

UPSC Civil Services Examination

Political Science & International Relations for Prelims and Mains

Topic: How a Bill is Passed in Indian Parliament-Indian Polity Notes

1. Types of Bills in India- Definitions, Differences

There are four types of bills that are introduced in the Indian Parliament for different purposes. The table below mentions the different types of bills and their significance:

Types of Bills in India		
S.No	Name of the Bill	Significance
1	Ordinary Bill (Article 107, Article 108)	Concerned with any matter other than financial subjects
2	Money Bill (Article 110)	Concerned with financial matters like taxation, public expenditure, etc
3	Financial Bill (Article 117 [1], Article 117[3])	Concerned with financial matters (but are different from money bills)
4	Constitutional Amendment Bill (Article 368)	Concerned with the amendment of the provisions of the Constitution.

There are a few differences between these types of bills which are important to be understood for civil services examination. The difference between various types of bills are given in the tables below:

- **Difference between Ordinary Bill and Money Bill in India**

Difference	Ordinary Bill	Money Bill
Introduction	In either Lok Sabha or Rajya Sabha	Only in Lok Sabha
Introduced By	Minister or a Private Member	Only a Minister
President's Recommendation	Not Need	Only after he recommends

Rajya Sabha's Role	<ul style="list-style-type: none"> Can be amended/rejected by Rajya Sabha 	<ul style="list-style-type: none"> Cannot be amended/rejected by Rajya Sabha. (It has to return the bill with/without recommendations)
	<ul style="list-style-type: none"> Can be detained by the Rajya Sabha for a maximum period of six months. 	<ul style="list-style-type: none"> Can be detained by the Rajya Sabha for a maximum period of 14 days only.
President's Assent	Sent for his assent only after being approved by both the houses	Send for his assent only after Lok Sabha's approval. (Rajya Sabha approval is not required)
	Can be rejected, approved, or returned for reconsideration by the President.	Can be rejected or approved but cannot be returned for reconsideration by the President.
Joint Sitting of Both Houses	In case of deadlock, there is a provision of a joint sitting	No chance of disagreement, hence, no provision of a joint sitting

2. What Are The Important Steps in Making of Law in India?

There are separate procedures for the enactment of the four types of bills. These procedures to enact the bills are laid down by the Indian Constitution. They are given below:

- Stages of passing an Ordinary Bill**

There are five stages through which an ordinary bill has to go through before it finally becomes an act:

Stages	Details
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First Reading	<p>A minister or a member introduces the bill in either house of the Parliament. He asks for leave before introducing the bill. He reads the title and objective of the bill.</p> <p>After the introduction, the bill is published in the Gazette of India</p> <p>Note:</p> <ol style="list-style-type: none"> 1. No discussion on the bill takes place in this stage 2. If the bill is published in the Indian Gazette before its introduction, the minister/member does not have to ask for leave
Second Reading	<p>Stage of General Discussion- Four actions can be taken by the house on the bill:</p> <ol style="list-style-type: none"> 1. It may take the bill into consideration immediately or on some other fixed date 2. It may refer the bill to a select committee of the House 3. It may refer the bill to a joint committee of the two Houses 4. It may circulate the bill to elicit public opinion <p>Note:</p> <ol style="list-style-type: none"> 1. Select Committee- Has members of the house where the bill is introduced 2. Joint Committee- Has members from both the houses <p>Committee Stage:</p> <ol style="list-style-type: none"> 1. Select Committee examines the bill thoroughly and in detail, clause by clause. 2. It can also amend its provisions, but without altering the principles underlying it. 3. After completing the scrutiny and discussion, the committee reports the bill back to the House. <p>Consideration Stage:</p> <ol style="list-style-type: none"> 1. The House, after receiving the bill from the select committee, considers the provisions of the Bill clause by clause. 2. Each clause is discussed and voted upon separately. 3. The members can also move amendments and if accepted, they become part of the bill.
Third Reading	<p>One of the two actions take place:</p> <ol style="list-style-type: none"> 1. Acceptance of the Bill (If the majority of members present and voting accept the bill, the bill is regarded as passed by the House) 2. Rejection of the Bill <p>Note:</p> <ol style="list-style-type: none"> 1. No amendments to the bill are allowed 2. A bill is deemed to have been passed by the Parliament only when both the Houses have agreed to it, either with or without amendments.
Bill in the Second House	<p>The first three stages are repeated here i.e.:</p> <ol style="list-style-type: none"> 1. First Reading

	<ol style="list-style-type: none"> 2. Second Reading 3. Third Reading <p>The second house can take one of the four actions:</p> <ol style="list-style-type: none"> 1. It may pass the bill as sent by the first house (ie, without amendments) 2. It may pass the bill with amendments and return it to the first House for reconsideration 3. It may reject the bill altogether 4. It may not take any action and thus keep the bill pending <p>Note:</p> <ol style="list-style-type: none"> 1. The bill is deemed to have been passed, if both the houses accept the bill and the amendments 2. If the second house takes no action for 6 months, a deadlock appears which is acted upon through a joint sitting (summoned by President) of both the houses
<p>Assent of the President</p>	<p>One of the three actions can be taken by him:</p> <ol style="list-style-type: none"> 1. May give his assent to the bill (The bill becomes an act and is placed on statute book) 2. May withhold his assent to the bill (The bill ends and does not become an act) 3. May return the bill for reconsideration (The houses can/cannot make amendments and send it back to the President after which he has to give assent) <p>Note: President only enjoys ‘Suspensive Veto.’</p>

- **Stages of passing a Money Bill**

<p>Money Bill in India</p>
<p>Unlike Ordinary Bill, Money bill is introduced only in Lok Sabha on the recommendation of President which is a must.</p>
<p>The bill, moved on the recommendation of the President and introduced in the Lok Sabha is termed as a government bill. Note: All government bills are introduced only by the minister.</p>
<p>After Lok Sabha passes the bill, it is moved to Rajya Sabha which has only restricted powers. It cannot reject or amend the bill. Note:</p> <ol style="list-style-type: none"> 1. Rajya Sabha has to return the bill within 14 days with or without amendments 2. If it does not return the bill within the prescribed days, the bill is deemed to have been passed 3. Lok Sabha may or may not accept the amendments.

After passing through both the houses, the President's assent is required. He can take two actions:

1. Give assent
2. Withhold assent

Note: President can't return the bill for reconsideration

After President's assent, the bill becomes the act and is published in the Indian Statute Book.

- **Stages of passing a Constitutional Amendment Bill**

Introduction	In either house of the parliament Note: Can't be introduced in the state legislatures
Introduced by	Either by a minister or by a private member Note: It does not require prior permission of the president.
Majority Needed	Must be passed in each House by a special majority, that is, a majority (that is, more than 50 per cent) of the total membership of the House and a majority of two-thirds of the members of the House present and voting
Joint Sitting	There is no provision for joint sitting in case of deadlock
Role of State Legislature	If the bill seeks to amend the federal provisions of the Constitution, it must also be ratified by the legislatures of half of the states by a simple majority, that is, a majority of the members of the House present and voting
President's Assent	He must give his assent Note: <ol style="list-style-type: none"> 1. He can't return the bill 2. He can't withhold the bill unlike in the case of ordinary bills

After President's assent, the bill becomes the Constitutional Amendment Act and the Constitution stands amended in accordance with the terms of the Act.