

Difference between Lok Sabha and Rajya Sabha, Powers, Members

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The Lok Sabha and the Rajya Sabha are the two Houses of the Indian Parliament. The **Difference Between Lok Sabha and Rajya Sabha** can be understood through their composition, election process, tenure, dissolution, financial powers, presiding officers and relationship with the Union Executive.

In 1954, the names '**Rajya Sabha**' and '**Lok Sabha**' were adopted to refer to the Council of States and the House of People, respectively. The Rajya Sabha is the Upper House, and the Lok Sabha is the Lower House. The Rajya Sabha represents the states and union territories of the Indian Union. In contrast, the Lok Sabha represents the people of India as a whole.

Lok Sabha and Rajya Sabha Difference Overview

India has a bicameral parliamentary system, consisting of two Houses: Lok Sabha – House of the People, and Rajya Sabha – Council of States. Understanding the **Difference Between Lok Sabha and Rajya Sabha** is important because the two Houses have different constitutional roles despite sharing several legislative and oversight functions. The Lok Sabha represents the people directly, whereas the Rajya Sabha provides representation to the

States and ensures continuity in Parliament.

Why is the Indian Parliament Bicameral?

The Indian Parliament is bicameral, which means it consists of two chambers: the Rajya Sabha and the Lok Sabha. There are several reasons why the Indian Parliament is bicameral:

- **Historical Reasons:** The concept of a bicameral legislature was introduced during **British rule in India**. When India gained independence in 1947, the framers of the Constitution retained this system.
- **Political Reasons:** Rajya Sabha maintains the federal equilibrium by protecting the interests of the states against the undue interference of the Centre.
 - Rajya Sabha ensures that the states have a voice in the national decision-making process, and it acts as a check on the power of the Lok Sabha, the lower house of Parliament.
- **Practical Reasons:** The sheer size and diversity of the country make it difficult for a single chamber to represent all of the different interests and viewpoints.
 - Rajya Sabha provides representation to eminent professionals and experts who cannot face direct election. The President nominates 12 such persons to the Rajya Sabha.

Difference Between Lok Sabha and Rajya Sabha

The differences between the Lok Sabha and Rajya Sabha arise from their distinct constitutional purposes. The Lok Sabha gives direct expression to the public mandate, while the Rajya Sabha provides a federal and deliberative check on legislative action.

Provisions	Lok Sabha	Rajya Sabha
Election Procedure	Members are directly elected through the First Past The Post (FPTP) system.	Members are indirectly elected through proportional representation.
Age	The minimum age to become a member is 25 years.	The minimum age to become a member is 30 years.
Term	It continues for 5 years.	It is a permanent body
Chair of the House	The speaker is the head of the house.	The Vice-President is the chairman of the House.
Composition	Maximum strength is 550. 530 members represent states, and 20 members represent union territories. The current strength is 543.	Maximum strength is 250. Out of which, 238 members are from states, and 12 members are nominated. The current strength is fixed at 245.
Electoral College	A citizen above the age of 18 can vote.	Only members of state legislative assembly and union territories with legislative assembly can vote.

Lok Sabha Rajya Sabha Difference in Composition

Currently, the Lok Sabha has 543 directly elected members serving five-year terms. Rajya Sabha has 245 indirectly elected or nominated members serving permanent, staggered six-year terms.

- **Lok Sabha Composition:** The Lok Sabha consists of representatives elected from territorial constituencies in the States and Union Territories. The earlier provision allowing nomination of members from the Anglo-Indian community ceased to operate after the **104th Constitutional Amendment Act, 2019**.
- **Rajya Sabha Composition:** Unlike the Lok Sabha, Rajya Sabha members are not elected directly by citizens. Elected members of State Legislative Assemblies elect them through proportional representation by means of the single transferable vote.
 - The Constitution sets the maximum strength of the Rajya Sabha at 250 members: Up to 238 members represent States and **Union Territories**, and 12 members are nominated by the President.

