



Legislature



1. What is Legislature?

- The word Legislature comes from Latin roots related to legis (law) and latus (to carry/bring).
- The Legislature is the organ of government that makes laws, represents the people and discusses matters of public importance. It also performs important functions such as controlling the executive, approving public expenditure and ensuring accountability. In a democracy, legislatures are elected by the people and work on behalf of the people.



Parliament

Parliament is the national legislature of India.

- The legislature at the State level is called the State Legislature.

2. Two Houses of Parliament

The Parliament of India has two Houses:



Lok Sabha — House of the People

Also called the Lower House.

Members are directly elected by the people.

It represents the people of India.

It has a 5-year term, unless dissolved earlier.

It has greater power in financial matters and in determining whether the Council of Ministers continues in office.

Visual memory: The Lok Sabha chamber is traditionally associated with green, often explained in terms of its connection with the people/grassroots; the Rajya Sabha chamber is traditionally associated with red, commonly linked with its more formal/constitutional character.

Treat this as visual symbolism, not a constitutional rule.



Rajya Sabha — Council of States

Also called the Upper House.

It represents the States and Union Territories.

Members are mainly elected indirectly by elected members of State Legislative Assemblies.

It is a permanent House and is not dissolved.

One-third of its members retire every two years; each member normally has a six-year term.

Why is it called Bicameral Legislature?

When a legislature has two Houses, it is called a bicameral legislature.

Parliament = Lok Sabha + Rajya Sabha

Unicameral vs Bicameral

Unicameral: Legislature has one House.

Bicameral: Legislature has two Houses. A second House provides another level of discussion, scrutiny and representation, especially useful in a large and diverse country.

3. Why Do We Need Parliament?

1

1. Representation



Parliament represents the diverse interests and views of the people. Members raise issues of their constituencies and different sections of society.

2

2. Deliberation and Accountability



Parliament provides a forum for debate, discussion and criticism. It keeps the executive accountable and checks the use of government power.

Why Two Houses?

A second House provides additional representation and allows laws and government decisions to receive further scrutiny. It also provides representation to States and different regions/interests.

Thus, Parliament is not merely a law-making body; it is a central institution of democratic political processes.

4. Functions of Parliament



Legislative Function

Parliament makes laws for the country. Bills are discussed, debated and passed before becoming laws.



Control of Executive

Parliament ensures that the government remains accountable to the people. Through questions, debates, motions and other procedures, it checks executive actions.



Financial Function

Parliament controls government revenue and expenditure. The government cannot spend public money without parliamentary authorisation.



Representative Function

MPs represent the interests, concerns and demands of citizens and different sections of society.



Deliberative/Debating Function

Parliament provides a platform for discussion and debate on national issues and public policies.



Constitutional Function

Parliament participates in the process of amending the Constitution according to the prescribed procedure.



Electoral Function

Members of Parliament participate in certain important elections, such as the election of the President and Vice-President.



Judicial Function

Parliament can exercise certain judicial-type powers, particularly in matters such as the impeachment of the President and removal procedures for certain constitutional authorities.

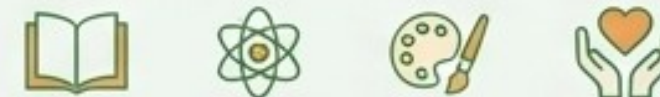
5. Powers of Lok Sabha and Rajya Sabha

Lok Sabha — Major Powers	Rajya Sabha — Major Powers
• Has greater power in financial matters, especially regarding Money Bills. • The Council of Ministers is collectively responsible to the Lok Sabha. A government can remain in office only as long as it enjoys the confidence of the Lok Sabha. • It can remove the government through a No-Confidence Motion. • It participates equally with Rajya Sabha in most ordinary legislative and constitutional matters.	• Participates in ordinary law-making and Constitutional Amendment Bills on an equal footing with Lok Sabha. • Represents the States and Union Territories at the national level. • Has special powers in certain matters concerning the State List. It can authorise Parliament to make laws on a State List subject in the national interest through a special resolution. • It can also authorise the creation of All India Services through the prescribed constitutional procedure.

★ Special point

Rajya Sabha cannot make or bring down the Union Government because the Council of Ministers is responsible specifically to the Lok Sabha.

