

UNION PARLIAMENT : LOK SABHA AND RAJYA SABHA

The Constitution of India vests the legislative powers of the Union in the Union Parliament which is a bicameral legislature. The House of the People (Lok Sabha) is the Lower House and the Council of States (Rajya Sabha) is the Upper House. Legally the law-making powers are exercised by the President-in-Parliament. However, the President is not a member of either House.

The Union Parliament is a non-sovereign legislature. It exercises only those powers which the Constitution has granted to it. It works under the Constitution. The President can use a suspensory veto over the ordinary laws passed by the Union Parliament. The Supreme Court of India can conduct judicial review over all laws enacted by the Union Parliament for determining their constitutional validity. The Supreme Court can reject as *ultra vires* any law or any part of a law and it ceases to operate from the date it is struck down. The Union Parliament as such is not a sovereign legislature.

UNION PARLIAMENT : SALIENT FEATURES

The Union Parliament has the following salient features :

✓ **1. President is not a member of the Parliament but is regarded as a part of Parliament.** (Although President is not a member of either House of Parliament yet according to Article 79 of the Indian Constitution, he is considered to be an integral part and parcel of Union Parliament. He summons and prorogues the meetings of Union Parliament. He is not a member of either House and cannot cast his vote in either House of Parliament yet no bill passed by the Parliament can become an act without his signatures.) Law-making for the Union is done by the President-in-Parliament just as law-making in Britain is done by the King-in-Parliament.

✓ **2. Bi-Cameral Structure.** (Like the legislatures of other democratic countries of the world, Indian Parliament is also a bicameral legislature. It has two Houses. According to Article 79 of the Indian Constitution, one House is called Rajya Sabha (the Council of States) and the other is called the Lok Sabha (the House of the People). The

Lok Sabha is a directly elected, popular and powerful lower house while the Rajya Sabha is an indirectly elected upper house. Unlike the U.S. Senate, the States of the Indian Union have not been given equal representation in the Rajya Sabha. The Lok Sabha is more powerful than the Rajya Sabha since it has near exclusive control over the finances of the State as well as over the Union Executive.

3. Non-Sovereign Status. Unlike the British Parliament, the Indian Parliament is not sovereign because it can legislate only on those subjects which have been given to it by the Constitution. If the laws made by the Union Parliament are not in accordance with the provisions of the Constitution, these can be declared unconstitutional by the Supreme Court. In other words, laws of the Union Parliament are subject to the judicial review power of the Supreme Court. Union Parliament can amend the Constitution but it cannot change the 'Basic structure of the Indian Constitution.' Thus, Union Parliament is not a sovereign law-making body.

4. Powers of both the Houses are not Equal. The powers of both the Houses of the Union Parliament are not equal. The Lok Sabha, because of it being a national representative popular house, has been given more powers than the Rajya Sabha. The Council of Ministers is responsible to the Lok Sabha and not to the Rajya Sabha. Every Money Bill can be introduced only in the Lok Sabha and the Rajya Sabha can only delay the passing of such a bill by fourteen days. The Lok Sabha is the real custodian of national finances. Even in respect of ordinary law-making the Lok Sabha has an upper hand.

5. Provision for some Nominated members in both the Houses. According to Article 80 (i) of the Indian Constitution, President of India nominates twelve members of the Rajya Sabha from amongst the persons who have excelled in the fields of art, science, literature or social service. Likewise, if the President feels that the Anglo-Indian Community is not adequately represented in the Lok Sabha, he can nominate not more than two members of the Anglo-Indian Community to the House of the People.

6. The Union Parliament is a powerful legislature. The Indian Constitution is not based on the principle of separation of powers. So, the Union Parliament enjoys not only legislative powers but also executive and judicial powers. The Union Parliament legislates over the subjects of the Union List, the Concurrent List, and the residuary subjects. Further, according to Article 75 (3) of the Indian Constitution, "the Council of Ministers shall be collectively responsible to the Lok Sabha." The Lok Sabha exercises a continuous control over the working of the Council of Ministers. It can remove the ministry by passing a vote of non-confidence against it or by rejecting its budget or any law or policy. Moreover, the members of Council of Ministers are also the members of Parliament.

