

A Primer on the Parliament of India: Procedures and People



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Part 1

Composition of

Parliament

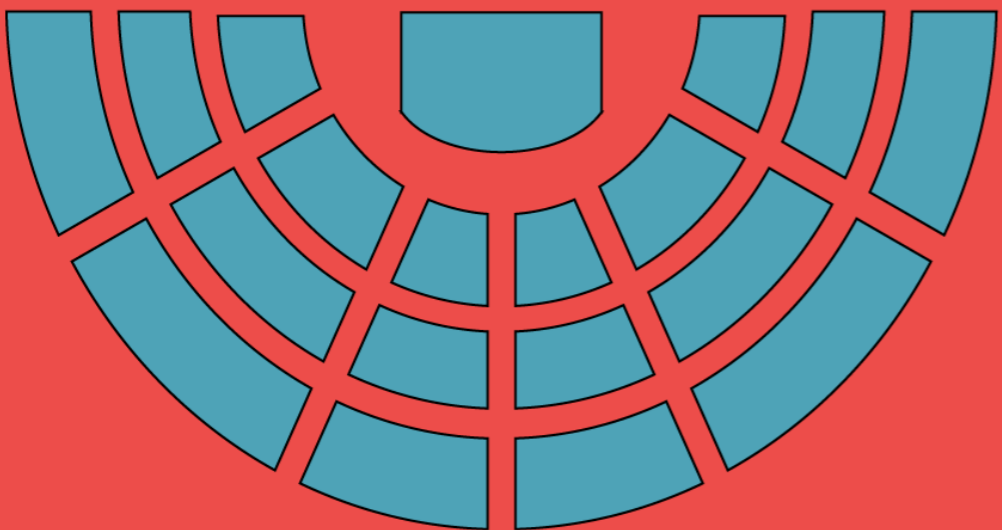


Indian Parliament

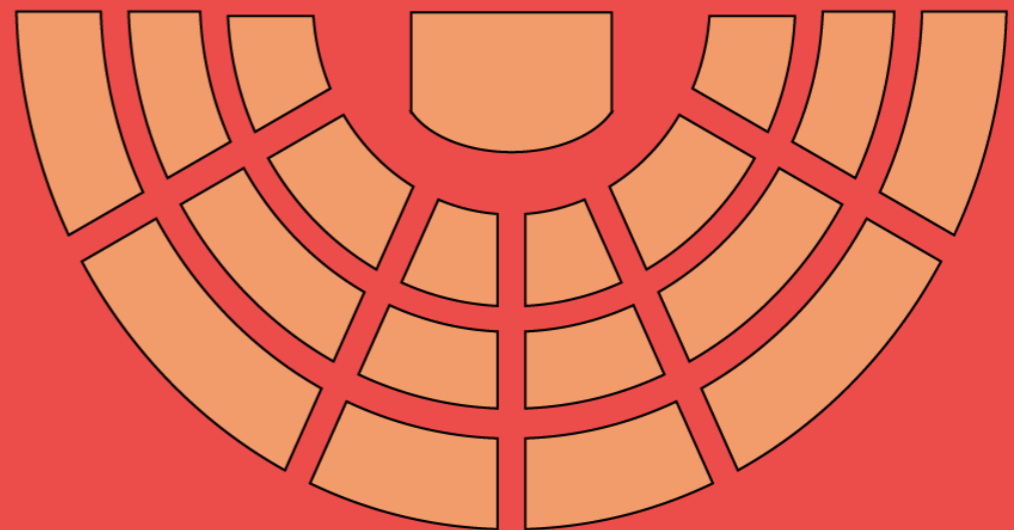


Lok Sabha

Rajya Sabha



543 seats



245 seats

Member of Parliament

An elected (and/or nominated) Member of the Lok Sabha or the Rajya Sabha.

Private Member

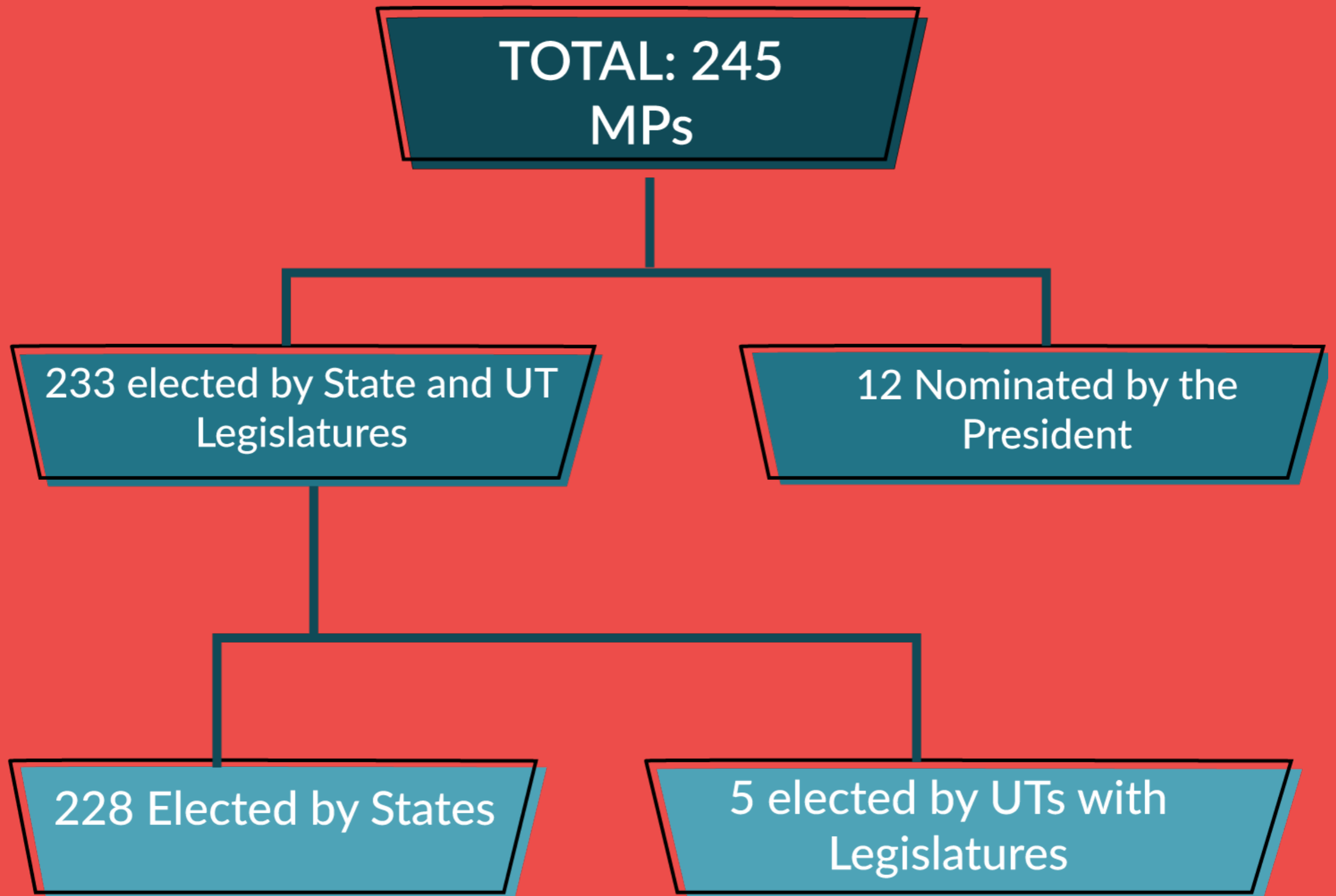
A Private member who is an MP of either House and is not a Minister in the government

Minister

An MP who is also a Minister in the Union government

In order to be appointed as a Minister, an individual must be a MP. If they are not, they must be elected to either House within a period of 6 months from the date of appointment

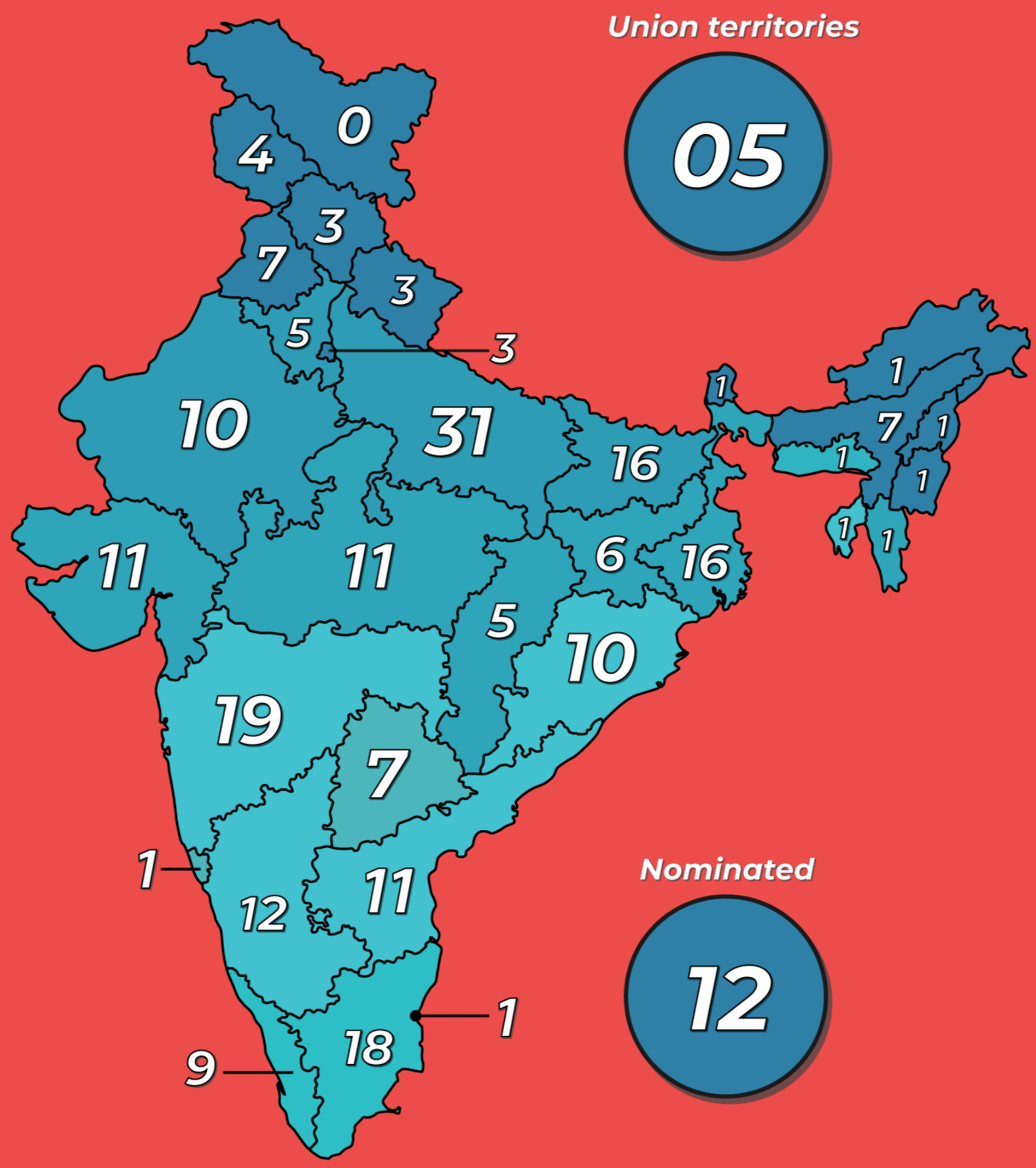
What is the composition of the Rajya Sabha?



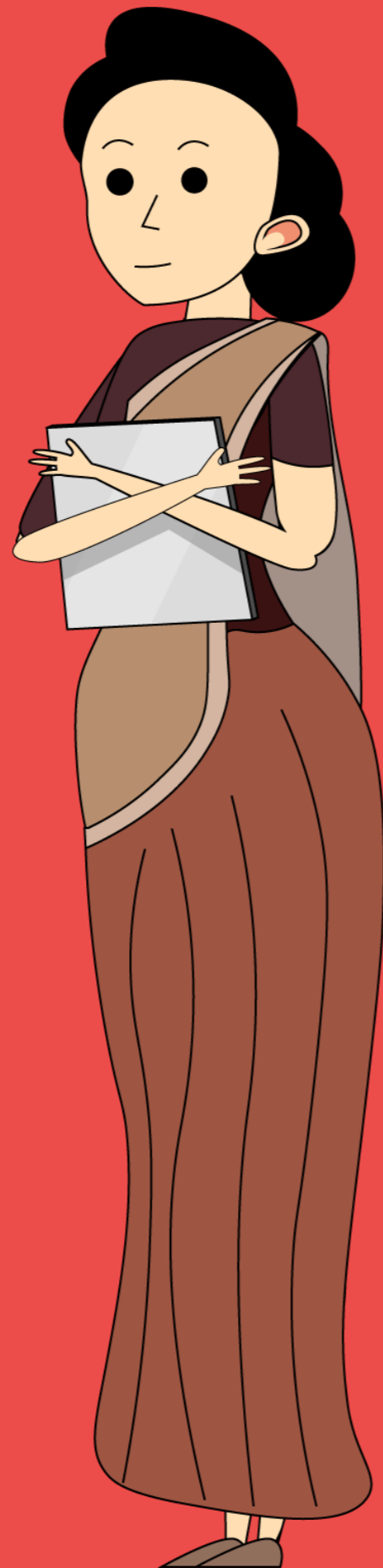
Who Elects Rajya Sabha MPs?

