

INDIAN DEMOCRACY IN APPLICATION

PERFORMANCE OF XV LOK SABHA - A PERSPECTIVE

Lok Sabha Performance Overview - Legislation

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This research report has been compiled by Rezorce Research Foundation for purpose of information dissemination and serious discussion on the state of today's Parliament in India. All information is sourced from official documents published by different departments concerned. You agree to credit Rezorce Research Foundation for any information used from this report. All inferences are responsibility of Rezorce and no one else. Please contact Narendra KV, Director for any further information

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Research Purpose

Democracy is the single biggest achievement that we can claim as a country. Democracy is not just about elections. It is more about what happens between elections.

We have analyzed the performance of XV Lok Sabha in great detail. Our purpose is to identify specific performance gaps and also to identify members who have done a great job. It is our belief that all stakeholders have to continuously contribute to make things work. It is our belief that Parliament can only be successful if parties plan and execute their agenda.

Indian Parliament, like all institutions, needs feedback and collective resolution to become responsive to popular aspirations. Democratic practice is an expensive exercise. It is also an involved exercise. An audit of specific performance parameters would help practitioners make the institution more relevant to the aspirations of the citizens. Constant public review is the best safeguard to assure ourselves that we are getting the best returns for our collective investment in this institution. This study is an exercise in that direction.

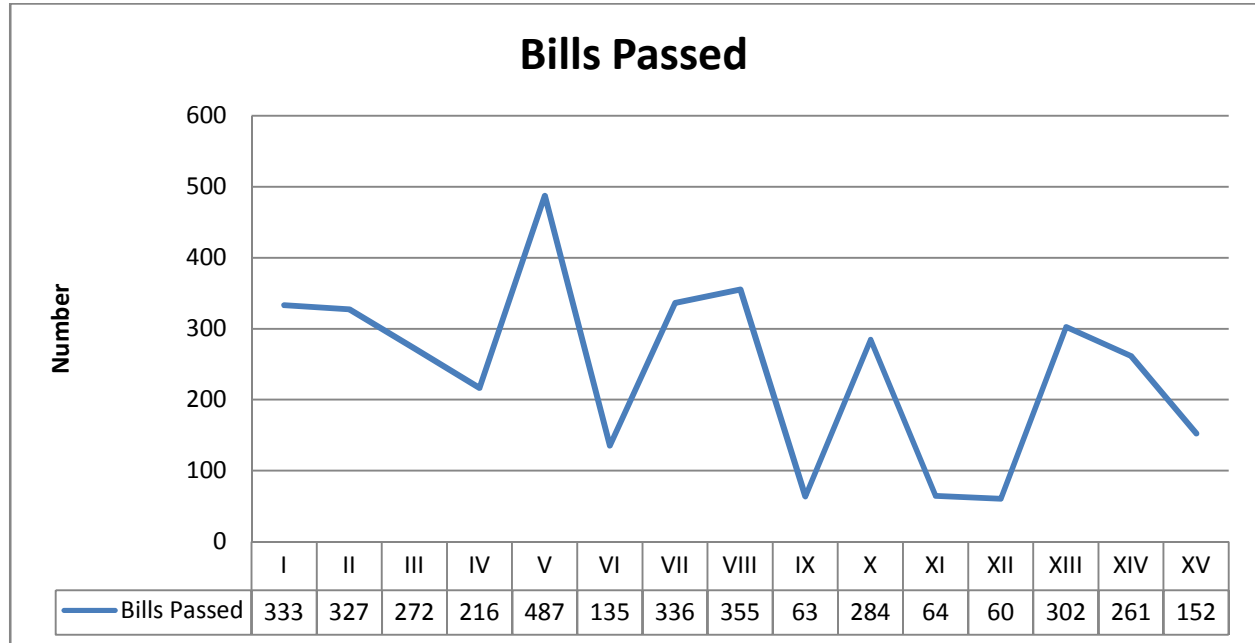
The culmination of XV Lok Sabha gives us an opportunity to examine the state of our democratic institutions. We analyze whether Parliamentary India is experiencing tiredness or is as vigorous as in the past 63 years.