The Union Parliament performs electoral functions. Its elected MPs, along with the elected members of all the State Legislative Assemblies constitute the electoral college for the election of the President. The members of the two Houses elect the Vice-President of India. The Union Parliament has the power to impeach the President, the Judges of the Supreme Court and State High Courts. The Union Legislature acts as the Board of Directors for the Public Sector Undertakings. Thus, the Union Parliament is a multifunctional and powerful institution of the Indian political system.

7. Vice-President as ex-officio Chairman of the Rajya Sabha and Speaker is the Chairman of the Lok Sabha. Like the US Senate, the meetings of the Indian Rajya Sabha are also presided over by the Vice-President. The Vice-President is not a

member of the Rajya Sabha but acts as its Chairman and conducts its proceedings. Like the British House of Commons and the US House of Representatives, the Indian Lok Sabha is presided over by the Speaker and in his absence by the Deputy Speaker. The Speaker and the Deputy Speaker are elected by the members of the Lok Sabha from amongst themselves. Speaker of Lok Sabha behaves, like the British Speaker, as a political neutral in the House. However, unlike the British Speaker, he maintains his memberships of his political party. He is neither as political neutral as the British Speaker nor as politicised leader as the US Speaker.

Thus, the Union Parliament is a non-sovereign but powerful and active law-making body of the Union. It exercises exclusive law-making powers over the subjects of the Union List and the Residuary subjects ; concurrent law-making powers over the subjects of the concurrent list and limited powers in certain special circumstances over the subjects of the State List.

THE UPPER HOUSE OF UNION PARLIAMENT : THE RAJYA SABHA (THE COUNCIL OF STATES)

The Rajya Sabha, *i.e.*, the Council of States, is the upper house of the Union Parliament. It gives representation to the States of the Indian Union. However, unlike the upper houses of the USA and Switzerland, the Indian States have not been given equal representation in the Rajya Sabha. These have also been given representation on the basis of the size of their populations.

COMPOSITION OF THE TWO HOUSES

Composition of Rajya Sabha

The maximum strength of the Rajya Sabha is fixed at 250, out of which, 238 are to be the representatives of the states and union territories (elected indirectly) and 12 are nominated by the president.

At present, the Rajya Sabha has 245 members. Of these, 229 members represent the states, 4 members represent the union territories and 12 members are nominated by the president.

11.1.1. Rajya Sabha: Membership and Election

Rajya Sabha or the Upper House of the Parliament is a permanent body as it cannot be dissolved. The membership of the Rajya Sabha cannot exceed 250. Out of these, the President nominates 12 members on the basis of their excellence in literature, science, art and social service and the rest are elected. At present its total membership is 245.

Rajya Sabha is the body representing States in Indian Union. The elected members of the States' Legislative Assemblies elect the members of the Rajya Sabha on the basis of proportional representation through the single transferable vote system. But all the States do not send equal number of members to the Rajya Sabha. Their representation is decided on the basis of population of respective States. Thus the bigger State gets bigger representation and the smaller ones have lesser representation. While the big State like UP has been assigned 31 seats, the smaller states like Sikkim and Tripura send only one member each. Delhi Assembly elects three members of Rajya Sabha and Pondichery sends one member. Other Union Territories are not represented in the Rajya Sabha.

Note 7.12.1950
III. Qualifications of Members. The Constitution lays down the following qualifications for the membership of the Rajya Sabha :

(a) He must be a citizen of India.

(b) He should be a resident of the State for a minimum of six months from which he is seeking election.

20 yrs.
(c) He must be above the age of 30 years.

(d) He must possess all other qualifications as may be laid down by the Parliament.

(e) He must not hold any office of profit under the government of India or of the State.

(f) He should not be insane or a bankrupt.