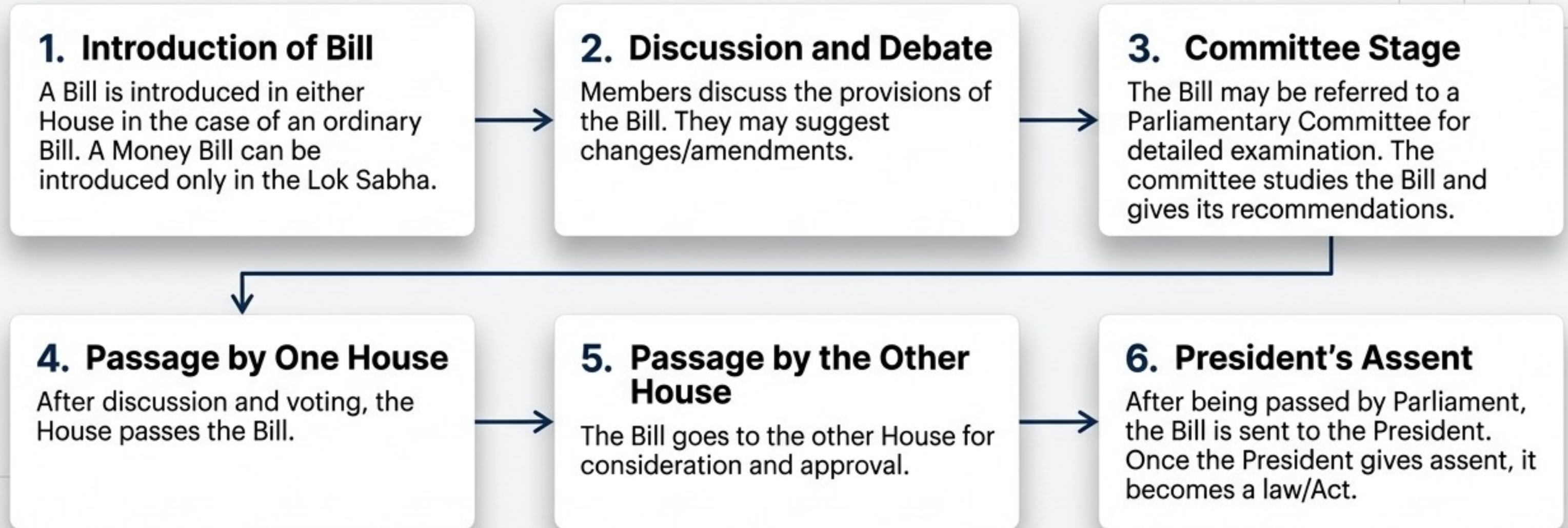
Nominated Members of Rajya Sabha



The President nominates 12 members to the Rajya Sabha who have special knowledge or practical experience in areas such as:
Literature | Science | Art | Social Service

6. How Does Parliament Make Laws?

A proposed law is introduced in Parliament in the form of a Bill. Basic Process:

