

Law of Numbers

The Hindu

Paper - II
(Indian Polity)

The 18-day winter session of Parliament that was adjourned sine die on December 21 marked a new low in India's parliamentary democracy as the ruling Bharatiya Janata Party refused to engage with the Opposition, evaded executive accountability and passed a battery of Bills with far-reaching consequences for the country while a majority of the Opposition members remained suspended. In the final count, a total of 146 Members of Parliament (MP) from the Opposition bloc were suspended — 46 of the Rajya Sabha, and 100 of the Lok Sabha, as they clamoured for a statement by Union Home Minister Amit Shah on a breach of security that involved protesters gaining entry into the chamber of the Lok Sabha on December 13. The rift lingers, as Leader of Opposition in the Rajya Sabha Mallikarjun Kharge has written to Vice-President of India and Rajya Sabha Chairman Jagdeep Dhankhar, terming the suspension of Opposition MP as "predetermined and premeditated" by the government. The absence of any application of mind was evident, Mr. Kharge has written, recalling that an MP who was not even present in the Lok Sabha, was among those suspended. The Chairs of both the Houses could not ensure smooth conduct of the session. Attempts made by Mr. Dhankhar and Lok Sabha Speaker Om Birla lacked the requisite imprimatur of impartiality.

It was in the absence of a majority of the Opposition members that the government passed new laws that rewrite the criminal code of the country, regulation of telecommunication and the appointment of the Election Commission of India. The common feature of these laws is an unprecedented increase in the power of the executive, and it is not a coincidence that they were passed without a meaningful parliamentary debate that took on board conflicting views. The government refused even the Opposition demand

- The Winter Session of Parliament which commenced on 4th December, 2023 has been adjourned sine die on 21st December, 2023.
- The Session provided 14 sittings spread over a period of 18 days.
- During the Session 12 Bills were introduced in Lok Sabha and 18 Bills were passed by Lok Sabha and 17 Bills were passed by Rajya Sabha.
- 3 Bills were withdrawn with the leave of Lok Sabha while one Bill was withdrawn with the leave of Rajya Sabha.
- Total number of Bills passed by both the Houses of Parliament during the Session is 19.
- Three landmark Bills relating to the criminal justice system to ensure victim-centric justice namely the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023 and the Bharatiya Sakshya Bill, 2023 replacing the Indian Penal Code, the Code of Criminal Procedure, 1973 and the Indian Evidence Act, 1872 were passed by both the Houses of Parliament during the Session.
- The productivity of the Lok Sabha was about 74 percent and that of the Rajya Sabha was about 79 percent
- No bill presented in the session was sent to the parliamentary committee.
- Nearly 20% MPs were suspended which is a record.
- In this session, membership of a Lok Sabha MP was canceled on the recommendation of the Conduct Committee.

for a statement on the security breach, in a show of obstinacy that equates numerical majority with logical and moral infallibility. The government has blamed the Opposition for bringing the suspensions upon itself, and this position has been echoed by the Speaker and the Chairman. The case of the alleged mimicry of Mr. Dhankhar by an Opposition MP was a distraction that was convenient for the ruling party. Mr. Dhankhar himself told the Rajya Sabha that the alleged mimicry was an insult to his community, a dismaying correlation to be made by anyone, let alone a legal luminary such as himself. It is another matter whether the Opposition should have invested so much time and effort in asking for a debate on the security breach by a few misguided youths. The effect, if not the objective, of it all was to derail parliamentary functioning and obtain a free pass for the executive.

BILLS PASSED BY LOK SABHA:

- The Advocates (Amendment) Bill, 2023.
- The Jammu and Kashmir Reservation (Amendment) Bill, 2023.
- The Jammu and Kashmir Reorganisation (Amendment) Bill, 2023
- The Post Office Bill, 2023
- The Bhartiya Nyaya Sanhita, 2023
- The Bhartiya Nagarik Suraksha Sanhita, 2023
- The Bhartiya Sakshya Bill, 2023
- The Telecommunications Bill, 2023
- The Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023

Expected Question for Prelims

Que. Consider the following statements with reference to the recent winter session of the Lok Sabha:

1. A case of security lapse came to light in this session.
2. A record 146 MPs were suspended in this session.

Which of the above statements is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1, nor 2

Answer : C

Mains Expected Question & Format

Que.: What are the reasons for the low productivity of the 17th Lok Sabha? What are the implications of its low productivity, and how might it affect the country's progress and democratic institutions?

Answer's Approach:

- ❖ In the first part of the answer, discuss the reasons for the low productivity of the 17th Lok Sabha and its implications.
- ❖ In the second part, discuss the effects of low productivity of the Lok Sabha on democratic institutions.
- ❖ Finally give a conclusion giving suggestions.

Note: - The question of the main examination given for practice is designed keeping in mind the upcoming UPSC mains examination. Therefore, to get an answer to this question, you can take the help of this source as well as other sources related to this topic.