We had shared the performance of XV Lok Sabha with respect to sessions and disruptions in our first report. This second report focuses on Legislation.

Legislation is the core business of Parliament. That is one of the key pillars of the Parliament as per our constitution. Both the government and individual members have a role to play in the drafting of legislations. Our overview reflects the trends.

Government Bills

Bill Passed



Source: Statement of Work, Lok Sabha – Annual Statements

From a perspective of legislative efficiency, if parliament passes all legislation that the governments introduce, it appears like an efficient setup. An efficiency overload may not necessarily be effective.

In our parliamentary history, whenever governments have comfortable majority, they have introduced and pushed more bills. We see that in the **I, II, III** (Jawaharlal Nehru) **IV, V, VII** (Indira Gandhi) and **VIII** Lok Sabha (Rajiv Gandhi). The only occasion when the government was insipid on this count, despite a majority was when the Janata Party ruled India between 1977 and 1980. Strong leadership contributes to better parliamentary efficiency.

Fractured mandates hurt both efficiency and effectiveness. Historical data shows that the number of bills that governments with fractured mandate introduce is very low.

In the above graph, the low points [**VI Lok Sabha** (Morarji Desai & Charan Singh), **IX Lok Sabha** (VP Singh & Chandrashekar), **X Lok Sabha** (Narasimha Rao), **XI Lok Sabha** (AB Vajapayee, HD Deve Gowda & IK Gujral) and **XII Lok Sabha** (AB Vajapayee)] are all unsteady coalitions like the UPA II that really could not push many bills even beyond the Committees. Diverse pressures and vested interests that propel different parties prevent meaningful legislation.

Even with 18 supporting parties, NDA government in power between 1999 and 2004, constituting the XIII Lok Sabha was more efficient from a legislation perspective than either UPA I or UPA II. UPA had support of nearly 24 parties during its two tenures.

An accompanying evil are parliamentary disruptions. Lok Sabha with fractured mandate has higher disruption and effectiveness of debate and time allotted to parties fall sharply.

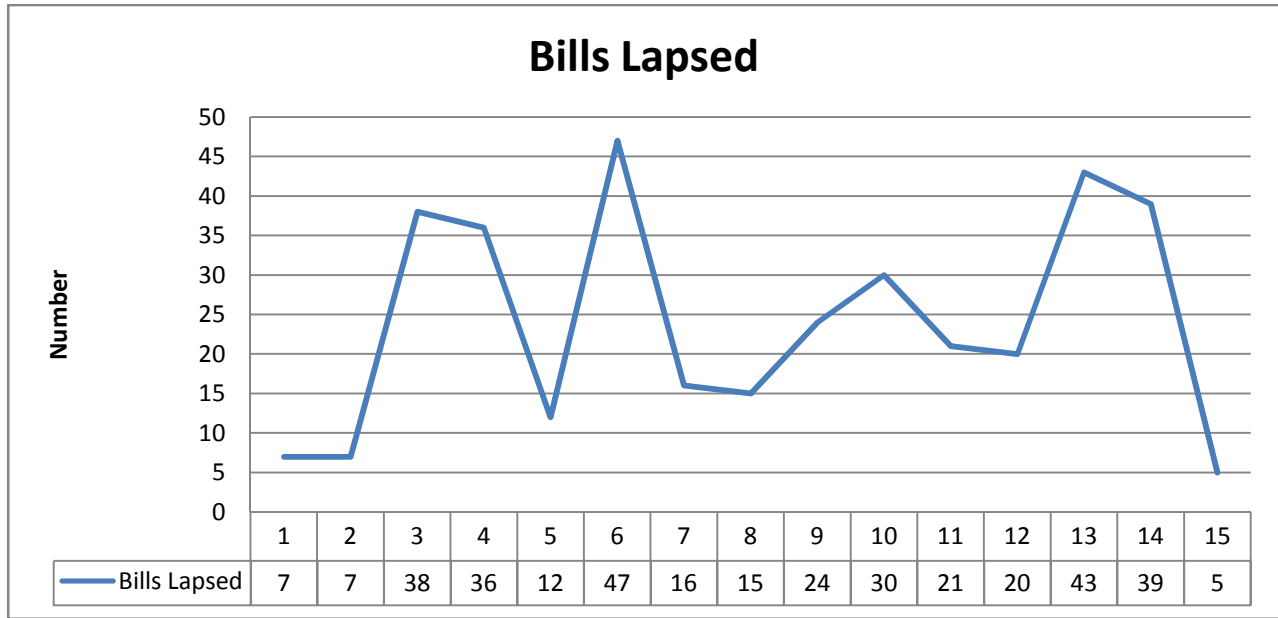
An analysis of the above data shows that any coalition setup leads to **policy paralysis**. It is seen that the number of government bills passed by both houses fall dramatically when there is fractured majority or coalition governments at the Center.

