



## PARLIAMENT OF INDIA

All the provisions relating to Parliament, from Articles 79 to 122, have been simplified and summarized by the Delhi Law Academy in 11 pages.

This sample contains the first 3 pages.....

### Constitution of Parliament [Article 79]

- Parliament consists of
  - the President, the House of People and the Council of States

### Composition of Council of States [Article 80]

- the Council of States shall consist of
  - 12 members to be nominated by the President
  - a maximum of 238 members representing States and UTs
- Allocation of seats in the Rajya Sabha to States and UTs
  - is specified in the Fourth Schedule

### DLA Note:

- The present number of Rajya Sabha members from States and UTs as per the Fourth Schedule is 233
- Total strength: 233 from States and UTs plus 12 nominated

### Requirement for nomination:

- Special knowledge or practical experience in
  - Literature, Science, Art and Social service
- Representatives of a State in the Rajya Sabha are to be elected
  - by **elected** members of the Legislative Assembly

### Composition of Lok Sabha [Article 81]

- the Lok Sabha shall consist of

- not more than 530 members chosen by direct election from territorial constituencies in States
- not more than 20 members to represent UTs
- Number of seats to be allocated to each State is to be in proportion to its population: Population here is as determined by the **1971 census**
- Each State is to be divided into territorial constituencies: Each constituency is to have practically the same population: Population here is as determined by the **2001 census**

### **DLA Note:**

- The present number of Lok Sabha members from States and UTs is 543
- Total strength: 543 from States and UTs plus 2 nominated from the Anglo-Indian community

### **Readjustment after each census** [Article 82]

- Allocation of seats to States and
- division of each State into territorial constituencies
  - is to be readjusted after every census
  - by an authority determined by Parliament [*Delimitation Commission*]
- No readjustment is now required
  - till the first census taken after 2026

### **Duration of Houses** [Article 83]

#### Council of States:

- Not subject to dissolution
- 1/3<sup>rd</sup> of its members shall retire every second year

#### House of People:

- Normal term: 5 years: Expiration of 5 years shall operate as dissolution
- Can be dissolved sooner than 5 years by the President
- During Emergency: term may be extended by Parliament by 1 year at a time

## Extension of Lok Sabha term

- Term of the 5th Lok Sabha was extended by 1 year, from March 1976 to March 1977

## Qualification for members [Article 84]

- Should be a citizen of India
- Should make an oath before the Election Commission
- Should not be less than 30 years for RS and 25 years for LS
- Should possess other qualifications as prescribed by Parliament

## Sessions of Parliament [Article 85]

- President to summon Houses from time to time: 6 months shall not intervene between the last and first sittings of two sessions
- President to prorogue Houses from time to time
- President may dissolve the Lok Sabha

## Right to address and send messages to Houses [Article 86]

- President has the right
  - to address either House of Parliament
- President has the right
  - to send messages to either House, relating to a pending bill, or otherwise

## Special address by President [Article 87]

- President shall address both Houses assembled together
  - at the start of first session after each general election to the Lok Sabha
  - at the start of first session of each calendar year

## Rights of Ministers [Article 88]

- Every Minister
  - has the right to speak in and take part in proceedings of either House
  - but is not entitled to vote
- Attorney General of India also has similar right.....