

## 1. Should the public conduct of MPs and MLAs be subject to parliamentary scrutiny? Why or why not? Substantiate your views.

### Approach

Candidates can start the answer with giving short description on legislators conduct in public and then simply address whether there is requirement of any scrutiny also provide other side of arguments.

### Introduction

In a bid to assert their superiority over the rest, some MPs or MLAs go overboard and do misconduct in public. Some even threaten voters with dire consequences if they are not voted to power. Therefore, to ensure civility in political speeches and expressions, parliamentary scrutiny seems necessary in some situation.

### Body

Necessary of parliamentary scrutiny:

- The parliamentarian representing their constituencies in the Parliament/legislative body have time and again brought ill-repute to the institution with their incivility.
- Creating public nuisance, making unacceptable remarks and disrupting law and order are some of the major allegations they face. For example, communal sloganeering during pro CAA rallies in Delhi.
- Hate speeches are found tantamount to incitement of any offence, whether it's hated speech or treason, they are already punishable under Indian law if made outside the legislative house but parliamentary scrutiny will stand more effective.
- Parliamentary Committee while scrutinizing reports will be usually exhaustive and provide authentic information on matters related to misconduct of legislators.
- As parliamentary scrutiny through committee will be 'closed-door' and members will not be bounded by party whips, the parliamentary committee work on the ethos of debate and discussions.
- Nevertheless, free speech has to be distinguished from hate speech. Hate speech made by a legislator sometimes may not amount to offence, but some public check will have to be there even if it does not amount to an offence.

Parliamentary scrutiny will unfairly restrain legislators from making political speeches:

- The policing of public speeches will severely impact the ability of opposition voice to check the Executive and will thus be a detriment to accountability.
- Free speech of legislators protects the integrity of deliberations and is a shield against executive suppression of inconvenient voices.

- Freedom of expression is generally regarded as the foundation of a liberal democracy.
- Unfairly restraining legislators from making political speeches will strike a serious blow to democratic structure.
- Parliamentary Committees help by providing a forum where members can engage with domain experts and government officials during the course of their study. Scrutiny of legislators conduct in public should be left to state police.
- Reduced working hours of Parliament getting increased day by day due to frequent disruptions in the house in such situation role of committees in legislation process increases.

### Conclusion

The credibility of legislatures is defined by the conduct and behavior of their members. Therefore, MPs and MLAs are expected to observe the highest standards of discipline and decorum, both inside and outside the Houses.

**Q-2 -The disruption of parliamentary proceedings has a huge socio-political cost. how? Explain with the help of suitable examples.what measures would you suggest to enforce accountability for frequent disruptions ?**

### Approach-

In this question candidates need to write about how the disruption in parliamentary proceedings has huge socio-political cost.explain with help of some examples and and suggest some measures to enforce accountability .

### Introduction-

Disruption is replacing discussion as the foundation of our legislative functioning.In a representative democracy like ours, Parliament is supposed to be the voice of the people and people's disenchantment with the Parliamentary system would risk the relevance of this 75 year old institution of our society.

### Body -

A decline in the productivity of Parliament impairs its ability to effectively perform the duties that have been entrusted to it by the Constitution,

- Opposition protests and ruling party vindictiveness have resulted in the fall of parliamentary standards.
- Parliamentary discussion is a manifestation of a representative kind of democracy in operation, in the sense that representation of the people directly questions the government on matters of governance.
- Reduced working hours of Parliament: The Parliament working hours are getting reduced day by day due to frequent disruptions.
- Erosion of faith in Parliament and Fall of parliamentary standards.

### Socio-economic cost of disruptions -

- Disruptions and ineffective functioning lead to a reduction in the trust of people in Parliament.
- Wastage of taxpayers' money-Parliament not functioning to its fullest potential is the blatant wastage of taxpayers' money.
- The disruptions have led to a loss of more than Rs 133 crore to the exchequer,
- With Parliament being disrupted routinely, Members of Parliament (MPs) are not able to ask ministers tough questions during question hour to assess the work that their ministries are doing.
- According to government's estimates, each minute of the Parliament costs Rs 2.5 lakh.
- With disruptions eating into the time available for Parliamentary business, adequate time is not available for debating legislation.
- As a result, Bills either get passed without effective debate or remain pending in Parliament.
- With Parliament meeting for a fewer number of days and with its productivity falling on account of disruptions, MPs are not able to raise matters of urgent public importance and bring it to the attention of the government.
- It is easy to identify political controversies which lead to Parliamentary disruption. However these political controversies are only the symptoms and not the cause of disruption.
- In every democracy there would be contentious issues and the strength of a democracy would be demonstrated by the quality of debate and deliberation on such issues.
- For debate and deliberation to happen, Parliamentary procedure would have to evolve to enable political parties on different sides of the issue to set the agenda for debate and discuss the issue in detail on the floor of the house.
- In any Parliamentary democracy, Parliament influences and is influenced by public opinion. It is an institution where ideas are discussed and political and ideological differences ironed out through debate and consensus building.
- If disruptions in Parliament continue then slowly but surely it would lead to people slowly disengaging with the institution of Parliament.

