Substantive Motion in the Parliament

Mains: *GS-II – Polity & Governance | Parliament and State Legislatures - structure, functioning, conduct of business, powers & privileges and issues arising out of these.*

Why in News?

With MP Nishikant Dubey giving notice to move a substantive motion against the Leader of the Opposition (LoP) of the Lok Sabha for misleading the House, all eyes are on what the crucial instrument of a substantive motion means.

What is Substantive Motion?

- **Substantive Motion** – It is an ***independent proposal*** placed before the Lok Sabha seeking a clear and binding decision of the House.
- It is complete in itself and is not linked to any other business under discussion.
- When adopted, it represents the formal opinion or will of the House on a specific matter.
- **Admission** – Under the *Rules of Procedure of the Lok Sabha*, such a motion can be admitted *only with the approval of the Speaker*.
- **Discretion –** The Speaker has full discretion to accept or reject the notice and to decide how it should be taken up.
- **Debate & Vote** – If admitted, it can be debated in the House and put to a vote.
- **Committee Referral** – In certain circumstances, it may also be referred to a specially constituted committee to examine the allegations and report back.
- **Distinction** – Unlike routine interventions that are part of daily debate, a substantive motion *compels the House* to directly consider the issue raised and take a position on it.
- **Notice requirement** – A substantive motion requires notice to be given and can be moved ***only by the member*** who has given the notice.
- **Exception –** If the motion stands in the name of a Minister, it may be moved by another Minister, but the mover has to mention that he is *moving it on behalf* of the other Minister.
- **Types –** Includes no-confidence/confidence motions, motions for the removal of high officials, policy-based resolutions, and so on.

Why do the Substantive motions matter?

- Substantive motions are not commonly invoked in routine political disputes.
- Their use marks an escalation, shifting the contest from rhetoric to procedure.
- If the motion is admitted, the Lok Sabha would be required to formally debate and

decide on the matter.

- **Current Context** – At present, the next step depends entirely on Speaker Om Birla. He may admit the motion, decline it, or determine another course under the rules.

Difference between Substantive Motion, Substitute Motion, and Subsidiary Motion?

Motions	Substantive	Substitute	Subsidiary
Definition	An independent proposal, complete in itself, seeking a binding decision of the House.	A motion was moved in substitution of the original motion.	A motion that arises out of or depends on another motion.
Moved by	Notice required; normally moved only by the member who gave notice (**exception**: another Minister may move on behalf of the concerned Minister).	Any member may move it, subject to the rules.	Moved in relation to an existing motion.
Purpose/Effect	Represents the formal opinion or will of the House on a specific matter.	If adopted, it replaces the original motion, offering an alternative formulation or decision.	Shapes or influences the fate of the main motion (e.g., amendments, adjournment of debate, closure).
Role of the Speaker	Decides whether to accept, reject, or modify & may refer the motion to a committee.	Decides if they are admissible, checks whether they are in order and properly framed before allowing debate.	Decides if they are admissible, prevents frivolous use, and maintains order.

What are the various motions in the Parliament?

Motions/ Resolutions	Purpose
Adjournment Motion	Seeks to adjourn normal business to discuss a matter of urgent public importance; a sharp accountability tool.
Calling Attention Motion	Allows a member to call the attention of a Minister to an urgent matter of public importance; Minister responds, no vote.
Privilege Motion	Raised when a member feels parliamentary privilege has been breached; may be referred to the Committee of Privileges.
No-Confidence Motion	Tests whether the Council of Ministers enjoys majority support; if passed, the government must resign.

Motion of Thanks	Expresses gratitude for the President's Address at the start of a session; debated and voted upon, a symbolic test of support.
Election of Speaker/Deputy Speaker	Formal motion to elect presiding officers of the House; binding decision requiring majority support.
Discussion Motion (general public interest)	Raises issues of broad concern for debate; no binding vote, purely deliberative.
Removal of Speaker/Deputy Speaker	Resolution to remove presiding officers requires majority support, rare and serious.
Vacancy Motion	Declares the seat of a member vacant, Used when leave of absence is not agreed to by the House; declares the seat vacant.
Expulsion Motion	To expel a member for misconduct or breach of trust has been used in past cases of corruption or misrepresentation.
Impeachment Motion	Used in cases like impeachment of judges under constitutional provisions, Requires special majority.

What is the parliamentary system of governance in India?

- **Definition** – It is a democratic form of government in which the executive branch derives its legitimacy from and is accountable to the legislature or parliament.
- As a result, it is also known as a responsible government.
- **Key Features**
- **Prime Minister** – Usually the head of government and the leader of the party or coalition with the majority of seats in Parliament.
- **Fusion of powers** – The parliamentary system closely intertwines the executive and the legislature.
- **Collective responsibility** – The Council of Ministers, headed by the PM, is collectively responsible to the Lok Sabha; the entire government must resign if it loses the vote of confidence.
- **Alternative government** – If the ruling party loses the confidence of the lower house, the opposition party is prepared to take over, ensuring continuity and stability in governance.
- **Advantages**
    - Responsiveness, which allows for the swift replacement of the government if it loses parliamentary confidence;
    - Flexibility, which enables quick decision-making and adaptation; and
    - The power of the executive, which allows majority governments to implement policies effectively.
- **Disadvantages**
    - The concentration of power in the hands of the Prime Minister and the Cabinet, and
    - Lack of checks and balances on the executive, potentially leading to the misuse of power and
    - Instability, particularly in coalition governments.

References

1. Indian Express | The substantive motion moved against Rahul Gandhi
2. NDTV | The 'Substantive Motion' BJP Moved Against Rahul Gandhi
3. PRS | Various types of Motion
4. Digital Sansad | Important Parliamentary Terms

