
EFFECTIVENESS OF INDIAN PARLIAMENT

Dr. Meetu

*Assistant Professor, Department of Political Science, Dasmesh Girls College, Chak
Alla Baksh, Mukerian, Punjab, India*

Abstract

In India, the Parliament occupies position of primacy among the organs of the state. Notwithstanding the fact that it functions within the bounds of a written constitution and a federal framework, the actual authority, power, scope and range of its jurisdiction are immense. While Parliament, under the scheme of the constitution, does not itself govern the country, it exercises effective supervision, in various ways through a purposive use of parliamentary procedure and a system of committees. Ironically, its role was greatest under the charismatic Jawaharlal Nehru. His successors have shown disdain for the institution as a check on the executive. While Parliament has become more representative, it has declined in status and effectiveness. Subject-based standing committees have been created in an attempt to revitalize the institution. While it continues to be a 'reactive legislature', Parliament's role in India's political system is more marginal than it was in the country's early years. This article analyses the declining role of the Indian Parliament.

Key Words: *Parliament, Constitution of India, Lok Sabha, Rajya Sabha, legislative Business, Government, Disruption.*

The term Parliament has a meaning. In French they call it 'Parlement'. It is derived from the word 'Parler' or 'Parley' which means 'to talk', 'talking' (verb) or 'talk' (noun). Originally the word was applied to the after dinner gossips of monks in their cloisters. The term was used for national assembly's after the middle of thirteen century, which took some definite shape in what was later on called in Britain, the Britain, and the Model Parliament of 1296. "Parliament" Ruskin said, "Is a talking shop". It is literally true in as much as parliament we talk and discuss, try to persuade and take decisions through discussion and persuasion.¹ In the Indian political system the Parliament is the supreme representative body of the people and the legal repository of their ultimate authority. It is the highest organ of democracy and custodian of the liberty and well-being of the society. Parliament is the heart of the constitutional government and administration of the country. It is sensitive radar of national sentiment.²

Echoing the same sentiments, the former secretary general of the Rajya Sabha, agnihotri said that "Parliament being the highest representative institution in a democracy is the repository of the sovereign will of the people. The public mandate expressed through an electoral process determines Parliament's rationale for existence. Parliaments, the world over, fulfill their mandate by making legislations, deliberating on public importance, scrutinizing and overseeing executive actions and ventilating the people's grievances."³ However, the question that arises here is whether Parliament has been able to perform responsibilities and role in accordance with the letter and spirit of the Constitution. There is a growing perception in the public, the press, the academia, the politician and the Civil Society that there has been a sharp decline in the powers and authority of Parliament as a crucial pillar of Indian democracy and as an oversight institution over the functioning of the executive. In

other words, the executive does not treat Parliament with a sense of seriousness anymore. It is often said that Parliament has been reduced merely to a level of theatrics and level of gossips, not more than a talking shop or a coffee home. It has become a pocket or captive organization of the executive instead of being a free and open house to critically deliberate the proposals presented before it.⁴

Parliament is the custodian of the constitution of India. The Preamble to the constitution proclaims the supremacy of the people of the country. They exercise their supremacy through their elected representatives who are the members of Parliament. Nowadays, the non-functionality of Parliament is making headlines. The 15th Lok Sabha could be termed the least productive in the annals of Indian Parliament. As per the statistics prepared by the Lok Sabha Secretariat, only 1,157 hours of sitting took place until the 12th session of the 15th Lok Sabha. This is far behind the record of the 14th Lok Sabha, which had 1,736 hours and 55 minutes of sittings. In fact, the first Lok Sabha held 677 sittings of about 3,784 hours during its 14th sessions. The story is no different in Rajya Sabha, the Upper House of Parliament. For the first time in the history, the Upper House returned the budget without any discussion.⁵

The main reason for the disruptions is that there is limited space for the opposition parties to get their agenda on table. Three complementary approaches can address this issue: build greater consensus on bills; create systems that empower the opposition parties; create better time management, Parliament now consists of more than 30 parties and any small group can disrupt the proceedings. This implies that there is need to build a broad consensus on issues before taking them up. Indeed, over 50 percent of all speeches by opposition members have supported government bills, indicating that only bills that had wide support reached the final phase of discussion.⁶

