

The Parliament - Composition of Parliament and World Parliament

Indian Parliament



Parliament is the supreme legislative body of India. The Indian Parliament comprises of the President and the two Houses - Rajya Sabha (Council of States) and Lok Sabha (House of the People). The President has the power to summon and prorogue either House of Parliament or to dissolve Lok Sabha. The Constitution of India came into force on January 26, 1950. The first general elections under the new Constitution were held during the year 1951-52 and the first elected Parliament came into existence in April, 1952, the Second Lok Sabha in April, 1957, the Third Lok Sabha in April, 1962, the Fourth Lok Sabha in March, 1967, the Fifth Lok Sabha in March, 1971, the Sixth Lok Sabha in March, 1977, the Seventh Lok Sabha in January, 1980, the Eighth Lok Sabha in December, 1984, the Ninth Lok Sabha in December, 1989, the Tenth Lok Sabha in June, 1991, the Eleventh Lok Sabha in May, 1996, the Twelfth Lok Sabha in March, 1998, the Thirteenth Lok Sabha in October, 1999, the Fourteenth Lok Sabha in May, 2004, the Fifteenth Lok Sabha in April, 2009, the Sixteenth Lok Sabha in May, 2014 and the Seventeenth Lok Sabha in May, 2019.

I. Composition of the Parliament

1. The President of India

The Central Executive constitutes the President, Council of Ministers headed by the Prime Minister. President is the nominal head of the State[4]. Every executive action in the central level is conveyed in his authority. The power has been vested to him under Article 53 (1) of the Constitution of India which conditions that the executive power would be vested in the President and shall be implemented by him in a direct or indirect manner through his officer's subordinate.

Article 79 {Constitution of Parliament}[[edit](#)]

There shall be a Parliament for the Union which shall consists of the President and two Houses to be known respectively as the Council of States and the House of the People.

Lok Sabha

The Lok Sabha is composed of representatives of people chosen by direct election on the basis of Universal Adult Suffrage. Maximum strength of the House is 552 members - 530 members to represent the States, 20 members to represent the Union Territories, and 2 members to be nominated by the President from the Anglo-Indian Community. At present, the strength of the House is 545. The term of the Lok Sabha, unless dissolved, is five years from the date appointed for its first meeting. However, while a proclamation of emergency is in operation, this period may be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case, beyond a period of six months after the proclamation has ceased to operate.

Article 80 {Composition of the Council of States}

1. The Council of States shall consists of -
 - a. twelve members to be nominated by the President in accordance with the provisions of clause (3); and
 - b. not more than two hundred and thirty-eight representatives of the States and of the Union territories.
2. The allocation of seats in the Council of States to be filled by representatives of the States and of the Union territories shall be in accordance with the provisions in that behalf contained in the Fourth Schedule.

3. The members to be nominated by the President under sub-clause (a) and clause (1) shall consist of persons having special knowledge or practical experience in respect of such matters as the following, namely: - Literature, science, art and social service.
4. The representatives of each State in the Council of States shall be elected by the elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote.
5. The representatives of the Union territories in the Council of States shall be chosen in such manner as Parliament may by law prescribe.

Article 81 {Composition of the House of the People}

1. Subject to the provisions of article 331, the House of the People shall consist of -
 - a. not more than five hundred and thirty members chosen by direct election from territorial constituencies in the States, and
 - b. not more than twenty members to represent the Union territories, chosen in such manner as Parliament may by law provide.
2. For the purposes of sub-clause (a) of clause (1), -
 - a. there shall be allotted to each State a number of seats in the House of the People in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States; and
 - b. each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State:

Provided that the provisions of sub-clause (a) of this clause shall not be applicable for the purpose of allotment of seats in the House of the People to any State so long as the population of that State does not exceed six millions.

3. In this article, the expression "population" means the population as ascertained at the last preceding census of which the relevant figures have been published:

Provided that the reference in this clause to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year 8[2026] have been published, be construed,—

- i. for the purposes of sub-clause (a) of clause (2) and the proviso to that clause, as a reference to the 1971 census; and

- ii. for the purposes of sub-clause (b) of clause (2) as a reference to the 2001 census.

The Parliament - Lok Sabha, Members and Election

Rajya Sabha?

