

Parliamentary Procedure Myths vs Reality

A comprehensive guide to debunking 60 common misconceptions about Indian Parliamentary procedures, sessions, motions, and constitutional provisions.



Myth 1

President summons each House only once per year. ❌

Reality: Constitution (Art. 85) says not more than 6 months gap; effectively minimum 2 sessions/year.

Myth 2

Constitution mentions "Budget Session, Monsoon Session, Winter Session." ❌

Reality: These are conventions, not in Constitution.

Myth 3

President can summon Parliament at his own discretion. ❌

Reality: Always acts on aid & advice of Council of Ministers (Art. 74).

Myth 4

First session after every general election is called Special Session. ❌

Reality: It is constitutionally called the First Session; "special" is political usage.

Myth 5

President addresses each House separately. ❌

Reality: President addresses joint sitting at beginning of first session every year and at beginning of first session after each general election.

Adjournment vs. Prorogation vs. Dissolution

Myth 6

Adjournment = end of a session.



Reality: Adjournment = temporary break in a sitting/day. Session ends only by prorogation.

Myth 7

Adjournment sine die requires President's approval.



Reality: Declared by presiding officer without fixing date of reassembly.

Myth 8

Prorogation dissolves Lok Sabha.



Reality: Prorogation ends session, not LS.

Myth 9

Dissolution applies to both Houses.



Reality: Only LS can be dissolved; RS is permanent.

Myth 10

President dissolves LS only after expiry of 5 years.



Reality: Can dissolve earlier on aid & advice of PM.

Quorum & Voting Procedures

Myth 11

Quorum = half the strength of House. ❌

Reality: Only 1/10th (Art. 100).

Myth 12

Presiding officer not counted in quorum. ❌

Reality: Included in quorum.

Myth 13

Voice vote results are binding and unquestionable. ❌

Reality: Any member can demand division.

Myth 14

Division of vote = secret ballot. ❌

Reality: Recorded vote with names, not secret.

Myth 15

Speaker can refuse to order division even if demanded. ❌

Reality: Must allow unless disorder makes it impossible.

Types of Parliamentary Motions – Part 1

Myth 16

Adjournment Motion ≠ Adjournment. ❌

Reality: Adjournment Motion = extraordinary tool to discuss urgent matter of public importance.

Myth 17

Censure Motion = No-Confidence Motion. ❌

Reality: Censure targets specific minister/policy; No-Confidence targets whole Council of Ministers.

Myth 18

Calling Attention Motion provided in Constitution. ❌

Reality: Provided under Rules of Procedure, not Constitution.

Myth 19

No-Confidence Motion can be moved in RS. ❌

Reality: Only in LS (Art. 75).

Myth 20

Confidence Motion can be moved by Opposition. ❌

Reality: Only by ruling government.

Types of Parliamentary Motions - Part 2

1

Myth 21

Privilege Motion is voted like No-Confidence. ❌

Reality: Examines breach of privileges, referred to Committee of Privileges.

2

Myth 22

Closure Motion = closure of House session. ❌

Reality: Closure ends debate on a matter, forcing vote.

3

Myth 23

Cut Motions apply to any Bill. ❌

Reality: Only on Demands for Grants in Budget.

4

Myth 24

Guillotine = rejecting all demands. ❌

Reality: All outstanding demands put to vote at once without discussion.

5

Myth 25

Short Duration Discussion (Rule 193) ends with voting. ❌

Reality: Only discussion; no voting.

6

Myth 26

Half-an-Hour Discussion = half an hour of time only. ❌

Reality: Normally 3 days a week; limited to 30 minutes per topic.

7

Myth 27

Zero Hour formally in rules. ❌

Reality: Parliamentary innovation since 1960s; not in rules.

Joint Sitting Provisions (Art. 108)

Myth 28

Joint sitting presided over by Chairman of RS. ❌

Reality: Speaker of LS presides.

Myth 29

Joint sitting can resolve Constitutional Amendments. ❌

Reality: Not applicable for CAAs.

Myth 30

Joint sitting can be called for State List matters. ❌

Reality: Only for Ordinary Bills (and some financial bills).

Myth 31

Joint sitting requires approval of both Houses beforehand. ❌

Reality: President summons if LS and RS disagree.

Myth 32

Money Bill deadlock can go to Joint Sitting. ❌

Reality: No provision; LS decision final.