(g) He should not have been disqualified under any law of the Parliament.

6 yrs.
IV. Tenure. The Rajya Sabha is a quasi-permanent House. It is not subject to dissolution like the Lok Sabha. One-third of its members retire after every second year and elections are held for the vacant seats. The tenure of a member of the Rajya Sabha is six years.

V. Sessions. The President convenes the sessions of the Rajya Sabha usually alongwith the sessions of the Lok Sabha or whenever he feels it necessary. However, there cannot be a gap of more than six months between the two sessions of the Rajya Sabha. This makes the convening of at least two sessions in a year, a statutory requirement. The President can call the Rajya Sabha into a special session for getting

approved an emergency declaration at a time when the Lok Sabha may stand dissolved. It can also be summoned into a special session for getting approved an ordinance seeking to extend the President's rule in a state.)

XVI. Quorum for the meetings of Rajya Sabha. The quorum for the meetings of Rajya Sabha is 1/10 of its members. It means that at least 1/10th of the members of the Rajya Sabha must be present for carrying out the proceedings of the House.

VII. Privileges of Members. The members of the Rajya Sabha enjoy several privileges. They enjoy unrestricted freedom to express their views on the floor of the House. No action can be taken against them for anything said by them in the House. They cannot be arrested for any civil offence during and 40 days before and after the session of the Rajya Sabha. For protecting the privileges of the members of the House, a special committee, the Committee of Privileges has been in existence since the inception of the Rajya Sabha.)

VIII. Chairman of the Rajya Sabha. (The Vice-President of India is the *ex-officio* Chairman of the Rajya Sabha. He is not a member of the House nor does he exercise his vote in the House but he presides over its meetings and conducts its proceedings. He does not participate in the debates but maintains discipline and decorum in the House. In case of a tie over any measure for legislation, the Vice-President as Chairman of the Rajya Sabha is entitled to exercise a casting vote.)

POWERS OF THE RAJYA SABHA

1. Legislative Powers. The Rajya Sabha enjoys equal powers with the Lok Sabha in the sphere of ordinary law-making. An ordinary bill can be introduced in the Rajya Sabha and it cannot become a law unless and until the Rajya Sabha approves it. In case of a deadlock between the two Houses of Parliament over an ordinary bill, and if the conflict remains unresolved for six months, the President convenes a joint sitting of the two Houses for resolving the deadlock. This joint sitting is presided over by the Speaker of the Lok Sabha. If the bill is passed by the joint sitting, it is sent to the President for his signatures. But if the deadlock is not resolved, the bill is deemed to have been killed.

2. Financial Powers. In the financial sphere the Rajya Sabha plays a minor role. A Money Bill can be introduced only in the Lok Sabha. A Money Bill passed by the Lok Sabha goes to the Rajya Sabha for its consideration. If within a period of 14 days, the Rajya Sabha fails to pass the bill, the bill is taken to have been passed by the Parliament irrespective of the fact that Rajya Sabha has not passed it. If the Rajya Sabha proposes some amendments and the bill is returned to the Lok Sabha, it depends upon the Lok Sabha to accept or reject the proposed amendments. As such the Rajya Sabha can only delay the passing of a Money Bill for a maximum period of 14 days.

3. Executive Powers. (The Rajya Sabha has limited role in the exercise of executive powers. The Council of Ministers is collectively responsible before the Lok Sabha. The Lok Sabha can cause the exit of the Council of Ministers by passing a vote of no-confidence. The members of the Rajya Sabha can only check the ministers by seeking information regarding their work, criticising the policies adopted by them, by asking questions and supplementary questions and by moving adjournment motions. Some of the Ministers are also taken from the Rajya Sabha. Now the convention that the Prime Ministers always belongs to the Lok Sabha has been broken. In 1996, PM H.D. Dewe Gowda became a member of the Rajya Sabha and not of the Lok Sabha. In April

1997, Mr. Inder Kumar Gujral became the Prime Minister and he also belonged to the Rajya Sabha. Thus now a member of Rajya Sabha can also become and remain Prime Minister, provided the majority party/group in the Lok Sabha elects/adopts him as its leader, as happened in the case of Mr. I.K. Gujral.