Rajya Sabha or 'Council of States' is the upper house of the Indian Parliament. The Montague- Chelmsford Report 1918 Records the establishment of RS for the first time in the year 1921. After independence, RS was convened for the first time in 1952. As per the 80th article of Indian constitution, the maximum strength of Rajya Sabha is 250 members in which 238 members will be representing the states whereas union territories will be represented by 12 nominated members by the president. Rajya Sabha is a permanent body which is independent of dissolution. Out of all the members, 1/3rd members retire after every two years and are replaced by new members.

Out of the total seats in RS, Uttar Pradesh (31), Maharashtra (19) and Tamil Nadu (18) have the maximum number of seats in Rajya Sabha whereas union territories like Delhi (3) and Pondicherry (1) have the least number of seats. The term of each member in RS is 6 years. The entire house together elects the Deputy Chairman amongst all the members whereas there is a special panel which works for the selection of vice-chairman in RS. The Vice President of India is known as the ex officio Chairman of RS.

current seat of Lok Sabha

Sl. No.	Name of State	No. of Constituencies	Percentage (%)
1	Andhra Pradesh	25	4.79
2	Arunachal Pradesh	2	0.38
3	Assam	14	2.68
4	Bihar	40	7.66
5	Chhattisgarh	11	2.11
6	Goa	2	0.38
7	Gujarat	26	4.98
8	Haryana	10	1.92
9	Himachal Pradesh	3	0.57
10	Jharkhand	14	2.68
11	Karnataka	28	5.36
12	Kerala	20	3.83
13	Madhya Pradesh	28	5.36
14	Maharashtra	48	9.20

Sl. No.	Name of State	No. of Constituencies	Percentage (%)
15	Manipur	2	0.38
16	Meghalaya	2	0.38
17	Mizoram	1	0.19
18	Nagaland	1	0.19
19	Odisha	21	4.02
20	Punjab	13	2.49
21	Rajasthan	25	4.79
22	Sikkim	1	0.19
23	Tamil Nadu	39	7.47
24	Telangana	17	3.26
25	Tripura	2	0.38
26	Uttar Pradesh	80	15.33
27	Uttarakhand	5	0.96
28	West Bengal	42	8.05

Lok Sabha Elections

The members of Parliament (MPs) are elected/appointed from states, union territories or are appointed from a field of particular expertise. The elections to Lok Sabha occur every 5 years in the name of general elections. The Constitution of India has adopted **universal adult franchise** as a basis of elections to the Lok Sabha and the state legislative assemblies.

Representation of States in Lok Sabha:

- Members are directly elected by the people from the territorial constituencies in the states
- Election Principle used – Universal Adult Franchise
- Eligibility to Vote: Any Indian Citizen of/above 18 years of age

Note: Voting age was reduced from 21 to 18 years by the 61st Constitutional Amendment Act, 1988.

Representation of Union Territories in Lok Sabha:

- Parliament is empowered to choose the members from the UTs in any manner as it desires
- Election Principle used – **Direct Election**

Note: Union Territories (Direct Election to the House of the People) Act, 1965, has been enacted by which the members of Lok Sabha from the union territories are chosen by direct election.

Representation of Nominated Members in Lok Sabha:

President nominates 2 members from Anglo-Indian Community if they are not adequately represented.

Note: The provision to nominate Anglo-Indians was extended till 2020 by 95th Amendment Act, 2009.

Facts about Lok Sabha elections for UPSC

- 1st Lok Sabha Election took place in 1952. There were 489 seats elected. Congress won 364 out of 489 seats. Jawaharlal Nehru became the first Prime Minister.
- 2019 Lok Sabha elections were country's 17th General Elections. Elections took place for 552 seats. BJP won 303 seats out of 552. Narendra Modi is the Prime Minister.
- In 1952, only 22 women were elected while in 2014, 49 women candidates were elected.
- Elections to Lok Sabha are carried out using a first-past-the-post electoral system.

