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Parliamentary Motions: An Overview with special reference to No Confidence Motion

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ABSTRACT

Motion, in parliamentary procedure, is called any formal matter placed before the House for discussion. The House takes various decisions and expresses its opinion on various matters of public importance. Any member can put any suggestion before the House in the form of a motion. In which his opinion or wish is given. If the house accepts it, it becomes the opinion or will of the whole house. Broadly speaking, a 'motion' is brought before the House for its decision. Motions are in fact the basis of parliamentary proceedings. Any matter of public importance can be the subject of a motion. Motions can be moved by different members for different purposes. Motions can be moved by ministers and also by private members. Motions moved by private members usually aim to elicit the government's opinion or views on a matter. In parliamentary procedure, a motion of no confidence is a parliamentary motion, traditionally passed by the opposition in Parliament to defeat or weaken a government. This paper will throw light on various motions which are passed in the parliament especially No Confidence Motion.

Keywords: *Motions, No Confidence Motion, Parliament, Lok Sabha.*

I. INTRODUCTION

A motion is a formal idea by a member to do something. Its objectives form the basis of the collective decision-making process. It helps to focus the attention of the group. So that issue-by-issue decisions can be taken in an orderly manner in the larger assembly.

Generally, a proposition must be expressed in a way to perform an action or to express an opinion. A motion to do nothing should not be offered if the same result can be had without doing anything. If the Assembly does not want to do so, such a proposal may lead to confusion.

The vote of the House is also ascertained from the resolution and the counting of votes on it. There are mainly two types of proposals. First main proposition, second secondary proposition. Subsidiary motions are put forward at the time of a dispute on the main motion moved with proper notice and with the permission of the Speaker, such as motions for adjournment of business. This motion prompts consideration of some other important subject other than the

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main motion. The purpose of a dispute resolution is to end unnecessary controversy on a question. After this motion is passed, the question is immediately put before the House for counting. Minor motions can also be presented to amend the main motion or to increase the time fixed for its consideration. An important type of motion is also a no-confidence motion against the Speaker or the Deputy Speaker of the House or any minister or cabinet. After giving proper notice to this proposal, it is considered. Votes are counted after considering the proposals as per the rules. Any form of voting may be used, such as a show of hands, standing separately for and against the motion, talking one-on-one, or voting in a secret ballot box. If considered necessary, after the first and second reading but before the third reading, the subject may be referred to the Select or other Committees for full consideration of the Bill.

II. IMPORTANT MOTIONS TO BE BROUGHT IN THE PARLIAMENT

(A) Adjournment motion

Under Rule 56 of the Lok Sabha, an adjournment motion is brought in the House to discuss any serious and important problem of the country. For discussion on this, all the regular proceedings of the House are stopped i.e. adjourned. That is why it is called an adjournment motion. On acceptance of the adjournment motion, the normal work of the House is stopped to discuss the matter mentioned in the motion. The purpose of the adjournment motion is to take the government to task for any recent lapse or failure of the government, which has serious consequences. Its acceptance is considered as a condemnation of the government.

(B) Calling attention motion

This motion is brought under Rule 197 of the Lok Sabha, but there is no voting or discussion on it. If a member, with the permission of the speaker, calls the attention of a minister to a matter of urgent public importance and requests him to make a statement on that matter, then such a motion is called a calling attention motion in parliamentary language. The minister concerned can make a brief statement immediately at his convenience or the parliament works to alert the government through a resolution for a later day.

(C) Half an hour discussion

Another tool is available to the Member of Parliament in the form of half an hour discussion to raise issues of public importance. If clarification is required in relation to the answer to a starred or unstarred question on any matter of fact, any member may give notice for a half-an-hour discussion on it.

The procedure relating to the Half-an-Hour Discussion is regulated by Rule 55 of the Rules of

Procedure and Conduct of Business in Lok Sabha and Direction 19 of the Speaker's Direction. Under this, any member may give notice to raise discussion on a matter of substantial public importance which has been the subject of a recent question, starred, unstarred or short notice question and the answer to which may elaborate on any fact or matter be required. The notice should be accompanied by an explanatory note giving reasons for raising the matter and it should be signed. Only one notice of half an hour's discussion shall be given for a sitting and no formal motion shall be made or voted upon in the House. The member who has given the notice shall make a brief short statement and the members who have already given notice to the Speaker and are in one of the first four places on the ballot shall be permitted to ask a question for the purpose of elucidating any fact or matter. Thereafter the minister concerned gives a brief answer. Half an hour's discussion is held on a day approved by the Business Advisory Committee and approved by the House.

