.9 Probable Questions**

**6.10 References and Further Readings**

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### **6.0 Objective**

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After studying this unit, learners will be able to:

- Understand the meaning and significance of an ordinance.
- Analyze the constitutional provisions related to ordinances issued by the President and the Governor.
- Identify the key features of an ordinance.
- Examine the effects and implications of an ordinance.

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### **6.1 Introduction**

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India follows a parliamentary democratic system where the President is the ceremonial head of state and represents national unity, integrity, and solidarity. However, in situations requiring urgent action when Parliament is not in session, the President has the power to issue ordinances. Similarly, the Governor of a state can issue ordinances when the state legislature is not in session to address emergency situations effectively.

This unit explores the concept of ordinances, the constitutional provisions governing

their promulgation by the President and the Governor, their impact, and their role in governance.

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## 6.2 Meaning of Ordinance

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The term ‘Ordinance’ originates from the Latin word *ordinare*, meaning ‘to put in order.’ An ordinance is a temporary law issued by an executive authority to address urgent situations when the legislative body is not in session. According to the Cambridge Dictionary, an ordinance is a law or rule enacted by a government or authority.

Under Articles 123 and 213 of the Indian Constitution, the President and the Governor have the authority to issue ordinances that hold the same force as parliamentary or state legislature acts, but these ordinances must receive legislative approval within a specified period.

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## 6.3 Ordinance by the President under the Indian Constitution

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Under **Article 123** of the Indian Constitution, the **President of India** has the authority to promulgate ordinances when **Parliament is not in session** and there is an urgent need for legislative action. This provision grants extraordinary legislative power to the executive to address unforeseen situations without waiting for Parliament’s approval.

Key Provisions of Presidential Ordinance

### 1. Circumstances for Promulgation:

- The President can issue an ordinance **only when either or both Houses of Parliament are not in session** and immediate legislative action is required.
- The President must be **satisfied that circumstances necessitate urgent intervention** before exercising this power.

### 2. Legal Status:

- An ordinance has the **same force and effect** as a law enacted by Parliament.
- It is considered a **temporary law** and must be approved by Parliament within a specified time frame.

### 3. Approval Requirement & Duration:

- The ordinance must be **laid before both Houses of Parliament** when they reconvene.
- It will **cease to operate after six weeks** from the date of reassembly unless **approved by both Houses**.

- If **either House disapproves** the ordinance by passing a resolution, it becomes ineffective immediately.

#### 4. Power of Withdrawal:

- The **President can withdraw an ordinance at any time** based on the advice of the Council of Ministers.

#### 5. Constitutional Validity & Limitations:

- An ordinance **cannot violate fundamental rights** or exceed Parliament's legislative competence.
- If an ordinance contains provisions beyond the authority of Parliament, it will be declared unconstitutional and void.
- The judiciary has the power of review and can strike down an ordinance if it is deemed unconstitutional or issued without valid reasons.

Examples of Key Ordinances Issued During the 16th Lok Sabha (2014-2019):

- Telecom Regulatory Authority of India (Amendment) Ordinance, 2014 – Allowed the appointment of former TRAI chairpersons to government posts.
- Andhra Pradesh Reorganisation (Amendment) Ordinance, 2014 – Made changes to the distribution of assets between Telangana and Andhra Pradesh post-bifurcation.
- Coal Mines (Special Provisions) Ordinance, 2014 – Facilitated the auction of coal mines following the Supreme Court's cancellation of prior coal block allocations.

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## 6.4 Ordinance by the Governor under the Indian Constitution

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Similar to the President, the Governor of a state has the power to issue ordinances under Article 213 of the Indian Constitution when the state legislature is not in session. Key provisions include:

1. **Authority:** The Governor can issue an ordinance only when the state legislature is not in session and immediate action is required.
2. **Legal Status:** The ordinance has the same effect as a state law.
3. **Approval Requirement:** The ordinance must be approved by the state legislature within six weeks of its reassembly; otherwise, it will lapse.
4. **Withdrawal:** The Governor can withdraw an ordinance at any time.
5. **Presidential Instruction:** The President can direct the Governor to issue an ordinance if the proposed bill requires prior Presidential sanction.

Although the Governor formally issues ordinances, they are often used as instruments

of the state government, with the Council of Ministers headed by the Chief Minister playing a significant role.

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## 6.5 Key Features of an Ordinance

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- (a) **Equal Authority as a Law:** An ordinance, once promulgated by the President of India (for central laws) or the Governor (for state laws), carries the same legal force and effect as an Act passed by Parliament or the respective state legislature. It is binding and enforceable in the same manner as a duly enacted law.
- (b) **Temporary in Nature:** Ordinances are temporary legislative measures designed to address urgent matters when the legislature is not in session. They remain valid for a maximum period of six weeks from the date the legislature reconvenes. If not approved by the legislature within this period, the ordinance automatically ceases to be in force.
- (c) **Executive Power:** The President or Governor exercises the power to issue ordinances under Articles 123 and 213 of the Indian Constitution, respectively. This power enables the executive to respond swiftly to emergencies or situations requiring immediate legal intervention without waiting for the formal legislative process. However, this authority must be exercised only when circumstances necessitate urgent action.
- (d) **Judicial Review:** The judiciary has the authority to review ordinances to ensure they conform to constitutional principles. Courts can strike down an ordinance if it is found to be unconstitutional, issued without justifiable necessity, or used as a tool to bypass legislative scrutiny. The Supreme Court and High Courts can examine whether an ordinance was promulgated in good faith and within the limits of executive authority.

