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on

**IMPACT OF DISSOLUTION OF LOK SABHA (LOWER HOUSE)
ON LEGISLATIVE AND OTHER BUSINESS**

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I

Introduction

Under a dynamically evolving Constitution, dissolution of an elected representative institution after completion of a certain tenure is a recurring process, imparting legitimacy to the existence and functioning of that institution. This is more so in a democratic set-up in which every institution has to undergo a test of public scrutiny and authentication periodically to ensure and reaffirm its representative and participative character. In India, the Parliament is the pivotal institution of our democracy. It performs a multitude of representative, legislative and oversight functions. Being the highest representative body, the Parliament represents the sovereign will of the people. It is, therefore, paramount that public trust is reinforced and the credibility of the institution of Parliament, in general, and of the Members, in particular, is enhanced in the estimation of the people. Periodic renewal of the tenure of the Parliament through elections lends democratic credence to the institution. It is in this context of democratic renewal and regeneration that the dissolution of the Lower House of Indian Parliament assumes critical significance.

Being a directly elected body, the Lower House of Indian Parliament, known as the Lok Sabha, epitomizes the representative character of Indian democracy. The vitality of Indian system of governance depends on how fine-tuned the Lok Sabha is with the prevalent public opinion of the nation and whether it is representative enough to reflect the multitude of interests and aspirations of the people at large. Dissolution, in a way, paves the way for the Lok Sabha to seek fresh public mandate, to find out whether people repose faith in their current elected representatives or would choose others, who they think would be better able to articulate their concerns and mirror their aspirations.

II

Constitutional and Statutory Provisions on Dissolution of Lok Sabha

The Parliament consists of the President and the two Houses known as the Council of States (Rajya Sabha) and the House of the People (Lok Sabha). While the Rajya Sabha is the Upper House comprising the representatives of the States and Union Territories elected by the elected Members of the State Legislative Assemblies in accordance with the system of proportional representation by means of the single transferable vote, the Lok Sabha comprises directly elected representatives to the Lower House of the Parliament of India. The Rajya Sabha is a permanent body and is not subject to dissolution. However, one-third of its Members retire biennially. But the each Lok Sabha is formed for a five year term and continues as such unless sooner dissolved or extended by a *Proclamation of Emergency*, which may extend the term for a period of one year at a time. The end of life of the Lok Sabha either on the expiration of the period of five years from the date appointed for its first meeting or by an order made by the President is termed as 'dissolution of the House'.

When dissolved, Lok Sabha cannot again assemble until after the General Elections. Under section 14 of the Representation of the People Act, 1951, a General Election to Lok Sabha can be held six months in advance of the expiration of the life of the existing House, although the new House is constituted only after dissolution of the existing House. Article 83 of the Constitution mentions in clear terms the tenure of both the Houses of Parliament.

83. (1) The Council of States shall not be subject to dissolution, but as nearly as possible one-third of the members thereof shall retire as soon as may be on the expiration of every second year in accordance with provisions made in that behalf by Parliament by law.

(2) 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:

Provided that the said period may, while a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

On the expiry of the term of the House, it stands dissolved by virtue of the provision of the Constitution itself and the President is bound to issue the order of dissolution on the date of expiry of the term of the House.

Apart from this, under the Cabinet system of Government followed in India, the Council of Ministers, through the Prime Minister, has the right to seek a dissolution of the House even before the expiry of its current term on the grounds that it has lost its majority in the House and that the House does no longer represent the will of the electorate.

The power to advise the President to dissolve the Lok Sabha is a potent weapon in the hands of the Prime Minister to keep his party intact and acts as a deterrent against its break-up.....The President, if he decides not to accept such advice must find an alternative Prime Minister, who can command a majority in Lok Sabha and then seek his advice and act accordingly¹.

Article 85 of the Constitution states this provision:

85. (1) The President shall from time to time 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.

(2) The President may from time to time –

(a) prorogue the Houses or either House;

¹ M.N. Kaul and S.L. Shakhder, *Practice and Procedure of Parliament* (with particular reference to Lok Sabha), Fifth edition, 2001, pages 188-89.

(b) dissolve the House of the People.