The elected members of legislative bodies of states and UTs elect Rajya Sabiha MPs.

Allocation of Rajya Sabha seats to each state



How long is the term of MPs in Rajya Sabha?



I am a Rajya Sabha MP. My term is for 6 years. Almost a third of my colleagues in the Rajya Sabha retire every two years.

Functions performed by the Rajya Sabha



It represents states' views by serving as the 'Federal Chamber'.



Being a permanent chamber, it gives Parliament a certain degree of continuity.



It serves as a 'Deliberative Chamber' providing an opportunity for MPs to reconsider bills, and debate and deliberate on crucial matters.



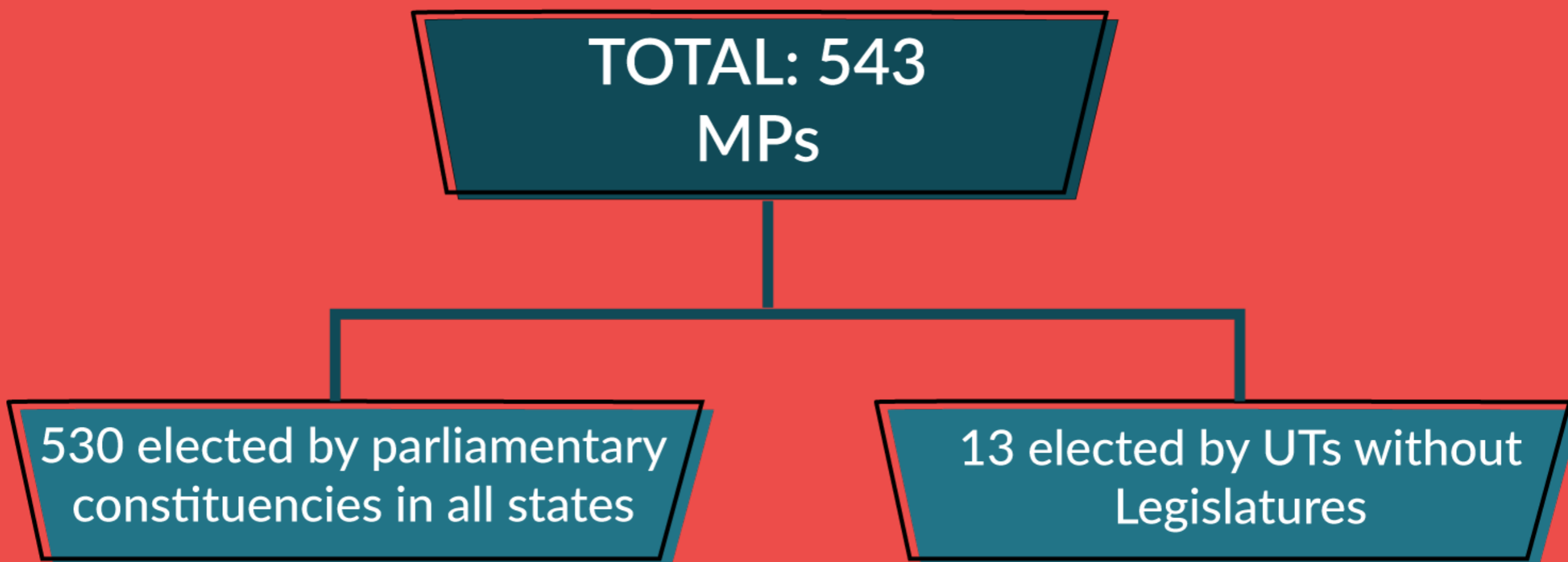
A second house allows the legislative procedure to be more thorough, examined by additional expertise of MPs and thus prevent hasty enactments.



It serves as an additional forum to debate matters more extensively which the Lok Sabha may not have the time for.

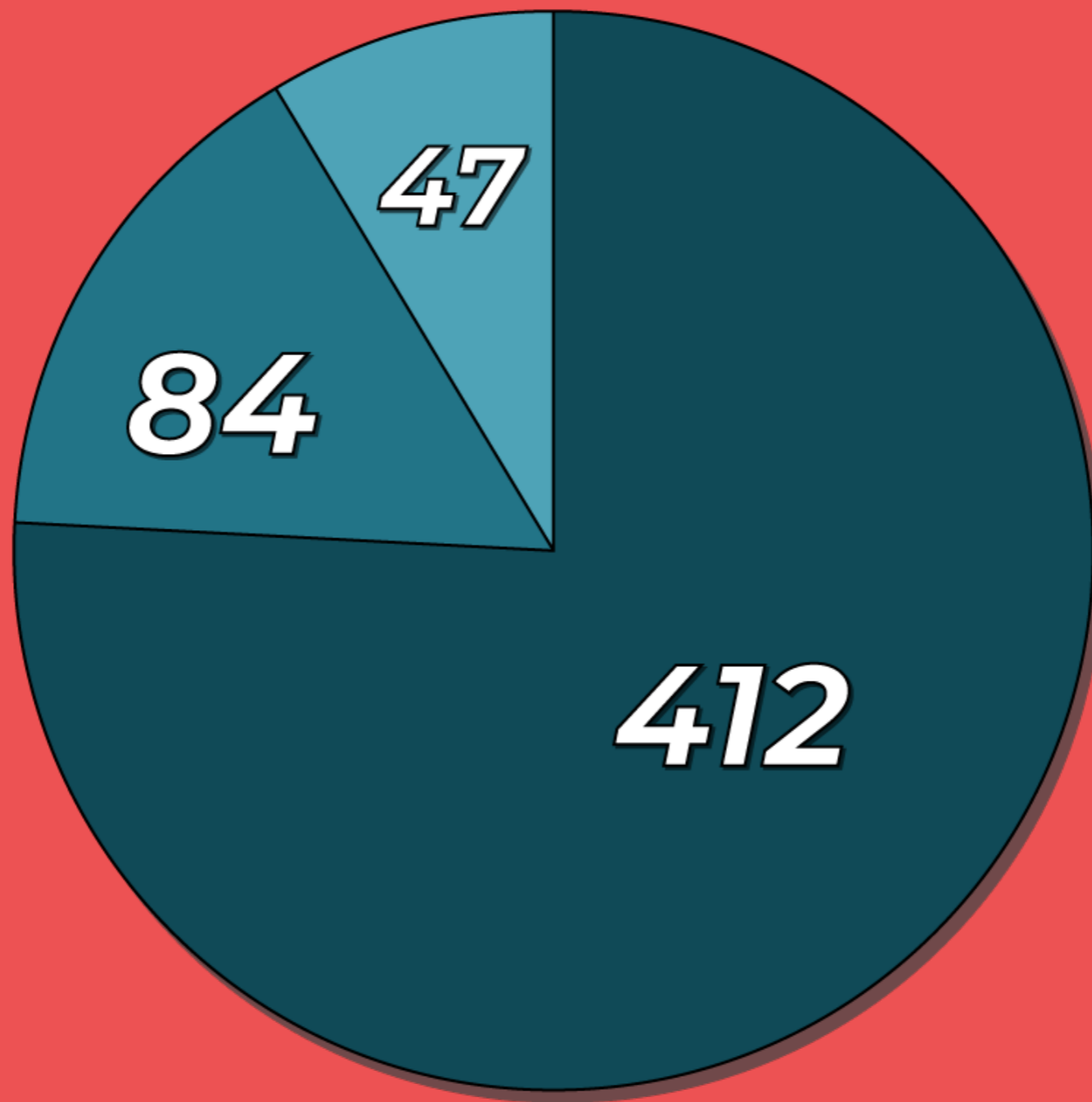
Lok Sabha

Composition of the Lok Sabha



The Constitution provides that the ratio of the number of seats and the population of the state is, as far as possible, the same for all states. The allocation of constituencies/seats to each state is based on population figures from the 1971 Census. For instance while Uttar Pradesh has the largest number of constituencies at 80, Goa has only 2.

Reserved and Non Reserved Seat Distribution



General Seats



Seats Reserved for Scheduled Caste persons



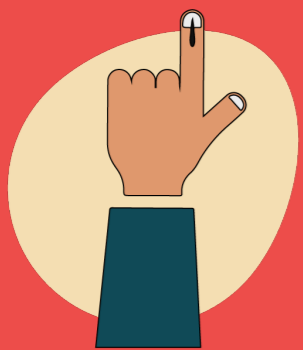
Seats Reserved for Scheduled Tribe persons

How long is the term of MPs in Lok Sabha?

I am a Lok Sabha MP. My term is for 5 years and is linked to the term of the Lok Sabha to which I belong. If the Lok Sabha itself is dissolved before the end of the 5-year term, fresh elections are held for all seats, including my own.



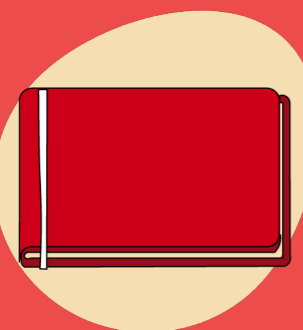
Functions performed by the Lok Sabha



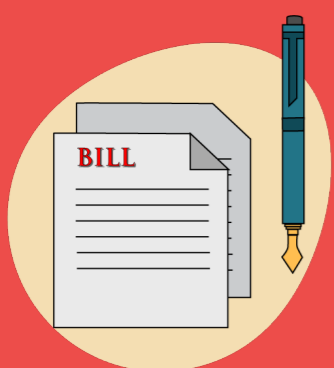
It is the primary expression of India's democratic set up.



The support of a majority of the Lok Sabha is required to form a government.



It passes bills and, most importantly passes the Union Budget



It has primary financial powers in certain cases, as compared to the Rajya Sabha, such as with respect to the passing of Money Bills.



It maintains control over the Executive branch of the government, as the Council of Ministers is accountable to the Lok Sabha.

Part 2

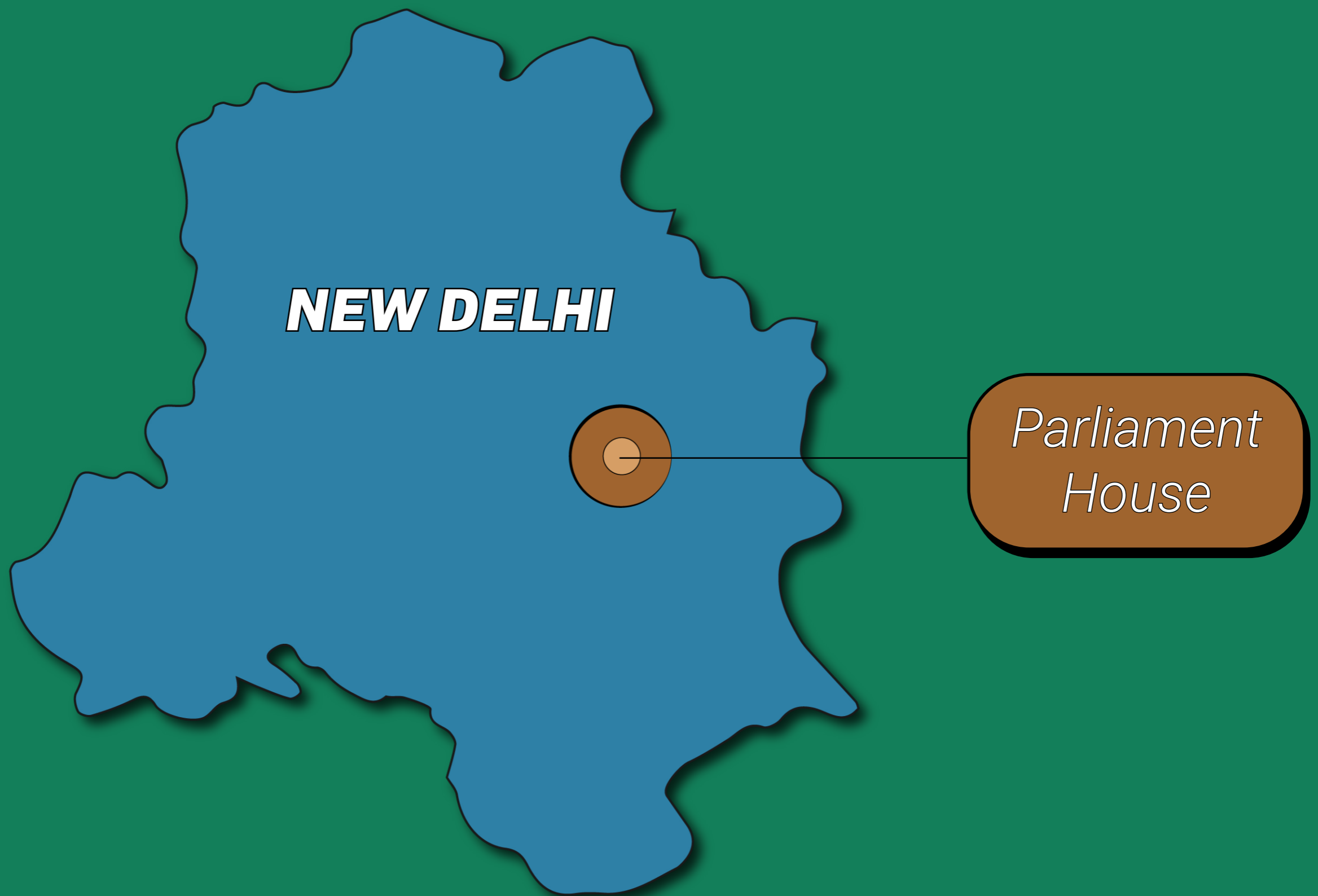
Sessions of Parliament



Part 2: Sessions of Parliament

How is Parliament convened?

