

Bill No. VII of 2017

THE PARLIAMENT (ENHANCEMENT OF PRODUCTIVITY)
BILL, 2017

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BILL

to provide for the establishment of an effective system to prevent and address the decline in productivity of Parliament due to disruptions of sittings, by means of an appropriate legal frame work to fix the minimum number of days in a year for which Parliament shall be in Sessions introduction of special Session in addition to the existing three Sessions, compensation for the hours unutilised due to disruptions, and to provide obligations of the Presiding Officers of both Houses and the Members of Parliament and matters connected therewith and incidental thereto.

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

CHAPTER I

PRELIMINARY

5 **1.** (1) This Act may be called the Parliament Enhancement of Productivity Act, 2017.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and
commencement.

Definitions.

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

(a) "Committee" means the Business Advisory Committee of each House established under rule 30 of the Rules of Procedure and Conduct of Business in the Council of States and rule 287 of the Rules of Procedure and Conduct of Business in Lok Sabha;

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(b) "disruption" means shouting of slogans, coming to the well, and such other actions as may be specified by the Chairman of Rajya Sabha and the Speaker of Lok Sabha, as the case may be either Leading to adjournment or hindering the normal business of the House; and

CHAPTER II

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MINIMUM NUMBER OF DAYS OF PARLIAMENT SESSIONS

Minimum number of days in a year for Sessions of Parliament.

3. (1) Each House of the Parliament shall compulsorily sit for not less than one hundred days in a year.

(2) The sittings of each House of Parliament shall be distributed in four Sessions including a special Session, in such manner, as may be prescribed by the Central Government.

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CHAPTER III

SPECIAL SESSION OF EACH HOUSE OF PARLIAMENT IN A YEAR

Features of the special Session.

4. The special Session of each House of Parliament in a year shall entail the following namely:—

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

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(ii) 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;

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

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

(v) the parties may also seek suggestions from public to decide the subject matters for discussion;

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(vi) the Committee shall collate the list of topics submitted by each political party and shall decide the final topics for discussion; and

(vii) the Committee shall also recommend allocation of time for such discussions:

Provided that the Committee shall allocate at least half of the total speaking time to the members of the non-ruling parties, irrespective of the strength of the parties in the House.

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CHAPTER IV

MISCELLANEOUS

Extension of Sessions.

5. (1) The number of hours unutilised due to disruptions shall be compensated by extending each Session by as many hours at the sitting were adjourned due to disruptions.

Explanation.— A productive day in Parliament shall be at least of seven hours and for calculating as number of days for which the session has to extended the number of adjourned hours shall be converted into number of days, after adjusting the hours when the Houses sat beyond seven hours.

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(2) For the purposes of section 5, the Chairman of Rajya Sabha and the Speaker of Lok Sabha shall have inherent powers to extend the Session.

5 **6.** The Rules of Procedure and conduct of Business in the Council of States 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. Amendment of the Rules of Procedure.

7. The Chairman of Rajya Sabha or the Speaker of Lok Sabha or the Central Government, as the case may be, may by notification in the Official Gazette, make rules for carrying out the provisions of this Act. Power to make rules.

STATEMENT OF OBJECTS AND REASONS

Since the inception of Parliament of India in 1952, Parliament used to devote one hundred to one hundred and twenty day of a year to sit in Sessions. This trend, however, witnessed a decline over decades, bringing down this number to seventy to eighty days in a year. Over the years, disruptions in the smooth functioning of the Parliament Sessions have become a rather common feature in the Indian democracy. This causes grave monetary loss, wastage of time and most importantly, delay in the decision-making on vital issues of public importance of hasty passing of laws without sufficient deliberation. Various issues which resonate strongly within the society are not paid enough attention, get overlooked, or are not adequately discussed. Due to these reasons, productivity of Parliament is on a decline and the people of the country are gradually losing faith in the relevance of this supreme law-making institution.

2. More time should be allotted for debate and discussion on important subjects so as to arrive at solutions and increase productivity of the Parliament. There is no rule to dictate the minimum number of days the Parliament should mandatorily be in Sessions.

3. In India, as a practice, usually the Government overshadows the selection of the topics of discussion in Parliament. To avoid logjams in the smooth functioning of Parliament and to prevent washout of Parliament Sessions, it is crucial that the opposition also gets equal and adequate voice in Parliament. Therefore, opposition parties should also have an adequate say in deciding the agenda of Parliament so as to increase accountability of the Government.

4. In the light of the above, the proposed Parliament Enhancement of Productivity Bill, 2017, *inter alia*, provides for the following namely:—

(a) The minimum number of days for which the Parliament compulsorily sits in one year shall be not less than one hundred days;

(b) an additional two-week long special Session of Parliament only to deliberate over at least two matters of public importance, exclusive of all Government and legislative business;

(c) modification in the structure of deciding the Parliament agenda during the special Session to provide stronger voice to the non-ruling parties to propose topics of discussion. These topics can also be critical of some aspect of Government policy or administration; and

(d) disruptions of Sessions of Parliament be prevented, and the lost time be compensated.

5. The Bill seeks to achieve the above objectives.

NARESHGURJAL

FINANCIAL MEMORANDUM

Clause 3(2) of the Bill provides for a special Session to be held in Parliament every year in addition to the three Sessions. 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 twenty crores per annum would be involved from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 empowers Chairman Rajya Sabha or speaker Lok Sabha the Central Government 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.

RAJYA SABHA

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(Shri Naresh Gujral, M.P.)