



Slumbering Parliamentary System

This article is based on '[Dormant Parliament, fading business](#)' which was published in The Hindu on 27/03/2021. It talks about the deteriorating efficiency of the Parliament and related issues.

The Parliament of a country is central to the very idea of democracy assigned with the pivotal roles of framing legislation, ensuring accountability of governments and holding debates and discussion on various concerns.

In this context, the Parliament of India, even after so many years, has neither evolved nor matured as it could, might or should have.

Shorter Parliamentary sessions and leniency in the scrutiny of the Bills have diminished the stature and efficiency of the Parliament.

To preserve the very idea of India as a democratic country, the Parliament needs to function more actively in terms of framing bills, its scrutiny and holding sessions.

Dormancy in Parliament and Related Issues

- **Shorter Parliamentary Sessions, a Trend:** The [Budget](#) Session of Parliament for 2021 ended two weeks before the planned time due to involvement of political leaders in campaigning for the state assembly elections.
 - The Budget session of 2020 was also curtailed due to [nationwide lockdown](#) imposed due to the [Pandemic](#).
 - The 18 days Monsoon session in 2020 also lasted for only 10 days while the winter session was cancelled.
- **Weakened Legislature Scrutiny:** 13 Bills were introduced in the budget session out of which 8 were passed within the session and none of the 13 bills was referred to any parliamentary committee for examination.
 - The introduction and passing of the [Government of NCT of Delhi \(Amendment\) Bill, 2021](#) by the Lok Sabha and Rajya Sabha was merely a 10 day process.
 - The [Mines and Minerals \(Development and Regulation\) Amendment Bill, 2021](#) was also passed by both Houses within a week.
 - The [National Bank for Financing Infrastructure and Development \(NaBFID\) Bill, 2021](#) was passed within three days of introduction.
 - The [Insurance \(Amendment\) Bill, 2021](#), aimed at increasing the limit of [FDI](#) in [insurance](#) companies from 49% to 74% also took just a week between introduction and passing by both Houses.
 - This quick work should be read as a sign of **abdication by Parliament of its duty** to scrutinise Bills, rather than as a sign of efficiency.
- **Gradual Marginalisation of Parliamentary Committees:** According to data by PRS Legislative Research, the percentage of Bills referred to [Departmentally Related Standing Committees](#)

(DRSCs) declined from 71% in the 15th Lok Sabha (2009-14) to 27% in the 16th Lok Sabha and just 11% in the 17th Lok Sabha (2019-present).

- Apart from the DRSCs, there are negligible bills referred to Select Committees of the Houses or Joint Parliamentary Committees.
- **Discussion for Union Budget:** The Constitution of India requires the Lok Sabha to approve the expenditure Budget of each department and Ministry.
 - The Lok Sabha had listed the budget of just five Ministries for detailed discussion and discussed only three of these.
 - Moreover, 76% of the total Budget was approved without any discussion.
- **Absence of the Deputy Speaker of Lok Sabha:** Article 93 of the Constitution provides for the Lok Sabha to select two of its members as the Speaker and Deputy Speaker.
 - The current Lok Sabha is in the absence of the Deputy Speaker, which is elected within a couple of months of the formation of a new Lok Sabha.

Way Forward

- **Parliamentary Scrutiny:** Parliament must ensure sufficient scrutiny over the proposals and actions of the government.
 - This may include:
 - Creating a system of research support to Members of Parliament.
 - Providing sufficient time for MPs to examine issues.
 - Moreover, to compensate for the issue of parliamentary sessions being shortened due to pandemic, remote working and technology related solutions is the way forward.
- **Transparency in Legislative Procedures:** Ensuring that Bills and budgets are examined by committees and public feedback is taken.
 - It will help citizens know where we went wrong and how it can be corrected.
- **Legislative Impact Assessment:** A detailed framework for pre and post Legislative Impact Assessment (LIA) is needed.
 - Every legislative proposal must incorporate a detailed account of social, economic, environmental and administrative impact for wider awareness and subsequent legal assessment.
 - Besides, a new **Legislation Committee of Parliament** should be constituted to coordinate legislative planning.
- **Parliamentary Committee Reforms:** Measures for the effective functioning of Department Related Standing Committees (DRSCs) like longer tenure, promoting specialization, etc are needed.
 - In countries such as Sweden, Finland and Australia, it is mandated to send either all or at least some specific bill to the parliamentary committees.
 - India should also mandate a similar requirement to avail the benefits of the committee system that have been taken for granted so far.
 - Circumventing the Parliamentary committees in the passing of significant legislation is a sign of weakening democracy.
- **Strengthening the Role of the Opposition:** In order to strengthen the role of the opposition, the institution of '**Shadow Cabinet**' can be formed in India.
 - Shadow cabinet is a unique institution of the British cabinet system formed by the opposition party to balance the ruling cabinet.
 - In such a system each action of Cabinet Minister must be countersigned by the minister in the shadow cabinet.

Conclusion

- Parliament has the central role in our democracy as the representative body that checks the work of the government. In order to fulfil its constitutional mandate, it is imperative that Parliament functions effectively.
- Also, proper scrutiny of the bills is an essential requirement of a quality legislation. Circumventing the parliamentary committees while passing legislations undermines the very spirit of the democracy.



Drishti Mains Question

“The dormancy of the Parliament makes democracy in India as good as dead. The deterioration in Parliament’s functioning needs to be stopped to make it fulfil its constitutional mandate”. Discuss.