**The locked Indian Parliament**

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On March 24th 2020 at , the great Indian lockdown was announced by Prime Minister Modi it ends with July 8th 2020. The objective of lockdown was to contain the spread of virus and save lives and give a much needed buffer time for the Indian medical infrastructure to prepare for any eventuality.

The Indian Parliament worked till March 23rd 2020. The Lok sabha was adjourned sine die after passing the Finance bill with voice vote & without any debate. The Rajya Sabha passed a 1Cr budget for Union Territory of Jammu and Kashmir. The Parliament is now under recess.

With Parliament under lockdown the real head of executive the Prime minister virtually became independent of the Legislature. The present form of government parallels the Presidential form of government.. All the Powers and functions [ **Article 74(1)** ] that are vested by the constitution in the President are to be executed on the advice of the Minister responsible to the Legislature. Lockdown has suspended the Legislature ( ie Parliament ). The Critical function of Parliament is to provide checks and balance so that cabinet Government remain **responsible**

**Parliament and its Instruments**

Parliament is an Organ of Information which secures information authoritatively. Press and private agencies cannot wield such authority in eliciting information. Parliament has representatives of states & UT, with suspended Parliament, such voices are also suspended.

Parliament provides a forum to discuss on Legislative proceeding in ordinary bill, money bill, Finance bill ( revenue or expenditure ) , Select Committee in depth analysis of bill, Committees of Expenditure, public accounts voting, Question Hour, Closure Motion, No Confidence Motion, Privilege Motion, Motion of Thanks, Calling attention motion, Censure Motion, Half-an-Hour Discussion, Short discussion, Point of Order and financial instruments like Token cut, Economy cut and Policy Cut. Few of these have been Indian Innovations which made our parliamentary proceedings more accountable.

**Lockdown : The Executives actions & Inactions**

With Parliament not being in session, the Executive is given carter blanc to handle this unprecedented situation . It has passed 10 ordinances with focus on Economy ( Relaxation of taxation ), 30% of cut down of salaries of Member of Parliament, Agriculture - relaxing the norms under essential commodities act, price assurance for the farm produce, Health - changes to Epidemic Diseases - protecting health care personnel and giving more powers to central government in combating pandemic.

The painful reverse migration due to extended lock down has left many disheartened and gave rise to untold miseries. The extended lockdown has forced industries and MSME to cut down their workforce for not being able to pay them salaries and mounting loan burdens. The loss of an educational year for students is even graver. Government to it credit has expanded its credit facilities through RBI and expanded MGNREGA rural employment guarantee with higher intake.

The Judiciary led by the Supreme court - tried addressing few of the issues related to migration, availability of Protective equipment to frontline medical workers. Though dilapidated in strength, it has taken on the challenge of Technology and made E-filing in Supreme court and many of the court proceedings have been taken up through video conferencing.

**International Experience**

Sars-nCov-19 has affected each country with varying intensity. Countries had applied various methods to mitigate the situation. Italy, Spain, France the most affected brought in lockdown and stopped international flights. South Korea applied rapid testing to quickly identity Covid -19 positive cases. WHO has been actively advising on social distancing, usage of masks, drug trials with Hydrochlogquinie and other treatment methods. The Global coordination and sharing of knowledge on development of vaccines provides us hope of cure in the near future.

The response of the Legislature is also varied, with Brazil leading the way with application of Technology. Brazil uses Video Conferencing for debating, voting, amendment and making them live telecasted. It has even given its technology for other countries to adopt. United Kingdom adopting Hybrid model with combination of limited Physical meetings and virtual meetings. France is limited to one plenary session per week and 10 questions per session and remote meetings without meeting. German Bundstang has prioritized meetings with restricted & limited members. Maldives with a Video conference has debated and passed a financial support program of the government.

**UnLock Parliament**

While Cabinet is left with formulating policy and function of parliament to bring about discussion and criticism of policy on the floor of the House, so that not only the Cabinet can get the advice of the deliberative body and learn about its own errors and deficiencies, but nation as a whole is appraised of an alternative point of view.

Parliament represents a microcosm of India, its diversity, its culture, its language its strength. Article 85 of constitution of India - President shall from time to time summon each House of Parliament to **meet at such time and place as he thinks fit.** As President is bound by aid and advice under Article 74 Cabinet. It is the Union executive which has to advise the president to summon the houses of Parliament.

Under the Rules of Loksabha - Chapter 2 - Secretary General shall issue a summon to each member **specifying date & place** for a session. Provided that when such a session is emergently summoned, summons may not be issued but a telegram be sent and published in Gazette and Press.

The makers have a constitution left open for the Union and Speaker & Chairman of Lok sabha and Rajya sabha with the description on how and when the respective houses can be summoned. Globally the response of various countries has been to quickly get on board and use technology to conduct the parliaments function of laying out bills, voting, debating on bills, running subcommittees.

There has been spurt in usage of virtual media like Zoom, Google Hangout, Skype, Go To meetings during lockdown. Many teachers, professors, advocates have gone online to teach through webinars. With Digital India the benefits are likely to reach the nook and corner of the country. Yes there are challenges with digital media such as security, access to quality bandwidth, technology, hardware, technology literacy. But with mobile and internet penetration a large section of the population is forced on this medium. We managed jumped the curve.

Indian - Australia Bilateral summit was first of its kind done virtually and total 9 agreements were signed. This begs us a Question Why is our Parliament still locked?? Italy has swabbed & tested each of its parliamentarians and provided them masks and sanitizers.

**Conclusion**

With July 8th Unlock of the country, there is an urgent need for Parliament to start functioning at least in a reduced capacity at least thought of as an alternative medium of Technology. Many ordinances need critical discussion and also many issues which are pushed under cover by the rhetoric of the media need to get voice. The cure of lockdown seems to have been more costly than the disease itself.

Closing with Amartya Sen's Quote from The Argumentative Indian - Where the mind is without fear and the head is held high; where knowledge is free; where the world has not been broken up into fragments by narrow domestic walls; .. where the clear stream of reason has not lost its way into the dreary desert sand of dead habit;.. Into that heaven of freedom, my Father, let my country awake.

**Source** :

1. PRSIndia - <https://www.prsindia.org/sessiontrack/productivity/844793>
2. Annula General Meeting over VC - <https://prsindia.org/files/covid19/notifications/4982.IND_AGM_VC_May05.pdf>
3. International Parlimentary Responses - <https://www.ipu.org/country-compilation-parliamentary-responses-pandemic>
4. Brazil - Virtual Plinary - <https://virtual.camara.leg.br/static/arquivos/2020-04-15-VIRTUAL_PLENARY_CHAMBER_OF_DEPUTIES_OF_BRAZIL.pdf>
5. Ordinance passed - <https://www.prsindia.org/billtrack/field_bill_category/all>