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## 6.6 Effects of an Ordinance

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Ordinances play a crucial role in governance by providing the executive with a mechanism to address urgent legal and administrative matters when the legislature is not in session. However, their use also raises concerns about democratic accountability and constitutional balance.

### Advantages of Ordinances:

1. **Swift Response to Emergencies:** Ordinances enable the government to take immediate action in situations requiring urgent legislative intervention, such as economic crises, public health emergencies, or national security threats.

2. **Ensuring Continuity in Governance:** When Parliament or the state legislature is not in session, ordinances allow the executive to implement necessary policies and maintain administrative efficiency without waiting for the formal legislative process.
3. **Strengthening Law and Order:** In times of crisis, such as riots, natural disasters, or security threats, ordinances provide the government with legal authority to introduce temporary laws that help restore order and stability.

#### **Disadvantages of Ordinances:**

1. **Bypassing the Legislature:** Frequent or unnecessary use of ordinances can weaken the principle of separation of powers by allowing the executive to make laws without legislative debate and scrutiny. This may reduce transparency and undermine the democratic process.
2. **Legal Uncertainty and Temporary Nature:** Since ordinances must be approved by the legislature within six weeks of its reconvening, their temporary status can create uncertainty regarding the stability of laws. If an ordinance lapses without becoming an Act, any legal actions taken under it may face challenges.
3. **Potential for Political Misuse:** There is a risk that governments may misuse the ordinance-making power for political or partisan gains, such as passing controversial policies without legislative discussion or using ordinances to bypass opposition in Parliament.

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## **6.7 Conclusion**

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Ordinances play a significant role in governance by empowering the President and Governors to enact temporary laws in urgent situations when the legislature is not in session. They serve as essential tools to address emergencies, ensure administrative continuity, and implement necessary policies without delays. However, their temporary nature and the potential risk of executive overreach demand cautious and responsible use.

The Indian Constitution incorporates safeguards to prevent the misuse of ordinance-making powers. Legislative approval within six weeks of reassembly ensures that ordinances do not replace the normal legislative process, while judicial review acts as a check against unconstitutional or arbitrary ordinances. To maintain democratic integrity, ordinances should only be issued in genuine emergencies and not as a substitute for regular law-making.

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## **6.8 Summing Up**

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- **Definition & Authority:** An ordinance is a temporary law issued by the President

of India (Article 123) or the Governor of a State (Article 213) when Parliament or the state legislature is not in session.

- **Legal Status & Duration:** It has the same legal force as an Act but requires legislative approval within six weeks of the legislature's reconvening; otherwise, it lapses.
- **Purpose & Use:** Ordinances allow the executive to respond swiftly to emergencies or urgent policy needs, ensuring governance is not disrupted in the absence of the legislature.
- **Concerns & Safeguards:** While useful, ordinances can be misused to bypass democratic deliberation. Judicial scrutiny and legislative oversight ensure they are used responsibly and in alignment with constitutional principles.

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## 6.9 Probable Questions

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### Essay Type Question:

1. Explain the ordinance-making power of the President under Article 123 of the Indian Constitution. How does it function as an emergency legislative tool?
2. Discuss the key provisions and limitations of an ordinance issued by the President of India.
3. Examine the constitutional safeguards in place to prevent the misuse of the President's ordinance-making power.

### Short Questions:

1. What is an ordinance? How is it different from a regular law?
2. Under what circumstances can the President issue an ordinance?
3. What happens if an ordinance is not approved by Parliament within six weeks of reassembly?
4. Can the President withdraw an ordinance? If so, how?
5. How does judicial review apply to ordinances issued by the President?

### Objective Questions :

1. Under which Article of the Indian Constitution can the President issue an ordinance?

a) Article 121	b) Article 143
c) Article 123	d) Article 213



2. How long can an ordinance remain in force if not approved by Parliament?
  - a) 3 months
  - b) 6 weeks
  - c) 1 year
  - d) Indefinitely
3. Which of the following is NOT true about a Presidential ordinance?
  - a) It has the same force as an Act of Parliament.
  - b) It can be issued even when both Houses of Parliament are in session.
  - c) It must be approved by Parliament within six weeks of reassembly.
  - d) It can be withdrawn by the President at any time.
4. If an ordinance is beyond the legislative competence of Parliament, what happens?
  - a) It is sent for revision.
  - b) It is deemed void.
  - c) It is automatically converted into a law.
  - d) It is reviewed by the Prime Minister.
5. Which of the following is an example of an ordinance issued during the 16th Lok Sabha?
  - a) Right to Education Ordinance, 2009
  - b) Coal Mines (Special Provisions) Ordinance, 2014
  - c) Banking Regulation Ordinance, 2020
  - d) Aadhaar Ordinance, 2016

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## 6.10 Further Reading

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- M. P. Jain, *Indian Constitutional Law*
- D. D. Basu, *Introduction to the Constitution of India*
- Relevant Articles of the Indian Constitution
- Supreme Court Judgments on Ordinance Powers

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## **Unit 7 □ Procedure in Financial Matters**

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**Structure:**

### **7.0 Objectives**

### **7.1 Introduction**

### **7.2 Money Bill: Meaning and some core ideas**

### **7.3 Legislative Procedure of a Money Bill in Indian Parliament**

### **7.4 Conclusion**

### **7.5 Summing Up**

### **7.6 Probable Questions**

### **7.7 Further Readings**

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## **7.0 Objectives:**

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After studying this unit you can learn to:

- Understand the meaning of a Money Bill and Budget.
- Discuss the basic characteristics a Money Bill.
- Explain the Legislative Procedure of a Money Bill in Indian Parliament.