(D) Short term discussion

Short duration discussion in the Parliament started after 1953. Under this, the attention of the House is drawn to a question of public importance. Under the fixed system, the Secretary General of the House has to be informed for such discussion with clear reasons. This notice must also be signed by at least two other members.

(E) Point of order

A point of order relating to the interpretation or enforcement of such rules or articles of the Constitution as regulate the business of the House shall be brought to the notice of the Speaker.

A point of order may be raised in connection with the business before the House, provided that the Speaker may permit a member to raise a point of order during the period between the conclusion of one item of business and the commencement of another, if he is concerned with the maintenance of order in the House or be in connection with the order of business before the House. A member may raise a point of order and the Speaker shall decide whether the point raised is a point of order and if it is a point of order, he shall give a decision thereon which shall be final.

(F) Parliamentary privilege

The term 'Parliamentary Privilege' means certain rights and immunities which each House of Parliament and its Committees have collectively and the members of each House individually, without which they would not be able to discharge their functions efficiently and effectively. The purpose of parliamentary privileges is to protect the independence, authority and dignity of the Parliament. The rights, privileges and immunities of both the Houses of the Parliament and

the State Legislatures and their committees and members are determined in Articles 105 and 194 of the Constitution. The House has the right to punish any person who commits contempt of the House or violates any of its privileges.

(G) Discussion under Rule 193

Discussion under Rule 193 does not involve a formal motion before the House. Therefore, no voting can take place after discussion under this rule. The member giving notice may make a brief statement and such members who have previously informed the Speaker may be permitted to participate in the discussion. The member who has raised the discussion has no right of reply. At the end of the discussion, the minister concerned gives a brief reply.

(H) Discussion under Rule 377

Matters which are not points of order can be raised by special mention under rule 377. The Rules of Procedure framed in 1965 provide an opportunity to the member to raise matters of general public interest. At present, 20 members are allowed to raise matters under Rule 377 per day.

III. NO CONFIDENCE MOTION

In parliamentary procedure, a motion of no confidence is a parliamentary motion, traditionally put in parliament by the opposition in the hope of defeating or weakening a government. The passage of a motion of no confidence in two-party democracies is a relatively rare occurrence in modern times. In almost all cases, party discipline is sufficient for a majority party to defeat a motion of no confidence, and if the government party faces a potential defection, the government may change its policies rather than lose a vote of no confidence. The cases in which a no-confidence motion is passed are generally those in which the ruling party has a narrow majority and can be thrown out through a by-election or defection. Rule 198 of the Rules of Procedure and Conduct of Business in Lok Sabha Accordingly, any member of the House can bring a motion of no confidence. Once this motion is moved, the Speaker reads it out to the Lok Sabha. It must have the support of at least 50 members of the House in order to be approved. Thereafter, the Speaker fixes a day for discussion when the ruling party can prove its confidence by answering the questions raised by the opposition members.

(A) What is No Confidence Motion?

When an opposition party in the Lok Sabha feels that the government does not have a majority or has lost the confidence of the government in the house, it brings a no-confidence motion. It is also called No Confidence Motion. Article-75 of the Indian Constitution states that the Union

Council of Ministers is answerable to the Lok Sabha, that is, the Council of Ministers can remain in place only after getting a majority in this House. The Council of Ministers including the Prime Minister have to resign if the motion of no confidence is passed against it.

- Rules 198(1) to 198(5) of the Rules of Procedure and Conduct of Business in the Lok Sabha have prescribed the procedure for presenting a motion of no confidence in the Council of Ministers.
- It is only a one line motion whose general form is as follows -- This House expresses no confidence in the Council of Ministers.
- Under Rule 198(1)(a), the member bringing the no-confidence motion has to seek permission from the House when called by the speaker.
- Under Rule 198 (1) (b), the written notice of this motion has to be given to the Lok Sabha Secretary General by 10 am. Information received after this time is treated as information received on the next day.
- Under Rule 198(2), it is necessary to have at least 50 members in favor of the proposal. If there are not so many MPs, the Speaker does not allow the proposal to be made.
- After getting the permission of the Speaker under Rule 198(3), he fixes one or more days or a part of a day for discussion on it.
- Under Rule 198(4) the Speaker announces the decision by voting on the last day of discussion.
- Under Rule 198(4), the Speaker has got the right to fix the time limit for speeches.
- If it is approved, the ruling party or coalition has to prove that they have the necessary support in the House.
- The support of at least 50 MPs is necessary for the approval of the no-confidence motion in the Lok Sabha.
- Only Lok Sabha MPs are eligible for voting in this, Rajya Sabha MPs cannot participate in the voting process.
- The opposition party has to give its written notice to the Lok Sabha Speaker. After this, the Speaker asks any MP of that party to present it.

