

Bill No. LXVII of 2022

THE PARLIAMENT (PRODUCTIVITY ENHANCEMENT) BILL, 2022

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BILL

to provide for a framework for enhancing the performance of the Parliament by fixing minimum number of sittings for each House of the Parliament, extending the hours of a sitting, introduction of a short Session of Parliament in addition to the existing practice of three Sessions, institution of a mechanism to separately discuss opposition business, compensation for the hours unutilised due to disruption and for matters connected therewith and incidental thereto.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

- 5 **1.** (1) This Act may be called the Parliament (Productivity Enhancement) Act, 2022. Short title and commencement.
- (2) It shall come into force on such date as the Central Government may, by notification, appoint.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) "Committee" means the Opposition Business Committee constituted under section 7;

(b) "disruption" means the act of shouting of slogans or expressing violent behaviour or coming to the well of the House which leads to substantial delays in transaction of business or adjournment of the House; 5

(c) "Interruption" means interjection by a Member during the speech of another member; and

(d) "Opposition business" means the agenda and debates brought forward by the Members of the non-ruling parties. 10

(2) Words and expressions used in the Constitution and also in this Act, shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER II

SESSIONS OF EACH HOUSE OF PARLIAMENT

Number of Sessions in a year.

3. Subject to the provisions contained in article 85 of the Constitution, there shall be at least four Sessions, including a short Session, of each House of Parliament in a year. 15

Short Session.

4. A short Session of each House of Parliament in a year shall entail the following, namely:—

(a) the Session shall be of minimum fifteen days duration;

(b) the Session shall only be devoted to deliberation on at least two most urgent matters of public importance and no other business including Government legislative business shall be conducted; 20

(c) the agenda for the Session may be decided by all political parties represented in each House of Parliament;

(d) each political party may submit at least two matters for intended discussion in the short Session to the Business Advisory Committee of the respective Houses in accordance with the rules as may be prescribed; and 25

(e) the Business Advisory Committee of the respective Houses shall decide the final topics for discussion and recommend allocation of time for such discussions in each House. 30

CHAPTER III

SITTINGS OF THE PARLIAMENT

Minimum number of sittings of each House of Parliament in a year.

5. Each House of the Parliament shall compulsorily sit for not less than one hundred and twenty days in a year.

Motion for extension of a sitting.

6. (1) Except during Private Members' Business, a member may move a motion, without a prior notice, to extend a sitting beyond the scheduled hour for its conclusion for the purpose of considering a specified item of business subject to the following condition: 35

(a) the motion shall relate to the business being considered at that point of time;

(b) the motion shall be proposed in the last hour before the scheduled hour for inclusion of the sitting; and 40

(c) the motion shall not be subject to debate or amendment.

(2) In putting the question on a motion, the Chairman or the Speaker, as the case may be, shall collect voices both of Ayes and Noes in such manner as may be prescribed and the question before the House shall be determined accordingly.

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CHAPTER IV
OPPOSITION BUSINESS COMMITTEE

7. (1) The Chairman or the Speaker, as the case may be, shall, from time to time, constitute an Opposition Business Committee in each house of Parliament consisting of eight members to be nominated in such manner as may be prescribed.

Constitution of Opposition Business Committee.

10 (2) The Committee constituted under sub-section (1) shall hold office until a new Committee is nominated.

8. (1) The Chairman of the Committee shall be appointed by the Chairman or the Speaker, as the case may, be from amongst the members of the Committee.

Chairman of Committee.

15 (2) If the Chairperson of the Committee is for any reason unable to act, the Chairman or the Speaker, as the case may be, may appoint another Chairperson of the Committee in his or her place.

(3) If the Chairperson of the Committee is absent from any meeting, the Committee shall choose another member to act as a Chairperson of the Committee for the meeting.

9. The quorum of the Committee shall be four.

Quorum.

20 **10.** (1) It shall be the function of the Committee to recommend the Opposition Business to be taken up on the respective House of a sitting on Monday during the Session periods other than a short Session and also time that shall be allocated for the opposition business.

Functions of Opposition Business Committee.

(2) The business recommended by the Committee shall have precedence over Government business.

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CHAPTER V
INTERRUPTION OR DISRUPTION OF BUSINESS

11. A member shall not be interrupted, except by the Chairman or the Speaker, or another member who is—

Exceptions for interruption.

(a) raising a point of order; or

30 (b) trying to clarify some matter raised by the member in his or her speech, but only if the member speaking is willing to give way and resume his or her seat and the member wishing to interrupt is called by the Chairman or the Speaker, as the case may be.

35 **12.** (1) The number of hours lost due to disruptions shall be compensated by extending a Session of the respective House by as many hours for which the sittings were adjourned due to disruptions.

Extension of session.

(2) For the purposes of sub-section (1), the Chairman or the Speaker, as the case may be, shall have inherent powers to extend the Session of the respective House.

CHAPTER VI
MISCELLANEOUS

- Amendment of the Rules of Procedure. **13.** The Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha) and the Rules of Procedure and Conduct of Business in Lok Sabha may be amended, as deemed necessary, for the implementation of the provisions of this Act. 5
- Powers to make rules. **14.** The Chairman or the Speaker, as the case may be, may by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

As the central institution of democracy, the India Parliament expresses the faith of the people and embodies the will of those in the Government. As the representative of India's diverse population, Parliament has a unique responsibility of balancing competing interests and catering to the needs of the people through democratic means of deliberations and discussions. The Indian Parliament which witnessed its most productive Session during the initial decades suffers from a limited number of sittings, frequent disruptions, and high absenteeism in the 21st century. The drastic reduction of Parliament productivity has seriously deteriorated the quality of discussion and hampered overall efficiency effectively.

2. The Parliament is the sole institution that secures the interests of the country as a whole. Apart from the regular legislative business, it also ensures that the Government is fully accountable to the people through the participation of non-ruling parties. However, the current framework does not adequately provide the members of the opposition parties with means to intervene and lead discussions which lead to more delays and disruptions. Consequently, both Houses of Parliament are not able to perform the crucial function of parliamentary oversight.

3. It is imperative to urgently reform and strengthen the existing system which is only possible by extending the number of days the Parliament functions. To keep up with the rapidly changing needs of the people, the working hours of Parliament in no situation should be reduced due to delays or disruptions. Further, a separate mechanism for the opposition parties to put forward the most pressing issues of the people could substantially bring down the incidences of disorder in both Houses of the Parliament.

The Bill seeks to achieve the above-stated objectives.

PROF. MANOJ KUMAR JHA.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for at least four Session including a short Session to be held in Parliament every year instead of the existing practice of three Sessions in a year. The Bill, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees one hundred and thirty five crore per annum is likely to be involved from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 14 empowers Chairman, Rajya Sabha or Speaker, Lok Sabha, as the case may be to make rules for carrying out the provisions of the Act. The matters in respect of which the rules and regulations may be made are of procedure and administrative details and as such, it is not practicable to provide for them in the proposed Bill itself. The delegation of legislative power is, therefore, of a normal character.

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to provide for a framework for enhancing the performance of the Parliament by fixing minimum number of sittings for each House of the Parliament, extending the hours of a sitting, introduction of a short Session of Parliament in addition to the existing practice of three Sessions, institution of a mechanism to separately discuss opposition business, compensation for the hours unutilised due to disruption and for matters connected therewith and incidental thereto.

(Prof. Manoj Kumar Jha, M.P.)