Difference in Election of Lok Sabha and Rajya Sabha

Lok Sabha members are directly elected by the people through universal adult franchise. A voter casts a vote for a candidate in their parliamentary constituency. On the other hand, Rajya Sabha members are elected indirectly by elected members of State Legislative Assemblies. The election follows proportional representation through the **single transferable vote system**, which helps provide representation to political parties in proportion to their strength in State Assemblies.

Difference Between Lok Sabha and Rajya in Tenure and Dissolution

The tenure and dissolution of the two Houses form another important part of the Lok Sabha and Rajya Sabha difference.

- **Lok Sabha:** It has a normal tenure of 5 years but can be dissolved earlier, after which fresh elections are held.
- **Rajya Sabha:** It is a **permanent House** that cannot be dissolved; each member serves a 6-year term, with one-third of members retiring every two years.

Lok Sabha and Rajya Sabha Presiding Officers

The **Speaker of the Lok Sabha** is the presiding officer of the House. The Speaker maintains order, decides procedural issues, and certifies whether a Bill is a Money Bill. The **Vice-President of India** is the ex officio Chairman of the Rajya Sabha. In the Chairman's absence, the Deputy Chairman presides over the House.

Difference Between Lok Sabha and Rajya Sabha Powers

The Rajya Sabha (RS) and the Lok Sabha (LS) hold equal powers in key legislative, electoral, and constitutional functions, such as passing ordinary and constitutional amendment bills, electing and impeaching the President, and approving national emergencies and ordinances, while financial dominance and government removal rest with the Lok Sabha.

- Introduction and passage of ordinary bills, Constitutional amendment bills, and financial bills involving expenditure from the Consolidated Fund of India.
- Election and impeachment of the **President of India**.
- Making recommendations to the President for the removal of the Chief Justice and judges of the **Supreme Court of India** and High Courts, the Chief Election Commissioner, and the Comptroller and Auditor General.
- Approval of ordinances and proclamation of all three types of emergencies by the President.
- Selection of ministers, including the **Prime Minister**.
- Consideration of the reports of the constitutional bodies like the **Finance Commission**, Union Public Service Commission, **Comptroller and Auditor General (CAG)**, etc.
- Enlargement of the jurisdiction of the Supreme Court and the Union Public Service Commission.

Special Powers of Lok Sabha

The Lok Sabha holds exclusive and superior powers over the Rajya Sabha in financial matters, executive accountability, and specific legislative controls, making it the primary chamber of India's Parliament.

- A money bill can be introduced only in the Lok Sabha and not in the Rajya Sabha.
 - The final power to decide whether a particular bill is a money bill or not is vested in the Speaker of the Lok Sabha.
 - **Rajya Sabha cannot amend or reject a Money Bill.** It should return the bill to the Lok Sabha within 14 days, either with recommendations or without recommendations.
 - **The Lok Sabha can either accept or reject** all or any of the recommendations of the Rajya Sabha. In both cases, the money bill is deemed to have been passed by the two Houses.
- A **financial bill**, not containing the matters of Article 110 solely, can also be introduced only in the Lok Sabha and not in the Rajya Sabha. But, with regard to its passage, both houses have equal powers.
- The Speaker of the Lok Sabha presides over the **joint sitting** of both Houses.
- Rajya Sabha can only discuss the **budget** but cannot vote on the demands for grants.
- A resolution for discontinuing the **national emergency in India** can be passed only by the Lok Sabha and not by the Rajya Sabha.
- The Rajya Sabha cannot remove the council of ministers by passing a no-confidence motion. This is because the Council of Ministers is collectively responsible only to the Lok Sabha.

Special Powers of Rajya Sabha

The Rajya Sabha has exclusive powers under the Indian Constitution that the Lok Sabha does not possess. These include authorising Parliament to legislate on State List subjects (Article 249), creating new All-India Services (Article 312), and initiating the removal of the Vice-President.