Article 82 {Readjustment after each census}

Upon the completion of each census, the allocation of seats in the House of the People to the States and the division of each state into territorial constituencies shall be readjusted by such authority and in such manner as Parliament may by law determine:

Provided that such readjustment shall not affect representation in the House of the People until the dissolution of the then existing House:

Provided further that such readjustment shall take effect from such date as the President may, by order, specify and until such readjustment takes effect, any election to the House may be held on the basis of the territorial constituencies existing before such readjustment:

Provided also that until the relevant figures for the first census taken after the year 2026 have been published, it shall not be necessary to readjust—

- i. the allocation of seats in the House of People to the States as readjusted on the basis of the 1971 census; and
 - ii. the division of each State into territorial constituencies as may be readjusted on the basis of the 5[2001] census,
- under this article.

The Parliament - Session of Parliament, Total Members, Special Power of Parliament

ARTICLE 83 : DURATION OF HOUSES OF PARLIAMENT

(1) The Council of States shall not be subject to dissolution, but as nearly as possible one-third of the members thereof shall retire as soon as may be on the expiration of every second year in accordance with the provisions made in that behalf by Parliament by law.

(2) The House of the People, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of 5 years shall operate as a dissolution of the House:

Provided that the said period may, while a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

Duration of Rajya Sabha -

- The Rajya Sabha (first constituted in 1952) is a continuing chamber, that is, it is a permanent body and not subject to dissolution.
- However, one-third of its members retire every second year.
- Their seats are filled up by fresh elections and presidential nominations at the beginning of every third year.

- The retiring members are eligible for re-election and re-nomination any number of times.
- The Constitution has not fixed the term of office of members of the Rajya Sabha and left it to the Parliament.
- Accordingly, the Parliament in the Representation of the People Act (1951) provided that the term of office of a member of the Rajya Sabha shall be six years.
- The act also empowered the president of India to curtail the term of members chosen in the first Rajya Sabha.
- In the first batch, it was decided by lottery as to who should retire.
- Further, the act also authorized the President to make provisions to govern the order of retirement of the members of the Rajya Sabha.

Duration of Lok Sabha -

- Unlike the Rajya Sabha, the Lok Sabha is not a continuing chamber.
- Its normal term is five years from the date of its first meeting after the general elections, after which it automatically dissolves.
- However, the President is authorized to dissolve the Lok Sabha at any time even before the completion of five years and this cannot be challenged in a court of law.
- Further, the term of the Lok Sabha can be extended during the period of national emergency by a law of Parliament for one year at a time for any length of time.
- However, this extension cannot continue beyond a period of six months after the emergency has ceased to operate.

ARTICLE 84 : QUALIFICATION FOR MEMBERSHIP OF PARLIAMENT

A person shall not be qualified to be chosen to fill a seat in Parliament unless he –
 (a) is a citizen of India, and makes and subscribes before some person authorised in that behalf by the Election Commission an oath or affirmation according to the form set out for the purpose in the Third Schedule;

(b) is, in the case of a seat in the Council of States, not less than thirty years of age and, in the case of a seat in the House of the People, not less than twenty-five years of age; and

(c) possesses such other qualifications as may be prescribed in that behalf by or under any law made by Parliament.

ARTICLE 101 : VACATION OF SEATS

(1) No person shall be a member of both Houses of Parliament and provision shall be made by Parliament by law for the vacation by a person who is chosen a member of both Houses of his seat in one House or the other.

(2) No person shall be a member both of Parliament and of a House of the Legislature of a State, and if a person is chosen a member both of Parliament and of a House of the Legislature of a State, then, at the expiration of such period as may be specified in rules made by the President, that person's seat in Parliament shall become vacant, unless he has previously resigned his seat in the Legislature of the State.

(3) If a member of either House of Parliament –

(a) becomes subject to any of the disqualifications mentioned in clause (1) or clause (2) of article 102; or

(b) resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be, and his resignation is accepted by the Chairman or the Speaker, as the case may be, his seat shall thereupon become vacant:

Provided that in the case of any resignation referred to in sub-clause (b), if from information received or otherwise and after making such inquiry as he thinks fit, the Chairman or the Speaker, as the case may be, is satisfied that such resignation is not voluntary or genuine, he shall not accept such resignation.

(4) If for a period of sixty days a member of either House of Parliament it without permission of the House absent from all meetings thereof, the House may declare his seat vacant:

Provided that in computing the said period of sixty days no account shall be taken of any period during which the House is prorogued or is adjourned for more than four consecutive days.