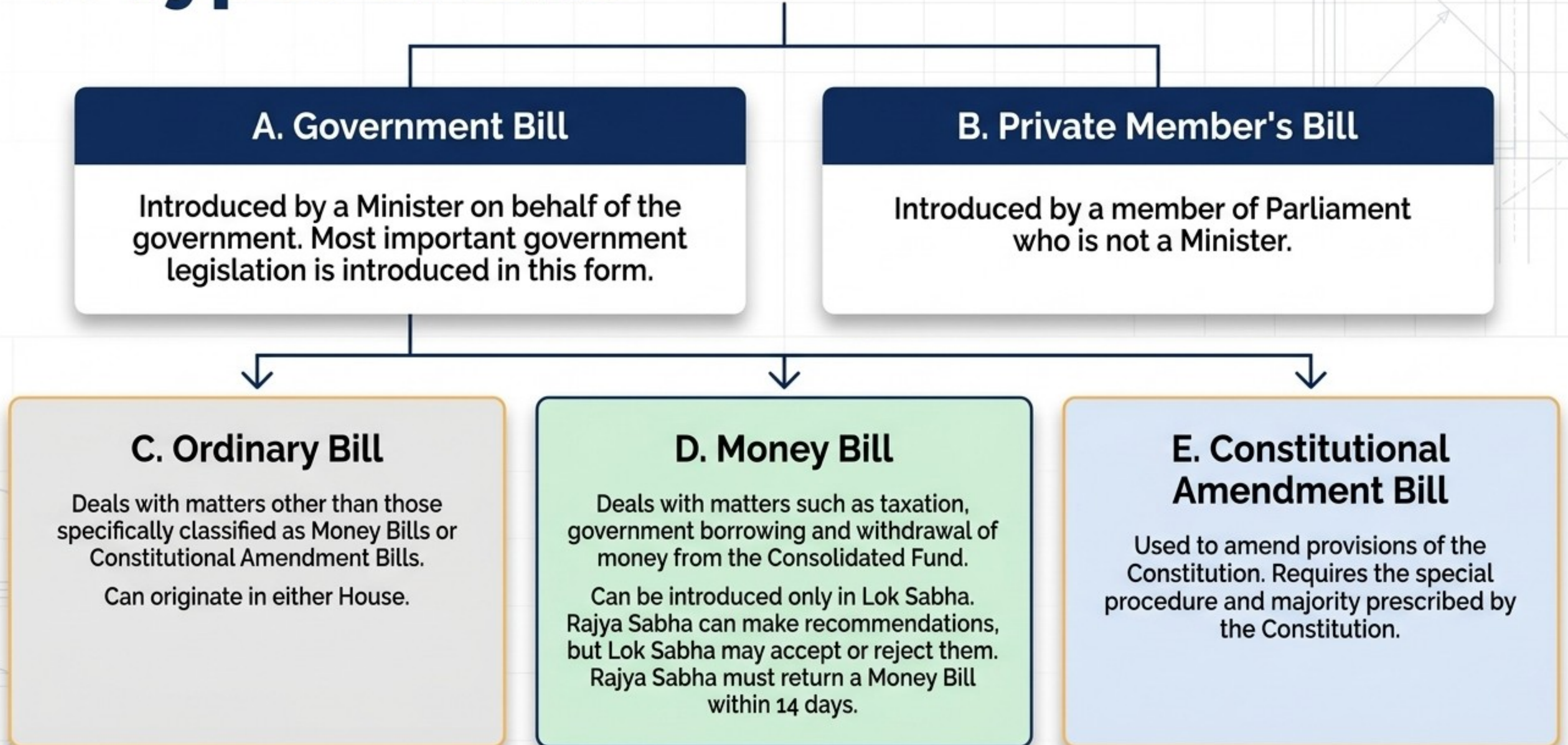


Important

For an ordinary Bill, both Houses generally have to agree. In case of certain disagreements, a joint sitting may be used as provided by the Constitution.

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7. Types of Bills



8. How Does Parliament Control the Executive?

Parliament keeps the executive accountable through discussion, questions, financial control and various motions.

B. Approval or Refusal of Laws

Parliament debates and votes on Bills. It can approve, approve, modify or reject proposed legislation.

Therefore, the executive cannot simply turn every policy decision into law without parliamentary consideration.

C. Financial Control

The government needs parliamentary approval to raise taxes and spend public money.

Parliament examines the Budget and financial demands of the government. This gives Parliament an important means of controlling the executive.

D. No-Confidence Motion

A No-Confidence Motion tests whether the Council of Ministers still enjoys the confidence of the Lok Sabha.

If the government loses the motion, the Council of Ministers must resign.

A. Discussion and Deliberation

Parliament provides a forum where MPs can question, criticise and discuss government policies.

“Dialogue is the best way to learn.” — Socrates

Question Hour

MPs ask questions to ministers about the working of their departments. It helps obtain information and holds the government accountable.

Example: An MP asks the Health Minister about the shortage of medicines in government hospitals.

Zero Hour

The period after Question Hour when MPs can raise urgent matters of public importance without the same prior notice requirements as questions.

Example: An MP raises an urgent issue concerning a sudden natural disaster in their State.

Half-an-Hour Discussion

Used to discuss matters arising from an answer already given by a minister when further clarification is required.

Example: An MP asks for further clarification regarding government spending mentioned in an earlier answer.

Adjournment Motion

Used to draw attention to a definite matter of urgent public importance by interrupting normal parliamentary business.

Example: Members seek an urgent discussion on a serious national crisis.

9. Parliamentary Committees

Parliamentary committees help Parliament examine issues in greater detail.

Why are committees needed?

Parliament deals with a very large amount of legislation and government business. Committees allow MPs to examine matters more carefully and systematically. They reduce the workload of Parliament and improve scrutiny.

Standing Committees

Permanent/continuing committees that deal with particular subjects or areas of government work.

They examine Bills, policies, expenditure and other matters referred to them.



Committee Types

Ad Hoc Committees

Temporary committees created for a specific purpose or particular issue.

They cease to exist after completing the assigned task.



Importance

Detailed Examination

Better Scrutiny

Greater Accountability

10. How Does Parliament Regulate Itself?

Parliament is a debating and deliberative forum, so its proceedings must be orderly and disciplined.

Presiding Officers



Lok Sabha — Speaker

- Presides over the meetings of the Lok Sabha.
- Maintains order and discipline in the House.
- Decides procedural matters and gives rulings on the conduct of business.
- In certain circumstances, the Speaker also decides questions related to the Anti-Defection Law.



