GLOSSARY OF CONSTITUTIONAL TERMS

ACT of God, is a direct, violent, sudden and irresistible act of nature, which could not, by any reasonable care have been foreseen or resisted

Act of Parliament, means a Bill passed by the two House of Parliament and assented to by the President and in the absence of an express provision to the contrary, operative from the date of notification in the Gazette

Address of president, is the prepared speech delivered by the president of India to both Houses of Parliament assembled together at the commencement of the first Session after each general election to Lok Sabha and at the commencement of the first Session of each year informing Parliament of the causes of its summons which is later laid before and discussed on a formal Motion of Thanks in each House of Parliament or an address by the President of India to either House of Parliament or both Houses assembled together on any other occasion,

Adjournment Motion, if speaker gives his consent after satisfying himself that the matter to be raised is definitely urgent and of public importance and holds that the matter prepared to be discussed is in order, he shall call the member concerned who shall rise in his place and ask for leave to move the adjournment of the House. If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than fifty members rise accordingly, the Speaker shall intimate that leave is granted, if not, he shall inform the House that the members have not to leave the House,

Adjournment of House, in Lok Sabha the Speaker determines when sitting of House is to adjourn sine die or to a particular day or to an hour or part of same day while in Rajya Sabha it is the Chairman, who determines,

Admonition is a judicial or ecclesiastic censure or reprimand.

Advocate-General, the Attorney-General and after him, the Advocate-General of a State have precedence over other advocates Practice and Procedure of Practice and procedure of Parliament,

Affirmation, is a solemn declaration without oath,

Amendment, is a device to alter a motion moved or question under discussion in the Legislature, includes omission, substitution, addition and insertion of certain words, figures or marks to the clause of Bill, a resolution or a motion or to an amendment made thereof,

Anglo-Indian, Is of a British birth but living or having lived long in India,

Appeal, is the judicial examination of the decision by a higher court of the decision of an inferior court,

Appropriation Bill, is the act of devoting or reserving for a special or distinct purpose or of destining to a particular end; anything set aside especially money for a specific use,

Arrest, is the restraining of the liberty of a man's person in order to compel obedience to the order of a court of justice, or to prevent the commission of a crime, or to ensure that a person charged or suspected of a crime may be forth-coming to answer it

Assent to Bill, is when one is taken into custody and restrained from his liberty,

Attorney-General, is the Chief Law Officer of a country, legal adviser to the chief

Backward classes, the list of OBCs are prepared by the Central Government and are revised after the expiry of every 10 years,

Ballot, is a small ball, ticket or paper used in secret voting,

Begar, is a labour or service exacted by court or a person in power without giving remuneration,

Bill, is a draft of a law proposed to a lawmaking body,

Breach of Privilege, Disregard of any of the privileges, rights and immunities either of the members of Parliament individually or of either House of Parliament in its collective capacity or of its committees, also includes action which obstruct the House in the performance in its function and thereby lower its dignity and authority such as disobedience of its legitimate order or libel upon itself, or its member or officers which are called contempt of the House.

Budget, refers to the statement of the estimated receipts and expenditure of the Government if India known as annual financial Statement; it is caused to be laid before both Houses of parliament by the President in respect of every financial year on such day as he may direct.

Bulletin, is an official notice of a public transaction or matter of public importance,

Business of the House, is the relative order of the items of business in the House of a Legislature to be taken up on a particular day,

Cabinet, is a private and confidential assembly of the most considerable Minister of state to concert measures for the administration of public affairs,

Censure Motion, is a motion moved against the government censuring its policy in some direction or an individual Minister or Minister of the Government,

Chief whip, is the chief of the whips of different political parties in Parliament (generally the Minister of Parliamentary Affairs),

Citizen, is a member of a State or nation, especially one with a republican form of government, who owes allegiance to it by birth or naturalization and is entitled to full civil right,

Closure, is the Parliamentary procedure by which debate is closed and the matter under discussion brought up for an immediate vote,

Coalition, usually takes place in multi-party system in which no single party is able to command support of a working majority,

Comptroller and Auditor-General, is the officer who is responsible for the auditing of all public accounts,

Concurrent List, is a list of subjects appended to a federal Constitution in respect of which the Federal Legislature and the State or regional Legislature have power to make laws, federal law prevailing in case of conflict,

Consolidated fund, is a repository of public money which now comprises the produce of customs, excise, stamps and several other taxes, and some small receipts from the royal hereditary revenue surrendered to its public use,