The number of bills passed during this Lok Sabha is 152. The arithmetic mean for number of bills passed over the last 15 Lok Sabha is 243.2. The XV Lok Sabha falls below average by a large measure. 216 Bills were introduced in this Lok Sabha.

More significant than the number of bills that were passed in both houses is the number of bills that the government could not convert into law. There are 58 bills pending Parliament approval.

The fact that nearly 26% of the bills are pending approval highlights the inability of the government to push for a broad consensus. The constant disturbances in the proceedings by parties across spectrum also played an important part in holding back government business.

Bills Lapsed



Source: Statement of Work, Lok Sabha – Annual Statements

When Lok Sabha completes its tenure, bills pending assent or under discussion, automatically lapse. This is an unfortunate situation and leads to wastage of effort and funds in working through the process and not completing it.

While political formations and leadership can change, the executive brings continuity into the administration setup. The executive plays an important role in legislation.

Furthermore, the committee structure represents the entire political spectrum and not just the political party in power. If opposition parties can build a system of having a shadow cabinet and a manner of tracking legislative and administrative business in a steady manner, then they can contribute beyond rhetoric and individual member’s experience. They can then contribute to build a robust review system that can bring in better continuity to the entire legislation process.

There is no need for the bills to lapse at the end of the Lok Sabha.



Bills – A Department-wise Analysis

Department	Assented	Passed	Pending	Withdraw	Total
Finance	50	6	12	1	69
Home Affairs	13	4	4	2	23
Railways	20	1			21
Human Resource Development		7	10		17
Personnel, Public Grievances and Pensions		2	6	1	9
Consumer Affairs, Food & Public Distribution	3		4	1	8
Health and Family Welfare	6	1			7
Urban Development	4	1	2		7
Agriculture	1		3		4
Corporate Affairs	2		1	1	4
Labor And Employment	4				4
Science and Technology and Earth Sciences	2		2		4
Tribal Affairs	3		1		4
Information and Broadcasting	1		2		3
Law and Justice		2	1		3
Social Justice and Empowerment	1	1	1		3
Civil Aviation	1		1		2
Coal			2		2
Commerce and Industry	2				2
Panchayati Raj	1		1		2
Power	2				2
Road Transport and Highways	1		1		2
Rural Development	2				2
Culture	1				1
Environment and Forests	1				1
External Affairs			1		1
Housing and Urban Poverty Alleviation		1			1
Mines			1		1
Minority Affairs	1				1
Parliamentary Affairs	1				1
Petroleum and Natural Gas	1				1
Textiles			1		1
Water Resources			1		1
Women and Child Development	1				1
Youth Affairs and Sports	1				1
Grand Total	126	26	58	6	216

The 6 bills that were withdrawn were:

1. The Criminal Law (Amendment) Bill, 2012
2. The Lokpal Bill, 2011
3. The National Food Security Bill, 2011
4. The Enemy Property (Amendment and Validation) Bill, 2010
5. The Companies Bill, 2009
6. The Securities and Exchange Board of India (Amendment) Bill, 2009

All the above bills were re-presented to Parliament after review in the Standing Committees.