A session of Parliament is a continuous set of pre-determined days when all MPs meet in the Parliament building situated in New Delhi, to carry out parliamentary business.



Important Terms & Parliament cycle

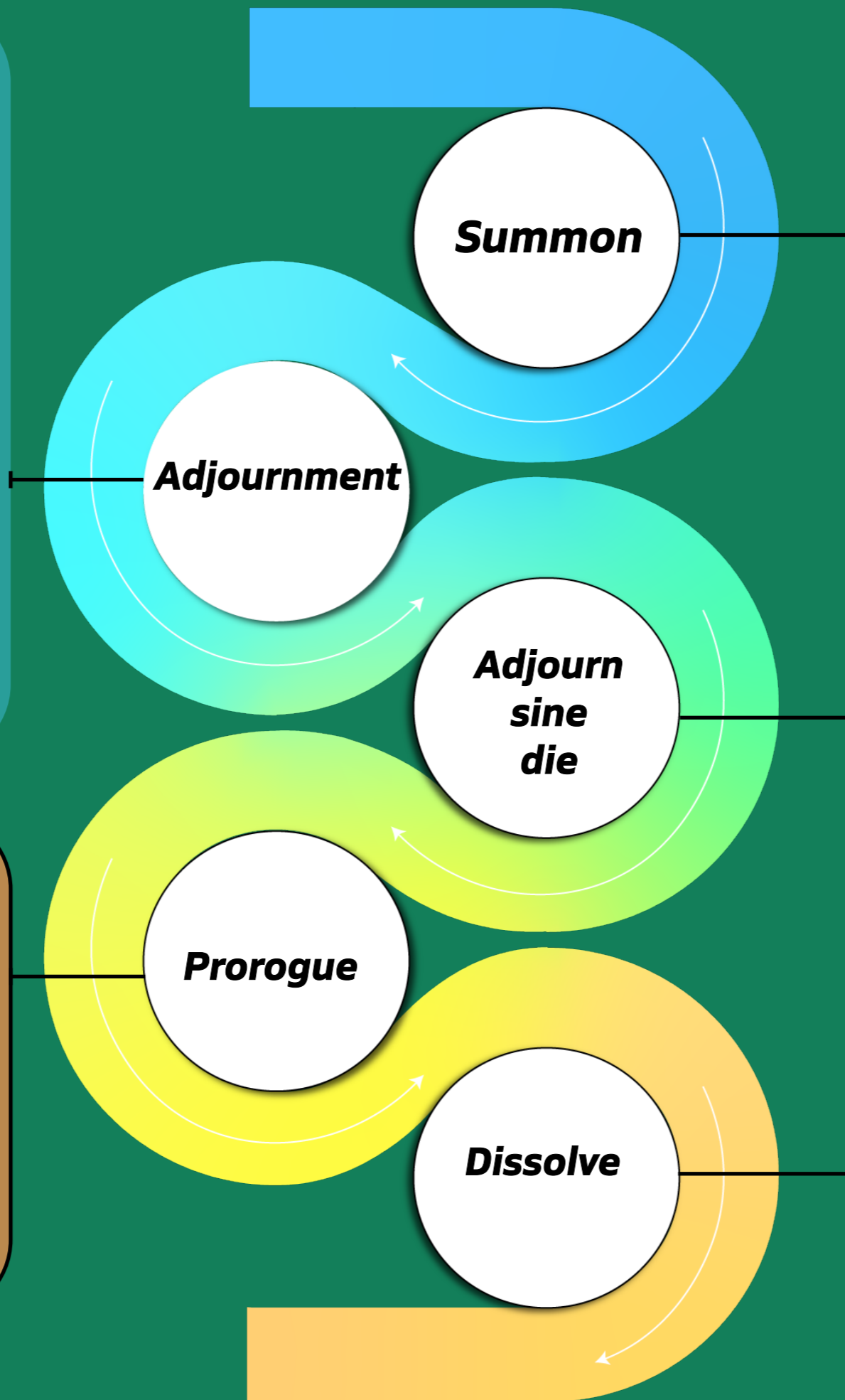
To end the proceedings of a sitting of a House, while also specifying the time and date for reassembly. This power is exercised by the Presiding Officer of either House (Speaker in the Lok Sabha and Chairman in the Rajya Sabha).

To terminate a session of a House. Usually, prorogation follows a sine die adjournment of a sitting. This power is exercised by the President.

To call Parliament into session. This power is exercised by the President.

To end the proceeding of a House indefinitely i.e. without specifying time and date of reassembly. This power is exercised by the Presiding Officer.

To end the life of the Lok Sabha, either automatically at the end of its 5-year term or by the President. The Rajya Sabha does not get dissolved and is thus a continuous House.



Constitutional provisions on sessions



Specifies no more than 6 months gap between sessions

Empowers President to summon, prorogue and dissolve

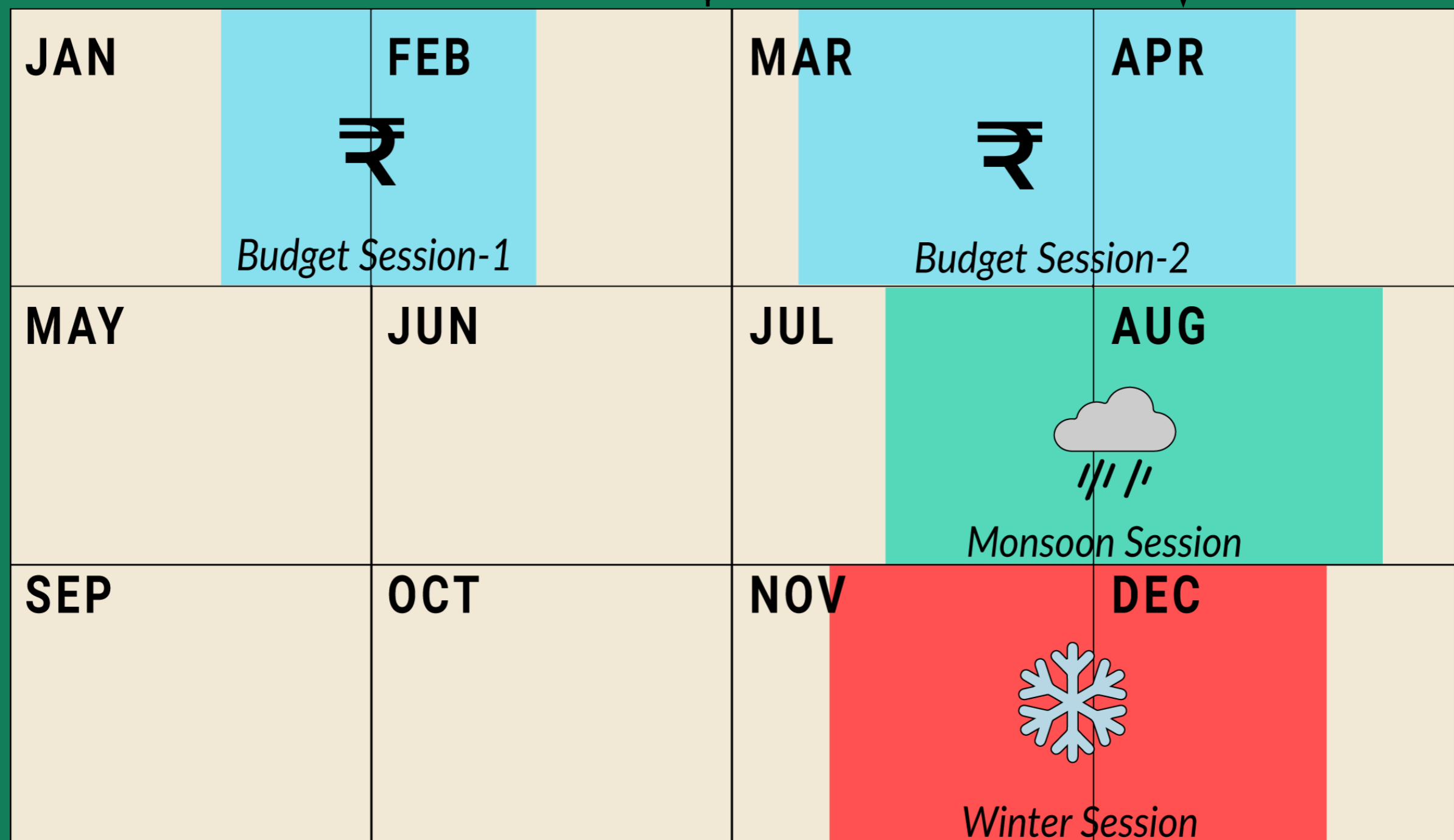
Governs convening of Parliament

How many times does Parliament convene in a year?

Economic suvery of India, Union Budget and other budget documents are tabled

Recess period that allows MPs to scrutinse budget documents for various department related standing committees to examine the Demand for Grants (budgetary demands of each ministry)

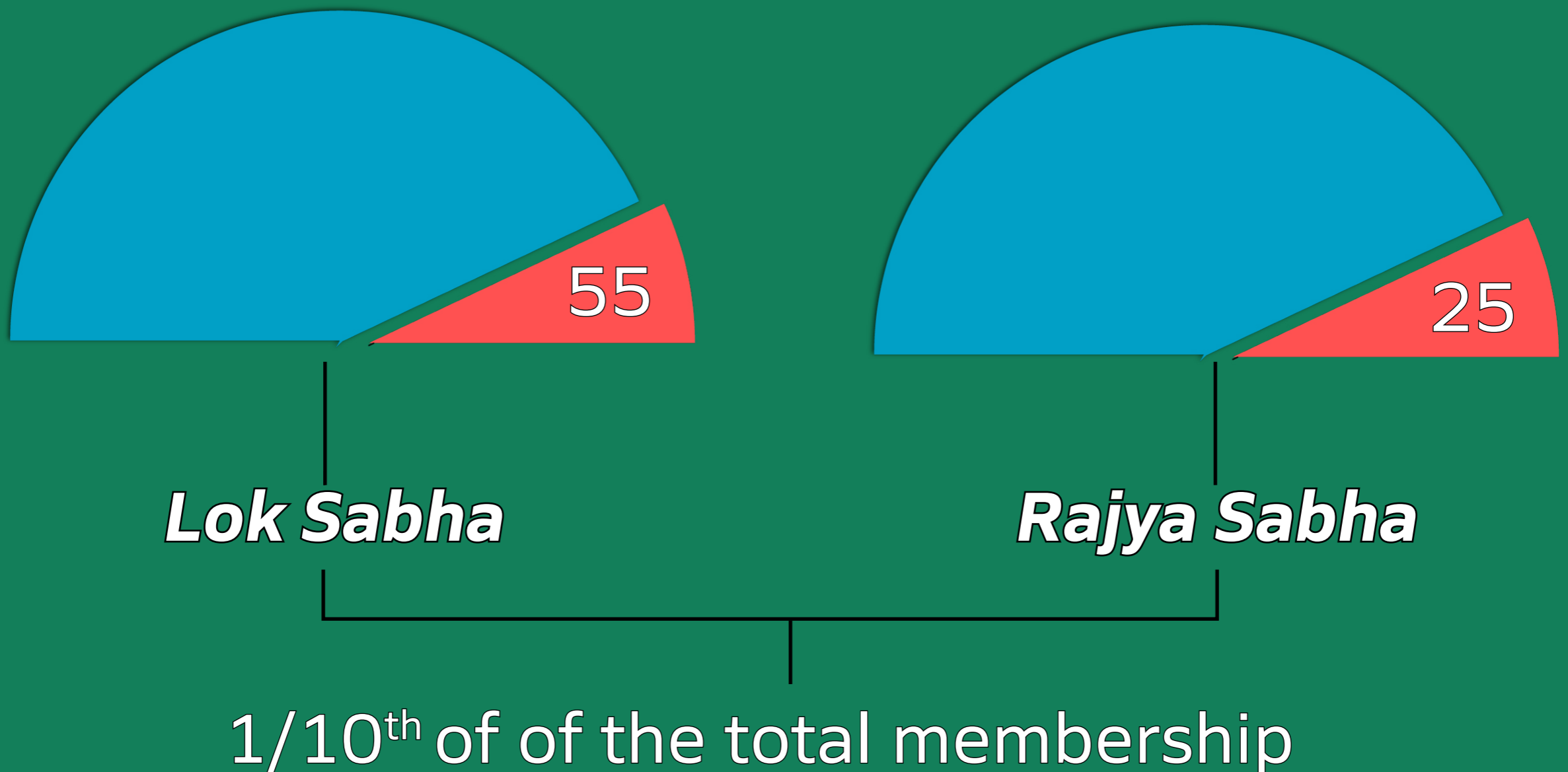
Budget is discussed and voted on



From time to time, special sessions may be convened by the President. For instance, in 2017 a special session was convened to mark the rollout of the Goods and Services Tax regime.