Constituent Assembly, is a legislative body charged with the task of framing or revising a Constitution, set up for India after it became independent in 1947 for the purpose of framing its Constitution,

Constitution, Is the system of fundamental laws and principles of a government written or unwritten,

Constitutionality of law, is the law being in accordance with the provisions of the Constitution of a country,

Contempt of court, is a disobedience to or disregard of the rules, orders, process, or dignity of a court, which has power to punish for such offence by committal,

Contingency fund, is placed at the disposal of the Executive to meet the unforeseen expenditure,

Court, is a place where justice is judicially administered,

Cut motion, during the discussion on the demands for grants, motion can be moved to reduce the amount of a demands, such a motion is called cut motion,

Debate, is a parliamentary discussion, Dictionary of Constitutional and Parliamentary Terms, Lok Sabha

Defection, is abandonment of loyalty, duty, principle etc.,

Delegated legislation, is rules and regulations with the effect of law made by the Executive under statutory sanction by Parliament,

Deprivation, is a loss on dismissal from office,

Deputy Speaker, is the officer of the House of a Legislature who tales the Chair during the absence of the Speaker and performs his duties in relation to all proceedings in the House,

Directive Principles of State policy, lay down guidelines which can be implemented only by passing legislation,

Discrimination, is a difference in treatment of two or more persons or subject,

Dissolution, is the civil death of Parliament

Doctrine of severability, is a rule of interpretation; it means that where some particular provision of statute offends against a constitutional limitation, but that provision is severable from the rest of the statute, only that offending provision will be declared void by the court and not the entire statute,

Double jeopardy, is subjection of an accused person to repeated trial for the same alleged

Due process of law, is the law in conformity with due process a concept adopted by the American Constitution; the process of law which hears before it condemns; judiciary can declare a law bad, if it is not in accordance with due fprcess even though the legislation may be within the competence of the Legislature concerned,

Election, is act of selecting one or more from a greater number for an office,

Election Commission, is a constitutional body created for the purpose of holding elections to parliament, State Legislatures and Offices of President and Vice-president,

Electoral roll, is known as voter's list in common parlance; is the basic document on which the whole electoral process is founded,

Equal protection, all individuals and classes will be equally subjected to the ordinary law of the land administered by the law courts,

Equality, is the state of being equal in political, economic and social rights,

Existing law, is the law in force at the

Expulsion, is the unseating of members for offences committed against the House or for grave misdemeanours,

Extradition, is the surrender by a foreign State of a person accused of a crime to the State where it was committed,

Financial memorandum, is a memorandum required to accompany all bills involving expenditure,

Fundamental duties, are certain obligations on the part of a citizen which he or she owes towards the State so that the individual may not overlook his duties to the community while exercising his fundamental right or commit wanton destruction of public property or life,

Fundamental rights, are protected and guaranteed by the written Constitution of a State, Commentary on the Constitution of India, Durga Das Basu

Gazette, is the official newspaper of the Government,

Government, is an established system of political administration by which State is governed,

Guillotine, is the most drastic method of curtailing debate in a Legislature, Parliamentary practice,

Habeas corpus, commands a Judge of the inferior court to produce the body of defendant with a statement of the cause of his detention, to do and to receive whatever the higher court shall decree,

Hung parliament, is a Parliament wherein no party has won a working majority,

Impeachment, a person found guilty may be removed from his office,

Joint sitting, is a joint sitting of both Houses of a Bicameral Legislature for setting a disagreement between them,

Judgment, order or sentence given by a judge or law court,

Judicial review, is the power of the court to review statutes or administrative acts and determine their constitutionality. The examination of Federal and State Legislature statutes and the acts of Executive officials by the Courts to determine their validity according to written constitutions,

Judiciary, is the body of officers who administer the law,

Law, all the rules of conduct established and enforced by the authority,

Legislative relations, in case of conflict the Union law prevails,

Legislature is body of persons in a State authorized to make, alter and repeal law.