We should not be surprised at the gradual descent in the credibility and nature of proceedings in parliament. Noise, scuffle and disruption, rather than deliberation and opposition through debate, are gradually becoming the norm in both houses of Parliament. This is true of the state-level legislatures as well. Even as Indian democracy is celebrated for its higher voter turnout, the deliberative aspects of this democracy have been heading in the opposite direction and no political party-in government or in opposition-seems to be worried about the implications for the functioning of this arm of the state.⁷ Parliamentary democracy is facing its latest - threat. The near-lack of debate, which is the *raison d'être* of Parliament, has been conspicuous by its absence. The decline in the hours spent in constructive work has been all but missing almost throughout the 15th Lok Sabha. Unlike the just concluded monsoon session, all the previous session during this UPA regime turned out to be unproductive, with disruptions and adjournments stalling majority of legislative business.⁸

The changing face and character of our Parliament and success, money, pelf, patronage and power having become supreme values in the life of parliamentarians have negatively impacted the working and performance of this great institution of democracy. Politics is seen as lucrative profession rather than a mechanism of service to the people. This situation is indicative of a parliament deficient in quality, confidence and character. Restoration of Parliament and its dignity as a pivotal institution ought to be our highest national priority. India's civil society is also distressed by frequent occurrence of parliamentary pandemonium but is helpless. Political parties and MPs know very well the vulnerable

consequences of rendering Parliament as an institution irrelevant in the national life. Political parties are responsible for the rising power of money, muscle and decibel.⁹

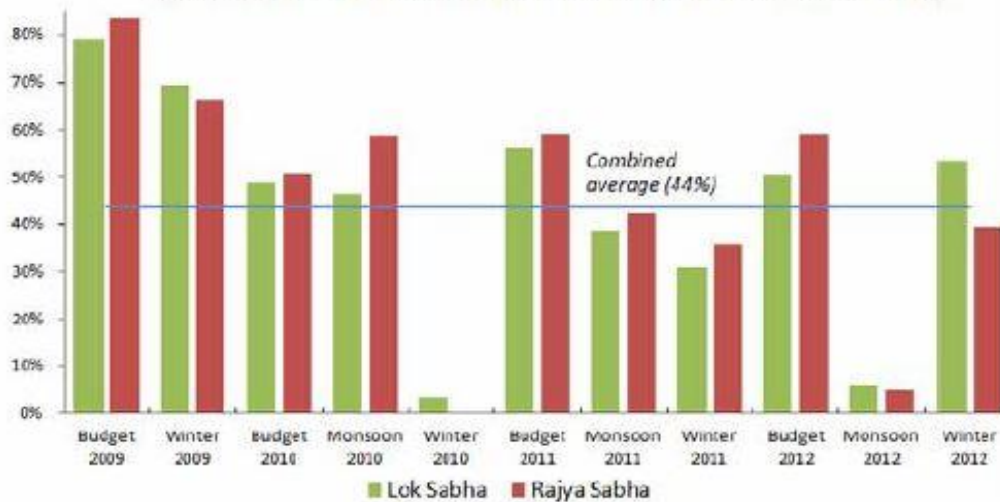
The standing committee system helps in detailed examination of bills and building cross-party consensus. However, some important bills have not been referred to the committee – for instance, the recent amendments related to rape laws. The committee process should be made a mandatory step-as it is in the British Parliament. The committee's recommendations are purely advisory in nature, and governments have often ignored them. When the government differs from the views of a standing committee, it should be required to give reasons for doing so.¹⁰ Committees are considered to be a nerve centre of the functioning of parliament. They provide not only a rightful and meaningful place to the back benchers, but also provide insightful inputs and support to parliament. The committees were designed to be a mechanism that would provide a meaningful dialogue between the government and the legislators.