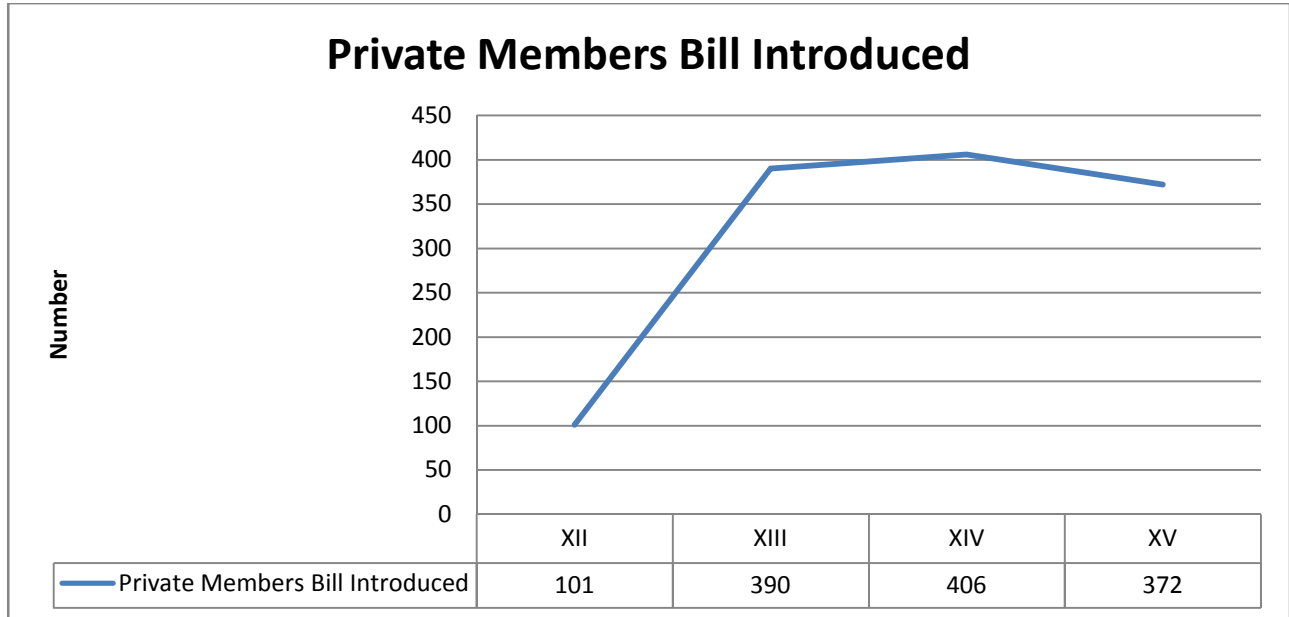
In all above cases, the government hurried through a piece of legislation in response to certain external push. The Parliament was able to push back the legislation for review.

The government was able to work with the opposition to make the legislation happen except in the case of The Enemy Property (Amendment and Validation) Bill, 2012 which is still pending for discussion.

When Parliament spends time on review of bills and the government spends time to evolve a consensus, we see legislations happen. If government hurries through the introduction of bills without sufficient review, then the proposal stalls. From an efficiency perspective, it makes sense for government to have more sittings of the standing committees and engineer a consensus so that the legislation happens smoothly.

Private Members Bill

Individual MPs can introduce legislation in the Lok Sabha. This is called as Private Members' Bill.



372 Private Members' Bill was introduced in the XV Lok Sabha by 84 members on a wide variety of subjects. The classification of bills is as follows:

Ordinary Bills	141
Constitutional Amendment Bills	2
Financial Bills	229
Money Bill	1

333 of the 372 bills are pending and 1 has lapsed. Only 3 bills are under consideration.

From a performance perspective, the number of bills under consideration is just 0.8% of the bills presented.



	PRIVATE MEMBERS BILL					
	Introduced	Assented	Pending	Negativated	Lapsed	Percentage
XIII	390	20	317	4	49	5.13%
XIV	406	22	110	3	271	5.42%
XV	373	3	333	0	1	0.80%

An average of 5% of private members' bills is adopted by the government. This can be seen during the XIII and XIV Lok Sabha also. The corresponding for the current Lok Sabha is pretty low.

