



**THEORY AND PRACTICE OF PARLIAMENTARY PROCEDURE  
IN INDIA (1988). By S.H. Belavadi. N.M. Tripathi Pvt. Ltd.,  
Bombay. Pp. xvi+324. Price Rs. 125.**

IN INDIA there is a federal and parliamentary form of government in which the executive is responsible to Parliament. This means that governments at the Centre and in the states must be supported by a majority in the *Lok Sabha* and Legislative Assemblies all the time and they could be turned out of office by a vote of no confidence against them at any time. Thus the functioning in, and of, Parliament is pivotal in Indian parliamentary system of government. The honourable members in the House, as also its officers must, therefore, abide by the theory and practice of parliamentary procedure and accept it as an unwritten and unassailable law.

The book under review<sup>1</sup> attempts at providing, not only the detailed procedure followed by Parliament and state legislatures,<sup>2</sup> but also an explanation of the principles involved,<sup>3</sup> together with a brief historical background.<sup>4</sup>

The book has been conveniently divided into 33 easy-to-understand chapters covering a very wide variety of relevant topics. There are eleven appendices<sup>5</sup> which provide practical forms and a well planned index<sup>6</sup> helps in easy access to specific topics in the book. Almost every important topic relating to the theory and practice of parliamentary procedure in India has been included in this monograph. Obviously, there are chapters on important topics like, (i) Question Hour; (ii) Budget Procedure; (iii) Motions; (iv) Private Members' Business; (v) Secret Sessions; (vi) Adjournment Motions; (vii) Rules of Debates in the House; (viii) Conventions and Etiquette of Parliament; (ix) The Committee System in Legislature; (x) Parliamentary Privileges in Theory and Practice; and (xi) Penal Jurisdiction of the Houses of Parliament. Furthermore, to give an integrated and complete picture of the theory and practice of parliamentary procedure, topics like 'Legislature and Government', 'Legislature and Judiciary', Ombudsman, the Legislature Secretariat and Parliament Building, etc., have also been appropriately included in the book.<sup>7</sup>

The author has taken pains to describe the parliamentary procedure in detail though based on mere rules.<sup>8</sup> But he has failed to make this work

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1. S.H. Belavadi, *Theory and Practice of Parliamentary Procedure in India* (1988).

2. *Id.* at 47-192.

3. *Id.* at 174-180

4. *Id.* at 1-23.

5. *Id.* at 301-16

6. *Id.* at 319-24.

7. *Id.* at 24-71 and 251-300.

8. These rules are: Rules of Procedure, Rajya Sabha 1980, Lok Sabha 1985, Maharashtra Legislative Council 1980 and Maharashtra Legislative Assembly 1985.



as an intensive study in the area of practice of parliamentary procedure. The book could have been more useful and more enlightening had he discussed the practice of the last 40 years of parliamentary procedure based on concrete examples from Parliamentary and Assembly Debates.<sup>9</sup> Though the author has legal background<sup>10</sup> yet he has given only the text or summary of relevant articles of the Constitution but failed to explain their implications with reference to judicial *dicta* and their interpretation thrown in. A more detailed discussion of the leading cases would have been more beneficial.

There is no denying the fact that the author has undertaken a stupendous task of incorporating a large number of topics, including latest ones. However, the book suffers from other major glaring drawbacks, that is, incomplete, (i) footnotes;<sup>11</sup> and (ii) bibliography.<sup>12</sup> The author has also not quoted some of the sources from where he has taken the views of various writers.<sup>13</sup> Extensive and complete footnotes would have been more useful to enable those interested in pursuing further indepth studies in this area.

Despite all these weaknesses and inadequacies the merit of the book lies in that it has been written in a very simple language and the author has very intelligently, carefully and very rightly blended the theory and practice of parliamentary procedure in the book.

On the whole, the book is very useful to members of legislative bodies, government officers involved with Central and state legislatures, students of parliamentary institutions and lay citizens interested in the strength and health of Indian democratic traditions and values of parliamentary practice.

Chandra Pal\*

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9. Generally speaking there are no frequent references to Parliamentary and Assembly Debates in this book. However, there are a few references to *Lok Sabha Debates* in a few chapters but they are very old and the latest example of such a reference found in the book is of *Lok Sabha Debates* 18-11-1970 in ch. 26 at p. 260 whereas this book was published in 1988.

10. He has been a practising lawyer in the Bombay High Court, then the deputy registrar in the same court.

11. Footnotes in the whole book have been presented in a very unconventional method. In some even the year of publication is not given, see for example, f.n. 1-12, and 20 (ch. 1); f.n. 1,15-16 (ch. 4); (f.n. 1-2 (ch. 6); f.n. 16 (ch. 11); f.n. 2, 23 and 35 (ch. 25); f.n. 2 (ch. 29) etc.

12. Bibliography has been given under the title 'Books Referred' at p. 317 of the book and the author has given a list of 37 books but this bibliography is defective in many respects. Year of publication of many books has not been given. Place of publication has not been mentioned even of a single book. Nor has it been placed in any order. In some books even names of the author have not been given.

13. For example, at p. 5, the author has given the views of Brogan, but he has not quoted the source from where he has taken these views.

\*LL.M., Ph.D., Reader, Law Faculty, Kurukshetra University, Kurukshetra, Haryana.