Is there a minimum number of MPs required for Parliament to convene?

Quorum is the minimum number of members that must be in attendance in a sitting of Parliament for proceedings to begin/continue.



Part 3

Key People in Parliament

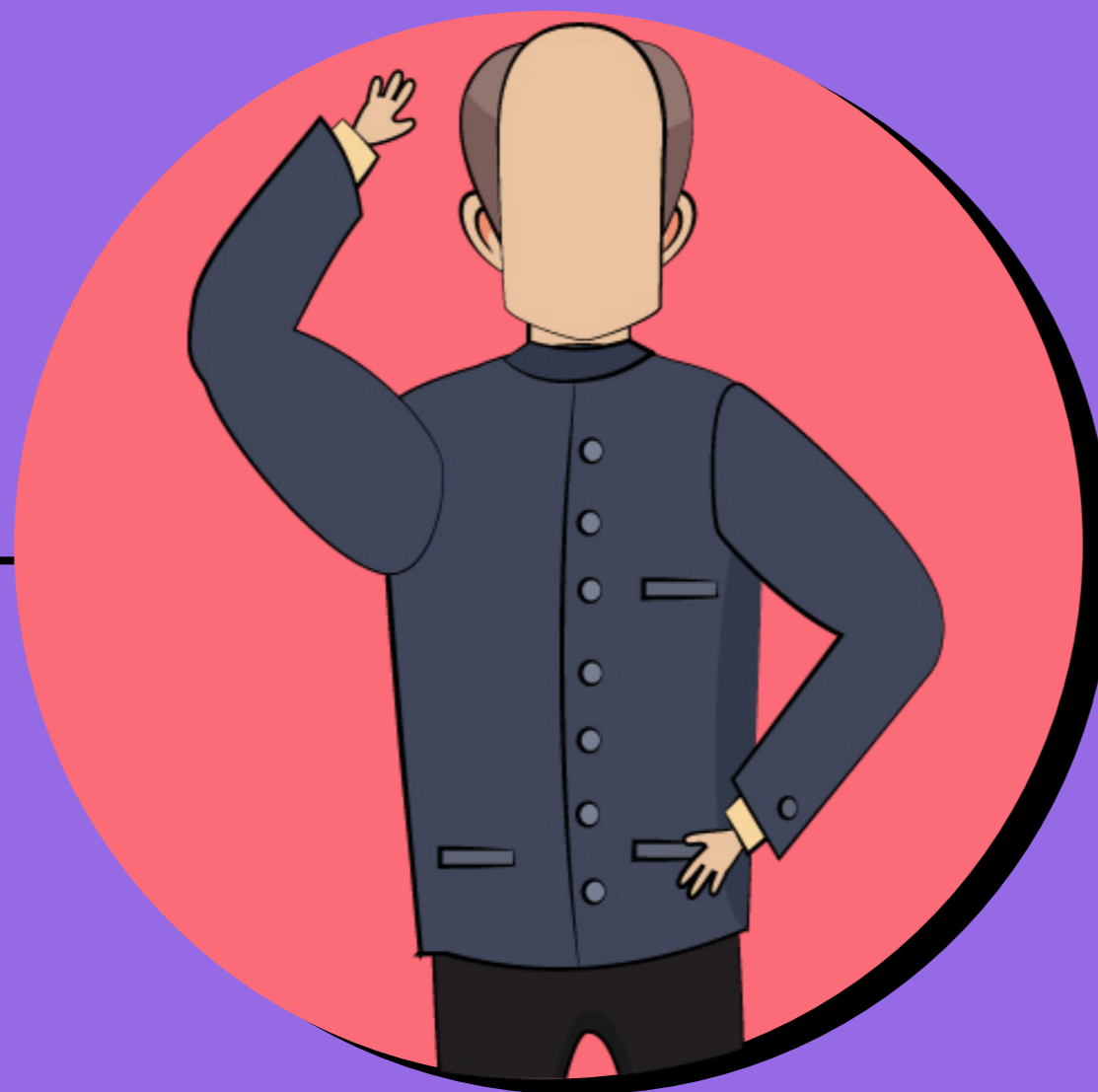


Part 3: Key People in Parliament

Functions of the President

Giving assent to bills so that they can become laws

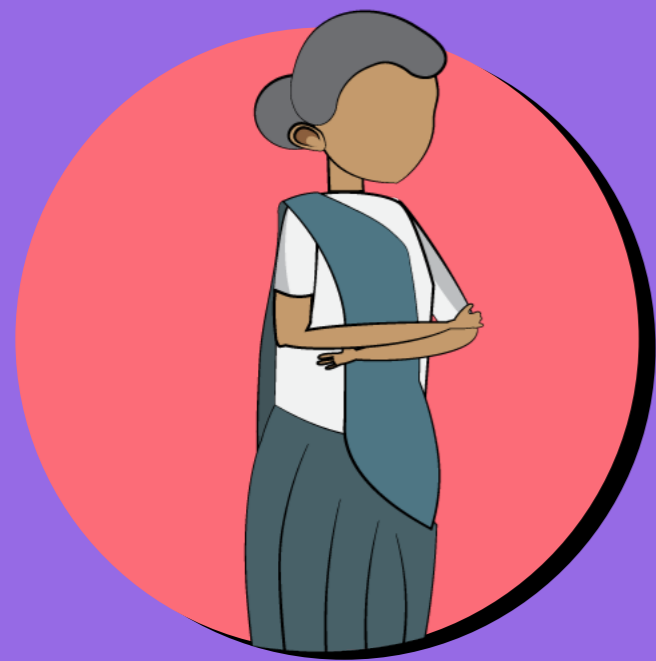
Issuing Ordinances when Parliament is not in session



Summoning and proroguing sessions and dissolving the Lok Sabha

Presiding Officers of Parliament

Lok Sabha



Lok Sabha
Speaker

- Presiding Officer
- All MPs of the Lok Sabha elect the Speaker from amongst them
- Remains in this office until the Lok Sabha is dissolved
- Usually from the ruling party or from a party that is allied with the ruling party

- Elected from amongst the Lok Sabha by all its members
- Acts as Speaker as and when the office of the Speaker falls vacant
- When the Speaker is presiding, the Deputy Speaker functions only as a regular MP



Deputy Lok Sabha
Speaker

The office of Speaker can fall vacant under certain circumstances i.e If s/he is no longer an MP, if s/he resigns, or through a resolution for removal by a majority of members of the Lok Sabha.

Panel of Chairpersons of the Lok Sabha



- Nominated by the Speaker
- Panel of a maximum of 10 MPs
- Fill in for Speaker and Deputy Speaker when they are absent

Primary Powers and Functions of the Speaker

Maintaining order and decorum in the House and regulating its proceedings

Being the final interpreter of the provisions of the Constitution, the Rules of Procedure and Conduct of Business of Lok Sabha, and the parliamentary precedents, within the House

Presiding over a joint sitting of the two Houses of Parliament

Deciding whether a bill is a money bill or not



Chairman of the Rajya Sabha

- Vice President of India is the ex-officio Chairman of the Rajya Sabha, as per the Constitution.
- Unlike the Speaker of the Lok Sabha, the Chairman is not an MP.



Deputy Chairman of the Rajya Sabha

- Deputy Chairman is elected by MPs of the Rajya Sabha from amongst themselves.
- The office of Deputy Chairman can fall vacant under certain circumstances; for example when he/she resigns.

While the Chairman of the Rajya Sabha has similar powers as the Speaker on the whole, in certain cases s/he has lesser powers than the Speaker. For instance, s/he does not decide whether a bill is a money bill and does not preside over a Joint Sitting of both Houses.

Panel of Vice-Chairpersons of Rajya Sabha



- Chairman nominates a panel of a maximum of 6 MPs.
- They perform the function of filling in for the Chairman and the Deputy Chairman when they are not present.

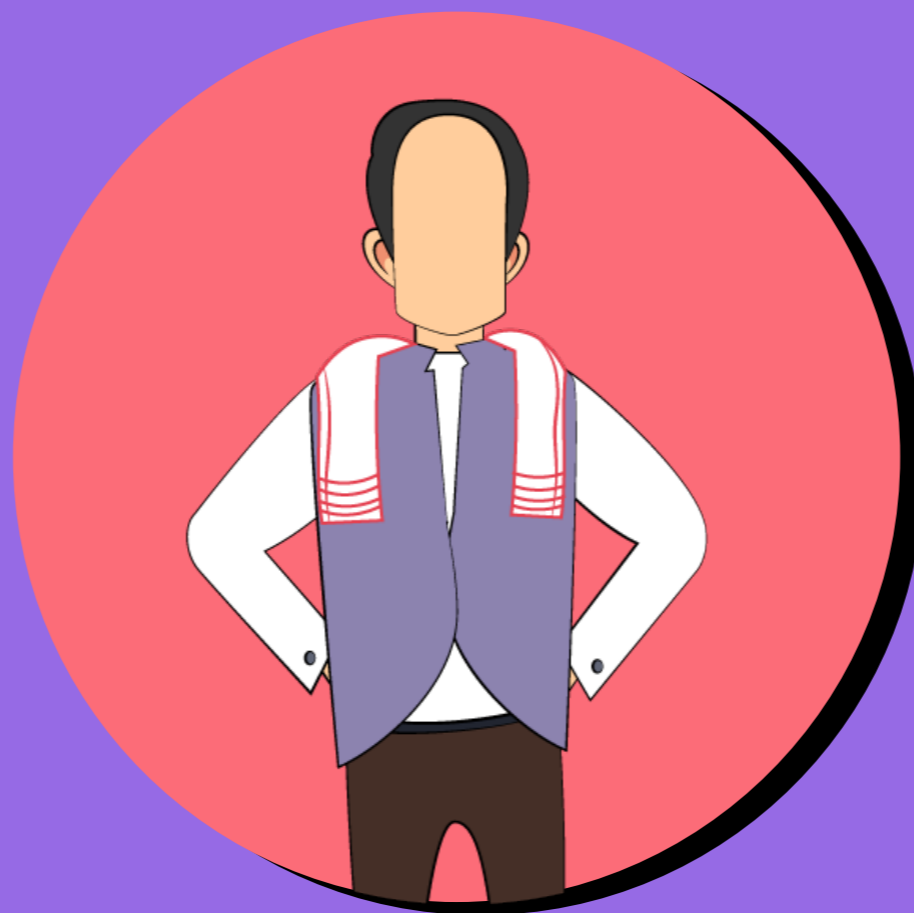
Key Figures in Both Houses



Treasury Bench

- Treasury Bench is derived from the British (Westminster) parliamentary model.
- It refers to the first row of seats to the right of the Speaker/Chairperson.
- It is also sometimes used to refer to Ministers from the ruling party and at times, all MPs from the ruling party.

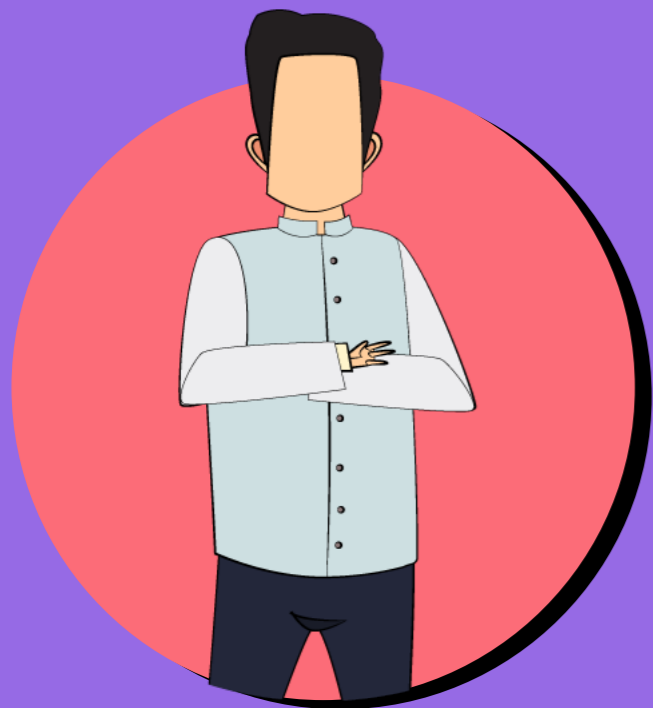
Leader of the House



- S/he is the nodal representative of the ruling party in either House.
- Prime Minister is the Leader of that House of which s/he is a member. In the other House, a Union Cabinet Minister is nominated as the Leader of the House.