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## **7.1 Introduction**

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Indian Parliament is the supreme legislative body. The main function of the Parliament is to make laws. A draft copy of a law is called a bill. In another words, a bill is a proposal for legislation. When the bill passes by both Houses of the Parliament and gets the consent of the President, it becomes a law. On the basis of content, a bill may be divided into four, Such as – Ordinary Bills, Money Bills, Financial Bills and the Constitution Amendment Bills.

In this unit at first the meaning of a Money Bill and its basic characteristics will be discussed in details. The second part of this unit will throw light on legislative procedure of Money Bill in Indian Parliament. Then the entire unit will be summarized.

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## **7.2 Money Bill: Meaning and some core ideas**

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The bills which are related to financial matters like taxation, public expenditure etc. are called Money Bills. According to the article 110(1), a Bill shall be deemed to be a

Money Bill if it contains only provisions dealing with all or any of the following matters, namely:—

- (a) the imposition, abolition, remission, alteration or regulation of any tax;
- (b) the regulation of the borrowing of money or the giving of any guarantee by the Government of India, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of India;
- (c) the custody of the Consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such Fund;
- (d) the appropriation of moneys out of the Consolidated Fund of India;
- (e) the declaring of any expenditure to be expenditure charged on the Consolidated Fund of India or the increasing of the amount of any such expenditure;
- (f) the receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money or the audit of the accounts of the Union or of a State; or
- (g) any matter incidental to any of the matters specified in sub-clauses (a) to (f).

Money bill can be introduced only in the Lok Sabha by a minister on the recommendation of the President. It cannot be introduced in the Lok Sabha without the recommendation of the President of India. If there is any doubt about Money Bill, the Speaker of the Lok Sabha clarify it. In this regard, his or her decision is final. He or she gives a certificate about a Money Bill. The Lok Sabha enjoys more powers than Rajya Sabha regarding money bill. Money bill cannot be introduced in the Rajya Sabha. Rajya Sabha cannot amend or reject money bill. The upper house can only detain a money bill for 14 days. Within that period the Rajya Sabha should return the bill with or without recommendations. These recommendations may be accepted or rejected by the Lok Sabha.

**Budget:**

The budget is an annual financial statement of the estimated receipts and expenditure of the Indian Government for the next one year. It begins on 1<sup>st</sup> April and ends on 31<sup>st</sup> March of the following year. It is prepared by the ministry of finance in consultation with Niti Aayog and other concerned ministries. The Union Budget of India, also referred to as the Annual Financial Statement in Article 112 of the Constitution of India. The budget contains the following matters:

1. Estimates of revenue and capital receipts;
2. Ways and means to raise the revenue;
3. Estimates of expenditure;

4. Details of the actual receipts and expenditure of the closing financial year;
5. Economic and financial policy of the coming year.

The Government of India had two types of budgets, namely, the Railway Budget and the general budget. Railway budget, presented for 92 years, merged with Union Budget in 2017. The Government presents it on the first day of February so that it can be materialised before the beginning of new financial year, come into effect on 1 April. Until 2016 it was presented on the last working day of February by the Finance Minister in Parliament.

The budget goes through the following six stages in the Indian Parliament:

1. Presentation of budget.
2. General discussion.
3. Scrutiny by departmental committees.
4. Voting on demands for grants.
5. Passing of appropriation bill.
6. Passing of finance bill.

#### **Financial Bills:**

Financial Bills are also concerned with financial matters. But, these Bills are different from Money Bills. The certificate of the Speaker of the Lok Sabha is not required for financial bills but money bill. For Subhash C. Kashyap, 'a Financial Bill may be any Bill which relates to revenue or expenditure. Besides providing for any of the matters specified in the Constitution for a Money Bill, a Financial Bill may also provide for other matters.' The financial bill may be divided into two: 1. Financial Bill (I) and 2. Financial Bill (II).

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### **7.3 Legislative Procedure to pass Money Bill in Indian Parliament**

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In a parliamentary democratic government like India, procedures for taxation, collection and expenditure of public money are very important matter. Britain is the cradle of parliamentary system of government. Similar to the British Constitution, the Indian Constitution has some basic principles regarding the functioning of the Parliament in financial matters. Such as - in India no tax can be levied or collected without the support of law. According to Article 265 of the Indian Constitution states: "No tax shall be levied or collected except by authority of law." Parliament has been given wide powers in financial matters. This system has been adopted for the purpose of proper supervision and control of public money. No private bills may be raised on financial matters in Parliament. Expenditure can only be proposed by the Government. The Constitution of India provides for the following

three kinds of funds for the Central government: i. Consolidated Fund of India (Article 266), ii. Public Account of India (Article 266) and iii. Contingency Fund of India (Article 267).