Rajya Sabha — Chairman

- The Vice-President of India is the ex-officio Chairman of Rajya Sabha.
- Presides over its meetings.
- Maintains order and regulates the proceedings of the House.

The presiding officer is the final authority in regulating the business of the House within the parliamentary rules and constitutional framework.

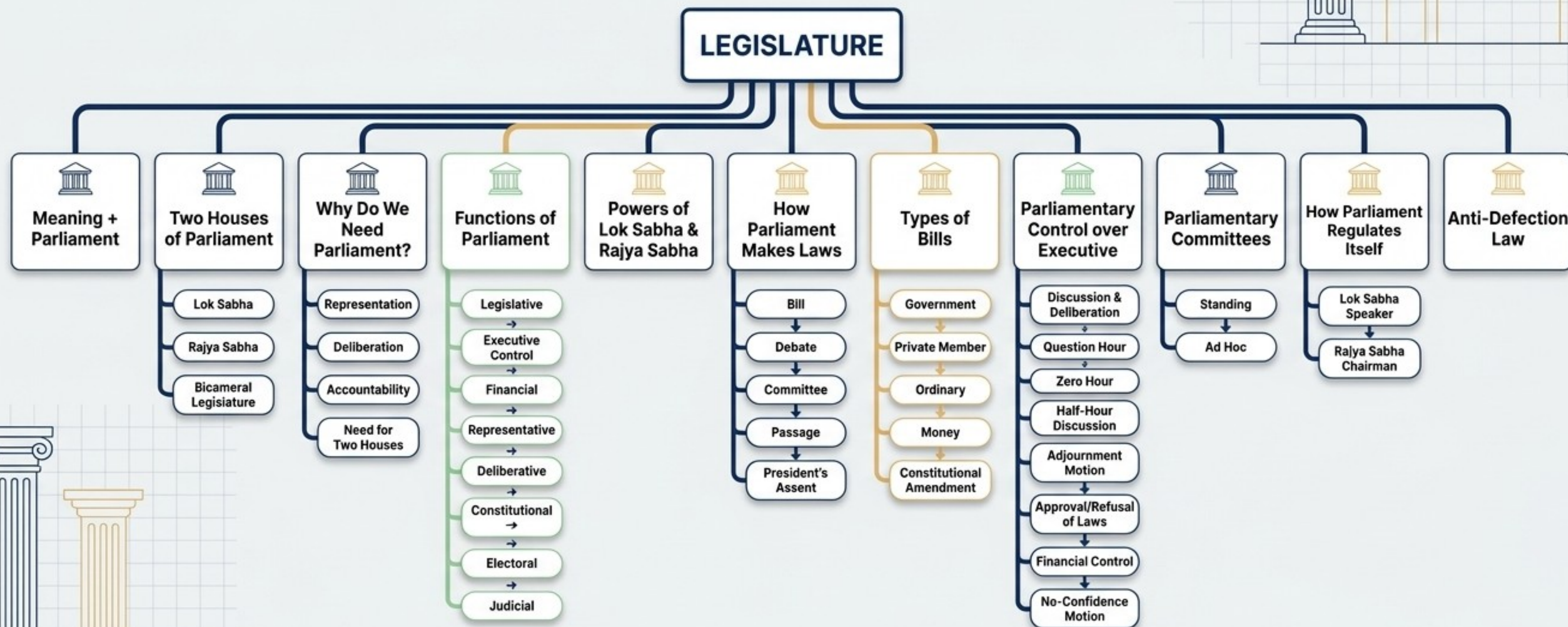
11. Anti-Defection Law



- The **Anti-Defection Law** was introduced through the **52nd Constitutional Amendment Act, 1985**. It was added through the **Tenth Schedule** of the Constitution.
- Its purpose is to discourage elected representatives from changing political parties for political advantage.
- A member may be disqualified for voluntarily giving up membership of their political party or voting/abstaining contrary to the party direction in situations covered by the law.
- The law aims to promote political stability and party discipline.

Easy idea:
Defection =
Changing sides
after being elected.