- Along with the Chief Whip and the Minister of Parliamentary Affairs s/he is responsible for steering government business in Parliament.
- The office of the Leader of the House is not mentioned in the Constitution of India. However, it is mentioned in the rules of both Houses.

Prime Minister



- The real (de facto) head of the executive branch of the government
- Enjoys support of the majority of the Lok Sabha
- The Leader of that House to which s/he belongs

Council of Ministers

- Executive branch of government in Parliament
- Headed by the Prime Minister
- Collectively responsible to the Lok Sabha and derives its legitimacy by enjoying support of a majority of the Lok Sabha
- Cannot exceed, in strength, 15% of the total membership of the Lok Sabha or 81 Ministers



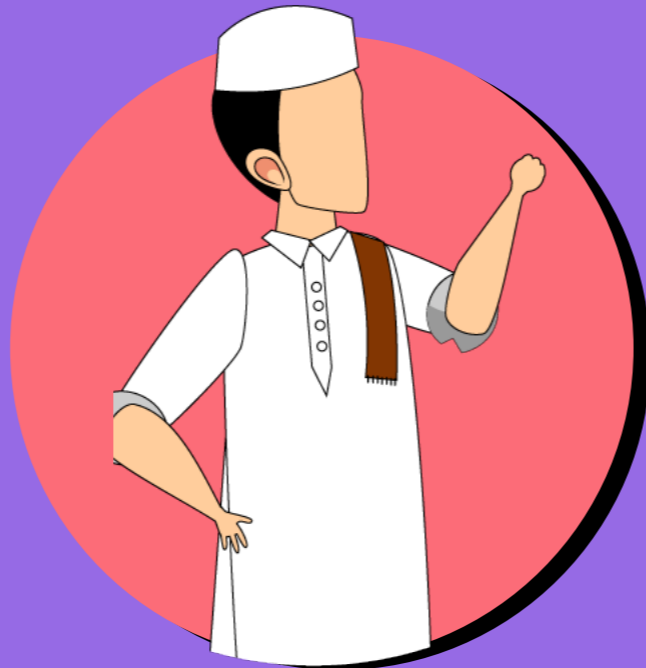
Minister of Parliamentary Affairs



- At times de facto chief whip of their party
- Responsible for all matters related to functioning of the parliament
- Advises the government about its parliamentary agenda and strategy
- Point of contact between the government and the leader of opposition

OPPOSITION BENCH

- Term comes from British (Westminster) parliamentary tradition
- Broadly used to refer to Opposition MPs as a group in either House



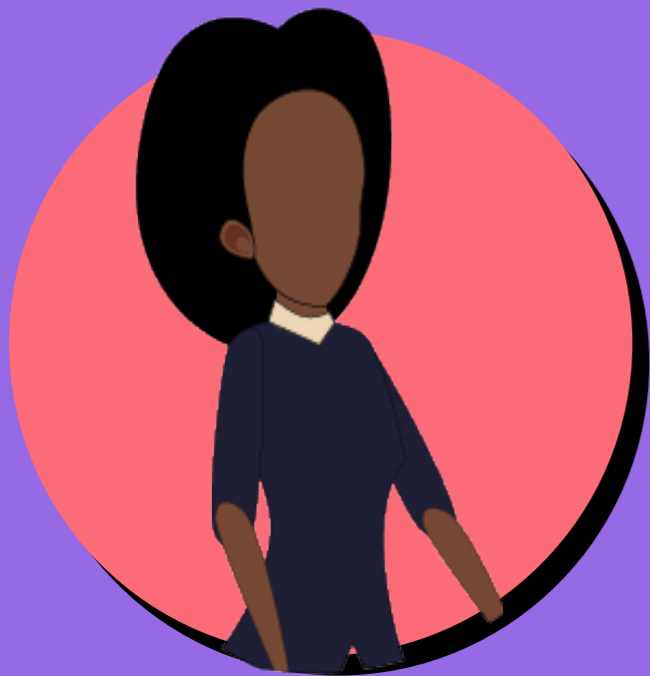
Leader of the
Opposition (LoP)

As per the Salaries and Allowances of Leaders of Opposition in Parliament Act, 1977 they are the chosen representative of the numerically biggest party in opposition to the government.

Through parliamentary convention, an additional proviso has been attached to the position, that the party must have won 10% of the seats of that house i.e. 55 in the Lok Sabha and 25 in the Rajya Sabha.

Crucial post in a parliamentary democracy, as the LoP leads the Opposition in both Houses to hold the government accountable

Also performs crucial functions such as being part of the selection committees for key appointments like the Lokpal, the CBI Director, Chief Vigilance Commissioner etc.



Secretary General

- Each House has a Secretary General
- Serves as the administrative head, supervises each House's Secretariat
- Advises Presiding Officers on parliamentary procedures and precedent
- Appointed by the Speaker and Chairman and is drawn from civil services, or central or state legislatures' secretarial services
- Not a political post
- Treated as equivalent to the rank of the Cabinet Secretary to the Government of India



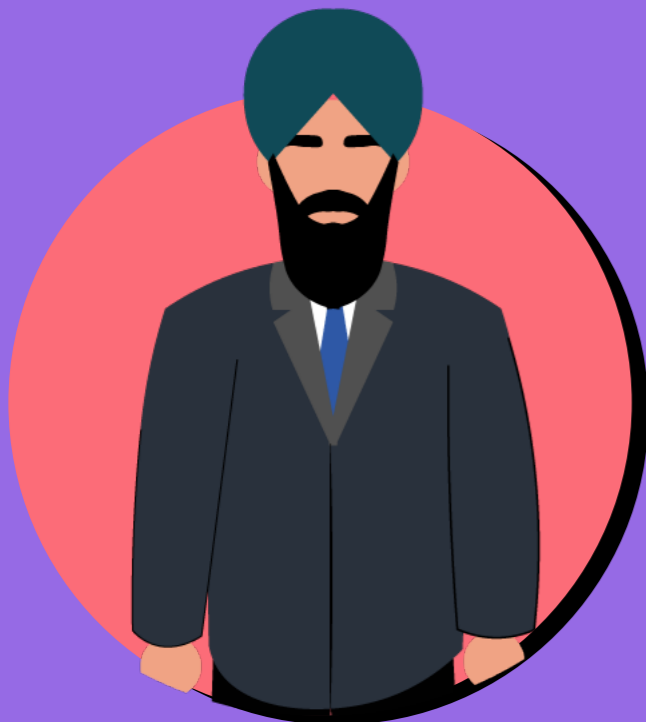
Media

- An important observer to parliamentary proceedings
- Special access passes are granted to accredited members of the press
- Each Secretariat also runs a dedicated channel to air parliamentary proceedings of each house live



Citizens

- India's parliamentary democracy is structured as an indirect democracy. Thus, India being an indirect democracy, the scope for direct citizen engagement in Parliament is fairly limited.
- Citizens' interests are meant to be represented through their elected representatives i.e. MPs.
- One avenue for citizens' participation is the Petitions on Bills through which citizens provide views on legislative proposals.



CSOs/Experts/Industry Representatives

- As stakeholders, lobby with MPs to raise issues in Parliament
- As domain experts, asked by Parliamentary committees to provide information on matters pertaining to what is being discussed

Part 4

Passage of Bills & Parliamentary Committees

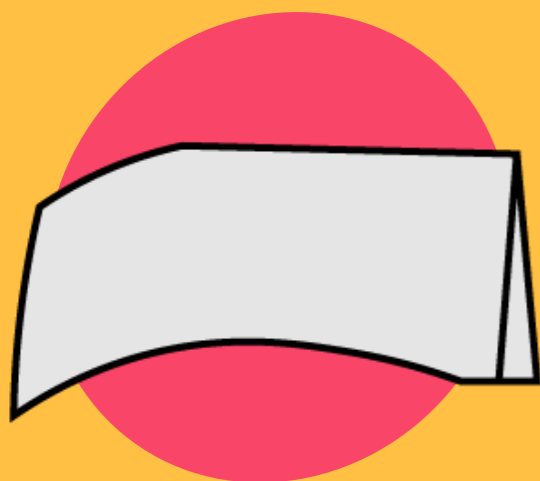


Part 4: Passage of Bills & Parliamentary Committees

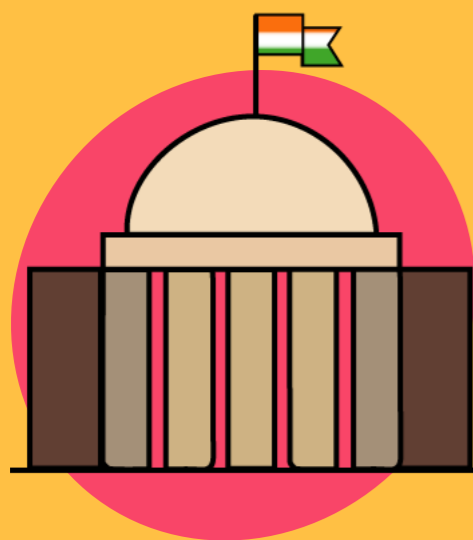
Parliament is the law-making body at the National level. This is one of its most important functions. One or both Houses (depending on the type of bill) are involved in the passage of a bill.

Government Bill vs Private Member Bill

Bills can be distinguished based on who introduces it in Parliament.



a) Government Bills: Bills introduced in either House by a Minister



b) Private Member Bills: Bills introduced in either House by an MP who is not a Minister



Ordinary Bill

Pertain to subjects falling in the Union List or the Concurrent List of the Constitution.



Finance Bill

Bills that are concerned with financial matters.



Constitutional Amendment Bill

Bills that amend the Constitution.



Money Bill

- Specific subset of Finance Bills
- Pertain to matters delineated under Article 110 of the Constitution.

Procedures to Pass an Ordinary Bill (Government Bill)

1. Drafting of the bill

A bill is drafted by the relevant Ministry in conjunction with the Ministry of Law and Justice.

As per the Pre-Legislative Consultative Policy, 2014 formulated for the purpose of increased transparency and better-informed decisions, it is recommended that a draft legislation be placed in the public domain for a minimum period of 30 days.

2. Introduction of Bill in Lok Sabha or Rajya Sabha

- A Government Bill is always introduced by a Minister.
- The Minister has to give 7 days' notice of intention to introduce the bill.
- It cannot be introduced in any house until after copies of the bill have been made available to the members at least 2 days in advance.
- The Presiding Officer may permit the introduction of a bill without meeting the aforementioned condition.

3. First Reading

- The Minister asks for the leave of the House to introduce the bill.
- The bill is introduced and its title and objectives are read out.
- Then the bill is published in the Gazette of India.
- Introduction and publication in the Gazette constitute the First Reading.

4. Committee Stage

- The Presiding Officer can refer the bill to the relevant Department Related Standing Committee, if such a motion is passed.
- The Committee meets outside proceedings, to deliberate on the bill, invite expert opinions and, finally, presents its report.
- After the report of the Committee, the government may:-
 - » Introduce official amendments to the bill
 - » May withdraw the bill and replace it with a new iteration
 - » Ignore the recommendations

5. Second Reading

- Stage 1 of the Second Reading
 - There is a general discussion of the overarching principles enshrined in the bill.
 - The House may also refer it to a Select Committee or a Joint Committee of both Houses.
 - If it is referred to a Select/Joint Committee, then the Committee will examine the bill, clause by clause, and it may suggest amendments and submit a report containing these recommendations.
- Stage 2 of the Second Reading
 - There is a clause-by-clause discussion on the bill.
 - MPs can move amendments to the bill in this stage.
 - Each clause and proposed amendments to each clause are voted upon.

6. Third Reading

Consideration of the bill as a whole and a vote upon it.

For Ordinary Bills, a simple majority (more than 50%) of members present and voting is required for the bill to be passed.

7. Transmitting to the other House

The bill is then transmitted to the other House, where the same procedure is followed, except for the stage of Introduction. Here,

- The second House may pass the bill as sent by the first House (i.e., without amendments). Then the bill is deemed to have been passed by both Houses.
- It may pass the bill with amendments and return it to the first House for reconsideration; in such a case, if the House where the bill originated accepts the amendments made, then the bill is deemed to be passed.
- It may pass the bill with amendments and return it to the first House for reconsideration; in such a case, if the House where the bill originated rejects the amendments made, then the bill is in a deadlock.
- It may reject the bill leading to a deadlock.
- It may not take any action and thus keep the bill pending.

In the last three cases, the President is empowered by the Constitution to call a Joint Sitting of the two Houses which requires a simple majority to be passed at that stage.

8. President's Assent

The following are the courses of action available to the President when presented with a bill passed in both Houses:

- Give assent to it
- Withhold assent to it, in which case the bill ends
- Return the bill with recommendations to the Houses for reconsideration. In such a case, if both Houses pass the bill again with or without amendments, the President must give it their assent

As there is no prescribed time limit for the President to give their assent, in India Presidents have exercised, on occasion, what is called a 'Pocket Veto' whereby they take no action on a bill and keep it pending indefinitely.

9. Subordinate Legislation

This refers to Rules, Regulations, Orders, Schemes, and By-laws framed under an Act.