Legislation is the key function of the Indian Parliament. Making law in Parliament is a procedural matter. Money Bill can be raised only in the Lok Sabha with the prior approval of the President of India. A Money Bill can be passed through the different stages in the Parliament before it becomes law.

### **Introduction and First Reading:**

As discussed above, a Money Bill can be raised only in the Lok Sabha with the prior approval of the President of India. Any minister, usually the Finance Minister or the Prime Minister, can introduce a money bill in the Lok Sabha on the recommendation of the president. The first reading of the Finance Bill ends with the reading of the title of the Finance Bill in the Lok Sabha. But, a discussion or debate in details on the bill does not take place at this stage. According to law, then the bill is published in the Gazette of India. This stage of the bill is called first reading of the bill.

### **Second Reading:**

After the first reading, the Finance Bill, like other government bills, has to go through the second and third reading stages of legislation. A money bill cannot be referred to a joint committee. This stage is the most important stage in the legislation of a money bill. In this stage, the bill is examined in details and send a report to the Lok Sabha about the bill. After accepting the bill, the House discusses in elaborately clause by clause and voted upon separately. The second stage ends while the core principles are adopted by the members of the Lok Sabha.

### **Third Reading:**

As the bill is scrutinized and discussed thoroughly in the committee stage, during the third reading of the bill no discussion and amendment is allowed. At this stage the Lok Sabha can accept or reject the bill. If the majority parts of the members of the House present and cast their votes in favor of the bill, the bill is regarded as passed in the House. Thereafter, the Finance Bill is sent to the Rajya Sabh with the certificate of the Speaker of the Lok Sabha.

### **Bill in the Rajya Sabh:**

Rajya Sabha can discuss and review Finance Bills. But the Rajya Sabha cannot make any amendment or addition to the Finance Bill. However, the Rajya Sabha can recommend amendments to the Finance Bill, but whether or not these recommendations are accepted

depends on the decision of the Lok Sabha. That is, it is not binding on the Lok Sabha to accept the money bill recommendations made by the Rajya Sabha.

If a money bill is sent to the Rajya Sabha after it is passed by the Lok Sabha, the Rajya Sabha may approve the bill and send it back to the Lok Sabha within 14 days or recommend amendments to any part of the money bill. If the Rajya Sabha approves and sends the money bill, the bill will be sent to the President for assent. However, if the Rajya Sabha recommends an amendment and the Lok Sabha accepts the amendment, the Finance Bill with those amendments shall be deemed to have been passed by both the Houses and sent for the assent of the President. On the other hand, if the Rajya Sabha's amendment-recommendation is not accepted by the Lok Sabha, the money bill will be deemed to have been passed by both houses.

But if the Rajya Sabha does not return a money bill within 14 days or propose an amendment after that period, the bill is deemed to have been passed by both houses. It should be noted that in Britain, the House of Lords can hold up a money bill for up to a month, and in the United States, the upper house, the Senate, enjoys the power to amend a money bill.

#### **E. Assent of the President of India:**

No bill cannot be transformed into law without the consent of the President of India. In fact, after being passed by the both Houses of the Parliament, the money bill is presented to the President for getting his or her assent. The difference between other bills and money bills is that the president can sign other bills or send the bill back for reconsideration. But the President has no option but to sign the money bill. As the Money Bill can be raised only in the Lok Sabha with the prior approval of the President of India. A money bill becomes a 'law' after receiving the President's signature.

In short, this is the procedure for passing a money bill.

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### **7.4 Conclusion:**

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In conclusion, the legislative procedure for passing a Money Bill in the Indian Parliament is a structured and crucial process that ensures financial matters are handled with transparency and accountability. A Money Bill, related to financial matters such as taxation and government expenditure, is introduced in the Lok Sabha, and its passage involves several stages, including readings, discussions, and scrutiny. The Rajya Sabha plays a limited role in reviewing the bill, with the Lok Sabha holding the final authority. Once passed by both Houses, the bill requires the President's assent to become law. This process reflects the constitutional framework that maintains checks and balances, ensuring proper governance of the nation's

financial resources. The distinct procedure for Money Bills underscores their importance in the functioning of the Indian parliamentary system, aligning with the principles of democracy and fiscal responsibility.

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## 7.5 Summing Up

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The main function of the Indian Parliament is to make laws. A draft copy of a law is called a bill. On the basis of content, a bill may be divided into four, Such as – Ordinary Bills, Money Bills, Financial Bills and the Constitution Amendment Bills. The bills which are related to financial matters like taxation, public expenditure etc. are called Money Bills. Article 110 of the Indian Constitution deals with the Money Bill. Money bill can be introduced only in the Lok Sabha by a minister on the recommendation of the President. If there is any doubt about Money Bill, the Speaker of the Lok Sabha clarify it. Money bill cannot be introduced in the Rajya Sabha. Rajya Sabha cannot amend or reject money bill. The upper house can only detain a money bill for 14 days. Within that period the Rajya Sabha should return the bill with or without recommendations. These recommendations may be accepted or rejected by the Lok Sabha.

