

Termination of a session of parliament

March 27, 2021

In news : Recently, the Budget session of Parliament concluded with both the Houses being adjourned sine die ahead of their schedule.

Termination of a session of parliament

Following are the ways in which a sitting of the Parliament (a particular house) can be terminated:

- **Adjournment of the sitting of the House:** Termination of the sitting of the House which meets again at the time appointed for the next sitting.
- **Adjournment sine die:** Termination of a sitting of the House without any definite date being fixed for the next sitting.

Adjournment in the Rajya Sabha

- During the course of a session, the Rajya Sabha may be adjourned from day to day or for more than a day.
- It may also be adjourned sine die.
- The power to adjourn the House from time to time or sine die vests in the Presiding Officer.
- He does so at a fixed hour or at such other hour as he may determine after taking the sense of the House.
- The Chairman may, if he thinks fit, call a sitting of the House before the date or hour to which it has been adjourned or at any time after the House has been adjourned sine die but before it is prorogued by the President.

Adjournment in the Lok Sabha

- "Adjournment" is a postponement of the sitting or

proceedings of the House from one time to another specified for the reassembling of the House.

- During the course of a Session, the Lok Sabha may be adjourned from day to day or for more than a day.
- It may also be adjourned sine die which means the termination of a sitting of the House without any definite date being fixed for its next sitting.
- The power to adjourn the House from time to time or sine die vests in the Presiding Officer i.e Speaker

What is meant by Prorogation and Dissolution of the Lok Sabha?

- “Prorogation” means the termination of a Session of the House by an order made by the President under article 85(2)(a) of the Constitution. A session is terminated only by prorogation and not by adjournment.
- The period between the prorogation of the House and its reassembly in a new session is termed as “inter-session” period
- The Prorogation of the House may take place any time, even while the House is sitting. However, usually, prorogation follows the adjournment of the sitting of the House sine die.
- “Dissolution” of the House means the end of the life of the Lok Sabha either by an order made by the President under article 85 (2) (b) of the Constitution or on the expiration of the period of five years from the date appointed for its first meeting.
- Dissolution puts an end to the representative character of the individuals who at the time compose the Lok Sabha.

Its impact on bills & business of LS with respect to the above conditions

- On adjournment of the Lok Sabha or its adjournment sine die, the pending business does not lapse.
- Bills pending before either House or Select/Joint

Committee, Motions, Resolutions, and amendments which have already been moved and pending in the House, and business pending before a Parliamentary Committee do not lapse on prorogation whereas all business pending before the House or any of its Committee lapse on dissolution.

- Prorogation terminates a Session and does not constitute an interruption in the continuity of life of the Lok Sabha which is brought to an end only by dissolution.

Summoning

Article 85(1) of the Constitution empowers the President to summon each House of Parliament to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one Session and the date appointed for its first sitting in the next Session

Summoning of Houses for Joint Sitting

Under article 108 of the Constitution, the President may call a joint sitting of both Houses if a Bill passed by one House and transmitted to the other House: (a) is rejected by the other House; or (b) the Houses have finally disagreed to the amendments to be made in the Bill; or (c) more than six months elapsed from the date of the reception of the Bill by the other House without the Bill being passed by it.

Dissolution:

In terms of Article 83(2) of the Constitution, the House of the People, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years shall operate as a dissolution of the House. However, the upper House i.e Rajya Sabha is not subject to dissolution, because it is a permanent House of the Parliament