Special Session of Parliament

Why in news?

The Union Minister for Parliamentary Affairs, announced that a "special session" of Parliament would be held in September 2023.

When does Parliament meet?

- **Parliamentary system** - The Constitution of India provides for a parliamentary form of government.
    - **Articles 74 and 75** -In the Centre and
    - **Articles 163 and 164**- In the states.
- ***Ivor Jennings*** called the parliamentary system as '*cabinet system*' because the cabinet is the nucleus of power in a parliamentary system.
- **Sessions** - When the Parliament meet for discussing various agenda and approving bills, motions with a scheduled meeting, it is called session.
- India's Parliament has ***no fixed calendar*** of sittings.
- In 1955, a Lok Sabha committee had proposed a timetable for parliamentary sessions but was never implemented.
- The Parliament holds ***3 sessions*** in a year.
    - Budget session (February-May)
    - Monsoon Session (July-August)
    - Winter Session (November-December)
- **Determining the sessions** - The ***Cabinet Committee on Parliamentary Affairs*** determines the date and duration of parliamentary sessions.
- It currently has *10 Ministers*, including those for Defence, Home, Finance, Agriculture, Tribal Affairs, Parliamentary Affairs, and Information and Broadcasting.
- The *Law Minister and the Minister of State for External Affairs* are special invitees to the Committee.
- The President is informed about the Committee's decision, who then summons Members of Parliament to meet for the session.

What does the Constitution say about Parliamentary sessions?

- The framers of the Constitution borrowed it from the ***Government of India Act of 1935.***
- It allowed the *British Governor General* to call a session of the central legislature at his discretion, requiring that the gap between two sessions should not be *more than 12 months.*
- However, the Constitution specifies that ***6 months*** should not elapse between two parliamentary sessions.

Lok Sabha and Rajya Sabha Meeting
• **Pre independence-** The Central Assembly met for a little more than 60 days a year. • **Post-independence**- It increased to 120 days a year in the first 20 years after Independence. Since then, the sitting days of the national legislature have declined. • Between 2002 and 2021, Lok Sabha averaged 67 working days. • In 2022, 28 state Assemblies met for 21 days on average. • **Recommendations-** Conference of presiding officers has recommended that Parliament should meet for *more than 100 days.* • The National Commission to Review the Working of the Constitution set up in 2000 made a similar recommendation. • **Private member bill**- Individual MPs have introduced private member Bills that stipulated increased sitting days for Parliament. • Private member Bill in 2017 suggested that Parliament should meet for *4 sessions in a year*, including a special session of 15 days for debating matters of urgent public importance. • **Lok Sabha committee 1955**- It recommended that the Parliament would be in session for *8 months every year.* • **International practice**-The US Congress and parliaments of Canada, Germany, and the UK are in session *throughout the year.*

What is a 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.
- **Summon** - The ***President,*** who summons a regular Parliamentary session will summon this session also as per provisions of *Article 85(1)* of the Constitution.

> *Article 85(1) states that "The President shall from time to time summon each House of Parliament to meet at such time and place as he/she thinks fit"*

- **Chair-** 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.
- The procedural devices like *question hour would not be available* to MPs during the session.
- **Article 352** of the Constitution does refer to a "special sitting of the House" which deals with proclamation of emergency.
- **44th amendment act 1978** added the part related to special sitting to add safeguards to the power of proclaiming emergency in the country.
- 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.

What is the history of special sessions?

- **Division-** The special sessions can be divided into two parts
  - **Proper special sessions**- It happens with debates or discussions, and
  - **Midnight sessions**- It happens without any debates.
- **Agenda**- It has been to either celebrate a historical legacy like the Indian freedom struggle and Indian Independence or to pass a bill.
- It holds a special place in the parliamentary calendar and history of democratic India.



- **Special sitting in Lok Sabha**- It was organised on May 13, 2012, a Sunday, to commemorate the 60th anniversary of the first sitting of the Indian Parliament.
- **Special sitting in Rajya Sabha**- It was organised in 1977 and 1991 when the Lok Sabha was under dissolution to decide on the President's Rule.
- **2023 special session**- Amidst Amrit Kaal, Parliament is looking forward to have fruitful discussions and debates.

References

1. Indian Express- Special session of Parliament
2. Deccan Herald | What is a Special Session of Parliament?

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