ARTICLE 99 : OATH OR AFFIRMATION BY MEMBERS

Every member of either House of Parliament shall, before taking his seat, make and subscribe before the President, or some person appointed in that behalf by him, an

oath or affirmation according to the form set out for the purpose in the Third Schedule.

States	Loksabha		Raya Sabha	
	1952	2014	1952	2014
Arunachal Pradesh	N.A	2	N.A	1
Assam	12	14	6	7
Bihar	55	40	21	16
Chhattisgarh	N.A	11	N.A	5
Delhi	4	1	1	3
Goa	2 ('67)	2	N.A	1
Gujarat	22 ('67)	26	N.A	11
Haryana	9 ('67)	10	N.A	5
Himachal Pradesh	3	4	1	3
Jammu & Kashmir	6 ('67)	6	4	4
Jharkhand	N.A	14	-	6
Karnataka	11	28	6	12

Kerala	12	20	6	9
Madhya Pradesh	29	29	12	11
Maharashtra	45	48	17	19
Manipur	2	2	1	1
Meghalaya	2 ('77)	2	N.A	1
Mizoram	1 ('77)	1	N.A	1
Nagaland	1 ('77)	1	N.A	1
Orissa	20	21	9	10
Punjab	18	13	8	7
Rajasthan	20	25	9	10
Seemandra	-	17	11	11
Sikkim	1 ('77)	1	N.A	1
Tamil Nadu	75	39	27	18
Telangana	-	1	-	7
Tripura	2	2	N.A	1
Uttar Pradesh	86	80	31	31

Uttarakhand	N.A	5	-	3
West Bengal	34	42	14	16

Seat in Lok Sabha and Rajya Sabha

Special Powers of Rajya Sabha -

Due to its federal character, the Rajya Sabha has been given two exclusive or special powers that are not enjoyed by the Lok Sabha -

1. It can authorize the Parliament to make a law on a subject enumerated in the State List (Article 249).
 2. It can authorize the Parliament to create new All-India Services common to both the Centre and states (Article 312).
- The position of the Rajya Sabha in our constitutional system is not as weak as that of the House of Lords in the British constitutional system nor as strong as that of the Senate in USA.
 - Except in financial matters and control over the council of ministers, the powers and status of the Rajya Sabha in all other spheres is almost equal with that of the Lok Sabha.

ARTICLE 100 : VOTING IN HOUSES, POWER OF HOUSES TO ACT NOTWITHSTANDING VACANCIES AND QUORUM

(1) Save as otherwise provided in this Constitution, all questions at any sitting of either House or joint sitting of the Houses shall be determined by a majority of votes of the members present and voting, other than the Speaker or person acting as Chairman or Speaker.

The Chairman or Speaker, or person acting as such, shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.

(2) Either House of Parliament shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in Parliament shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do sat or voted or otherwise took part in the proceedings.

(3) Until Parliament by law otherwise provides, the quorum to constitute a meeting

of either House of Parliament shall be one-tenth of the total number of members of the House.

(4) If at any time during a meeting of a House there is no quorum, it shall be the duty of the Chairman or Speaker, or person acting as such, either to adjourn the House or to suspend the meeting until there is a quorum.

Sessions of Parliament

A session of the Indian Parliament is the period during which a House meets almost every day uninterrupted to manage the business. There are typically **three sessions in a year**. A session contains many meetings.

The process of calling all members of the Parliament to meet is called Summoning of Parliament. It is the President who summons Parliament.

In general, the sessions are as follows:

- Budget session (February to May)
- Monsoon session (July to September)
- Winter session (November to December)

Budget Session

- The budget session was usually held from February to May every year.
- It is considered to be a highly crucial session of the Parliament.
- The Budget is usually presented on the last working day of the month of February.
- Here, the members discuss the various provisions of the budget and matters concerning taxation, after the Finance Minister presents the budget.
- The budget session is generally split into two periods with a gap of one month between them.
- This session every year starts with the President's Address to both Houses.

Monsoon Session

- The monsoon session is held in July to September every year.
- This is after a break of two months after the budget session.
- In this session, matters of public interest are discussed.

Winter Session

- The winter session of Parliament is held in mid-November to mid-December every year.
- It is the shortest session of all.
- It takes up the matters that could not be considered upon earlier and makes up for the absence of legislative business during the second session of the Parliament.