Differences in Procedure with respect to Constitution Amendment Bill

Ordinary Bill	Constitution Amendment Bill
<ul style="list-style-type: none">• Simple majority needed to pass (more than 50% of members present and voting)	<ul style="list-style-type: none">• Special Majority needed i.e. more than two-third of the members present and voting and a 50% majority of the total membership
<ul style="list-style-type: none">• A Joint Sitting can be called in case of a deadlock	<ul style="list-style-type: none">• A Joint Sitting cannot be called in case of a deadlock
<ul style="list-style-type: none">• The President may give their assent, withhold or return the Bill.	<ul style="list-style-type: none">• The President must give his/her assent to and cannot withhold it or return the bill for reconsideration

If a Constitution Amendment Bill seeks to amend the federal provisions of the Constitution, it must also be ratified by the legislatures of half of the states by a simple majority.

Differences in Procedure with respect to Money Bills and Finance Bills

Money Bill	Finance Bill (Category 1)	Finance Bill (Category 2)
<ul style="list-style-type: none"> Covers matters covered by Article 110 	<ul style="list-style-type: none"> Contains not only any or all the matters mentioned in Article 110, but also other matters of general legislation 	<ul style="list-style-type: none"> Contains provisions involving expenditure from the Consolidated Fund of India but does not include any of the matters mentioned in Article 110
<ul style="list-style-type: none"> Introduced only in Lok Sabha 	<ul style="list-style-type: none"> Introduced only in Lok Sabha 	<ul style="list-style-type: none"> Introduced in Lok Sabha or Rajya Sabha
<ul style="list-style-type: none"> The Rajya Sabha cannot reject or amend it. It makes recommendations and returns it to the Lok Sabha, and it must do so within 14 days 	<ul style="list-style-type: none"> Rajya Sabha can reject or amend the Bill 	<ul style="list-style-type: none"> Rajya Sabha can reject or amend the Bill

Money Bill	Finance Bill (Category 1)	Finance Bill (Category 2)
<ul style="list-style-type: none"> • Speaker has authority to endorse a Bill as Money Bill 	<ul style="list-style-type: none"> • Not applicable 	<ul style="list-style-type: none"> • Not applicable
<ul style="list-style-type: none"> • Must be recommended for introduction by the President 	<ul style="list-style-type: none"> • Must be recommended for introduction by the President 	<ul style="list-style-type: none"> • Recommendation not required
<ul style="list-style-type: none"> • President may either give their assent to the bill or withhold assent to the bill but cannot return the bill for reconsideration of the Houses 	<ul style="list-style-type: none"> • No restriction on powers of President 	<ul style="list-style-type: none"> • No restriction on powers of President

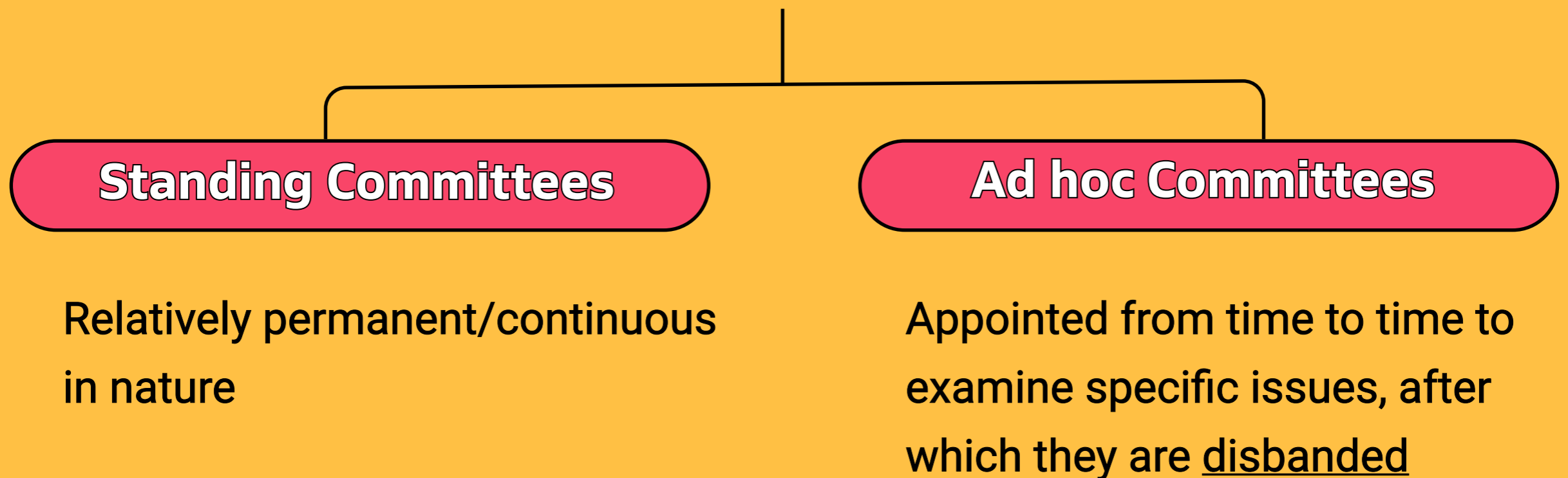
Consolidated Fund of India: It can be understood as the main bank account of the government in which it receives its incomes and from which it makes its expenses.

Committees

Parliamentary Committees are smaller groups of MPs set up by the Presiding Officer that are formed to carry out specified work:

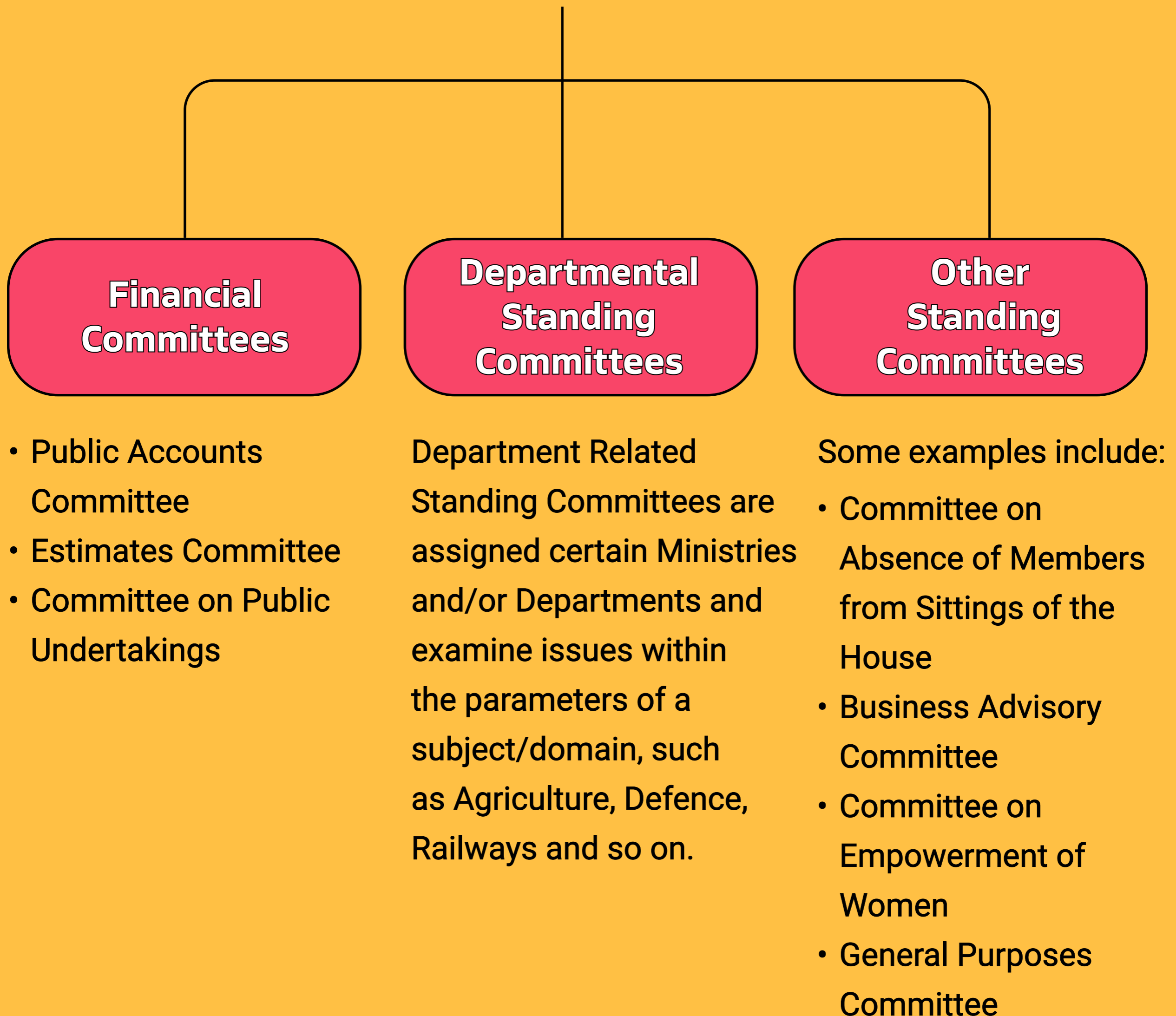
- Examining bills
- Examining budgets
- Investigate nationally important matters and so on

Broadly, Committees in the Indian parliamentary System are classified as



Standing Committees

Standing Committees consist of the following:



Ad Hoc Committees

Ad Hoc Committees can be understood under two rubrics:

Committees related to Bills

- Make recommendations on Bills
- Joint Committee has members from both Houses

Other Ad Hoc Committees

- Look into matters other than bills
- Inquiry Committees constituted to inquire into and report on matters
- Investigative Joint Parliamentary Committees (JPC) constituted to look into controversial matters

For instance, in 2013, a JPC was set up to look into allegations of corruption in the allocation of telecom licenses (also known as the 2G scam).

Part 5

Key Parliamentary Interventions



Part 5: Key Parliamentary Interventions

Questions

Questions are posed to the government during Question Hour. It enables parliamentarians to:

- Seek information
- Solicit the government stance on a particular issue
- Obtain commitments from the government
- Get views of the government on an issue
- Possibly debunk claims made by the government outside of Parliament
- To raise an important issue and so on
- Wrong or inaccurate answers can be seen as an attempt to mislead the House, leading to raising of questions of privilege

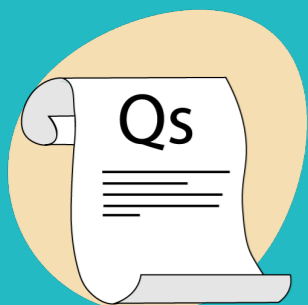


There are three types of questions- starred, unstarred and short-notice questions.



1) Starred Questions

Questions for which an MP desires an oral answer to be given by the Minister on the floor of the House. This exercise allows for supplementary questions to be asked in the House.



2) Unstarred Questions

Questions to which written answers are tabled by the concerned Ministers in the House.



3) Short-Notice Questions

These types of questions requires less advance notice.

*We need to
discuss this more*



Half an Hour Discussion

- Raised by an MP, when a recently answered parliamentary question, requires further discussion or expansion from the Minister concerned
- Not necessary that the discussion should last only half an hour

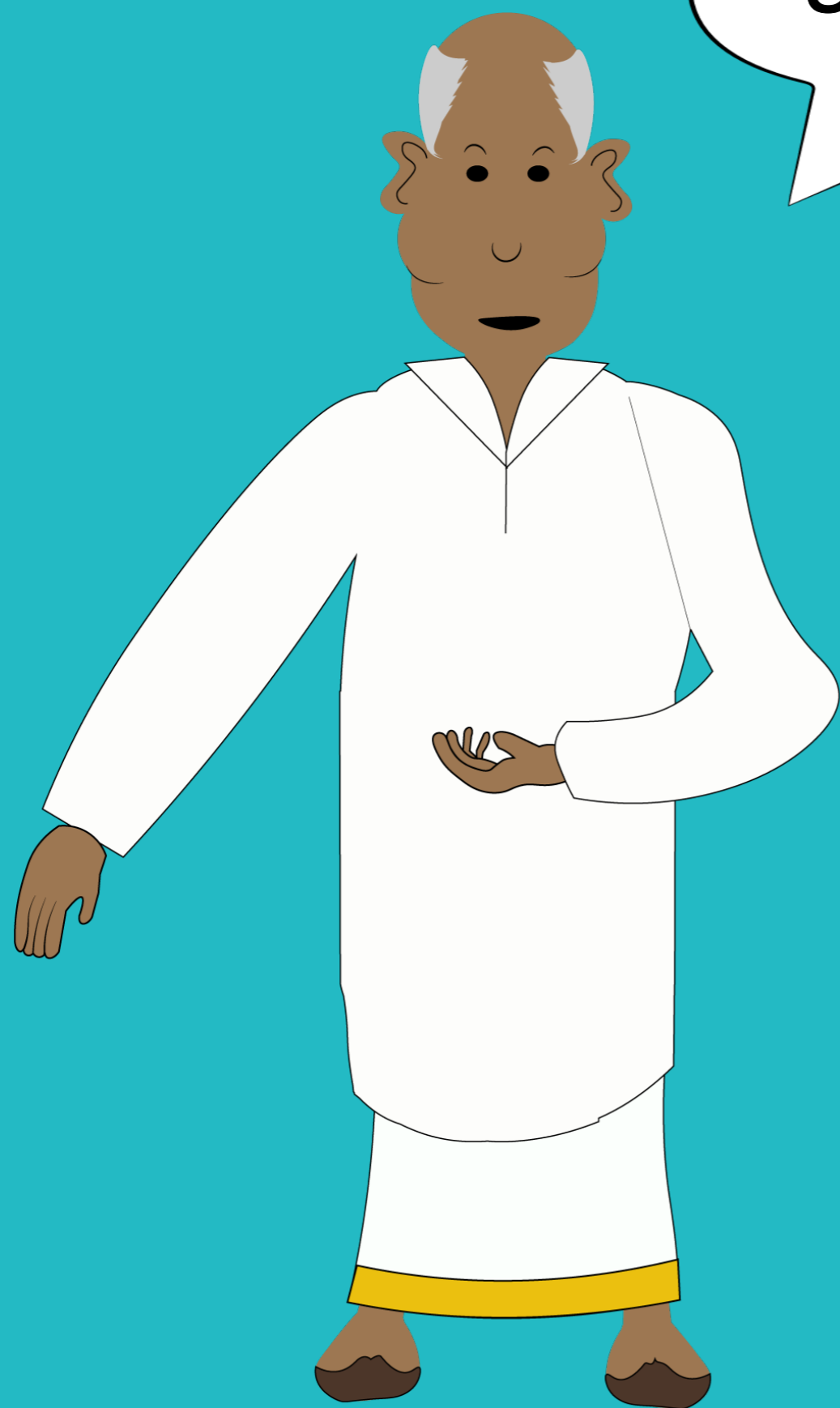
Short Duration Discussions

- Tool for focused debates on urgent public and nationally important themes
- MPs speak on the issue and finally, the relevant Minister responds
- Simply a discussion and does not result in any motion being voted upon