- If the Speaker of the Lok Sabha approves the motion of no confidence, then it is necessary to discuss it within 10 days of presenting the motion.
- After this, the speaker can vote in favor of the no-confidence motion or take a decision.
- On voting for this, the government can issue a whip to its MPs, after which the MP who votes outside his party line can be considered disqualified.
- If more than half of the members present in the house vote against the government in the motion of no confidence, then the government falls.
- There is no need for the no-confidence motion to be based on any reason. Even when the reasons are mentioned in the notice and they are read out to the House, they do not form part of the no-confidence motion.

(B) No confidence motion- Historical background

- For the first time in the history of the Indian Parliament, in August 1963, J.B. Kripalani moved the no-confidence motion. Then only 62 votes were cast in favor of this proposal and 347 votes were cast against the then Prime Minister Jawaharlal Nehru's government.
- More than 26 no-confidence motions have been moved in the Parliament and maximum or 15 no-confidence motions came against the Congress government of Indira Gandhi.
- The governments of Lal Bahadur Shastri and Narasimha Rao faced no-confidence motion thrice each.
- Facing a no-confidence motion, the government fell for the first time so far in 1978, when the then Morarji Desai government was voted out. This motion was brought against his government a total of two times.
- In 1979, the then Prime Minister Charan Singh resigned due to not being able to muster the required majority on the no-confidence motion.
- After this in 1989 V.P. Singh's National Front government had to resign after a no-confidence motion was passed.
- In 1993, the Narasimha Rao government of the Congress was able to pass the no-confidence motion by a narrow margin.

- In 1997 H.D. Deve Gowda's United Front government had to resign following its defeat in the no-confidence motion.
- After this, in 1998, the United Front's I.K. The Gujral government also had to resign after losing the no-confidence motion.
- On behalf of the NDA, Atal Bihari Vajpayee tried twice to get the trust vote and failed both times. In 1996, he resigned before a vote after running the government for only 13 days, and in 1998 his government was defeated by only one vote.
- In July 2009, a vote of no confidence was brought against the UPA government in protest against the nuclear deal with the US. Then Prime Minister Manmohan Singh had won it with a small majority.
- The record for presenting the maximum no-confidence motion is in the name of CPI (M) MP Jyotirmoy Basu. He had kept all his four proposals against the Indira Gandhi government.
- Former Prime Minister Atal Bihari Vajpayee presented no-confidence motions twice while in the opposition. The first resolution was against the Indira Gandhi government and the second against the Narasimha Rao government.
- In the year 2018, the opposition also brought a no-confidence motion against the Narendra Modi government. An 11-hour-long debate went on in the House and finally the Modi government proved its majority in the House.

IV. RECENT SCENARIO

Notice of no-confidence motion against the Central Government has been given in the Lok Sabha. Two months before the completion of four years of the central government, it is facing the challenge of no-confidence motion in the Parliament. This challenge is being given by none other than the Telugu Desam Party, which was a part of the NDA till a few days ago. Angry over the denial of special status to Andhra Pradesh, the TDP has moved a no-confidence motion in Parliament against the government. YSR Congress, another opposition party from Andhra Pradesh, is also supporting this resolution. This is the first no-confidence motion against the Narendra Modi government. Technically, the government is not in danger of a no-confidence motion given the government's majority in the Lok Sabha, but it has once again brought the issue of no-confidence motion to the fore.

V. CONCLUSION

No-confidence motion is an important part of parliamentary tradition. When absolute majority governments functioned, no-confidence motions were considered a means of symbolic opposition to the opposition, aimed at holding the government accountable. But in the era of coalition governments, the importance of this weapon of opposition has increased a lot. Whenever the opposition feels that it has the numbers to trouble the government, it brings a no-confidence motion. Those members who do not have faith in the government come in its support.

Here, it has been seen for a few decades that whether it is the government side or the opposition, they often get entangled with each other on every issue and the proceedings of the Parliament are constantly disrupted. Only the most urgent legislative work finds a place in the House. One veteran politician and former President of the country had also said that a new D disruption has now been quietly added to the three essential words starting with D for Parliament--debate (discussion), dissent (difference) and decision (decision). Has gone. There is no place for obstruction in parliamentary democracy. Frequent interruptions prevent proper discussion and many important issues of public importance do not find place in the proceedings of the House. It is not uncommon for Parliament to occasionally be interrupted for a while due to uproar over a serious issue, but frequent disruptions rarely get to Parliament. For this, there is a need to agree on mutual cooperation and adherence to parliamentary decorum in the meetings held between the government and various parties.

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