III

Constituent Assembly Debate on Dissolution of Lok Sabha

The power of the President to dissolve the Lok Sabha on the advice of the Prime Minister was also debated at length in the Constituent Assembly. Dr. B.R. Ambedkar reposed full faith in the discretionary power given to the President in this regard:

..... the President of the Indian Union will test the feelings of the House whether the House agrees that there should be dissolution or whether the House agrees that the affairs should be carried on with some other leader without dissolution. If he finds that the feeling was that there was no other alternative except dissolution, he would as Constitutional President undoubtedly accept the advice of the Prime Minister to dissolve the House. ... I think we could trust the President to make a correct decision between the party leaders and the House as a whole².

IV

Legislative Procedure and Implication of Dissolution

Legislation or passing of Bills is one of the primary functions of the Parliament. A Bill is a statute in draft and cannot become law unless it has received the approval of both the Houses of Parliament and the assent of the President of India. Articles 107 to 117 of the Constitution of India deal with various stages of the procedure for legislation, *i.e.*, for the passing of Bills of different kinds into Acts of Parliament. A Bill is 'pending' in Parliament from the moment of its introduction in either House till it is passed by both Houses and receives the President's assent. Procedurally, the Bills are classified as (i) Ordinary Bills; (ii) Money Bills and Financial Bills; (iii) Ordinance Replacing Bills; and (iv)

² Constituent Assembly Debates, Book No. 3, Vol. No. VIII (16 May 1949 to 16 June 1949), page 107.

Constitutional Amendment Bills. Except Money Bills and Financial Bills of certain category, which can be introduced only in the Lok Sabha, a Bill may originate in either House of Parliament. A Bill undergoes three readings in each House of Parliament. The First Reading consists of the Introduction of a Bill after adoption of a motion for leave to introduce a Bill in either of the Houses. With the setting up of the Department-related Parliamentary Standing Committees in 1993, invariably all Bills, barring Ordinance replacing Bills, Bills of innocuous nature and Money Bills, are ordinarily referred to these Committees for examination and report.

<p>FIRST READING Introduction of a Bill Publication of the Bill in Official Gazette</p>	
<p>SECOND READING</p>	
<p><i>FIRST STAGE</i></p> <p>In the first stage there is discussion on the principles and provisions of the Bill and a motion is passed that:- it be taken into consideration by the House; or it be referred to Select Committee of the House; or it be referred to Joint Committee of the Houses with the concurrence of the other House; or it be circulated for eliciting public opinion</p>	<p><i>SECOND STAGE</i></p> <p>Clause by clause consideration of the Bill as introduced or as reported by the Select/ Joint Committee</p> <p>Amendments given by Members to various clauses are moved at this stage</p>
<p>THIRD READING</p> <p>Discussion on the motion that the Bill (or the Bill as amended) be passed or returned to the originating House (<i>i.e.</i> to the Lok Sabha in case of a Money Bill)</p>	

After a Bill has been passed by one House, it is sent to the other House where it goes through the same procedure. However, the Bill is not again introduced in the other House, but it is laid on the Table of the other House which constitutes its first reading there.

There is a possibility of disagreement between the two Houses on a Bill. Such a disagreement may arise when (i) a Bill passed by one House is rejected by

the other House; or (ii) the Houses have finally disagreed as to the amendments to be made in the Bill; or (iii) more than six months elapse from the date of reception of the Bill by the other House without the Bill being passed by it. To resolve the deadlock on a Bill between the two Houses, the Constitution, under Article 108, makes provision for the joint sitting of both Houses which may be summoned by the President. If at the joint sitting of the two Houses, the Bill is passed by the majority of the total number of Members of both Houses present and voting, it shall be deemed to have been passed by both Houses. There is no provision for a joint sitting of both Houses on Money Bill or Constitutional Amendment Bills.

After a Bill has been passed by both the Houses, it is presented to the President for his/ her assent. The President can assent or withhold his/ her assent to a Bill or he/ she can return a Bill, other than a Money Bill, for reconsideration. If the Bill is again passed by the Houses on its being returned by the President, with or without amendment, and presented to the President for assent, he/ she shall not withhold assent therefrom. But, when a Bill amending the Constitution passed by each House with the requisite majority is presented to the President, he/ she shall give his assent thereto.

Thus, it becomes clear that in India the legislative procedure requires full involvement of both the Houses of Parliament and in the absence of concurrence of one of them, except in the case of Money Bills, the entire procedure is stalled.