The budget is an annual financial statement of the estimated receipts and expenditure of the Indian Government for the next one year. It begins on 1<sup>st</sup> April and ends on 31<sup>st</sup> March of the following year. It is prepared by the ministry of finance in consultation with Niti Aayog and other concerned ministries. The Union Budget of India, also referred to as the Annual Financial Statement in Article 112 of the Constitution of India.

The Money Bill has to pass through different stages in the Parliament before it becomes law. They are- a. Introduction and First Reading in the Lok Sabha ; b. Second Reading; c. Third Reading; d. Bill in the Rajya Sabha; e. Assent of the President of India.

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## 7.6 Probable Questions

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### Essay Type Questions:

1. Discuss in details the basic characteristics of a Money Bill.
2. Explain the Legislative Procedure of a Money Bill in Indian Parliament.

### Short Questions:

1. Write a short note on Money Bill.
2. Write a short note on Financial Bill

**Objective Questions :**

- 1. What is the supreme legislative body in India?**
  - a) Lok Sabha
  - b) Rajya Sabha
  - c) Indian Parliament
  - d) Supreme Court
- 2. A draft copy of a law before it is passed is called a:**
  - a) Act
  - b) Constitution
  - c) Bill
  - d) Amendment
- 3. A Money Bill can be introduced only in:**
  - a) Rajya Sabha
  - b) Lok Sabha
  - c) Supreme Court
  - d) State Assembly
- 4. Who decides whether a bill is a Money Bill or not?**
  - a) President of India
  - b) Prime Minister
  - c) Speaker of Lok Sabha
  - d) Chief Justice of India
- 5. The Rajya Sabha can hold a Money Bill for a maximum period of:**
  - a) 30 days
  - b) 14 days
  - c) 21 days
  - d) 7 days
- 6. Which Article of the Indian Constitution defines a Money Bill?**
  - a) Article 110
  - b) Article 112
  - c) Article 265
  - d) Article 267
- 7. The budget is presented in Parliament by:**
  - a) Prime Minister
  - b) Finance Minister
  - c) President of India
  - d) Speaker of Lok Sabha



- 8. The financial year in India starts on:**
- a) 1st March
  - b) 1st April
  - c) 1st January
  - d) 1st July
- 9. How many types of financial bills exist in the Indian Parliament?**
- a) Two
  - b) Three
  - c) Four
  - d) Five
- 10. The Consolidated Fund of India is mentioned under which Article?**
- a) Article 110
  - b) Article 266
  - c) Article 112
  - d) Article 267

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## 7.7 References and Further Readings

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2. Subhash C. Kashyap, (1994) Our Constitution An Introduction to India's Constitution and Constitutional Law. National Book Trust, India
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## Unit 8 □ Parliamentary Committees

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### Structure:

#### 8.0 Objective

#### 8.1 Introduction

#### 8.2 Importance of Parliamentary Committees

#### 8.3 Classification of Parliamentary Committees

#### 8.4 Different Parliamentary Committees

##### 8.4.1 Public Accounts Committee

##### 8.4.2 Estimates Committee

##### 8.4.3 Committee on Public Undertakings

##### 8.4.4 Departmentally Related Standing Committees (DRSCs)

#### 8.5 Committees Under Rajya Sabha

#### 8.6 Committees Under Lok Sabha

#### 8.7 Other Standing Committees

#### 8.8 Conclusion

#### 8.9 Summing Up

#### 8.10 Probable Questions

#### 8.11 Further Reading

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### 8.0 Objective

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After studying this unit, learners will be able to:

- Explain the concept, significance, and classification of Parliamentary Committees in India.
- Describe the structure, composition, and functions of different types of committees, including Standing Committees and Ad Hoc Committees.
- Analyze the role and importance of key committees such as the Public Accounts Committee (PAC), Estimates Committee, and Committee on Public Undertakings in parliamentary oversight.

- Assess the effectiveness of Parliamentary Committees in ensuring accountability, transparency, and good governance.
- Identify challenges and suggest reforms to enhance the functioning of Parliamentary Committees in India.

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## 8.1 Introduction

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India is a welfare state, committed to ensuring the overall well-being of its people. Consequently, the responsibilities of Parliament in law-making have expanded significantly. In today's governance landscape, the legislative process has become increasingly complex and specialized. However, due to time constraints and the need for subject-matter expertise, it is not always feasible for Parliament to thoroughly analyse every issue before enacting laws.

Moreover, the limited duration of parliamentary sessions often restricts comprehensive discussions on all matters of national importance. To address these challenges, the Parliamentary Committee system plays a crucial role in India's democratic framework. This unit will explore the concept and classification of Parliamentary Committees, followed by a detailed examination of various committees and their functions.

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## 8.2 Importance of Parliamentary Committees

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Parliamentary Committees are essential to the smooth functioning of India's parliamentary democracy. Since Parliament has limited time to discuss every issue in detail during its sessions, these committees act as an extension of the legislature, facilitating in-depth scrutiny of bills, policies, and financial matters. They improve efficiency, ensure accountability, and bring specialized expertise into governance.

**Thorough Examination of Issues:** Given the limited number of parliamentary sitting days, it is challenging to deliberate extensively on every matter. Parliamentary Committees provide a structured platform for detailed discussions and analysis of legislative proposals, budgets, and policies.