Calling Attention Motion

- Used to call the attention of a specific Minister to an urgent matter
- Minister responds to the statement of an MP

I want to briefly and quickly raise an area of concern



Zero Hour

Officially, there is no such term as 'Zero Hour' but it is used in common parlance to refer to an hour set aside for MPs to raise issues, mostly in their individual capacity. MPs usually raise issues through Rule 377/Special Mention etc

Special Mention (Rajya Sabha)/ Rule 377 (Lok Sabha)

- Enable MPs to direct the attention of the government to urgent matters
- Usually also accompanied by a proposed solution
- Relevant Minister is also supposed to respond, usually done in writing through a letter to the concerned MP



Motions to Criticise

Adjournment Motion	No Confidence Motion	Censure Motion
<ul style="list-style-type: none"> Moved to critique or express displeasure towards the government 	<ul style="list-style-type: none"> Moved against the entire Council of Ministers and implies that the Council does not have the confidence of the House 	<ul style="list-style-type: none"> Moved to express criticism or censure towards either one Minister, a group of Ministers or the entire Council of Ministers
<ul style="list-style-type: none"> Only used in the <u>Lok Sabha</u> 	<ul style="list-style-type: none"> Only used in the <u>Lok Sabha</u> 	<ul style="list-style-type: none"> Used in both Houses
<ul style="list-style-type: none"> If the motion is successful, the House adjourns its proceedings for that sitting or till a specified date 	<ul style="list-style-type: none"> If successfully passed, it leads to the resignation of the government 	<ul style="list-style-type: none"> Its passing does not lead to the resignation of any Ministers

Disruptions

Although not an official, legitimate or even permitted act, disrupting parliamentary proceedings are very much an integral part of Parliament

For Opposition parties, disrupting proceedings is not an arbitrary act. They are carried out to protest against specific acts, statements etc. of the government

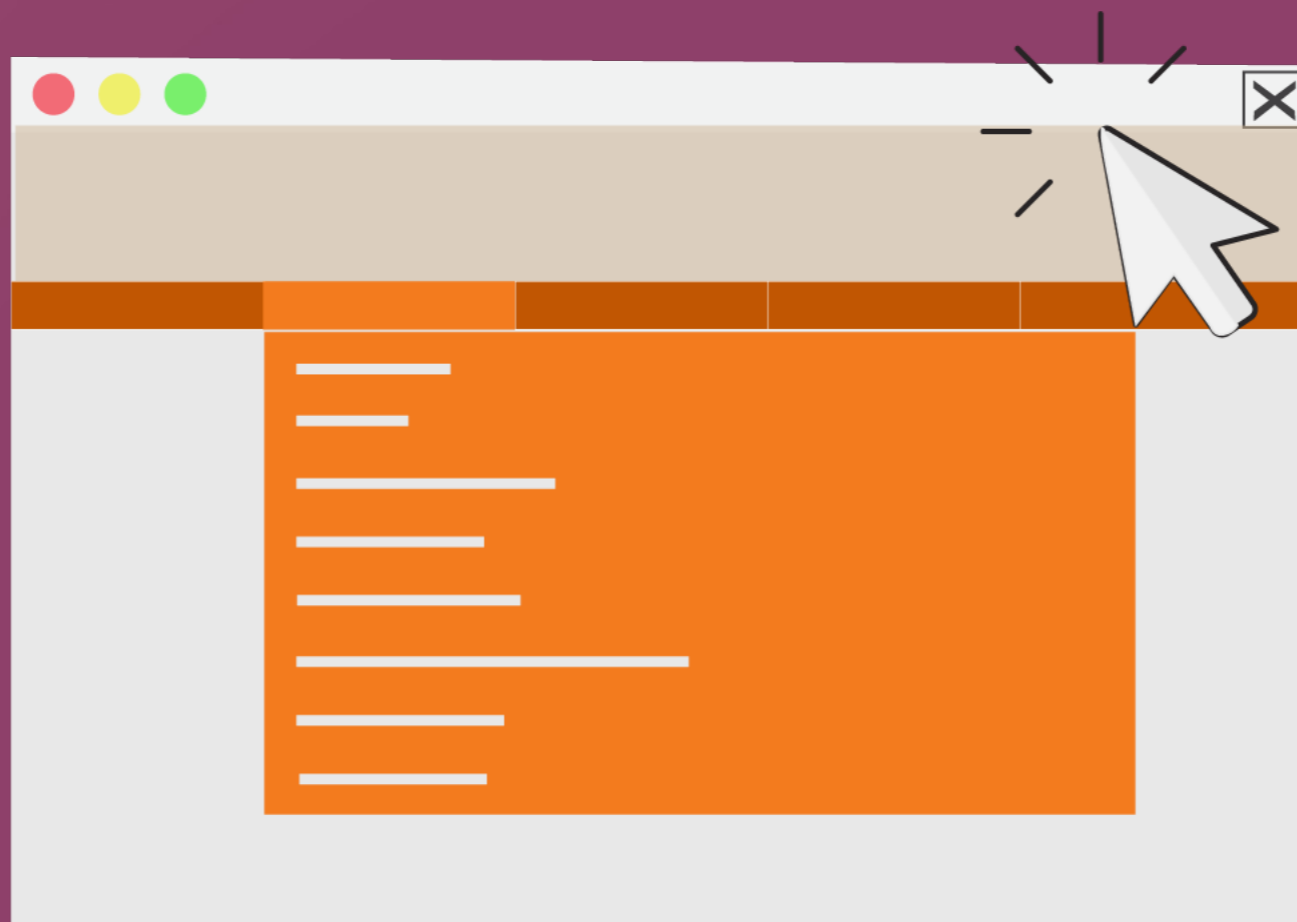
The Presiding Officer (PO) has three options in such a scenario:

- Appeal to protesting MPs to let Parliament function smoothly
- Ignore the disruption to get parliamentary business done
- Adjourn proceedings for a short break
- Take action against disrupting MPs

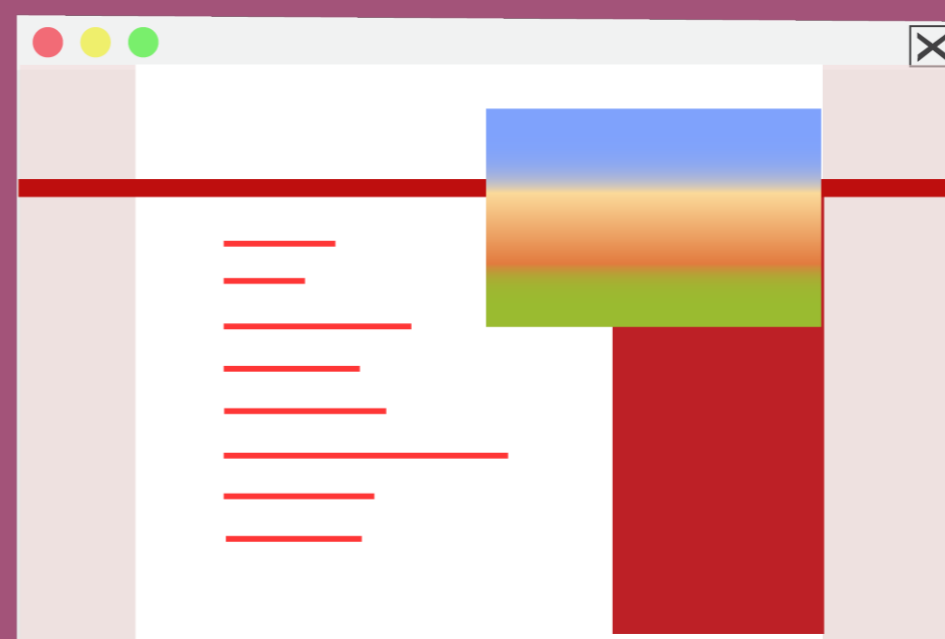
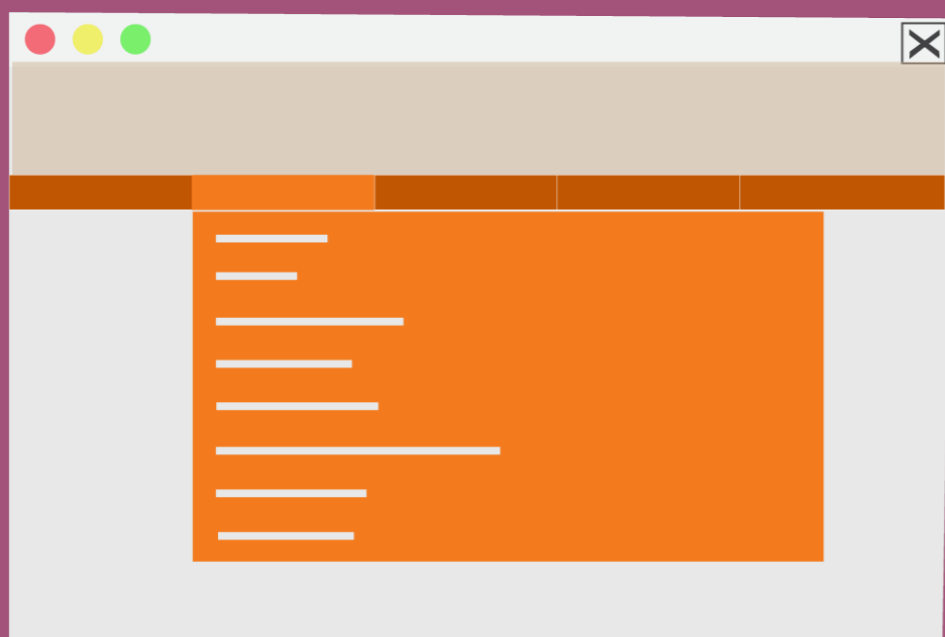
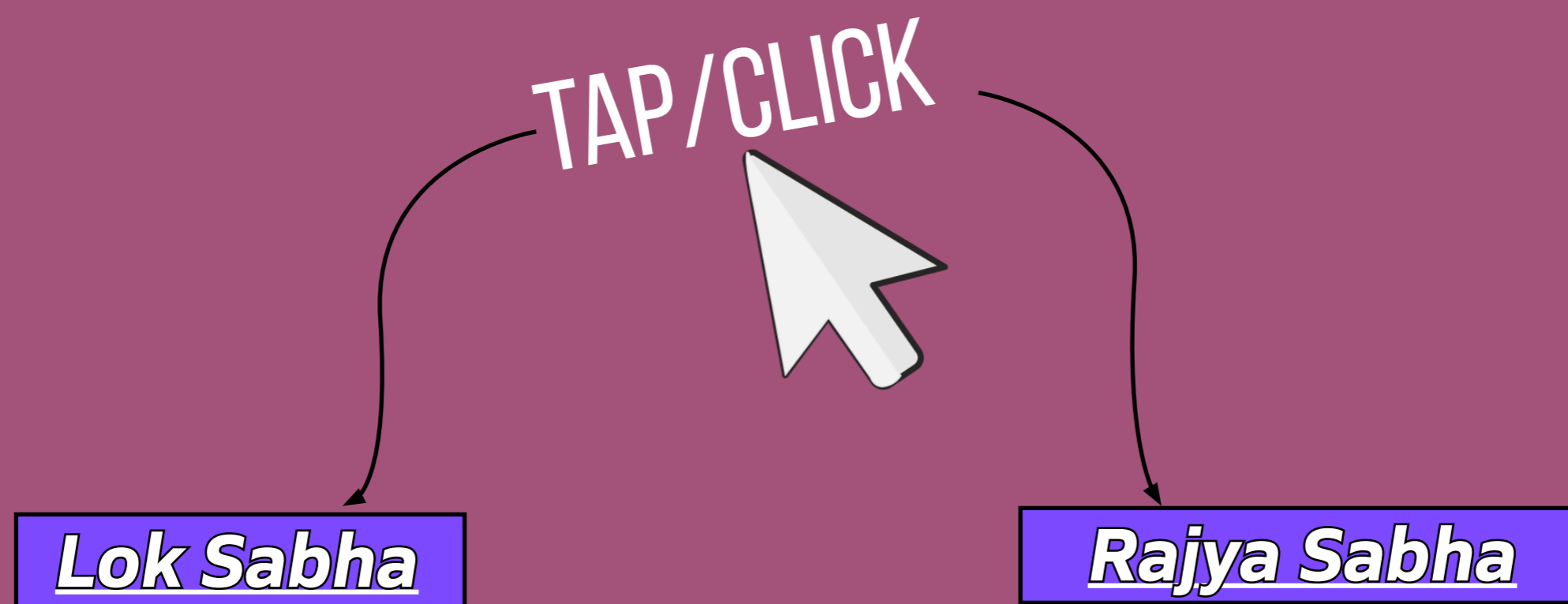
When an entire session gets affected because of repeated disruptions, it is called a “washout”.