Liberty, is something which results from a permission given to or something enjoyed under sufferance by a particular person or body of persons as opposed to enjoyment by all and sundry,

Locus standi, means a place for standing, right to be heard,

Maiden speech, is one's first or earliest speech especially in Parliament,

Mandamus, is an established remedy to oblige inferior courts and Magistrates to do that justice which they are in duty, and by virtue of their office, bound to do; compels officers and others to act in the discharge of the duties and impose upon them,

Martial law, is arbitrary in its decisions and is not built on any settled principles,

Migration, means coming to India with the intention of residing here permanently,

Minority, is racial, religious or political groups smaller than and differing from larger, controlling group of which it is a party,

Money Bill, is a Bill which contains only provisions dealing with the inposition, repeal, remission, alteration or regulation of taxes etc.,

Motion, is a proposal made in the house of a Legislature to elicit its decision on a subject,

Oath, is a ritualistic declaration, based on an appeal to God or some revered person or object that one will speak the truth, keep a promise, remain faithful etc.

Office of profit , is an employment with fees and emoluments attached to it; where pay or salary is attached to an office, it immediately and indisputably makes an "office of profit",

Official gazette, means the Gazette of India or the Official Gazette of a State,

Ordinance, is a State paper, operative as a fundamental law, yet not describable as either a Constitution

Personal liberty, Consists in the power of locomotion, of changing situation or moving one's person to whatever place one's own inclination

Petition, is a solemn, earnest supplication or request to a superior or to a person or group in authority,

Pith and substance is a doctrine relating to the interpretation of statutes, evolved by the privy Council, to solve the problem of two competing Legislatures,

Preamble, is an introduction, especially one to a constitutional statute etc., stating its reason and purpose,

President, is Chief executive of a Republic,

Presumption of constitutionality, is an assumption made failing proof of the contrary that an enactment is in accordance with the Constitution. The presumption is always in favour that an enactment is in accordance with the Constitution. The presumption is always in favour of the constitutionality of an enactment and the burden is upon him who attacks it to show that there has been a clear transgression of the constitutional principles,

Privilege, is an exceptional right or advantage,

Privy purse, is the sum fixed by the Government of India for covering the expenses of each of the rulers of former Indian States and their families in consideration of their agreement of merger in the India Union,

Probationer, is one who is on probation or trial,

Procedure established by law, is the procedure prescribed by the law of the state. It does not mean the due process of law,

Prohibition, is a remedy provided by the Common Laq against the encroachment of jurisdiction

Proportional representation, is a method of representation designed to secure the election of candidates on proportion to the numerical strength of each section of political opinion thus accurately reflecting the Political feeling of the country in Parliament,

Question hour, is the time fixed under the rules of the House or standing orders,

Quo warranto, is a writ ordering a person to show by what right he exercises an office, franchise or privilege,

Quorum, is a minimum number required to be present at an assembly before it can validly proceed to transact business,

Reasonable restriction, is restrictions imposed by State on the enjoyment of the fundamental rights,

Religion, is the specific system of belief, worship, conduct involving a Code of ethics and philosophy,

Repugnancy, is set of clauses in statures, Will, etc,. contradictory of each other,

Res judicata, is final judgment already decided between the same parties or their privies on the same question by a legally constituted court having jurisdiction is conclusive between the parties, and the issue cannot be raised again,

Rule, is an established guide or regulation for action, conduct

Rule of law, is absolute supremacy or predominance of regular law as opposed to the Influence of arbitrary power's; equality before the law or the equal subjection of all classes to the ordinary law courts; Constitution is the result of the ordinary law of the land,

Session, connotes the sitting together of the legislative body for the transaction of business,

Shadow cabinet, is a body of opposition leaders meeting from time to time and ready to take office

State, comprises people, territory, government through which its policies are implemented and sovereignty having authority to amek final legal decisions and having physical power to enforce them,

State Act, is an Act passed by Legislature of a State established or continued by the Constitution,

Statute, is synonymous with Act of Parliament,

Subordinate legislation, is am making of statutory instruments or orders by a body subordinate to the Legislature in exercise of the power within specific limits conferred by the Legislature, also covers statutory instruments themselves,

Swear, is to make a solemn declaration or affirmation with an appeal to God or to some one or something held sacred for confirmation,

Untouchability, is social disabilities historically imposed on certain classes of people by reason of their birth in certain castes,

Vote, is a decision by one or more persons on a proposal, resolution expressed by ticket, ballot or voice,

Vote on account, is estimate of an advance payment to enable Government Departments to carry on their work from beginning of financial year till the passing of Appropriation Act,

, is a strike, an informal or unauthorized strike, an action of leaving a meeting or organization as an expression of disapproval,

Zero hour, is a time set for the beginning of an attack or other military operation; any crucial or decisive moment,

-is usually noisy interregnum between the question Hour and the beginning of rest of the day's business in Legislature; members raise often without notice various matters during this period,