- **Article 249:** Authorise the Parliament to make a law on a subject enumerated in the state list.
- **Article 312:** Authorise the Parliament to create new All-India Services.
- **Article 67:** The resolution for the removal of the Vice-President can be introduced only in the Rajya Sabha and not in the Lok Sabha.

- **Emergency:** If a proclamation is issued by the President for imposing an emergency (National, state, or financial) at a time when the Lok Sabha has been dissolved, then the proclamation can remain effective even if it is approved by the Rajya Sabha alone.

Difference Between Lok Sabha and Rajya Sabha in Control Over Executive

The Union Council of Ministers is collectively responsible to the Lok Sabha, not to the Rajya Sabha. This means that only the Lok Sabha can remove the government through a **no-confidence motion**. Rajya Sabha members may question ministers, participate in debates, and scrutinise government policy. However, a government does not have to resign merely because it lacks majority support in the Rajya Sabha.

Criticisms of the Rajya Sabha

The Rajya Sabha is primarily criticised for its indirect election process, causing a lack of direct democratic accountability, its potential for obstructionism to delay legitimate legislation, and its lack of substantial financial powers compared to the Lok Sabha.

- **Revising Chamber:** Most of the time, the role of the Rajya Sabha is to review and revise legislation proposed by the Lok Sabha.
- **Unequal Representation of States:** In contrast to federal democracies like the USA and Australia, which offer equal representation to all states in their upper houses, India provides an unequal proportional representation of states in the Rajya Sabha.
- **Circumventing the Rajya Sabha:** The passing of ordinary bills as Money Bills in certain instances, bypassing the Rajya Sabha, has raised concerns about the position of the Upper House of Parliament.
- **Undemocratic Aspects:** One of the most undemocratic elements of our Constitution is the fact that the twelve nominated members, who do not contest elections, can become ministers despite not seeking the public's vote, as was pointed out in the debates of the Constituent Assembly.
- **Doing Away with Domicile Requirement:** The earlier practice of individuals mostly entering the Rajya Sabha on domicile credentials ended in 2003 after an amendment in the Representation of the People's Act 1951.

Relevance of the Rajya Sabha in a Parliamentary Democracy

Despite the criticism, the Rajya Sabha is still relevant with respect to parliamentary functions:

- **Preventing Hasty Legislation:** It checks hasty, defective, and ill-considered legislation made by the Lok Sabha by making provisions for revision and thought.
- **Representation to Regional Parties:** It also provides a platform for small and regional parties to present their views.
- **Safety Valve:** The Council of States acts as a safety valve within the legislature itself, easing federal tensions and giving representation to the units of the federation in a bicameral legislature.

- **Permanent Body:** Dissolution of the Rajya Sabha does not happen in order to secure the representation of past as well as the current opinion and help in maintaining continuity in public policy.
- **Review and Revaluation Role:** Rajya Sabha helps in a deeper review of laws, as it complements the first chamber in securing greater executive accountability.
- **House of Checks and Balances:** Since the 'Lok Sabha' decisions may favour the populist sentiment and force the members to go contrary to the best judgment, the Rajya Sabha keeps a check and balance on it.

Rajya Sabha vs State Legislative Councils

The Indian constitution has conferred relatively fewer powers to the state legislative councils than the Rajya Sabha due to the following reasons:

- **Representing Federalism:** The Rajya Sabha maintains the federal spirit by protecting the interests of the states, and hence, it has to be an effective revising body and not just an advisory body like that of the council.
- **Composition:** The state legislative council is heterogeneously constituted as compared to the Rajya Sabha, which is homogeneously constituted. Thus, the composition of the council makes its position weak and reduces its utility as an effective revising body.
- **State Legislative Council as a Dilatory Chamber:** The final power of passing an ordinary bill in the state lies with the state legislative assembly. In other words, the council is not a revising body like the Rajya Sabha; it is only a **dilatory chamber** or an advisory body.

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