81% of the bills introduced by parliamentarians are still shown as pending in the official records for the last 10 years. 90% of the bills in this session are in the same status.

Parliamentary oversight is required to move these bills to its logical conclusion. There is no point in spending a lot of time, effort and money to go through a drafting process, subsequent administration review, discussions, standing committees and still hang without any definitive conclusion. The invisible cost of these legislations is extremely high since each administration department also gets involved in review of each bill upon introduction.

Member –wise Analysis

84 members' presented Private Members' Bills to the XV Lok Sabha. The top 5 members are as follows:

HANSRAJ GANGARAM AHIR	BJP	CHANDRAPUR, MAHARASHTRA	31
JAI PRAKASH AGARWAL	INC	NORTH EAST DELHI, DELHI	23
ARJUN RAM MEGHWAL	BJP	BIKANER, RAJASTHAN	20
DR. MAHENDRASINH CHAUHAN	BJP	SABARKANTHA, GUJARAT	18
ADHIR RANJAN CHOWDHURY	INC	BAHARAMPUR, WEST BENGAL	18

The bills range a wide variety of subjects from compulsory military training, disclosure of lobbying, nationalization of inter – state rivers, eradication of unemployment, BPL identification, farmers old age pension, two child norms, abolition of begging and other interesting subjects.

Some of the more politically prominent members who have presented Private Members' Bills include:

1. Ms, Sushma Swaraj
2. Ms. Maneka Gandhi
3. Dr. Shashi Tharoor
4. Mr. Manish Tiwari
5. Ms. Supriya Sule

The bills presented by the above dignitaries are pending. The message unmistakably is that even Union Ministers and Opposition Leaders can't enable smooth passage of individual passions in Indian Parliament.

Interestingly, Mr. Lagadapati Rajagopal, INC MP representing Vijayawada, who is notorious for the pepper spray incident tabled a Private Members' Bill called "The Disruption of Proceedings of Parliament (Disentitlement of Daily Allowance to Members and Termination of Membership) Bill, 2009". He sought for annulment of daily allowance if there is any Parliament disruption. He further wanted the Speaker to identify specific members and disqualify such members' from the membership of the House, if they were responsible for three disruptions. Quite an irony that his name will be associated with one of the lowest troughs of Indian democracy

About Rezorce Research Foundation

Rezorce Research Foundation [http://www.rezorce.com/rezorce_research_foundation] is a not – for – profit research foundation registered under the Trusts Act. We focus on research in three different areas: [1] Staffing; [2] Forensic Research; [3] Software Labs and [4] Public Policy. Our achievements in the last three years are as follows:

1. Forensic Research

- a. We are one of the only Forensic research organizations in the private sector globally focused on business intelligence
- b. We have four patents in the areas of investigation and verification
- c. “Role Based Verification” is a service focused to help Indian private sector companies eliminate résumé padding during hiring

2. Staffing

- a. We have listed 7,000+ bogus employers on our portal, Rezorce~Check Employer Red Data [<http://www.rezorce.com/rezorcecheckemployerredata.php>].
- b. These companies are in the business of giving fake employment offers and certificates and cheating people
- c. The portal access is given free to all Employers. 13,500+ access the portal every month

3. Software Labs

- a. We manage 28 Professional Groups on LinkedIn. Senior architects globally interact professionally through these forums on software architecture and design related areas
- b. 8 of the Groups have the largest professional members from around the world in their space. 18 other groups are among the Top 5 in their technology space globally.

4. Public Policy

- a. Our intervention is to make parliamentary and legislative bodies function better
- b. We contribute to public debate that Lok Sabha and Rajya Sabha invite through different committees.
- c. We believe that petitions are a powerful tool for a common man in a democracy to get administration to act. We have filed petitions to the committee of petitions in different areas to validate our beliefs
- d. We have actively contributed in the following areas:
 - i. Reducing banking frauds and NPA through better risk management
 - ii. Hoysala temples on Karnataka tourist circuit