Of the two Houses of Parliament, though the Lok Sabha is the only one subject to dissolution, it has a profound impact on the entire parliamentary functioning. The fallout of the dissolution of the Lok Sabha, more so if it is untimely and mid-term, spells a brake on all forms of legislative business being carried out in the House. Though India has a bicameral system in place with

provision for continuity of legislative business, the scope of the Upper House in carrying out legislation becomes limited and constrained in the absence of the House of the People. As aptly put, dissolution “passes a sponge over the parliamentary slate”.

All business pending before it or any of its committees lapses on dissolution. No part of the records of the dissolved House can be carried over and transcribed into the records or registers of the new House³. In short, the dissolution draws the final curtain upon the existing House.⁴

From both the conceptual and procedural angles, dissolution of Lok Sabha profoundly impacts the legislative output. The Government of the day presents draft bills before the Parliament and secures their passage through majority in the Parliament. Thus, in a way, a Bill is an instrument of expression of legitimacy and mandate of the Government. Since with dissolution the democratic mandate is lost, the Lok Sabha also loses all its rights to deal with any legislative business. The right to initiate legislative proposals vests with the new Government that comes to power after the elections.

V

Historical Perspective on Lapsing of Bills

In the early 1920s, the position in the Central Legislative Assembly was that a Bill passed by one House and transmitted to the other House did not lapse upon the dissolution of the House which had passed it. If the other House passed the Bill, it would become law on receiving assent of the Governor-General. The question then arose as to what the position would be of a Bill where the other

³ The exceptions, however, are: Reports of Parliamentary Committees and assurances by Ministers.

⁴ M.N. Kaul, ‘Effect of Dissolution upon Pending Business in Parliament’ in *The Journal of Parliamentary Information*, Vol. IV, No. 1, 1958, page 19.

House, instead of merely agreeing, made amendments to the Bill. To meet this contingency, Rule 36C was framed in 1924 which provided:

On the dissolution of either Chamber all Bills which have been introduced in the Chamber which has been dissolved or have been laid on the Table in that Chamber under Rule 25, and which have not been passed by the Indian Legislature, shall lapse.

The Government of India Act, 1935 had clear provisions regarding fate of the Bill at the time of dissolution of the Lower House. Sub-sections (4) and (5) of Section 30 of the said Act state as below:

30. (4) A Bill pending in the Council of State which has not been passed by the Federal Assembly shall not lapse on a dissolution of the Assembly.

(5) A Bill which is pending in the Federal Assembly or which having been passed by the Federal Assembly is pending in the Council of State shall, subject to the provisions of the next succeeding section, lapse on a dissolution of the Assembly.

VI

Constitutional Provisions on Lapsing of Bills

Clause (4) and (5) of Article 107 of the Constitution of India substantially reproduces the afore-mentioned sub-sections of the Government of India Act, 1935. Besides, clauses (4) and (5) of Article 107, there is no other provision in the Constitution concerning the effect of dissolution of the House of the People on pending business.

107. (4) A Bill pending in the Council of States which has not been passed by the House of the People shall not lapse on a dissolution of the House of the People.

(5) A Bill which is pending in the House of the People, or which having been passed by the House of the People is pending in the Council of States, shall, subject to the provisions of article 108, lapse on a dissolution of the House of the People.

Further, Article 108 deals with Joint sitting of both Houses in certain cases for the passage of Bills.

108. (5) A joint sitting may be held under this article and a Bill passed thereat, notwithstanding that a dissolution of the House of the People has intervened since the President notified his intention to summon the Houses to meet therein.

VII

Effect of Dissolution on the Bills Pending before the Houses

The provisions laid down by the aforesaid articles regarding effect of dissolution on Bills pending before the Houses can be summarized as follows:

(i) *Effect of dissolution on the Bills pending before the Lok Sabha*

- Bills which, after having been introduced in the Lok Sabha, are pending in the House on the date of the dissolution of the Lok Sabha will lapse.
- Bills originating in and passed by the Rajya Sabha and transmitted to the Lok Sabha will also lapse if they remain pending in the Lok Sabha on its dissolution.
- Similarly, the Bills originating in and passed by the Lok Sabha and pending therein will also lapse on the dissolution of the Lok Sabha.
- If a Bill introduced in the Lok Sabha and passed by the House is transmitted to the Rajya Sabha and the Rajya Sabha makes amendments to the Bill and it is returned to the Lok Sabha for its concurrence on the amendments made by the Rajya Sabha, it will lapse on the date of dissolution of the Lok Sabha, if the Bill is not disposed of by the Lok Sabha prior to its dissolution.