✓ **4. Constitution Amending Powers.** Any amendment bill can be introduced in either of the two Houses of the Parliament. If the Rajya Sabha first adopts it then it goes to the Lok Sabha for approval and if the Lok Sabha passes it first then it goes to the Rajya Sabha for approval. No Constitutional Amendment Bill can be considered to have been passed unless approved by both the Rajya Sabha and the Lok Sabha. Both the Houses of the Parliament as such enjoy co-equal powers in the sphere of amendment-making.

✓ **5. Electoral Powers.** The Rajya Sabha has some electoral powers also. The elected members of the Rajya Sabha take part in the election of the President of India. The members of the Rajya Sabha alongwith the members of the Lok Sabha also take part in the election of the Vice-President of India. Members of the Rajya Sabha also elect a Deputy Chairman from amongst themselves.

✓ **6. Judicial Powers.** The Rajya Sabha plays some role in the exercise of some Judicial functions :

- (a) The Rajya Sabha acting alongwith the Lok Sabha can impeach the President on charges of violation of the Constitution.
- (b) It can pass a special address for causing the removal of a judge of the Supreme Court or High Court.
- (c) The charges against the Vice-President can be levelled in the Rajya Sabha only.
- (d) The Rajya Sabha can pass resolution for the removal of some high officers like the Attorney General of India, Comptroller and Auditor General, and the Chief Election Commissioner.
- (e) In case the Lok Sabha stands dissolved, the Rajya Sabha is competent to give approval to an emergency proclamation of the President.

✓ **B. The Special Powers of Rajya Sabha.** The Rajya Sabha performs two functions exclusively.

(i) **The Power to declare a subject of State List as a subject of National Importance.** (Under Article 249, the Rajya Sabha can pass a resolution by 2/3rd majority of its members present and voting for declaring a subject of the State list as a subject of national importance. Such a resolution empowers the Union Parliament also to legislate on that subject for a period of one year. Such a resolution can be repeatedly passed by the Rajya Sabha year after year. In other words when the Rajya Sabha passes a resolution under Art. 249, the concerned State subject becomes a concurrent subject for one year.)

(ii) **Power in respect of Creation or Abolition of an All India Service.** Art. 319 of the Constitution empowers the Rajya Sabha to create one or more new All India Services if it adopts a resolution supported by 2/3rd majority on the plea of national interest. In a similar way, the Rajya Sabha alone can secure the disbanding of an existing All India Service)

✓ POSITION OF THE RAJYA SABHA

(The Rajya Sabha is neither an ornamental chamber like the British House of Lords nor as assertive and powerful a second chamber as the U.S. Senate. Its position is somewhat mid-way between the two. It has not tended to become a pale shadow of the

Lok Sabha. Since its inception, the Rajya Sabha has always been asserting its due authority wherever permissible

(There is no denying the fact that the Rajya Sabha is a weak chamber in comparison with the Lok Sabha.) Some critics even call it a secondary or superfluous House. Even Dr. Ambedkar was suspicious regarding its utility. He was of the opinion, "I cannot say that I am very strongly prepossessed in favour of a second chamber. However, the Constituent Assembly decided to provide for the Rajya Sabha as a Second Chamber, a chamber designed to give representation to the units of Indian federation and a chamber designed to act as a helping as well as a checking chamber." In the sphere of ordinary law-making, election of President and Vice-President, impeachment powers and powers in respect of considering the reports of the government, the Rajya Sabha has been given powers equal to that of the Lok Sabha. But in an overall way its role has been made less important than the role of the Lower House. The Lok Sabha has been given the responsibility to control the executive as well as the finances of the State. Within the area of jurisdiction allotted to it, the Rajya Sabha plays an effective role as a second chamber of the Union Parliament.