Parliament is conceived as the supreme body for the purposes of legislation and public policy formation. But has it been effective in performing that role too. The question can be examined in terms of several parameters like the number of sittings, the number of bills passed and time spent on them, the number Private Members Bills passed or taken up for consideration and the time spent on them and the number of disruptions caused. Several academics have sought to investigate these questions and have invariably concluded that there is a perceptible parliamentary decline. The words expressed by the chairman of Rajya Sabha, Hamid Ansari on the conclusion of 219th session of Rajya Sabha are worth recalling. He said:¹¹

“During this long budget session, not even a single legislative business. Honorable members also did not have adequate time to raise special mentions or matters of public importance. These trends in the conduct of business have invited adverse legislature in the eyes of the public. Correctives have thus become imperatives.”

Parliamentary democracy is facing its latest threat. The near-lack of debate, which is the *raison d'être* of Parliament, has been conspicuous by its absence. The decline in the hours spent in constructive work has been all but missing almost throughout the 15th Lok Sabha. Unlike the just concluded monsoon session, all the previous sessions during this UPA regime turned out to be unproductive, with disruptions and adjournments stalling majority of the legislative business. The monsoon session was perhaps the most fruitful for the UPA government, with key bills such as the Food Security Bill, Land Acquisition Bill and Pension Bill getting the Parliament nod. This session too had its share of adjournments and disruptions. Contentious issues like the Telangana, missing coal files, border security issues with Pakistan and China, and the economic crisis provided leverage for the Opposition to attack the government. The clouds were cleared only after Prime Minister Manmohan Singh made a statement in both houses about the missing coal files. According to PRS survey, the Lok Sabha lost 42 per cent of the total time while Rajya Sabha lost 20 percent due to adjournments. On 12 days, Lok Sabha sat for less than an hour. Question Hour was conducted for only 13% of the scheduled time in Lok Sabha and 29% in Rajya Sabha. The government was able to get the key bills passed as the sittings were extended by five days in the Lok Sabha and six days in the Rajya Sabha to make up for the loss of time during the first three weeks.¹²

Question hour in the 15th Lok Sabha (% of scheduled time)



Source: PRS Image Courtesy

It was just the loss of dignity and intellect alone that plagues and Parliament. In the 1950s, India's Lok Sabha sat for an average of 127 days a year. Since the year 2000, it has managed an average of just 72 days a year. Between 1952 and 1989, it typically passed nearly 65 bills a year. That number has fallen steadily to about 40 bills a year. From 1962 to 1991, every Lok Sabha consistently crossed the 100 percent productivity mark, meaning that they worked well beyond the time allotted to them – 11am to 6 pm for Lok Sabha and 11am to 5 pm for Rajya Sabha. In contrast, the 15th Lok Sabha has clocked in 63 percent productivity.¹³

In the Indian Constitution, it is clearly stated that the Cabinet is collectively responsible to the Parliament. But if we see the current situation, it is Parliament that is responsible to the executive. For example, Parliament does not have the power to decide to hold sessions. The decision is in the control of the executive branch. Furthermore, the anti-defection law prevents Members of Parliament from deciding on issues.¹⁴

India's Parliament set all sorts of unwanted records in the five-year term that just ended. Never before in India's history did a parliament work fewer hours, and this house was also passing the least number of bills. Proceedings were in fact disrupted so often, that the productive time of the lower house, or Lok Sabha, stood at only 61 percent. Among the more frequent forms of protests were shouting down the speaker and each other, snatching papers from officials and waving placards in front of the speaker's chair. At one point some parliamentarians also got rid of their clothes to protest with their chests bared. Others pushed each other around, uprooted microphones, smashed a glass and a computer, and one guy even used pepper spray.¹⁵

In the the last days of the 15th Lok Sabha members were resorted to acts almost unheard or unseen in parliament – use of pepper spray in the house and disrupted almost the entire proceedings since the government announced the decision to form the separate Telangana state out of Andhra Pradesh. It was indeed a virtual blot on democracy, when almost the entire winter session of the 15h Lok Sabha in 2012 was washed out as the opposition remained firm on its demand for a Joint Parliamentary Committee to probe the 2G Spectrum Scam and the ruling UPA stuck to a contrary stand. This *Lok Sabha* passed 177 bills of the 326

it had listed for consideration and passing in its five year tenure. This is the least number of bills passed by a full five-year-term *Lok Sabha*.¹⁶

