

Parliamentary Conventions

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The Constitution of a country comprises both written rules enforced by courts, and unwritten rules or principles necessary for constitutional government. Written rules mandate that they be followed in a particular specified situation, while unwritten rules come into play when the situation at hand is not covered by the written rules.

History of Parliamentary Conventions

- The Constituent Assembly decided to adopt a parliamentary system of government of the British type. The **principles of the parliamentary system of government in England are dependent upon the conventions of the constitution.**
- The Parliamentary System of Government is adopted from the **unwritten constitution of the United Kingdom.**

Features of Parliamentary Conventions

- Conventions are rules that **define non-legal rights, powers and obligations** of office-holders in the three branches of Government, or the relations between governments or government organs.
- Conventions in most cases can be stated only in general terms, their applicability in some circumstances being clear, but in other circumstances **uncertain and debatable.**
- The constitution framers deliberately left certain matters and decisions for the **discretion of the contemporary leaders and governments**, thereby leading to the birth of constitutional conventions.
- They are distinguishable from rules of law, though they may be equally important, or more important. They may modify the application or enforcement of rules of law.
- In certain instances, constitutional conventions are

more important than written constitutional provisions. For example, the **President is empowered by the Constitution to appoint the Prime Minister**, but the **Constitution provides no guidance** as to who should be appointed as Prime Minister. Here conventions regarding the appointment of the Prime Minister play an important role in guiding the President.

- Occasionally a new convention may be agreed in order to resolve a specific procedural issue that has arisen.
- [Eg: Since 1967, a convention has developed whereby the chairman of the public accounts committee is selected invariably from the Opposition].

Examples of Parliamentary Conventions

- Governor's role in appointment of Chief Minister in case of hung assembly.
- Convention of Governors acting as Chancellors of Universities and holding other statutory positions.
- Classification of Council of Ministers into 3 tier body and the role of Union Cabinet in decision making.
- The Speaker of the Lok Sabha derives some of his powers and duties from the parliamentary conventions.
- The office and role of whip in the parliament.