UTILITY OF RAJYA SABHA

Despite the fact that the Rajya Sabha is a weak chamber, its place in the constitutional system continues to be important as a revising and helping House of the Union Parliament as well as an institution acting as a link between the Union and the States.

The President of India nominates 12 members to the Rajya Sabha from amongst the persons who have attained excellence in the fields of art, science, literature or social service. Thus, the services of able and experienced persons can be utilised by the nation by inducting them into the Union Parliament.

Rajya Sabha as a quasi-permanent House is a source of stability. When the Lok Sabha stands dissolved and some urgent work, e.g., extension of President's rule in a State or the need for the approval of an emergency declaration, can be got done from the Rajya Sabha. In May 1991, a special two-day session of the Rajya Sabha was called for getting approved the extension of President's rule in Haryana. This had become necessary because of the delay that had occurred in the completion of the election process due to the most tragic and unfortunate assassination of former Prime Minister, Mr. Rajiv Gandhi. Further, the Rajya Sabha acts as a helping House. It lessens the burden of the Lok Sabha, as non-controversial bills and some other bills can be first introduced in the Rajya Sabha. It acts as a revising chamber, it plays equal role with the Lok Sabha in the process of amendment of the Constitution and the election of the President and Vice-President, and also exercises some special powers under Articles 249 and 312.

THE LOWER HOUSE OF UNION PARLIAMENT : THE LOK SABHA (THE HOUSE OF THE PEOPLE)

The Lok Sabha *i.e.*, the House of the People is the lower house of the Union Parliament. It represents the people of India. It is directly elected by the people. It is a powerful, democratic and fully representative House of the Union Parliament. The Lok Sabha enjoys a very strong position as a powerful part of the Union Parliament.

Composition of Lok Sabha

The maximum strength of the Lok Sabha is fixed at 552. Out of this, 530 members are to be the representatives of the states, 20 members are to be the representatives of the union territories and 2 members are to be nominated by the president from the Anglo-Indian community³.

At present, the Lok Sabha has 545 members. Of these, 530 members represent the states, 13 members represent the union territories and 2 Anglo-Indian members are nominated by the President⁴.

The members of Lok Sabha are elected on the basis of :

(a) **Universal Adult Franchise** A citizen who has attained the age of 18 or more years has the right to vote in the elections to the Lok Sabha.

(b) **Joint Electorate System** The voters vote on the basis of joint electorate system which means that all the voters of a constituency vote for common candidates and not on the basis of their allegiance to different communities. The country is divided into territorial constituencies and each constituency elects one representative. However, some constituencies are reserved for Scheduled Castes and Tribes. These are called **Reserved Constituencies** and from each of such constituency only candidates belonging to scheduled castes or tribes, as the case may be, can contest elections. However, all the voters exercise their franchise in a Reserved Constituency.

(c) **Single Member Constituencies** The whole country is divided into as many electoral constituencies as is the number of the members of the Lok Sabha to be elected. From each constituency one representative is elected.

(d) **The Constituencies are Territorial Constituencies** These are geographically demarcated areas which are delimited by a Delimitation Commission. Usually the population of one constituency is between 5 lakh to 7.5 lakh.

(e) **Secret Ballot** The members of the Lok Sabha are elected by secret ballot and no one knows who has voted in favour of which candidate. Now electronic voting machines are used in the elections.

(f) **Direct Election** All the members of the Lok Sabha are directly elected by the people. Any voter can cast his vote to elect any candidate of his choice from his constituency. A candidate securing the largest number of votes from amongst all the contestants from a constituency gets elected as the representative of the people of his constituency.

III. Qualification for Membership. To contest an election for the Lok Sabha, a person must have the following qualifications :

- (1) He must be a citizen of India.
- (2) He must not be less than 25 years of age. *25 yrs*
- (3) He must not hold any office of profit under the Union or State Government.
- (4) He should not have an unsound mind.
- (5) He should not be a bankrupt.
- (6) He should not have been declared an offender of a grave crime by any court of law.
- (7) He should possess all such qualifications as may be prescribed by a law of the Parliament.

