

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 session with debates	Midnight special sessions
<ul style="list-style-type: none">• 1962- It was organised to discuss India-China war situation while the war was still on.• 1997- It was organised to mark 50 years of India's independence.• 2015- It was a part of year-long celebrations to pay respects to the architect of the Indian Constitution, Dr Ambedkar.	<ul style="list-style-type: none">• 1947- It was held on the eve of India's independence.• 1972- To celebrate 25 years of India's independence.• 1992- To mark the 50th anniversary of the 'Quit India Movement'.• 1997- To mark 50 years of independence.• 2017- It was for the first time, a bill was discussed in a special session (for the GST rollout).

- **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?](#)