**Expertise and Specialisation:** These committees comprise members with experience and subject-specific knowledge, allowing for comprehensive scrutiny and well-informed recommendations on complex issues.

**Ensuring Accountability:** Committees such as the Public Accounts Committee (PAC) and the Estimates Committee play a crucial role in financial oversight by reviewing government expenditures and scrutinizing audit reports from the Comptroller and Auditor General (CAG).

**Reducing the Parliamentary Workload:** By delegating detailed discussions to committees, Parliament can focus on key legislative and policy decisions, ensuring more efficient use of its time.

**Enhancing Transparency and Public Participation:** Many committees invite experts, stakeholders, and citizens to share their insights, making the legislative process more inclusive, participatory, and transparent.

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### 8.3 Classification of Parliamentary Committees

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Parliamentary Committee means a committee which is appointed or elected by the House or nominated by the Speaker/ Chairman and which works under the direction of the Speaker/ Chairman and presents its report to the House or to the Speaker/ Chairman and has a Secretariat provided by the Lok Sabha/Rajya Sabha.

By their nature, Parliamentary Committees can be divided into two categories. These two divisions are: (1) Standing Committees and (2) Ad hoc Committee.

Broadly, the Parliamentary Committees may be also classified into the following categories:

- (a) Financial Committees;
- (b) Departmentally Related Standing Committees;
- (c) Other Parliamentary Standing Committees; and
- (d) Ad hoc Committees.

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### 8.4 Different Parliamentary Committees:

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**Ad hoc Committee:** On the other hand, Ad hoc Committees are temporary in nature. These committees are constituted for specific purposes and are dissolved once they complete their assigned tasks and submit their reports. In other words, Ad hoc Committees are formed as per necessity and cease to exist after fulfilling their designated responsibilities.

The primary Ad hoc Committees include the Select and Joint Committees on Bills. Other examples of such committees are the Railway Convention Committee, the Joint Committee on Food Management in the Parliament House Complex, and various 'Committees on Inquiry.'

Ad hoc Committees can be broadly classified into two categories:

- a) **Inquiry Committees** – These committees are constituted by the Speaker/Chairman as needed to investigate specific issues and submit reports.

- b) **Advisory Committees** – These committees are appointed to examine and provide recommendations on particular bills.

**Standing Committees:** Standing committees are permanent and regular committees. These committees cannot be dissolved. These types of committees are constituted every year or from time to time in pursuance of the provisions of an Act of Parliament or Rules of Procedure and Conduct of Business in Parliament. These committees work on a continuous basis. According to the nature of functions, standing committees can be classified into six. They are- (a) Financial Committees; (b) Departmental Standing Committees; (c) Committees to Inquire; (d) Committees to Scrutinize and Control; (e) Committees Relating to the Day to Day Business of the House and (f) House Keeping Committees or Service Committees. Some examples of standing committees are- Estimate Committee, Public Accounts Committee, Business Advisory Committee, and some other Committees.

**Financial Committees:** There are three categories of Financial Committees. They are - Committee on Public Undertakings; Estimates Committee and Public Accounts Committee.

Name of the Committees	Number of Members	Tenure	Members Nominated or Elected
Committee on Public Undertakings	22(15LS+7RS)	1 year	Elected by the two House(s)
Estimates Committee	30	1 year	Elected by the Lok Sabha
Public Accounts Committee	22(15LS+7RS)	1 year	Elected by the two House(s)

#### 8.4.1 Public Accounts Committee:

This Committee is an important tool in controlling government expenditure. It examines the annual reports of the Government and scrutinizes the reports of Comptroller and Auditor General laid in the parliament by the President. It was formed first in 1921 under the Government of India Act, 1919. Now, it consists of 22 members out of which 15 are elected from the Lok Sabha and 7 from the Rajya Sabha. The members are elected by the Parliament every year according to the principle of proportional representation by means of the single transferable vote. No minister can be a member of this committee. Normally a member of the opposition party is appointed by the speaker as the chairman of this committee. The term of the members of this committee is one year.

Public Accounts Committee can examine (1) whether the expenditure has been approved by the Parliament for the purpose and sector, (2) whether the expenditure has been organized by the competent authority and (3) whether the expenditure has been made in accordance with the rules framed by the competent authority. But, the recommendations of this committee are advisory. It can conduct a post-mortem

examination of the accounts. If there is any unauthorized expenditure by the government, the committee can bring to the attention of the Lok Sabha about the matter.

#### **8.4.2 Estimates Committee:**

Government and Members of Parliament propose expenditure. Estimates committee was formed to review the estimates of these proposed expenditures and to summarize the expenditures. In the post-independence the first Estimates Committee was formed in 1950 on the recommendation of the then Finance Minister, John Mathai. This committee consists of 30 members. The members of this committee are elected by the Lok Sabha on the basis of the principle of proportional representation by means of the single transferable vote. No minister can be a member of this committee. The speaker appoints the Chairman of this committee from its members.

The main function of this committee is to examine examines the estimates of the expenditure proposed by the government in the budget and suggests 'economies' in public expenditure. The work of this committee starts with the presentation of the budget in the Lok Sabha and the main responsibility of this committee ends with the passing of the budget. This committee can only advise and make recommendations to the government. However, the importance of this Committee is undeniable. Then the government tries to be frugal as recommended by this committee.