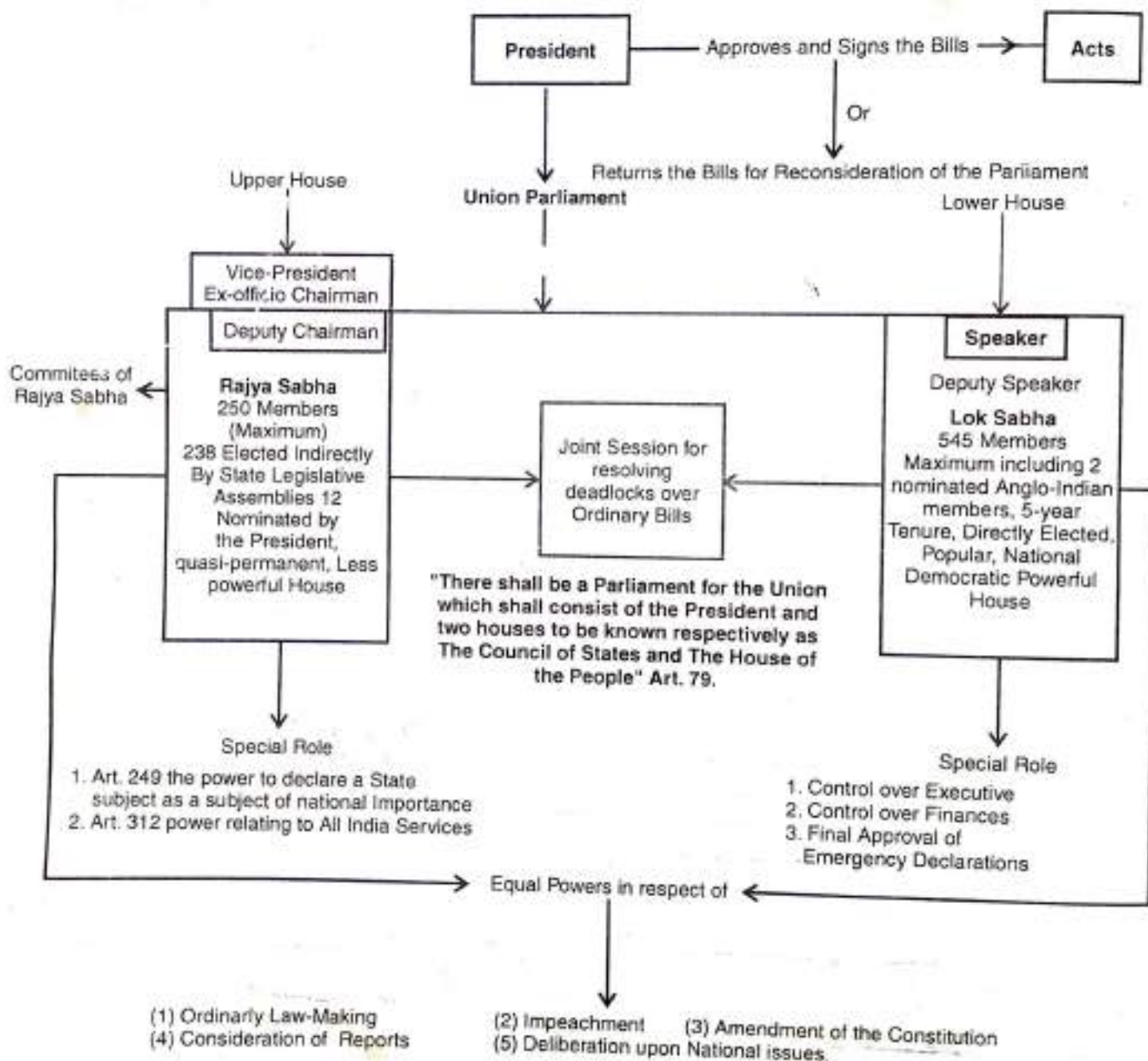
IV. Tenure. The normal term of the Lok Sabha is five years This term can be extended for one year during an emergency but fresh elections to the Lok Sabha must be held within six months of the end of emergency. The President can dissolve the Lok Sabha before the expiry of its term as was done in 1977, 1979, 1991, 1997, 1998, 1999 and 2004. (When elections to the Lok Sabha are held before the completion of the full term of the previous Lok Sabha, these are sometimes called mid-term elections. However, each Lok Sabha is elected for a term of 5 years.) *5yr*

