

# PARLIAMENT AND THE MAKING OF LAWS

## POINTS TO REMEMBER

- Parliamentary system of government was considered best by the Constitution makers keeping in view the historical background and diversity of India.
- Parliament consists of the President and two houses - the Lok Sabha and the Rajya Sabha.
- Rajya Sabha (Council of States), with a total strength of 245 members, is chaired by the Vice-President of India.
- Lok Sabha (House of the People), with a total membership of 545, is presided over by the Speaker.
- One of the most important functions of the Lok Sabha is to select the executive. The Prime Minister of India is the leader of the ruling party in the Lok Sabha.
- The Rajya Sabha functions primarily as the representative of the states of India in the Parliament. It can also initiate legislation and a bill is required to pass through the Rajya Sabha in order to become a law.
- The Parliament has an important role in making laws. It is to be sensitive to the problems faced by people.
- Sometimes a law can be constitutionally valid and hence legal, but it can continue to be unpopular and unacceptable to people because they feel that the intention behind it is unfair and harmful.

## KEY CONCEPTS

- **Coalition** : A temporary alliance of groups or parties.
- **Approval** : To give one's consent.
- **Unresolved** : Situations in which there are no easy solutions to problems.
- **Question Hour** : Time during which MPs ask questions to ministers in the Parliament.
- **Criticise** : To find fault with or disapprove of a person or thing.
- **Sedition** : Applies to anything that the Government might consider as stirring up resistance or rebellion. In such cases, the government does not need absolute evidence in order to arrest persons.
- **Repressive** : To control severely in order to prevent free and natural development or expression.
- **Domestic Violence** : It refers to the injury or harm or threat of injury or harm caused by an adult male, usually the husband, against his wife.



**WONDERFUL TO KNOW:** Dr. Rajendra Prasad, from Bihar, was the first President of independent India. He was also a freedom fighter during the Indian independence movement. He was the only president to serve two terms in office (26th January 1950 - 13th May 1962).

1. ✓ Why do you think our national movement supported the idea that all adults have a right to vote?

- A.
- i) Under colonial rule, the people had lived in fear of the British Government.
  - ii) The nationalists began to openly criticise the British Government and make demands.
  - iii) In 1885, the Indian National Congress demanded that there be elected members in the legislature.

- iv) The British did not allow for all adults to vote nor could people participate in decision making.
- v) The dreams and aspirations of the freedom struggle were made concrete in the constitution of independent India that laid down the principle of Universal Adult Franchise.

2. **Re-read the storyboard on how a new law on domestic violence got passed. Describe in your own words the different ways in which women's groups worked to make this happen.**

- A.
- i) Cases of domestic violence were often reported to women's organizations. Throughout the 1990s, the need for a new law was raised in different forums.
  - ii) In 1999, Lawyers Collective, a group of lawyers, law students and activists, after nation-wide consultations, took the initiative of drafting the Domestic Violence (Prevention and Protection) Bill. The draft was widely circulated.
  - iii) The bill was introduced in Parliament in 2002. But the bill did not contain many of the suggestions from women's organizations. After that, Several women's organisations, National Commission for Women made submissions to the Parliamentary Standing Committee.
  - iv) The Standing Committee submitted its recommendations to the Rajya Sabha in Dec-2002. The recommendations were also tabled in the Lok Sabha.
  - v) Finally, the new bill was introduced in the Parliament in 2005. After the assent from the President, the Protection of Women from Domestic Violence Act came into effect in 2006.

**1. ~~Q~~ What role do the opposition party play in the healthy function of Democracy?**

- A.
- i) The opposition plays a crucial role in healthy functioning of democracy.
  - ii) They highlight the drawbacks in various programmes and policies of the government and mobilise popular support for their own policies.

**2. What is a coalition government?**

- A.
- i) Sometimes it become difficult for a single political party to get majority to form the government.
  - ii) Then different political parties who are interested in similar concerns join together and form a government.



3. **Make a short note on the Lok Sabha.**

- i) The Lok Sabha is known as the 'house of the people' as its members are directly elected by the people.
- ii) There are 545 members in the Lok Sabha.
- iii) All citizens who attained the age of 18 years can participate in this electoral process.
- iv) Voting is done by secret ballot.
- v) The party which gets an absolute majority is invited by the President to form the Government.
- vi) The term of Lok Sabha is 5 years.
- vii) The speaker is the presiding officer of the Lok Sabha.

4. **Why do we have a parliamentary form of government?**

- i) India choose parliamentary form of government as our leaders were already familiar with the British Parliamentary system.
- ii) The 'Nehru Report' also envisaged a parliamentary democracy.
- iii) Moreover, this form of Government is truly of the people's representatives.
- iv) The President of India holds a position of great dignity but all power is vested with the Prime Minister and the Council of Ministers.

5. **What do you know about presidential form of government?**

- i) The President is the head of the state and head of the government in the Presidential form of government.
- ii) He/She is elected directly by the people and is not responsible to the legislature.
- iii) The President is not necessarily from the majority party that wins a majority in the parliament.

**Eg:** United States of America.

6. **Briefly describe the functions of the Rajya Sabha in the working of the Parliament?**

- i) The Rajya Sabha functions primarily as the representative of the states of India in the Parliament.
- ii) The Rajya Sabha can also initiate legislation and a bill is required to pass through the Rajya Sabha in order to become a law.
- iii) It, therefore, has an important role of reviewing and altering (if alterations are needed) the laws initiated by the Lok Sabha.
- iv) The members of the Rajya Sabha are elected by the elected members of the Legislative Assemblies of various states. There are 233 elected members plus 12 members nominated by the President in the Rajya Sabha.