Part 6

Parliament Online



The Lok Sabha and the Rajya Sabha both host separate websites which are regularly updated and which provide a wealth of information.



Knowing your MPs

Websites provide detailed information about MPs, including their contact information, bios, and parliamentary performance.

The screenshot displays the Lok Sabha website interface. At the top, there is a search bar and navigation links. The main content area is titled "Members' Biographical Sketch (Alphabetical)" for the "Seventeenth Lok Sabha". It includes a search form with a "Submit" button and a "Reset" button. Below the search form, there are filters for "Name" and "Constituency", a "pdf" dropdown, and "Download" and "Print" buttons. A list of members is shown, with columns for "Sl. No", "Name Of Member", "Party Name", and "Constituency (State)". The first row shows "A. Raja Shri" from the "Dravida" party, representing the "Nilgiris (SC)/Tamil" constituency. The page also features a "Members' Birthday" section with "TODAY" and "MONTH WISE" buttons, and a "Members' Participation in Business" section with various links.

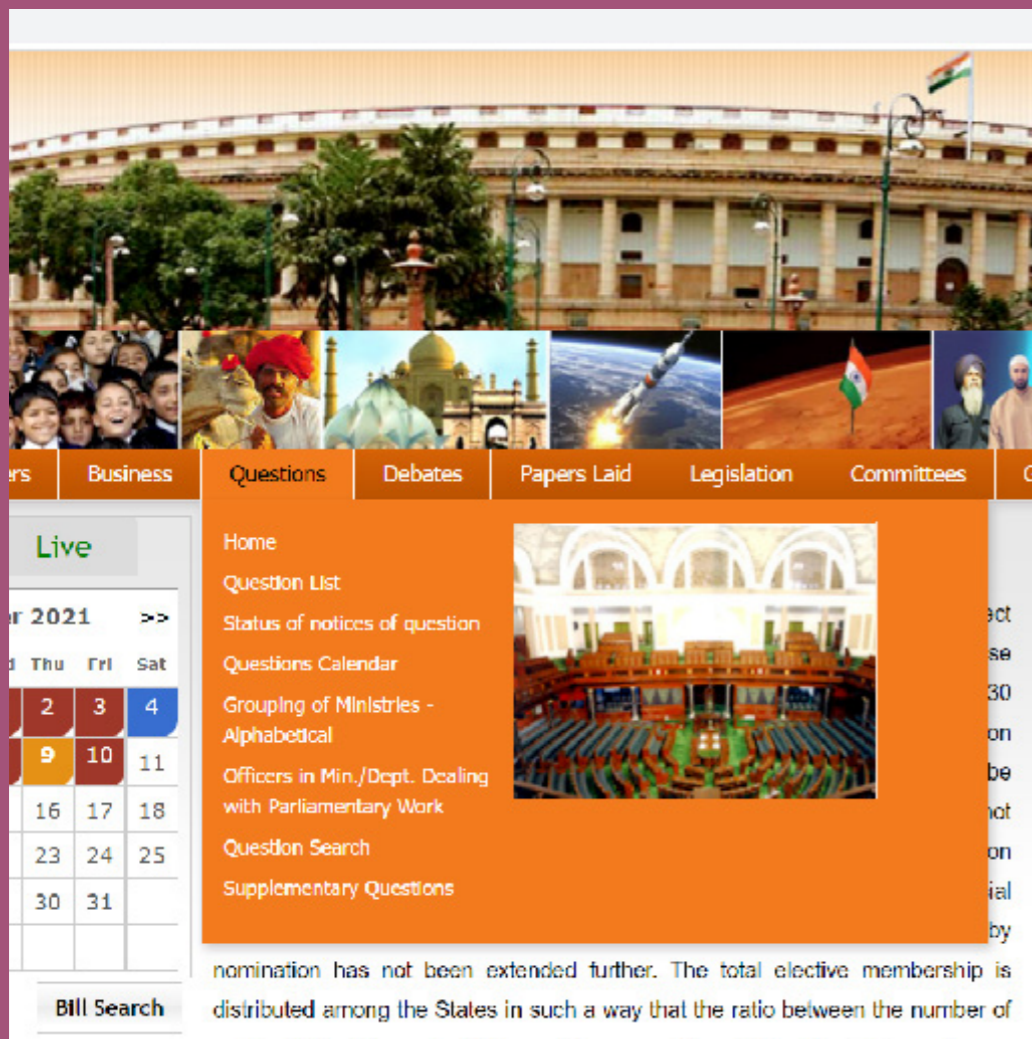
The Lok Sabha Members' section can be accessed [here](#).

The Rajya Sabha Members' section can be accessed [here](#).

Parliamentary Questions

You can access the full repository of all questions asked and replies by the government.

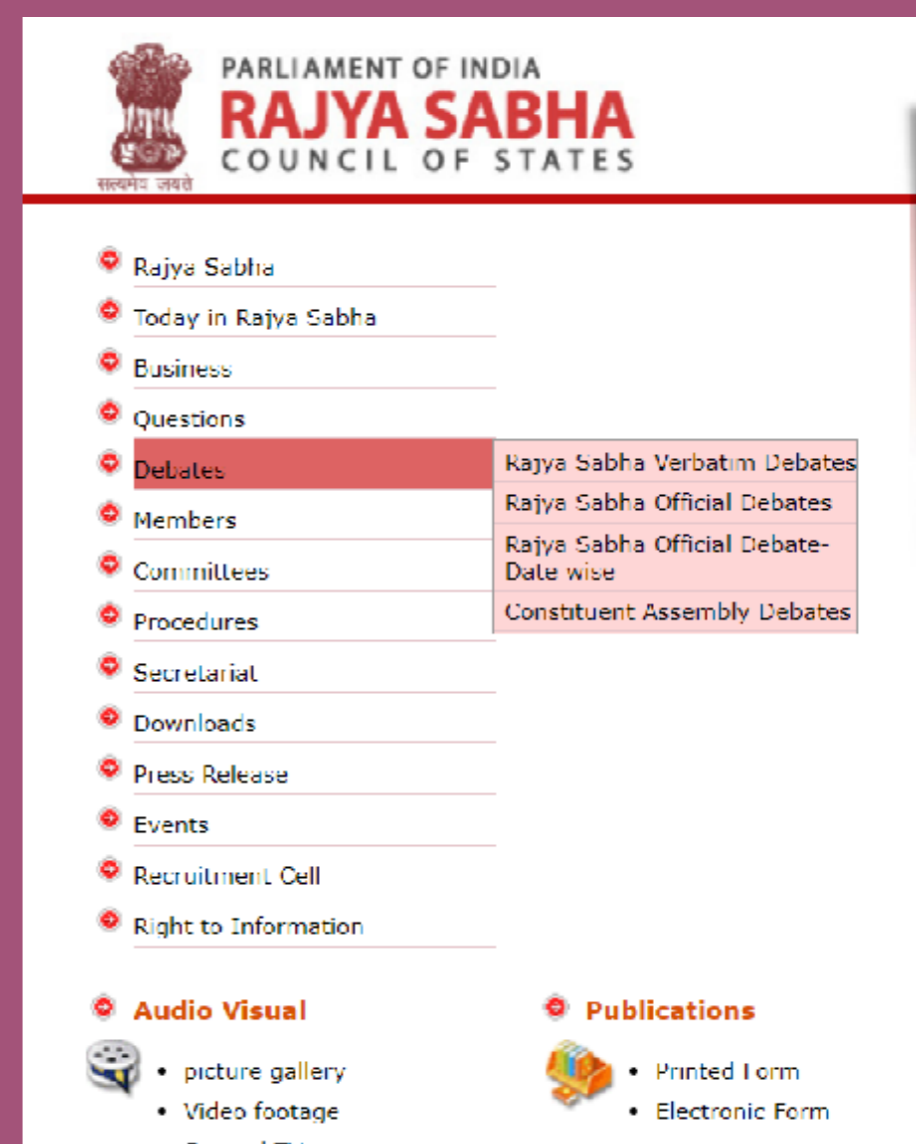
Go to the 'Questions' tab on the Lok Sabha website.



Go to 'Questions' tab on the Rajya Sabha website.

Proceedings

The websites of both Houses upload the text of the debates (i.e. essentially a transcription of the proceedings). You can look up the text of the debate for each day

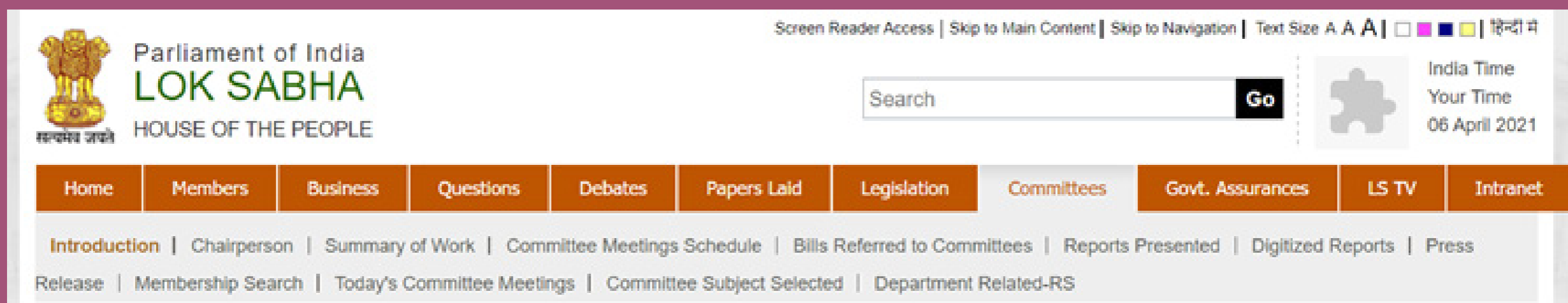


Access Lok Sabha debates [here](#).

Access Rajya Sabha debates [here](#).

Committees

Under the ‘Committees’ tab of both Houses available, you can find information on different Committees, their constituent members, reports presented by the Committees, schedules of meetings and so on.



Access information on Lok Sabha Committees [here](#).

Access information on Rajya Sabha Committees [here](#).

Legislation

The Lok Sabha website has a handy search facility called the Parliamentary Bills Information System available [here](#).

It helps you access the text of current and past bills taken up in Parliament. The search facility allows you to filter by type, date, status and so on.

Home / Legislation / Bills Search

Seventeenth Lok Sabha
PARLIAMENTARY BILLS INFORMATION SYSTEM
 Bills Search

Bill Introduced in House :	<input type="radio"/> Both Houses <input checked="" type="radio"/> Lok Sabha <input type="radio"/> Rajya Sabha	Bill Type :	<input type="radio"/> All <input checked="" type="radio"/> Government <input type="radio"/> Private Member
Bill Status :	<input type="radio"/> All <input checked="" type="radio"/> Assented <input type="radio"/> Passed <input type="radio"/> Pending <input type="radio"/> Withdrawn <input type="radio"/> Negatived <input type="radio"/> Lapsed		
Search in - Short Title of the Bill - Give Keyword(s) :	<input type="text"/>		
Introduced by Member :	<input type="text" value="--- Please Select ---"/>	<input checked="" type="radio"/> Current <input type="radio"/> Ex-Members	
Ministry-in-charge of Bill :	<input type="text" value="--- Please Select ---"/>	Bill Category :	<input type="text" value="--- Please Select ---"/>
Bill introduced between years :	From: <input type="text" value="Select"/>	To: <input type="text" value="Select"/>	<input type="button" value="Submit"/> <input type="button" value="Reset"/>

Total Bills : 2499

pdf