



## The Big Picture - Strengthening Parliamentary Institutions

Recently, **Indian Vice President** pushed for the **Women's Reservation Bill, parliamentary reforms, a code of conduct for lawmakers** and **greater powers to the presiding officer to deal with disruptive legislators**.

- The Vice President, who delivered the **first Arun Jaitley memorial lecture at Delhi University**, also **pitched for a minimum sitting for both Houses in a year and a longer tenure to parliament's standing committees**.

### Strengthening Parliamentary Institutions

#### Ensuring Member Strength

- The Members of Parliament should be **present and attend** the sessions.
  - The issue of **lack of Quorum ( 10% of the strength of the Parliament)** should also be addressed. The presence of the members and the time of parliament's settings need to be increased to at least 120-130 days a year.
- Parliament should be allowed to **function without any disturbances** and everyone should do the assigned functions and duties.

#### Qualitative Debates and Discussions

- The **debates and discussions should be value-adding and qualitative. Parliamentary initiatives for value addition** in the members-
  - Training programs.
  - Sending them to visit other nations which work on Parliamentary systems and Commonwealth Nations.
  - Apart from this, MPs need to have time to prepare before the parliamentary sessions. Although there are fixed time slots for this, it is not taken seriously.
  - Parliament lacks enough support staff to assist the members for performing their duties and responsibilities.

#### Election of Candidates

- **Political parties should look at the merits of the candidates instead of their winnability**.
  - The **quality of debate** depends on the **members nominated by the political parties** for elections and then the elected members.
  - Winnability is the final determining factor in the election process but the **background, merit and the credibility of the contester should be given the utmost priority**.
- **MPs should be incentivised to actively take part** in the proceedings of the parliament and **the whip system** should be done away with for trivial issues giving more space to the different perspectives of the MPs. It should be used only for very important issues.

## Women's Reservation Bill

- At present, **women's representation in Parliament is 13% only.**
- **Geeta Mukherjee Committee's** report which was presented in **1996** talked about it and in **2010, the Bill was passed** in the **Rajya Sabha** but **Lok Sabha did not pass it.**
- **Political parties should come together on a consensual basis and commit** themselves to this issue.

## Greater Powers to the Presiding Officer

- In **Rajya Sabha, a motion has to be moved** by the agreed members to suspend a member from the proceedings of the house.
  - **Speaker of the Lok Sabha** has the power to **ask or suspend a member** from the proceedings of the house immediately and that change was introduced in **13<sup>th</sup> Lok Sabha (1999-2004) with G.M.C. Balayogi as the Speaker.**
- **Longer tenure for the parliamentary committees** is also suggested to ensure the **capacity building of the members** so that they can hold the government accountable in parliamentary deliberations.
- **Ensuring MPs' awareness of the issues and effective participation in the parliamentary proceedings.**

## Improving the Law-Making Process

- Some kind of **pre and post-assessment** has to be done to involve all stakeholders adopting a holistic approach.
- There is always a **scope for improvement** in lawmaking to **rule out the possibility of decisions which are** not actually needed.
- **Strong subject-based legislative aids and experts** are needed to strengthen the law-making process. It will give parliamentarians an **extra added advantage** and the **laws will be more useful and targeted.**
- The **parliamentary whip itself needs to be looked differently,** allowing members dissent from within. It will **allow the incorporation of multiple ideas to the law-making process** and will enrich it.
- Parliament has to play equal roles at the **pre-legislative part of the law-making process and the post-legislative impact assessment or post-legislative scrutiny.**

## Legislative Impact Assessment

- A detailed framework for pre and post Legislative Impact Assessment was needed.
- Every legislative proposal must incorporate a detailed account of the social, economic, environmental and administrative impact of any law or legislation for wider awareness and subsequent legal assessment.
- A new Legislation Committee of Parliament to oversee and coordinate legislative planning should be constituted.

## Role of Parliamentary Committees

- Parliament has **time constraints** whereas **parliamentary committees have no such time constraints** as they work throughout the year.
- Parliament needs to **utilise the time and resources of these committees.**
- Parliament which is an **accountability institution** of the government needs resources and **top-notch research** not only for the members but for the committee also.
- Committees need **subject-specific resources and research so expert panels should be provided** to them.

- It should be ensured that the **entire lifecycle of the legislature is scrutinised**.
- **Political parties** also have to play an **active role in guiding the legislators**. It should **bear the responsibility of informing the legislative agenda far before the session** begins to give ample time to the members to participate.

## Role of Political Parties in Ensuring Code of Conduct in the Legislature

- The government can **draft a code of conduct for the members** of Parliament and circulate it among the political parties. It should be then **finalised on a consensus-based mechanism**.
- Current code of conduct should be **formally established and strict actions must be taken on violations**.
- Being the representatives of the public, **MPs should abide by their expectations** which are formulated into the code of conduct.
  - Although parliamentarians signed documents on code of conduct on the occasion of **50 years of Independence (1997)**, they did not work for long.
- The issue is **not just about the procedure and practice but also about politics** which is equally important and needs to be responsible.

## Way Forward

- **Ideas have to be institutionalised** and put into actions.
- **Parliament's sitting mechanism could be changed to a longer one** instead of three sessions to save it from wasting time in the starting and ending processes.
- Once the **problem** is found out, it is **easy to identify and list the solution** which should be done as soon as possible.
- Strengthening the backbone of parliament, parliamentary secretariat, research and individual MPs' capacities will help in overall strong structure and governance.

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