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The Parliament serves as India's Union Legislature, comprising the President along with two chambers: the Lok Sabha and the Rajya Sabha, rendering it bicameral. This arrangement is crafted to ensure equitable representation, balancing the direct mandates of the populace with the interests of the states they hail from.

Lok Sabha

The Lok Sabha stands as the 'house of the people' within the Indian Parliament. Its members are elected by the populace through universal adult suffrage via confidential balloting. The Lok Sabha's maximum capacity is set at 552, with 530 representatives allocated to the States and 20 to the Union Territories (Article 81).

Additionally, the President possesses the authority to nominate two individuals from the Anglo-Indian community if deemed necessary for their adequate representation in the Lok Sabha (Article 331).

The allocation of Lok Sabha seats to each State is contingent upon its population, resulting in Uttar Pradesh boasting the largest representation. Notably, Members of Parliament (MPs) and Members of Legislative Assemblies (MLAs) have been legally classified as 'public servants' (as established in the P.V. Narasimha Rao case).

The tenure of the Lok Sabha spans five years from its inaugural session unless dissolved prematurely, with dissolution automatically occurring at the end of this period.

However, during a state of Emergency, Parliament possesses the authority to extend this timeframe by law, for a maximum of one year at a time, not exceeding six months beyond the cessation of the Emergency proclamation (Article 83(2)).

Qualifications for M.P. (Article 84)

To qualify for membership in the Lok Sabha, also known as the House of the People, an individual must meet the following criteria:

1. Citizenship: The person must be a citizen of India.
2. Oath or Affirmation: They must make and subscribe to an oath or affirmation, pledging their true faith and allegiance to the Constitution and affirming their commitment to uphold the sovereignty and integrity of India.
3. Age Requirement: The individual must be at least 25 years old.
4. Voter Registration: They should be registered as a voter in any parliamentary constituency as per the Representation of the People Act, 1951.
5. Additional Qualifications: The candidate must possess any other qualifications as may be prescribed by Parliament.

Every Member of Parliament (MP) is required to take an oath before the President or a person appointed by the President for this purpose. Failure to take the oath results in the member being unable to sit in the House, with penalties potentially imposed for non-compliance.

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Disqualifications for M.P. (Article 102)

A person shall be disqualified for nomination or membership in either House of Parliament under the following conditions:

1. Holding Office of Profit: If they hold any office of profit under the Government of India or any State government, except for offices exempted by Parliament through legislation.

2. Unsound Mind: If declared of unsound mind by a competent court.

3. Insolvency: If they are an undischarged insolvent.

4. Citizenship: If they are not a citizen of India, have voluntarily acquired citizenship of a foreign state, or owe allegiance to a foreign state.

5. Other Disqualifications: If disqualified under any law enacted by Parliament, including disqualifications under the Representation of People Act, 1951.

In addition to the aforementioned disqualifications, the Representation of People Act, 1951, specifies further disqualifications:

1. Conviction for Offences: If convicted by an Indian court for an offence resulting in imprisonment of two or more years.

2. Corrupt Practices: If found guilty of corrupt or illegal practices during elections.

3. Non-compliance: If they fail to submit a return of election expenses as required by the Act.

4. Government Contracts: If they hold any share or interest in a government contract for the supply of goods, execution of work, or provision of services.

5. Government Corporation: If they hold positions such as Director, Managing Agent, or any office of profit in a government corporation where the government holds 25 percent or more shares.

6. Dismissal: If they have been dismissed from government service for corruption or disloyalty to the state.

The determination of disqualification for membership in either House of Parliament, except in cases falling under the Tenth Schedule (Anti-Defection law), is made by the President upon the advice of the Election Commission. Members of the Lok Sabha serve a five-year term, which can be curtailed if the President, upon the Prime Minister's recommendation, dissolves the house prematurely.

A Member of Parliament can tender resignation by submitting a written resignation to the Chairman or Speaker, as applicable. Furthermore, a member's seat can be deemed vacant if they are absent from House meetings for 60 consecutive days without permission.

Rajya Sabha

The Rajya Sabha serves as the 'upper house' of the Parliament, comprising representatives from the States and Union Territories. Its maximum capacity stands at 250 members, with 238 representing the States and Union Territories, and the remaining 12 nominated by the President from individuals distinguished in fields such as literature, art, science, and social service (Article 80).



State representatives are elected by members of State Legislative Assemblies through proportional representation via a single transferable vote, with representation allocated based on population size.

Qualifications
To be eligible for Rajya Sabha membership, a candidate must:
- Be a citizen of India.
- Be aged 30 years or above.
- Possess any other qualifications as prescribed by Parliament.

The Rajya Sabha is not subject to dissolution. Its members serve a six-year term, with one-third of the members retiring every two years as stipulated by Parliament through legislation (Article 83(1)).

The Vice President assumes the role of ex-officio Chairman of the Rajya Sabha. Additionally, the Rajya Sabha elects a Deputy Chairman from among its members to preside over meetings in the absence of the Vice President.

Sessions of Parliament

The convening of Parliament sessions rests with the discretion of the President. The President is tasked with summoning each House of Parliament periodically to convene at a time and place deemed suitable. However, there should not be a gap exceeding six months between two sessions (Article 85(1)).

The authority to prorogue (end) the sessions of both Houses, or either House individually, also lies with the President (Article 85(2)). The legislative matters and pending bills do not lapse upon prorogation (Article 107(3)). When reconvened after prorogation, the House resumes consideration of these pending matters.

In the event of the dissolution of the Lok Sabha (Article 85(2)), a fresh House is constituted. Bills pending in the Rajya Sabha but not yet passed by the Lok Sabha do not lapse upon dissolution (Article 107(4)), whereas other bills do. Bills pending in the Lok Sabha, or those passed by the Lok Sabha but pending in the Rajya Sabha, lapse upon dissolution of the Lok Sabha, subject to the provisions of Article 108 (Joint Session) (Article 107(5)).

Joint Session (Article 108)

The President possesses the authority to convene a 'joint session' of both Houses, as elaborated later.

Powers of Parliament:

Parliament legislates on matters included in the Union and Concurrent Lists. It may also legislate on subjects listed in the State List under specific conditions, such as:
- Upon a two-thirds majority resolution passed by the Rajya Sabha in favour of Parliament legislating on a State subject in the national interest.
- Recommendation for legislation by the legislatures of two or more States.
- For treaty implementation, during emergencies due to threats to India's security or breakdown of constitutional machinery in a State.

Parliament exercises comprehensive control over Union finances, with no taxes levied or expenditures incurred without its approval. It also holds complete control over the executive, with the Council of Ministers being accountable and subject to Parliament's confidence.

Parliament plays a significant role in constitutional amendments, with major portions amendable solely by Parliament through simple or two-thirds majority. Some provisions require approval from the majority of State legislatures.

Additionally, Parliament elects the Vice-President, initiates impeachment proceedings against the President, recommends the establishment of new All India Services, recommends the removal of Supreme Court and High Court judges to the President, and its approval is necessary for the continuation of Presidential emergency proclamations.

Despite its extensive powers, the Indian Parliament cannot be considered sovereign as it operates within the constitutional framework. The Supreme Court can declare Parliament-passed laws void, and certain fundamental rights granted to citizens act as constraints on its authority. The Constitution remains sovereign in India.