#### **8.4.3 Committee on Public Undertakings:**

Initially the Committee on Public Undertakings consisted of 15 members out of which 10 are elected from the Lok Sabha and 5 from the Rajya Sabha. Now, its member has been raised to 22 (15 from the Lok Sabha and 7 from the Rajya Sabha). The Chairman of this committee is appointed by the Speaker from the Lok Sabha only. It examines the reports and accounts of public undertakings. It also examines the reports of the Comptroller and Auditor General on public undertakings. Like any other financial committees, this committee can only advise to the government.

#### **8.4.4 Departmentally Related Standing Committees (DRSCs)**

There are 24 departmentally related standing committees in the Indian Parliament. Out of 24, 8 work under Rajya Sabha and 16 under Lok Sabha. The term of the each Committee is one year. A minister cannot be a member of these committees. The main objective of this standing committees is to secure more financial accountability of the Executive to the Parliament. The names of the 24 Committees are as under: -

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## **8.5 Committees Under Rajya Sabha**

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The Rajya Sabha, as the Upper House of the Indian Parliament, has several committees

to assist in legislative scrutiny, policy review, and governance oversight. These committees focus on specific domains and ensure in-depth examination of various issues. The key committees under the Rajya Sabha include:

1. Committee on Commerce – Examines matters related to trade, industry, and economic policies affecting commerce.
2. Committee on Home Affairs – Reviews issues related to internal security, law and order, and governance.
3. Committee on Education, Women, Children, Youth, and Sports – Addresses policies concerning education, gender equality, child welfare, and youth development.
4. Committee on Industry – Studies industrial policies, business regulations, and related economic affairs.
5. Committee on Science & Technology, Environment, Forest, and Climate Change – Focuses on advancements in science, environmental protection, and climate policies.
6. Committee on Transport, Tourism, and Culture – Evaluates issues related to infrastructure, tourism development, and cultural heritage.
7. Committee on Health and Family Welfare – Reviews healthcare policies, medical services, and public health initiatives.
8. Committee on Personnel, Public Grievances, Law, and Justice – Examines matters concerning civil services, legal frameworks, and public grievance redressal.

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## 8.6 Committees Under Lok Sabha

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The Lok Sabha, as the Lower House of the Indian Parliament, has several committees that play a crucial role in legislative review, policy evaluation, and governance oversight. These committees focus on specific areas and ensure detailed scrutiny of government policies and programs. The key committees under the Lok Sabha include:

9. Committee on Agriculture, Animal Husbandry, and Food Processing – Examines policies related to agriculture, livestock, and food industry development.
10. Committee on Communications and Information Technology – Reviews issues concerning telecommunications, digital infrastructure, and IT advancements.
11. Committee on Defence – Oversees matters related to national security, military policies, and defense procurement.
12. Committee on Energy – Evaluates policies on power generation, renewable energy, and energy security.

13. Committee on External Affairs – Discusses foreign policy, diplomatic relations, and international agreements.
14. Committee on Finance – Examines economic policies, taxation, banking, and financial regulations.
15. Committee on Consumer Affairs, Food, and Public Distribution – Reviews policies related to consumer protection, food security, and supply chains.
16. Committee on Labour, Textiles, and Skill Development – Focuses on labor laws, employment generation, and textile industry policies.
17. Committee on Petroleum and Natural Gas – Scrutinizes policies concerning fossil fuel exploration, refining, and energy resources.
18. Committee on Railways – Examines the development, modernization, and operational efficiency of Indian Railways.
19. Committee on Housing and Urban Affairs – Reviews urban development, real estate policies, and housing initiatives.
20. Committee on Water Resources – Evaluates water conservation, irrigation, and inter-state water disputes.
21. Committee on Chemicals and Fertilizers – Discusses issues related to the chemical industry, fertilizers, and pharmaceuticals.
22. Committee on Rural Development and Panchayati Raj – Reviews policies promoting rural growth and decentralized governance.
23. Committee on Coal, Mines, and Steel – Examines mining policies, mineral resources management, and steel industry development.
24. Committee on Social Justice and Empowerment – Focuses on policies related to marginalized communities, disability rights, and social welfare.

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## 8.7 Other Standing Committees

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Other standing committees in the Indian Parliament play a significant role in ensuring the smooth functioning of legislative activities. The Business Advisory Committee, consisting of 26 members (15 from the Lok Sabha and 11 from the Rajya Sabha), is responsible for recommending the allocation of time for discussions on bills, motions, and other parliamentary business. It ensures the efficient management of time during sessions to facilitate structured debates.

The Committee of Privileges, comprising 25 members (15 from the Lok Sabha and 10 from the Rajya Sabha), examines cases related to breaches of parliamentary privileges.



It safeguards the rights, immunities, and privileges of members, ensuring their ability to perform duties without obstruction or undue influence. The committee investigates complaints, recommends corrective measures, and upholds the integrity of the parliamentary process.

The Committee on Absence of Members from the Sittings of the House consists of 15 members from the Lok Sabha. It monitors members' attendance and reviews requests for leave submitted by MPs. This committee ensures that parliamentary proceedings are not disrupted due to absenteeism and takes necessary action in cases of prolonged absence without valid reasons.

