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Special session of Parliament

Published On: 02-09-2023

Why is in news? Special session of Parliament: How it will work

The government has announced a 'Special Session of Parliament' from Sept 18-22. The Constitution does not define a 'special session'.

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Special session of Parliament:

The Constitution **does not use the term "special session"**.

The term sometimes refers to **sessions the government has convened for specific occasions**, like commemorating parliamentary or national milestones.

For the two Houses to be in session, the presiding officers should chair their proceedings.

The presiding officers can also direct that the proceedings of their respective Houses would be limited and procedural devices like question hour would not be available to MPs during the session.

However, **Article 352** (Proclamation of Emergency) of the Constitution **does refer to a "special sitting of the House"**.

Parliament added the part relating to the special sitting through the Constitution (**Forty-fourth Amendment**) Act, 1978.

Its purpose was to add safeguards to the power of proclaiming Emergency in the country.

It specifies that if a Proclamation of Emergency is issued and Parliament is not in session, then **one-tenth of Lok Sabha MPs can ask the President to convene a special meeting to disapprove the Emergency**.

Parliament of India:

It is the supreme legislative body of India. The Indian Parliament comprises 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.

Convening a session of Parliament:

The summoning of Parliament is specified in **Article 85** of the Constitution.

The **power to convene a session of Parliament rests with the government**.

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The decision is taken by the **Cabinet Committee on Parliamentary Affairs**.

The committee currently comprises ministers, including those for Defence, Home, Finance, and Law.

The decision of the Committee is formalised by the President, in whose name MPs are summoned to meet for a session.

Three sessions of Parliament:

India **does not have a fixed parliamentary calendar**. By convention, Parliament meets for three sessions in a year.

Budget Session:

The longest, the Budget Session, starts towards the end of January and concludes by the end of April or the first week of May.

The session has a recess so that Parliamentary Committees can discuss the budgetary proposals.

Monsoon Session:

The second session is the three-week Monsoon Session, which usually begins in July and finishes in August.

Winter Session:

The parliamentary year ends with a three-week-long Winter Session, which is held from November to December.

Duration & dates of the sessions:

Over the years, governments have shuffled around the dates of sessions to accommodate political and legislative exigencies.

Sessions have been cut short or delayed to allow the government to issue Ordinances. For example, in 2016, the Budget Session was broken up into two separate sessions to enable the issuance of an Ordinance.

Sessions have also been stretched on occasions.

Joint Session of Parliament:

The Constitution of India provides for the joint sitting of the Parliament's two Houses, the Lok Sabha and the Rajya Sabha, **in order to break any deadlock between the two**.

The joint sitting of the Parliament is called by the country's President.

Such a session is **presided over by the Speaker**, and in his/her absence, by the Deputy Speaker of the Lok Sabha. In the absence of both, it is presided over by the Deputy Chairman of the Rajya Sabha.

If any of the above are not present, any other member of the Parliament can preside by consensus of both the Houses.

Article 108 of the Constitution talks about a joint Parliament session.

Some devices of parliamentary proceedings:

Adjournment:

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There are several sessions during a legislative session, with two sittings held each day from 11 a.m. to 1 p.m. and 2 p.m. to 6 p.m.

A Parliamentary session (in the instance of the Lok Sabha) may be adjourned or adjourned sine die, prorogued, or dissolved.

When work in a **session is suspended for a predetermined period of time**—which may be hours, days, or weeks—it is known as an adjournment.

Adjournment Sine Die:

It involves **putting an end to a Parliamentary session indefinitely**.

When the House adjourns without announcing a date for reconvening, this is known as an adjournment sine die.

The House's presiding officer has the power to adjourn and to adjourn sine die, and he or she is able to call a meeting of the House before the day or time to which it has been postponed or at any time following a sine die adjournment.

Prorogation:

When the **agenda for a session is finished**, the Speaker of the Lok Sabha or the Chairman of the Rajya Sabha proclaims the House adjourned sine die.

The prorogation of the session is then announced by the President within a few days.

The President may prorogue the House while it is in session.

Dissolution:

The process of **legally ending the current Lok Sabha** (lower house) or Rajya Sabha (upper house) term **before its regular tenure of five years is up** is referred to as the dissolution of the sessions of Parliament in India.

Prorogation, which only ends a session of Parliament, is not the same as dissolution.

The Lok Sabha or Rajya Sabha's current term ends with dissolution, and new elections are held to create a new body.

Quorum:

The term "quorum" describes the **bare minimum of members needed to convene a house meeting**.

For both the Lok Sabha and the Rajya Sabha, the Constitution set a quorum of **one-tenth of the total membership**.

Thus, for a Lok Sabha meeting to take place, at least 55 members must be present, and for a Rajya Sabha meeting to take place, at least 25 members must be present.