Question Hour & Related Parliamentary Tools

Myth 33

Question Hour always at 11 a.m. ❌

Reality: Traditionally 11 a.m. but time can be changed by presiding officer.

Myth 34

Starred Questions need only written reply. ❌

Reality: Require oral answer + supplementary questions.

Myth 35

Unstarred Questions allow supplementaries. ❌

Reality: Only written answer; no supplementaries.

Myth 36

Short Notice Question requires 15 days' notice. ❌

Reality: Requires less than 10 days' notice; admitted at Speaker's discretion.

Myth 37

First hour of every sitting is Zero Hour. ❌

Reality: First hour = Question Hour; Zero Hour starts after it.

Myth 38

Government is bound to answer all questions. ❌

Reality: Presiding officer decides admissibility.

Budget Procedure & Financial Motions

Myth 39

Vote on Account = grants for entire financial year. ❌

Reality: Usually for 2 months (sometimes longer).

Myth 40

Vote on Credit = same as Vote on Account. ❌

Reality: Vote on Credit used for exceptional, unforeseen expenditure.

Myth 41

Exceptional Grant part of Appropriation Act. ❌

Reality: Made separately by a law, not part of Appropriation Act.

Myth 42

Demands for Grants can be moved in RS. ❌

Reality: Only in LS.

Myth 43

Finance Bill introduced in either House. ❌

Reality: Only in LS on President's recommendation.

Myth 44

Appropriation Bill is a Money Bill. ❌

Reality: Yes, certified by Speaker under Art. 110.

Myth 45

Finance Bill always a Money Bill. ❌

Reality: Only Finance Bill (I) = Money Bill; Finance Bill (II) ≠ Money Bill.

Advanced Parliamentary Procedures – Part 1



Myth 46

Adjournment Motion requires simple majority. ❌

Reality: Admitted with Speaker's consent; supported by 50 members.



Myth 47

Calling Attention requires Speaker's consent only. ❌

Reality: Consent of Speaker + acceptance by Minister.



Myth 48

Motion of Thanks must be passed unanimously. ❌

Reality: Simple majority suffices; can be amended.



Myth 49

Amendments to Motion of Thanks are symbolic, not voted. ❌

Reality: They are voted upon.



Myth 50

Cut Motions must be signed by 100 members. ❌

Reality: Moved by one member, admitted by Speaker.



Myth 51

Motion of No Confidence = constitutional. ❌

Reality: Mentioned in Rule of Procedure; not explicitly in Constitution.



Myth 52

Disapproval of Policy Cut Motion reduces demand to Rs. 1. ❌

Reality: Same for all types of cut motions (Token/Policy/Economy).

Advanced Parliamentary Procedures – Part 2

Myth 53

Zero Hour always raised with Speaker's prior notice.



Reality: Raised without prior notice.

Myth 54

Questions on sub-judice matters are totally prohibited.



Reality: Allowed if presiding officer deems matter of public interest.

Myth 55

Private Member's Bill is voted on Friday only.



Reality: Introduced/considered on Fridays, but voting may extend.

Myth 56

President can refuse to lay Demands for Grants in Parliament.



Reality: Only LS discusses/approves; President can't refuse.

Myth 57

Parliamentary session can be summoned by Speaker.



Reality: Only President summons under Art. 85.

Myth 58

Expunction of unparliamentary words done by Prime Minister.



Reality: Only by Presiding Officer.

Myth 59

Unstarred Questions can be orally answered if Speaker directs.



Reality: Never; only written.

Myth 60

Vote on Account requires Rajya Sabha approval.



Reality: Rajya Sabha can only discuss; LS decision binding.

Legislative Procedures: Common Misconceptions

A comprehensive examination of frequently misunderstood aspects of legislative procedures in the Indian Parliament, covering Ordinary Bills, Money Bills, Financial Bills, Constitutional Amendment Bills, and special legislative processes.



Ordinary Bills – Key Facts

Introduction Rights

Misconception: Ordinary Bill can be introduced only by a Minister.

Reality: Any MP can introduce; if not minister → Private Member's Bill.

Presidential Recommendation

Misconception: Ordinary Bill needs prior recommendation of President.

Reality: Only when it involves matters like Art. 3 (state boundaries), or involving expenditure from CFI.

Lapsing in RS

Misconception: Ordinary Bill lapses if pending in RS when LS is dissolved.