India is often taken as an example of a diverse nation held together by the glue of democracy. Parliament is a forum for debate and discussion but today, it is in serious danger of coming unstuck. Many crucial Bills fall by the wayside as our elected representatives engage in meaningless hostilities. The sort of conduct has been seen that MPs have no respect or consideration for the people who have elected them to their high office. If they have differences, they are free to raise them in Parliament. Most of them don't do any homework on the issues they take up and instead resort to mindless shouting and violence.¹⁷

Conclusion

In sum, it could be argued that there has been a trend toward increasing marginalization of Parliament as a legislative institution, as an institution of enforcing good governance and providing specially a corruption free government. Parliament can be saved from further decline and its past glory and status can be restored only through a mandatory investigation by Parliament in any major financial scandal or acts of immorality. What is needed is that parliamentarians adhere to their own oft-repeated resolutions that they will not disrupt proceedings. The number of sittings should be increased every year. Having more time will enable more topics to be debated and reduce the competitive politics of prioritizing the issues to be discussed. Indian Parliament should announce a calendar at the beginning of each year. This could include the dates on which Parliament should meet as well as the government's proposals legislative business. Such a system will allow better planning and coordination. These changes could help to resolve several factors that lead to disruptions.

While Parliament can be an effective forum for discussion, very little materializes from debates. Mps cannot speak or vote their mind. It is done entirely on party lines and system is not just in that sense. As a result of coalition politics, Parliament continuous to become more fractionalized that effects the durability and cohesiveness of politics. There is no illusion that Parliament can control the executive. The executive branch can pay members of Parliament and influence voting. On representation, very few *Lok Sabha* MPs have been elected with just 10-12 % of the vote share. This does not strengthen the functioning of Parliament. There is needed to keep up the pressure for the accountability on the government.

REFERENCES

- ¹ Dr. Subhash C. Kashyap, *Parliamentary Procedure: Law, Privileges, Practice & Precedents*, Second Edition, Universal Law Publishing Co. Pvt. Ltd., 2006, p.3
- ² Upamanyu Shaileja, *State in the Political System*, Jaipur, Rawat Publications, 1997, p.115.
- ³ V.K. Agnihotri, "Evaluating Parliament: Objectives, Methods, Results and Impact", A Discussion Paper for a Conference Jointly Organized by *Indian Parliamentary Union*, Geneva, October 22, 2009, pp.3-4.
- ⁴ Rajvir Sharma, "Declining role And Relevance of Parliament In India", *Journal of Constitutional and Parliamentary Studies*, Vol.46, Nos. 3-4, July-December 2012, p.239.



-
- ⁵ P. Rajeev, "Parliamentary Supremacy under Attack", *The Hindu*, August 7, 2013.
 - ⁶ M.R. Madhavan, "Designing a House that Works", *Indian Express*, May 3, 2013.
 - ⁷ Editorial, "Descent of Parliament", *Economic and Political Weekly*, Vol. XLV, No.11, March 13-19,2010, p.8.
 - ⁸ Vinod Madhavan, " Dangerous Decline of Parliament's Role in India", *The New Indian Express*, 15th September, 2013.
 - ⁹ Dr.L.M. Singhvi, *Parliamentary Democracy in India*, Ocean Books Pvt. Ltd., New Delhi, p.139.
 - ¹⁰ M.R. Madhavan, "Designing a House that Works", *Indian Express*, May 3, 2013.
 - ¹¹ *Rajya Sabha Debates*, Rajya Sabha Secretariat, New Delhi, August 31, 2010.
 - ¹² Vinod Madhvan, "Dangerous Decline of Parliament's Role in India", *The New Indian Express*, 15th September, 2013.
 - ¹³ *India Today*, March3, 2014, p.28.
 - ¹⁴ PRS Legislative Research, *Measuring Effectiveness of the Indian Parliament: Summary of Proceedings from the Conference on Effective Legislatures*, 5 December, 2008, p. 1 www.prsindia.org
 - ¹⁵ "Shouting, Undressing and the Use of Pepper Spray", *Delhi Encounters*, February 22, 2014.
 - ¹⁶ "Behaviour of Mostly Members of 15th Lok Sabha in India was Unfortunate", *Global Governance News*, February 24, 2014
 - ¹⁷ *The Hindustan Times*, 26 March 2014, p.12