As many as thirty-one Government Bills and more than two hundred Private Members' Bills were pending in the Lok Sabha at the end of the Fourteenth Lok Sabha in February 2009. These included important legislations like *the Pension Fund Regulatory and Development Authority Bill, 2005*; *the Banking Regulation (Amendment) Bill, 2005*; *the State Bank of India (Amendment) Bill, 2006*; *the National Highways Authority of India (Amendment) Bill, 2008*, a number of Constitution (Amendment) Bills, etc. Since the House was dissolved in May 2009, all these Bills got lapsed.

(ii) *Effect of Dissolution on the Bills pending before the Rajya Sabha*

The effect of dissolution on the functioning of the Rajya Sabha needs particular mention as it itself is not subject to dissolution. The hallmark of the Rajya Sabha is the principle of continuity as a permanent House, and a continuing institution in our parliamentary framework. However, in practice, the absence of the Lower House makes the Upper House defunct in various ways. Dissolution of the Lok Sabha seriously affects the legislative business pending before the Rajya Sabha in numerous ways, as follows:

- A Bill which originated in the Rajya Sabha and is still pending there or Bills introduced in the Rajya Sabha and passed by the House but not transmitted to the Lok Sabha, will not lapse on account of dissolution.
- Bills originating in the Rajya Sabha, which having been passed by the House and transmitted to the Lok Sabha and are pending there, will lapse on the dissolution of the Lok Sabha. The number of Bills that lapsed under this category is given below⁵:

⁵ Yogendra Narain, (ed.), *Rajya Sabha At Work*, 2006, page 180.

First Lok Sabha	02
Second Lok Sabha	01
Third Lok Sabha	06
Fourth Lok Sabha	13
Fifth Lok Sabha	03
Sixth Lok Sabha	04
Seventh Lok Sabha	06
Eighth Lok Sabha	06
Ninth Lok Sabha	04
Tenth Lok Sabha	01
Eleventh Lok Sabha	01
Twelfth Lok Sabha	05
Thirteenth Lok Sabha	03
Fourteenth Lok Sabha	01

- A Bill which is pending in the Rajya Sabha after having been passed by the Lok Sabha, will lapse on the date of dissolution of the Lok Sabha. The number of Bills that lapsed under this category is given as under⁶:

Second Lok Sabha	02
Fourth Lok Sabha	02
Sixth Lok Sabha	04
Seventh Lok Sabha	01
Eighth Lok Sabha	04
Tenth Lok Sabha	04
Eleventh Lok Sabha	01
Twelfth Lok Sabha	04
Fourteenth Lok Sabha	08

- Similarly, if a Bill which originated in the Rajya Sabha and was transmitted to the Lok Sabha is pending before the Rajya Sabha after having

⁶ *Ibid.*

been returned by the Lok Sabha with amendments, it will also lapse on the dissolution of the Lok Sabha.

The Architects Bill, 1968, was passed by the Rajya Sabha on 7 May 1970. The Lok Sabha returned the Bill to the Rajya Sabha with amendments on 3 December 1970. The Bill as amended was pending till the Lok Sabha was dissolved on 27 December 1970. The Bill thus lapsed.⁷

- A Bill returned by the President to the Rajya Sabha for reconsideration by both the Houses does not lapse, if the dissolution of the Lok Sabha takes place without the Houses having reconsidered the Bill.

The Indian Post Office (Amendment) Bill, 1986, as passed by the Houses of Parliament was submitted to the President for his assent on 19 December 1986. The Bill remained pending before him till the dissolution of the Eighth Lok Sabha on 28 November 1989. The President returned the Bill to the Rajya Sabha for reconsideration of the Houses on 7 January 1990. The Ninth Lok Sabha was dissolved on 13 March 1991; the Tenth Lok Sabha was also dissolved on 15 May 1996. The Bill remained in the Rajya Sabha for reconsideration of the Houses.⁸

⁷ *Ibid.*, page 180.

⁸ *Ibid.*, page 181.