V. Sessions. President can call the session of Parliament at any time but the gap

between two meetings of the Parliament cannot be of more than six months. It means in one year a minimum of two meetings of the Lok Sabha are essential. The President has the power to summon or prorogue or dissolve the Lok Sabha.

VI. Quorum. For a meeting of the Lok Sabha, the presence of atleast 1/10th of its total members is essential. If 1/10th of the members are not present in a meeting of the Lok Sabha, the Speaker of the House can adjourn the meeting for lack of quorum.

VII. Presiding Officers of Lok Sabha ; the Speaker and Deputy Speaker. The Speaker is the Chairman and the presiding officer of the Lok Sabha. (The details have been discussed ahead)



VIII. Salary Pension of the MPs. Since 2001, each MP gets a salary of Rs. 12,000 per month, a daily allowance of Rs. 500 per day during the sessions. In addition he gets a secretarial allowance of Rs. 40,000—Rs. 1,000 as constituency allowance and TA at the rate of Rs. 8 per km. The members retiring after completing 5-year term

(Minimum 4 years) get a monthly pension of Rs. 2500 and those retiring after having served for more than 5 years get an additional amount of Rs. 250 per month for every additional year.

IX Special Privileges. (The members of the Lok Sabha enjoy several privileges. They enjoy unrestricted freedom to express their views in the House. No action can be taken against them for anything said by them in the House. They cannot be detained for any civil offence during and 40 days before and after the session. Their arrest in criminal cases can be made only after the Speaker has been informed of it.)

POWERS AND FUNCTIONS OF THE LOK SABHA

The Lok Sabha exercises Legislative, Executive, Financial, Judicial and Amendment power :

1. Legislative Powers (An ordinary bill can become a law only after it has been passed by both the Houses of Parliament. It can be introduced either in the Lok Sabha or in the Rajya Sabha. When it is passed by one House it is sent to the other House. After it has secured the approval of both the Houses, it becomes a law after the signatures of the President. Although ordinary bills can be introduced in either of the two Houses of Parliament, yet almost 90% of the bills are introduced in the Lok Sabha. First these are passed by the Lok Sabha and then these go to the Rajya Sabha. In case the Rajya Sabha rejects such a bill or returns it to the Lok Sabha with amendments, the Lok Sabha reconsiders the bill. If the Lok Sabha repasses it and the Rajya Sabha is still not prepared to pass it, a deadlock occurs. If this deadlock remains unresolved for six months, the President can summon a joint sitting of the two Houses. The decision of the joint sitting is accepted by both the Houses. In a joint sitting, the Lok Sabha, because of its larger membership, dominates the show. The joint sitting of both the Houses is presided over by the Speaker of the Lok Sabha.) On 26 March 2002, a joint session of Lok Sabha and Rajya Sabha was held for passing the POTO Bill. It had been passed by the Lok Sabha but rejected by the Rajya Sabha. Consequently, the President decided to call a joint session of the two House. In this session the POTO Bill. was passed and it came to be called POTA.