Reality: Lapses if pending in LS; if passed by LS but pending in RS → lapses too.

RS Dissolution

Misconception: Ordinary Bill lapses if pending in LS when RS is dissolved.

Reality: RS never dissolves.

Joint Sitting Lapse

Misconception: Ordinary Bill pending in Joint Sitting lapses on dissolution of LS.

Reality: Yes → it lapses because LS is dissolved before decision.

Rejection Rules

Misconception: Ordinary Bill rejected by one House can't be introduced again.

Reality: Can be reintroduced.

State Reorganisation

Misconception: State Reorganisation Bill requires consent of State Legislature.

Reality: Only "seeking views"; not binding.

Private Member Bills

Misconception: Private Member's Bill never lapses.

Reality: It lapses like any other Bill.

Parliamentary Powers

Misconception: Parliament can't legislate on State List without State consent.

Reality: Can under Art. 249, 250, 252, 253.

Residuary Subjects

Misconception: Residuary subjects can't be legislated by Parliament.

Reality: Residuary power = Parliament only (Art. 248).

Money Bills (Art. 110) – Critical Distinctions



Introduction House

Misconception: Money Bill can be introduced in either House.

Reality: Only in Lok Sabha, on President's recommendation.



Decision Authority

Misconception: Speaker + RS Chairman decide whether Bill is Money Bill.

Reality: Speaker of LS has final authority.



RS Rejection Power

Misconception: RS can reject a Money Bill.

Reality: RS can only recommend within 14 days; LS may accept/reject.



14-Day Rule

Misconception: If RS does nothing for 14 days, Money Bill lapses.

Reality: Deemed passed by both Houses.

1

Scope of Content

Misconception: Money Bill can contain any matter of finance.

Reality: Only those enumerated in Art. 110.

2

RS Amendment Power

Misconception: RS can amend Money Bill by simple majority.

Reality: Only recommendatory power.

3

Presidential Return

Misconception: President can return a Money Bill for reconsideration.

Reality: Cannot return; must give assent.

4

Judicial Review

Misconception: Speaker's certification as Money Bill is judicially reviewable.

Reality: Reviewable by SC (Aadhaar Case, 2018).

Majority Requirement

Misconception: Money Bill needs 2/3rd majority.

Reality: Simple majority of members present and voting.

Budget Passage

Misconception: Budget passed in RS by majority.

Reality: Budget passed only in LS.

Financial Bills & Constitutional Amendment Bills

<div>Financial Bill Types</div> <div>Misconception: All Finance Bills are Money Bills.</div> <div>Reality: Finance Bill (I) = Money Bill; Finance Bill (II) ≠ Money Bill.</div>	<div>Presidential Recommendation</div> <div>Misconception: Financial Bill (II) requires President's recommendation.</div> <div>Reality: Yes, but can be introduced in either House.</div>
<div>RS Role</div> <div>Misconception: Rajya Sabha has no role in Finance Bills.</div> <div>Reality: Plays role in Financial Bill (II).</div>	<div>Introduction Timing</div> <div>Misconception: Finance Bill is introduced after Appropriation Bill.</div> <div>Reality: Introduced immediately after Budget presentation.</div>

1	2
<div>Constitutional Requirement</div> <div>Misconception: Finance Bill is not a constitutional requirement.</div> <div>Reality: Mandatory every year (to give effect to financial proposals).</div>	<div>CA Bill Recommendation</div> <div>Misconception: Constitutional Amendment Bill requires President's recommendation.</div> <div>Reality: Can be introduced without recommendation.</div>
3	4
<div>Government Monopoly</div> <div>Misconception: Can be introduced only by Government.</div> <div>Reality: Can be introduced by any MP (Private Member).</div>	<div>House Restriction</div> <div>Misconception: Amendment Bill can be introduced in LS only.</div> <div>Reality: In either House.</div>

State Approval Timing

Misconception: Amendment Bill requires prior approval of States.

Reality: Ratification comes after passage in Parliament.

Joint Sitting Provision

Misconception: Joint Sitting can be held on Amendment Bill.

Reality: No provision for joint sitting on CA Bill.