VIII

Impact of dissolution of Lok Sabha on the functioning of the Committees

Before discussing the impact of dissolution on Parliamentary Committees, I would like to stress on the fact that Parliamentary Committees act as mini legislatures in the Indian parliamentary system. They provide the podium where parliamentarians from different political parties adopt a non-partisan perspective to scrutinise any particular issue of public importance. Any Bill or subject referred to the Committee (particularly the Department-related Parliamentary Standing Committee or DRSCs) by the Chairman, Rajya Sabha or the Speaker, Lok Sabha, as the case may be, is examined in detail and various recommendations are made to the Government keeping in view the larger public interest. In the course of such examinations, views of various experts from the concerned fields are taken into account. The proceedings of the Committees are held in camera, *i.e.* they are not open to public. The Parliamentary Committees have vast powers to enquire and examine whether the Government has acted in conformity with its obligations under the approved policies and whether the money sanctioned has been well spent. The Reports of the Standing Committees have persuasive value. In case of a Bill, if the Government accepts any of the recommendations of the Committee, it may bring forward official amendments at the consideration stage of the Bill, or may withdraw the Bill reported by the Standing Committee and bring forward a new Bill after incorporating the recommendations of the Standing Committee.

Dissolution of Lok Sabha puts a brake on the functioning of these Committees too. All business pending before the DRSCs (which are joint committees of the two Houses) and Parliamentary Committees of the Lok Sabha lapses upon dissolution of the Lok Sabha as the Committees themselves stand

dissolved. Rule 285 of the Rules of Procedure and Conduct of Business in Lok Sabha states:

285. A Committee which is unable to complete its work before the expiration of its term or before the dissolution of the House may report to the House that the Committee has not been able to complete its work. Any preliminary report, memorandum or note that the Committee may have prepared or any evidence that the Committee may have taken, shall be made available to the new Committee.⁹

Likewise, where a Report completed by a Committee when the House is not in session is presented by its Chairman to the Speaker and before its presentation to the House in the next session, the Lok Sabha is dissolved, the Report is laid by the Secretary-General on the Table of the new House at the first convenient opportunity. While laying the Report, the Secretary General makes a statement to the effect that the Report was presented to the Speaker of the preceding Lok Sabha before its dissolution. At a glance, the impact of dissolution of the Lower House on various Parliamentary Committees can be summarized as below:

(i) *Effect of dissolution on the Bills pending before Department-related Parliamentary Standing Committees of Rajya Sabha*

Bills introduced in the Rajya Sabha and referred to the Department-related Parliamentary Standing Committees, which are under the administrative control of the Rajya Sabha, do not lapse even though the Committees become defunct on the dissolution of the Lok Sabha. Therefore, on reconstitution of these Committees, Bills that are pending before such Committees need not be referred again and are taken up *suo motu* by them.

⁹ Rules of Procedure and Conduct of Business in Lok Sabha, Twelfth edition, Lok Sabha Secretariat, page 104.

Bills introduced in the Lok Sabha and referred to the DRSCs, which are under the administrative control of the Rajya Sabha lapse when the Lok Sabha dissolves.

(ii) Effect of dissolution on the Bills pending before Department-related Parliamentary Standing Committees of Lok Sabha

Bills introduced in the Lok Sabha and referred to the DRSCs, which are under the administrative control of the Lok Sabha, will lapse on the dissolution of the Lok Sabha, even if the Committee has presented its Report to the Chairman or the Speaker, as the case may be, before the dissolution. The presentation of Report does not have any effect, as the Bill on which Report has been presented will be treated as lapsed due to the dissolution of the Lok Sabha.

Bills introduced in the Rajya Sabha and referred to the DRSCs, which are under the administrative control of the Lok Sabha, need to be referred again to those Committees on their reconstitution after formation of the new Lok Sabha.

(iii) Effect of dissolution on the Bills pending before Joint Committees

On dissolution of the Lok Sabha, the Joint Committee set up by the Lok Sabha on a Bill introduced therein will also dissolve and as such the Members of the Rajya Sabha serving on such Committee will also cease to be the Members of the Joint Committee. Thus a Bill introduced in the Lok Sabha and referred to the Joint Committee will lapse. By the same logic, a Joint Committee set up by the Rajya Sabha will also become defunct on the dissolution of the Lok Sabha. In both the cases the status of the Joint Committee becomes defunct. However, a Bill introduced in the Rajya Sabha and referred to the Joint Committee set up by the Rajya Sabha will not lapse on the date of the dissolution of the Lok Sabha.

An *ad hoc* Joint Committee of Parliament also becomes defunct on the dissolution of the Lok Sabha.