2. Executive Powers. Article 75 (3) of the Constitution declares : "The Council of Ministers shall be collectively responsible to the House of the People." Infact it is

responsible before the Lok Sabha for all its acts of omission and commission. (The ministers remain in office so long as they enjoy the confidence of majority in the Lok Sabha. The Prime Minister mostly belongs to the Lok Sabha. The Lok Sabha can remove the ministers from office by passing a vote of no-confidence against them. Thus, the life and death of the Cabinet is decided by the Lok Sabha. The Lok Sabha makes the Council of Ministers responsible to itself through various methods, for example by asking questions on all matters of state administration, by criticising the policies adopted by them, by moving and adopting the resolutions and motions like adjournment motion, call attention motion, censure motion and no-confidence motion and by rejecting the ordinary bills and Money Bills of the government. If the Lok Sabha (i) rejects any policy or decision of the Cabinet, or disapproves the budget or a bill of the Government, or (ii) passes a vote of no-confidence against the Prime Minister, it is taken to be a vote of no-confidence against the entire Council of Ministers, and it resigns en masses.

3. **Financial Powers.** (All money bills can be introduced only in the Lok Sabha. After being passed by it such a bill is sent to the Rajya Sabha. A Money Bill passed by the Lok Sabha can be delayed by the Rajya Sabha for a maximum period of 14 days. If the Rajya Sabha fails to pass a Money Bill and 14 days lapse from the date of the submission of that Money Bill to the Rajya Sabha, it is deemed to have been passed by both the Houses of Parliament and is sent to the head of the state for his signatures. In case of any dispute as to whether a particular bill is a Money Bill or not, the Speaker of the Lok Sabha gives the decision. His decision is final and it cannot be challenged in a court or even in the Rajya Sabha or the Lok Sabha. Thus, we can say that the Lok Sabha has the final control over the finances of the Union. It is the real custodian of the national purse.) *Rajya Sabha cannot reject a money bill it can only delay it for max of 14 days.*

4. **Judicial Powers.** The Lok Sabha performs several judicial functions also. The impeachment proceedings can be taken up against the President in either of the two Houses of Parliament. The President can be removed from office only by a resolution adopted by both the Houses with 2/3rd majority of their members. It also investigates the charges levied by the Rajya Sabha against the Vice-President of India. It alongwith the members of the Rajya Sabha can pass a resolution for the removal of any judge of the Supreme Court or of a State High Court. It can also jointly pass a special address to the President for the removal of some high officers of the state like the Attorney General, the Chief Election Commissioner, and the Comptroller and Auditor General of India. It can also take a disciplinary action against any member or any citizen who is found by it guilty of committing a contempt of the House.

5. **Electoral Functions.** The Lok Sabha also performs some electoral functions. The elected members of the Lok Sabha take part in the election of the President. Members of the Lok Sabha and the Rajya Sabha jointly elect the Vice-President of India. The members of the Lok Sabha also elect a Speaker and a Deputy Speaker from amongst themselves.

6. **Amendment Power.** Constitution Amendment Bill can be introduced in either House of Parliament. However, it is considered passed only when both the Houses pass it in identical terms and in accordance with the provisions of Article 368 of the Constitution. The Lok Sabha and the Rajya Sabha can together amend all articles of the Constitution, with the exception of the those which require,

alongwith their approval, a special approval by atleast one-half of several State Legislatures.

7. Approval of the Declaration of Emergency. Each declaration of emergency by the President has essentially to be got approved by both the Lok Sabha and the Rajya Sabha within a stipulated period. In case the Lok Sabha stands dissolved at the time of declaration of emergency, it has to be got approved by the Rajya Sabha. However, when the new Lok Sabha gets constituted, the emergency proclamation has to be got approved from it within 30 days, otherwise the declaration gets revoked.

8. Some other powers of Lok Sabha. The Lok Sabha also performs several other functions : (a) Approval of the ordinances issued by the President. (b) Changing the boundaries of the states, creation of new states and change in the name of a State. (c) Changing the jurisdiction of the Supreme Court and the High Courts. (d) Changing the qualifications for the memberships of the Parliament and State Legislatures. (e) Revising the salary and allowances of the members of Parliament, and (f) The setting up of Joint Public Service Commission for two or more states. It can also pass a resolution for abolishing or reconstituting the upper chamber of a State legislature.