

Examrace

Competitive Exams: Political Science Study Material Sessions of the Parliament

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Sessions of the Parliament

The Constitution only states that there should not be a gap of more than six months between two consecutive sittings of the Parliament. There are three types of sessions as per the Parliamentary practices

1. Budget Session. Between February to May. This is the most important and the longest session.
2. Monsoon Session. July-August.
3. Winter Session. November-December. This is the shortest session.
 - a. There is a provision for special sessions in the Constitution.
 - b. In this case, it can be convened by the President on the recommendations of the Council of Ministers on the basis of a 14 days of advance notice to the Chairman or the Speaker, as the case may be.
 - c. In another case, if the Lok Sabha is not in session, not less than one-tenth of the Members can, on prior notice of 14 days, write to the President for convening a session for the rejection of the National Emergency (under Art. 352).
 - d. The Council of Ministers does not play any role in this.

End of the Session

1. Prorogation. This is done by the President on the advice of the Council of Ministers. This can be done even when the House is adjourned. It brings a session of the House to an end.
2. Adjournment. This is a short recess within a session of the Parliament, called by the Presiding Officer of the House. Its duration may be from a few minutes to days together.
3. Another type of adjournment is when the House is adjourned by the Presiding Officer without fixing any date or time of the next meeting. This is called Adjournment sine die, i.e., Without fixing any time/day. The adjournment does not bring to an end a session, but merely postpones the proceedings of the House to a future time and date.

Dissolution of the House

- A dissolution ends the very life of the House and general elections must be held to elect a new Lok Sabha.
- It is to be noted that it is the Lok Sabha which is subject to the dissolution.
- The Rajya Sabha is a permanent body, not subject to dissolution.
- Notes A dissolution ends the very life of the House while a prorogation ends a session.

Amendment by the Special Majority and Ratification by the States

1. A Bill seeking to amend the following provisions of the Constitution has to be passed by a special majority of both the Houses of Parliament and has also to be ratified by the legislatures of not less than one-half of the States, by resolutions to that effect passed by those Legislatures before such a Bill is presented to the President for assent.
 - a. the election of the President (Arts. 54 & 55)
 - b. the extent of the executive power of the Union and the States (Arts. 73 & 162)
 - c. the Supreme Court and the High Courts (Art. 241, Chapter IV of Part V, and Chapter V of Part VI of the Constitution)
 - d. distribution of the Legislative powers between the Union and the States (Chapter I of Part XI and the Seventh Schedule of the Constitution)
 - e. representation of the States in the Parliament; or
 - f. the procedure for the amendment of the Constitution itself (Art. 368).
2. The Constitution does not provide for any time limit within which the States must signify their ratification of a Constitution (Amendment) Bill, referred to them for this purpose.

Amendment by Simple Majority

1. A Bill seeking to amend the following provisions of the Constitution requires only a simple majority and such a Bill is not deemed to be a Constitution (Amendment) Bill under Art. 368 of the Constitution:
 - a. Admission or establishment of a new State, formation of new States and alteration of areas, boundaries or names of the existing ones (Arts. 2, 3 & 4)
 - b. Creation or abolition of the Legislative Council in a State (Art. 169)
 - c. Administration and control of the Scheduled areas and the Scheduled Tribes (para 7 of the Fifth Schedule)
 - d. Administration of the Tribal areas in the States of Assam, Meghalaya and Mizoram