(iv) *Exceptional circumstances in which Bills do not lapse on dissolution of Lok Sabha*

When the President has notified his intention to summon a joint sitting of the Houses to consider a Bill upon which the two Houses have disagreed, such a Bill does not lapse on the dissolution of the Lok Sabha if the summons are issued by the President prior to the dissolution of the Lok Sabha.

A Bill, which has been passed by both the Houses of Parliament and has been sent for obtaining the President's assent, does not lapse on dissolution of the Lok Sabha. However, on this point there is no express provision in the Constitution.

It has, however, been held that such a Bill does not lapse on dissolution of Lok Sabha. Further, if such a Bill is returned by the President for reconsideration, the successor House can reconsider it and if it is passed by the successor House (with or without amendments), it will be deemed to have been passed "again"¹⁰.

In *Purshothaman Nambiar v. State of Kerala*, it was held that a Bill pending assent of the Governor or President is outside clause (5) of Article 196 and cannot be said to lapse on the dissolution of the Assembly. [Article 196(5): A Bill which is pending in the Legislative Assembly of a State, or which having been passed by the Legislative Assembly is pending in the Legislative Council, shall lapse on a dissolution of the Assembly.]

The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1991 as passed by the Lok Sabha was passed by the Rajya Sabha on 13 March 1991. The Ninth Lok Sabha was dissolved the same day. The Bill was submitted to the President for assent on 18 March 1991 by the Rajya Sabha Secretariat. The President withheld the assent to the Bill on 6 March 1992 and the Rajya Sabha was informed accordingly on 9 March 1992.¹¹

¹⁰ M.N. Kaul and S.L. Shakdher, *Practice and Procedure of Parliament (with particular reference to Lok Sabha)*, Fifth edition, 2001, page 192.

¹¹ Yogendra Narain, (ed.), *Rajya Sabha At Work*, 2006, page 180-81.

IX

Dissolution and Legislative Logjam

In this perspective, a look at the constitution and subsequent dissolution of Lok Sabha since 1952 would make it clear that untimely, irregular and frequent dissolutions of the Lower House lead to political instability and put a brake on the Governmental policies and programmes of the day. Since the first Lok Sabha was formed in 1952 after the first General Elections in April of that year, there have been five instances when Lok Sabha could not complete its full tenure and were dissolved prematurely. The details are as under:

No. of Lok Sabha	Start of term	End of term
4 th Lok Sabha	Mar 1967	Dec 1970
6 th Lok Sabha	Mar 1977	Aug 1979
9 th Lok Sabha	Dec 1989	Mar 1991
11 th Lok Sabha	May 1996	Dec 1997
12 th Lok Sabha	Mar 1998	Apr 1999

India witnessed a spate of coalition Governments after the General Elections of 1967. Starting with 1989, there have been several minority governments at the Centre, evolved either through formal coalition arrangements or, at times, through informal understanding or through 'support from outside' by political parties not participating in the Government. It has been argued that coalition politics has ushered in an era of instability and frequent dissolution of the Lower House. From 1989 to 2004, in a span of 15 years, there have been six General Elections, *i.e.*, the tenure of the Lok Sabha during these years was less than three years on an average. Untimely dissolution of the Lok Sabha has also contributed to lapsing of large number of Bills.

Conclusion

Although the dissolution of the Lower House brings in a stalemate of the legislative business, it also paves the way for a fresh beginning. Dissolution of the Lok Sabha followed by General Election and formation of a new Lok Sabha with requisite public mandate, at regular intervals, is the hallmark of Indian democracy. Normally, through effective coordination between the two Houses, the Government of the day can prioritise its legislative business and ensure high legislative output without being adversely affected by the dissolution of the Lower House. In other words, if the Government of the day is inclined to ensure the passage of a particular Bill, it is rather unlikely that the provisions of the Constitution regarding lapsing of Bills on dissolution of the Lok Sabha will come in the way. However, premature dissolution of the Lok Sabha due to political instability can result in considerable legislative logjam, adversely impacting on public policy formulation for good governance. The Founding Fathers of the Indian Constitution had provided an alternative mechanism in the form of the Rajya Sabha to salvage the Bills being lapsed on the dissolution of the Lok Sabha, if they were introduced in the Rajya Sabha, in order to maintain legislative continuity. In the larger public interest, this alternative mechanism needs to be made more robust and strong. The Government of the day must show political acumen besides constitutional morality, visionary thinking and commitment to public good in dealing with constitutional and parliamentary procedures and processes concerning passage of Bills.