Constitutional Amendment Bills - Special Procedures

O1	O2
<div>Presidential Veto</div> <div>Misconception: President may veto a Constitutional Amendment Bill.</div> <div>Reality: Mandatory assent (Art. 368).</div>	<div>Lapsing Rules</div> <div>Misconception: Amendment Bill lapses on dissolution of LS.</div> <div>Reality: Does not lapse.</div>
O3	O4
<div>State Ratification</div> <div>Misconception: Ratification of all States required.</div> <div>Reality: Only by half of States if federal provisions affected.</div>	<div>Majority Requirement</div> <div>Misconception: Amendment Bill requires 2/3rd of total membership.</div> <div>Reality: 2/3rd of members present & voting + majority of total membership.</div>

1	2	3
<div>Procedure Type</div> <div>Misconception: Ordinary Bill procedure applies to CA Bill.</div> <div>Reality: Distinct procedure under Art. 368.</div>	<div>Private Member Rights</div> <div>Misconception: Private Member's Bill can amend Constitution.</div> <div>Reality: Yes, but extremely rare (only 1 passed in history: Supreme Court enlargement of benches, 1971).</div>	<div>Fundamental Rights</div> <div>Misconception: CA Bill on Fundamental Rights = simple majority.</div> <div>Reality: Requires Art. 368 special majority.</div>

<div>Money Bill Ratification</div> <div>Misconception: Money Bill requires State ratification if affecting federal features.</div> <div>Reality: No; only CA Bills need state ratification.</div>	<div>Appropriation Bill Approval</div> <div>Misconception: Appropriation Bill needs RS approval to become law.</div> <div>Reality: Money Bill → RS recommendations only.</div>
<div>Presidential Assent Timing</div> <div>Misconception: All Bills need Presidential assent before introduction.</div> <div>Reality: Only some categories (e.g., involving CFI, creation of new State).</div>	

Joint Sitting & Presidential Assent Procedures

Joint Sitting Presiding Officer

Misconception: Joint sitting is presided by RS Chairman.

Reality: By LS Speaker.

Money Bill Joint Sitting

Misconception: Joint sitting can decide on Money Bills.

Reality: No, only on Ordinary Bills.

CA Bill Joint Sitting

Misconception: Joint sitting applicable to Constitutional Amendment Bills.

Reality: Excluded.

Deadlock Definition

Misconception: Deadlock requires rejection of Bill by one House.

Reality: Deadlock also arises if Houses disagree or one delays >6 months.

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LS Override Power

Misconception: LS can't override RS in Joint Sitting.

Reality: LS has advantage because of numerical majority.

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Presidential Discretion

Misconception: President always calls Joint Sitting in deadlock.

Reality: Discretionary; may or may not summon.

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Presidential Refusal

Misconception: President can refuse assent to any Bill.

Reality: Only Ordinary Bills; Money/CA Bills have restrictions.

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Return Time Limit

Misconception: President must return Bill within 14 days.

Reality: No time limit in Constitution.

- CA Bill Return

Misconception: President can return a Constitutional Amendment Bill.

Reality: Must give assent.

- Pocket Veto

Misconception: Pocket veto not available to President of India.

Reality: Available (e.g., Postal Bill, 1986).

Bill Lapsing Rules & Special Categories

1

Universal Lapsing

Misconception: All Bills lapse on dissolution of LS.

Reality: Not CA Bills; not pending in RS without passage by LS.

2

Money Bill Lapsing

Misconception: Pending Money Bill lapses.

Reality: Yes, if LS dissolves before passage.

3

Presidential Assent Stage

Misconception: Bill passed by both Houses but awaiting President's assent lapses.

Reality: Does not lapse.

4

Inter-House Passage

Misconception: Bill passed by one House, pending in the other → never lapses.

Reality: Lapses if LS is dissolved.



RS Pending Bills

Misconception: Bill pending in RS, not passed by LS → lapses.

Reality: Not lapse because RS is permanent.



Public vs Private Bills

Misconception: Public Bill = Government Bill only.

Reality: Public Bill = Government Bill + Private Member Bill.



Ordinance Status

Misconception: Ordinances = not Bills, so not subject to same procedure.

Reality: Must be laid before Parliament; same effect as Act when passed.



Ordinance Duration

Misconception: Ordinances cease immediately when Parliament reconvenes.

Reality: Continue for 6 weeks from reassembly unless disapproved.

→ Legislative Process Completion

Misconception: President's assent always completes legislative process.

Reality: Sometimes Governor's role + President's role (for State Bills reserved under Art. 200).

→ RS Chairman Role

Misconception: Money Bill requires prior recommendation of RS Chairman.

Reality: Only President's recommendation.