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## 8.8 Conclusion

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Parliamentary Committees play a pivotal role in enhancing the efficiency, accountability, and effectiveness of India's legislative process. Given the complexities of governance and the time constraints of parliamentary sessions, these committees serve as essential instruments for detailed scrutiny, expert analysis, and financial oversight. The classification of committees into Standing and Ad hoc categories, along with their specialized functions, ensures a comprehensive approach to legislative review and policy evaluation.

Through financial committees like the Public Accounts Committee, Estimates Committee, and Committee on Public Undertakings, fiscal discipline and transparency are upheld. Departmentally Related Standing Committees further strengthen legislative oversight by focusing on specific policy areas. Additionally, the committees under the Rajya Sabha and Lok Sabha facilitate in-depth discussions on crucial national and sectoral issues.

Overall, the Parliamentary Committee system is a cornerstone of India's democratic governance, reinforcing legislative accountability and informed decision-making. By ensuring systematic examination of policies and financial matters, these committees contribute significantly to the effectiveness of parliamentary democracy in India.

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## 8.9 Summing Up

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- **Role of Parliament in Law-Making:** As a welfare state, India's Parliament has an expanding role in law-making, but due to time constraints and increasing complexity, detailed scrutiny is often challenging.
- **Importance of Parliamentary Committees:** These committees act as an extension of Parliament, ensuring in-depth examination of policies, financial matters, and legislative proposals. They enhance efficiency, accountability, and subject-matter expertise.

- **Types of Parliamentary Committees:** Committees are broadly classified into Standing Committees (permanent) and Ad hoc Committees (temporary). Further classifications include Financial Committees, Departmentally Related Standing Committees, Other Parliamentary Standing Committees, and Ad hoc Committees.

- **Key Financial Committees:**

**Public Accounts Committee (PAC):** Scrutinizes government expenditure and CAG reports.

**Estimates Committee:** Reviews proposed government expenditures and suggests economic measures.

**Committee on Public Undertakings:** Examines the functioning and finances of public enterprises.

- **Standing Committees & Departmentally Related Standing Committees (DRSCs):** 24 committees, with 8 under Rajya Sabha and 16 under Lok Sabha, ensuring financial accountability and governance oversight.
- **Committees Under Rajya Sabha & Lok Sabha:** Focus on specific sectors such as commerce, defense, energy, foreign affairs, health, and information technology, among others.
- **Significance of the Committee System:** By distributing the workload, providing expertise, ensuring transparency, and facilitating public participation, parliamentary committees play a crucial role in strengthening India's democratic governance.

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## 8.10 Probable Questions

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### Essay-Type Questions

1. Discuss the significance of Parliamentary Committees in the Indian legislative process.
2. Explain the classification of Parliamentary Committees with suitable examples.
3. How do Financial Committees contribute to parliamentary oversight? Discuss the role of PAC, Estimates Committee, and the Committee on Public Undertakings.
4. Evaluate the effectiveness of Departmentally Related Standing Committees (DRSCs) in enhancing governance and accountability.
5. How do Parliamentary Committees help in maintaining checks and balances within a democracy?

### Short Questions

1. What is the role of the Public Accounts Committee (PAC) in financial oversight?

2. Distinguish between Standing Committees and Ad hoc Committees.
3. How does the Estimates Committee contribute to government budgeting?
4. Explain the importance of Departmentally Related Standing Committees in Parliament.
5. What are the main functions of the Committee on Public Undertakings?

### **Objective Questions**

**1. How many Departmentally Related Standing Committees (DRSCs) are there in the Indian Parliament?**

- a) 12
- b) 18
- c) 24
- d) 30

**2. Which committee is responsible for examining government expenditures and CAG reports?**

- a) Estimates Committee
- b) Public Accounts Committee
- c) Committee on Public Undertakings
- d) Rules Committee

**3. Which of the following is a Standing Committee?**

- a) Select Committee
- b) Joint Parliamentary Committee
- c) Public Accounts Committee
- d) Ad hoc Committee

**4. How many Financial Committees are there in the Indian Parliament?**

- a) Two
- b) Three
- c) Four
- d) Five

**5. Which house of Parliament has more Departmentally Related Standing Committees under its jurisdiction?**

- a) Lok Sabha
- b) Rajya Sabha
- c) Both have equal committees
- d) none of these

**6. Which committee is responsible for reviewing the working of public sector enterprises?**

- a) Rules Committee
- b) Estimates Committee
- c) Committee on Public Undertakings
- d) Business Advisory Committee

**7. Which of the following is an Ad hoc Committee?**

- a) Estimates Committee
- b) Joint Parliamentary Committee
- c) Committee on Public Accounts
- d) Committee on Government Assurances

**8. Who chairs the Public Accounts Committee?**

- a) Prime Minister
- b) Speaker of Lok Sabha
- c) A member of the Opposition
- d) Finance Minister

**9. Which committee suggests measures for economic efficiency in government expenditure?**

- a) Public Accounts Committee
- b) Committee on Public Undertakings
- c) Estimates Committee
- d) Privileges Committee

**10. Which among the following is NOT a Financial Committee?**

- a) Public Accounts Committee
- b) Estimates Committee
- c) Business Advisory Committee
- d) Committee on Public Undertakings

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## 8.5 Further Reading

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1. D.D. Basu – *Introduction to the Constitution of India*
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