Chapter 5 — Quick Revision Map



MCQs

Chapter 5 — Legislature MCQs — 6 Most Important



1. The Indian Parliament is a:

- | | |
|----------------------------|------------------------------|
| (a) Unicameral legislature | (b) Bicameral legislature |
| (c) Federal legislature | (d) Presidential legislature |



2. Which of the following is a special power of the Rajya Sabha?

- | | |
|--|---------------------------------------|
| (a) Introducing a Money Bill | (b) Passing a No-Confidence Motion |
| (c) Authorising Parliament to make laws on a State List subject in national interest | (d) Removing the Council of Ministers |



3. A Money Bill can be introduced only in:

- | | |
|------------------|---------------------------------|
| (a) Rajya Sabha | (b) Lok Sabha |
| (c) Either House | (d) Joint sitting of Parliament |

MCQs (Continued)



4. Which device directly tests whether the Council of Ministers enjoys the confidence of the Lok Sabha?

- | | |
|--------------------------|------------------------|
| (a) Question Hour | (b) Zero Hour |
| (c) No-Confidence Motion | (d) Adjournment Motion |



5. Which of the following is a temporary parliamentary committee?

- | | |
|-------------------------------|---|
| (a) Standing Committee | (b) Ad hoc Committee |
| (c) Public Accounts Committee | (d) Department-related Standing Committee |



6. The Anti-Defection Law was introduced through the:

- | | |
|-----------------------------------|-----------------------------------|
| (a) 42nd Constitutional Amendment | (b) 44th Constitutional Amendment |
| (c) 52nd Constitutional Amendment | (d) 73rd Constitutional Amendment |

MCQ Answer Key

1. (b)

2. (c)

3. (b)

4. (c)

5. (b)

6. (c)

Important Long Answer Questions

1. Why does India need a Parliament? Explain its major functions. [6 Marks]

Answer:

- ✓ **Representation:** Represents the people and different regions/interests.
- ✓ **Law-making:** Makes laws for the country.
- ✓ **Control over Executive:** Holds the government accountable through questions, discussions and motions.
- ✓ **Financial Function:** Approves taxation, budget and government expenditure.
- ✓ **Deliberation:** Provides a forum for debate and discussion on public issues.
- ✓ **Constitutional & Electoral Functions:** Participates in constitutional amendments and election of important constitutional authorities.

2. Why does India have a bicameral legislature? Explain the importance of having two Houses. [6 Marks]

Answer:

- ✓ **Representation of States:** Rajya Sabha represents the interests of the States.
- ✓ **Representation of People:** Lok Sabha directly represents the people.
- ✓ **Reconsideration:** Bills passed by one House can be reconsidered by the other.
- ✓ **Prevents Hasty Decisions:** Provides an additional check on legislation.
- ✓ **Diversity:** Gives representation to different regions and sections of society.
- ✓ **Federal Character:** Strengthens the federal nature of the Indian political system.



Exam Tip: This is a particularly important question because multiple sources repeatedly identify why two Houses/bicameralism as an exam-focus area.

Important Long Answer Questions (Continued)

3. Compare the powers of Lok Sabha and Rajya Sabha. Why is Lok Sabha considered more powerful in some matters? [6 Marks]

Priority: ☆☆☆☆☆ This is one of the strongest questions from the chapter.

Answer:

- ✓ Both Houses have equal powers in ordinary legislation and constitutional amendments. Both participate in debates, elections and several judicial functions.
- ✓ Money Bills can be introduced only in Lok Sabha. Rajya Sabha can only recommend changes to a Money Bill and must return it within 14 days.
- ✓ The Council of Ministers is collectively responsible to Lok Sabha.
- ✓ Rajya Sabha has certain special powers, especially regarding State List subjects and All India Services.

4. Explain how Parliament controls the Executive in India. [6 Marks]

Answer:

- ✓ **Discussion and Deliberation:** Government policies are debated and examined.
- ✓ **Question Hour:** Ministers answer questions regarding government actions.
- ✓ **Zero Hour:** Members raise matters of urgent public importance.
- ✓ **Approval/Refusal of Laws:** Parliament can accept, modify or reject government legislation.
- ✓ **Financial Control:** Government expenditure requires parliamentary approval.
- ✓ **No-Confidence Motion:** Lok Sabha can remove the government if it loses the confidence of the House.



Exam Tip: The combination of Question Hour, deliberation, financial control and no-confidence is repeatedly highlighted in important-question sources.

Important Long Answer Questions (Continued)

5. Explain the law-making process in Parliament. Also mention the role of parliamentary committees. [6 Marks]

Answer:

Law-making process:

- **Introduction** of Bill in Parliament.
- **Discussion** and **Debate** on the Bill.
- **Committee Stage** for detailed examination, where referred.
- **Passage** by both Houses as required.
- **President's Assent.** After assent, the Bill becomes a Law.

Role of Committees:

- **Examine Bills** in greater detail.
- **Examine financial** matters and government functioning.
- **Reduce** the workload of Parliament.
- Help Parliament in detailed scrutiny and effective legislation.