### Measures to enforce accountability for frequent disruptions -

- Code of Conduct: To curb disorder in Parliament there is a need for strict enforcement of code of conduct for MPs and MLAs.
- These ideas are not new. For example, the Lok Sabha has had a simple code of conduct for its MPs since 1952. Newer forms of protest led to the updating of these rules in 1989.
- The Lok Sabha Speaker should suspend MPs not following such codes and obstructing the Houses' business.
- Increasing Number of Working Days: Recommended by the 2001 conference, there should be an increase in the working days of Parliament. It resolved that Parliament should meet for 110 days every year and state legislative assemblies for 90 days.
- This would also require Parliament to meet for more number of days in a year and sit for longer hours. This would ensure that even if the proceedings are disrupted there is still enough time for deliberations.

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- In the United Kingdom, where Parliament meets over 100 days a year, opposition parties get 20 days on which they decide the agenda for discussion in Parliament. Canada also has a similar concept of opposition days.
- Democratic Participation: Not all disruptions in the Parliament are necessarily counter-productive. Thus, the government of the day needs to be more democratic and allow the opposition to put their ideas in free manner.
- Proposals in Individual Capacity:
- In 2019, Rajya Sabha Deputy Chairperson mooted an idea of evolving a 'Parliament Disruption Index' to monitor disruptions in Parliament and state legislature.
- In the Lok Sabha, some members proposed automatic suspension of members who cause disruption and rush to the Well of the House. But the proposals are still in a nascent stage.
- Productivity Meter: The overall productivity of the session also can be studied and disseminated to the public on a weekly basis.
- For this, a "Productivity Meter" could be created which would take into consideration the number of hours that were wasted on disruptions and adjournments, and monitor the productivity of the day-to-day working of both Houses of Parliament.

Way ahead-

- An attempt must be made by parliamentarians to tamp down on this hostility with the onus on doing so being more on the ruling party and its representatives.
- There are enough tools, mechanisms, structures and precedents in India's parliamentary history that can be relied upon by the current set of legislators to bring back useful deliberation.

### Conclusion-

Democracy is judged by the debate it encourages and sustains. More strengthening of the Parliament is the solution to prevent disruption of its proceedings. There should be a deepening of its role as the forum for deliberation on critical national issues.

**Q-3 -What do you understand by zero hour ? what is its significance ? explain with help of suitable examples**

### Approach -

In this question candidates need to write about zero hour ,in second part of answer write about its significance and explain with the help of suitable examples .

### Introduction -

Zero Hour is the time when Members of Parliament (MP's) can raise Issues of Urgent Public Importance. For raising matters during the Zero Hour, MP's must give the notice before 10 am to the Speaker/ Chairman on the day of the sitting.

### Body -

Zero Hour' is not mentioned in the Rules of Procedure. Thus, it is an informal device available to MP's to raise matters without any notice 10 days in advance. This is because, generally, the matters are of public importance and such matters cannot wait for 10 days.

- While the dictionary meaning of 'Zero Hour' is "the critical moment" or "the moment of decision", in parliamentary parlance, it is the time gap between the end of Question Hour and the beginning of the regular business.
- The other rationale behind naming it so can be attributed to the fact that it starts at 12 noon.
- The emergence of Zero Hour can be traced to the early sixties, when many issues of great public importance and urgency began to be raised by members immediately after Question Hour, sometimes with prior permission of the Chairman or some other times without such permission.
- A practice started developing that as soon as the Chairman declared "Question Hour is over" a member would be on his feet to raise a matter which he considered or felt to be of utmost importance to be brought to the attention of the House, and through the House, to the Government, and which could not brook any delay nor could it await to be raised by following the normal laid available procedures.
- The Zero-Hour proceedings started stealing the limelight in the media, thereby encouraging more and more members to take resort to this quick and handy device.
- Zero Hour is an Indian innovation in the field of parliamentary procedures and has been in existence since 1962.
- During the sixties, members of parliament used to raise many pressing issues of national and global import after Question Hour.
- On such an occasion, a member raised an issue about announcements of policy made by ministers outside the parliament when parliament was in session.
- This act caused an idea among other members who called for another provision for discussing important matters in the House.
- Rabi Ray, the ninth Speaker of the Lok Sabha introduced certain changes in the proceedings of the House to create more opportunities for the members to raise matters of urgent public importance.
- He proposed a mechanism to regulate the proceedings during the 'Zero Hour', raise matters in a more orderly manner and optimize the time of the House.

- For the Rajya Sabha, the day starts with the Zero Hour and not the Question Hour as it is for the Lok Sabha.

Example: Zero Hour

- Shri Ravneet Singh, MP of Ludhiana had raised a debate in the Lok Sabha related to the controversial Farm Laws in the Budget session of 2021.

Significance of zero hour -

- The zero hour is the brainchild of Indian parliamentary system it came into existence in 1962 as mentioned above the ministers are not liable to reply to the issues raised in the zero hour .
- These critical issues are raised to attract the attention of the nation and the government .the zero hour provides a forum for MPs to discuss topics that are not included in the days agenda or are yet to be considered in the house .
- The zero hour allows for impromptu debates on pressing issues and provides an opportunity for the government to be held accountable on matters of public interest .
- Zero Hour used as mechanism aimed at bolstering the democratic system of the country.
- It is essence of the functioning of the Indian Parliament and play a pivotal role in bringing the important national issues to the table, seeking accountability.
- Over the past 70 years, the MP's have successfully used the devices to question the government's functioning. In the past, it has exposed several irregularities related to the country's finances and brought important data into the public domain.

### **Conclusion -**

An important Parliamentary instrument, the Zero Hour, has held accountable the government on urgent public welfare issues since the 1960s. Despite the fact that the parliamentary session and sitting are frequently disrupted by Zero Hour, it has repeatedly highlighted and held the government accountable for crucial problems.