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Decline Of The Legislature In India: An In-Depth Examination

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Abstract

The legislature in India serves as the fundamental institution of democracy, essential for representing the populace, enacting legislation, and ensuring accountability of the executive branch. Recently, there have been growing concerns regarding the deterioration of the legislature's effectiveness. This decline is evident through decreased legislative output, a reduction in meaningful debates, an increasing concentration of power within the executive, and a weakening of institutional independence. This research article investigates the various aspects of this decline, analyzing historical patterns, statistical data, and current challenges. Additionally, it considers the repercussions for democracy and governance in India and proposes strategies to revitalize the legislature's function.

Keywords: Legislature, Legislative Output, Democracy, Governance

Introduction

The legislature serves as the foundation of democratic governance, playing a crucial role in formulating policies, enacting laws, and holding the executive accountable to the populace. In India, recognized as the largest democracy globally, the legislature occupies a vital position within the political framework established by the Constitution of 1950. However, over the years, there has been increasing apprehension regarding the diminishing effectiveness, integrity, and authority of this institution. This trend, often termed the "decline of the legislature," prompts essential inquiries about the vitality of India's democratic processes and the equilibrium of power within its governance system.

This decline is marked by various trends, such as a decline in the quality of debates, reduced legislative output, a growing dependence on ordinances, and the encroachment of the executive into legislative responsibilities. Additionally, the changing socio-economic and technological landscape has posed challenges to the legislature's capacity to remain pertinent and effective in meeting the aspirations of a rapidly evolving society.

This research article explores the complex dimensions of the decline of the legislature in India. It investigates historical patterns, assesses current challenges, and underscores the implications for democratic governance. By analyzing institutional, procedural, and political elements that contribute to this decline, the article seeks

to enhance understanding of the legislature's changing role and suggest measures for revitalizing its importance as a cornerstone of democracy.

Objectives of the Study

1. To identify and assess the trends that signify a decline in legislative effectiveness in India.
2. To investigate the underlying causes of these trends.
3. To analyze the implications of this decline for democratic governance.
4. To recommend practical solutions to address the identified challenges.

Historical Context and Development

Initial Phase of the Indian Legislature

Following independence, the legislature significantly influenced the socio-economic landscape of India. The debates within the Constituent Assembly (1946-1949) established a foundation for informed, inclusive, and thorough discussions. The early sessions of Parliament were characterized by a notable seriousness in legislative discourse and the process of law-making.

Legislative Trends Through the Years

- 1950s-1970s: The legislature upheld a strong presence, featuring prolonged sessions and meaningful debates.
- 1980s-1990s: A decline became evident, marked by interruptions, fewer session days, and an increasing dominance of the executive branch.
- 2000s-present: The situation deteriorated further, with disruptions overshadowing deliberations, leading to the passage of bills without sufficient examination.

Statistical Insights

- Session Days: The frequency of Parliament meetings has significantly decreased, from an average of 120 days in the 1950s to fewer than 70 days in recent years.
- Legislative Productivity: The productivity rate of the Lok Sabha dropped to 33% during the Monsoon Session of 2023, indicating substantial disruptions.
- Committee Referrals: In recent years, fewer than 25% of bills were sent to parliamentary committees, a stark contrast to over 60% two decades ago.

STEADY DECLINE

Lok Sabha	Starting year	Party (Alliance)	Government tenure (days)	Sittings per 100 days of tenure	Average session duration (days)
1	1952	Congress	1,813	37.3	45.1
2	1957	Congress	1,821	31.9	36.3
3	1962	Congress	1,796	32.2	36.1
4	1967	Congress	1,394	33.6	39.1
5	1971	Congress	2,136	28.7	34.1
6	1977	Janata Party Alliance	882	30.3	29.7
7	1980	Congress	1,809	25.6	30.9
8	1984	Congress	1,792	27.1	34.6
9	1989	Janata Dal (National Front)	466	23.4	15.6
10	1991	Congress	1,786	23.7	26.4
11	1996	Janata Dal (United Front)	568	22.0	20.8
12	1998	BJP (NDA)	412	21.4	22.0
13	1999	BJP (NDA)	1,580	22.5	25.4
14	2004	Congress (UPA)	1,827	18.2	22.1
15	2009	Congress (UPA)	1,826	19.6	23.8
16	2014	BJP (NDA)	548	19.5	21.4

One sitting equals one day at the Lok Sabha. Sessions include Budget, monsoon, winter and special sessions. 2014 government data is till November 25, 2015, before the beginning of the ongoing winter session.

Source: <https://www.livemint.com/Politics/2ntNMjWxPACl2jvfaZQKbO/The-progressive-decline-of-the-Indian-Parliament.html>

Symptoms of Legislative Decline

1. Diminished Legislative Engagement

The reduction in session days and the quality of discussions reflects a significant decrease in legislative engagement. Noteworthy legislation, such as the Farm Laws (2020), was enacted with minimal debate, raising alarms regarding legislative scrutiny.

2. Frequent Disruptions

Regular interruptions have become characteristic of Indian legislative bodies. Data from PRS Legislative Research indicates that the Lok Sabha experienced a loss of 72% of its scheduled time to disruptions during the Winter Session of 2022.

3. Prevalence of Executive Authority

The growing dependence on ordinances has weakened the legislature's function. For example, between 2014 and 2023, a total of 76 ordinances were issued, highlighting a trend of executive overreach.

4. Diminishing Role of Parliamentary Committees

Committees, which are intended to evaluate legislation and policies, are increasingly being overlooked. The declining rate at which bills are referred to committees obstructs thorough analysis and discussion.

5. Superficiality in Debates

Parliamentary discussions have become largely symbolic, lacking in depth and meaningful engagement. The discourse surrounding budgets has notably decreased, with many grant demands being approved without any debate.

Factors Contributing to Legislative Decline

Structural and Institutional Influences

1. Anti-Defection Law (1985): Although intended to stabilize politics, it has restricted the autonomy of individual legislators.

2. Centralization of Authority: The concentration of decision-making within party leadership diminishes the influence of individual MPs and MLAs.

3. Inadequate Enforcement of Regulations: Weak enforcement of parliamentary rules fosters disorderly conduct and interruptions.

Political Dynamics

1. Emergence of Coalition Governance: Coalition administrations frequently prioritize their own stability over effective legislative action.

2. Governance Driven by Elections: Ongoing electoral processes shift attention away from legislative duties.

Societal and Economic Factors

1. Erosion of Public Confidence: A 2021 survey by Pew Research revealed that 58% of Indians believe that politicians act in their own interests rather than for the public good.

2. Influence of Corporations and Media: Lobbying efforts and sensationalist media coverage frequently eclipse authentic legislative priorities.

Implications for Democracy and Governance

1. Diminished Checks and Balances

A weakened legislature reduces the constraints on executive authority, potentially paving the way for authoritarianism. This erosion undermines the accountability frameworks established in the Constitution.

2. Deficiencies in Policy and Governance

Inadequate legislative oversight leads to poorly constructed laws and ineffective policies. The rushed enactment of the Farm Laws (2020) and their eventual repeal illustrate the dangers of insufficient legislative examination.

3. Public Disenchantment

This decline contributes to growing public disenchantment with democratic institutions, resulting in decreased civic involvement and lower voter turnout.

4. Effects on Federalism

The decline in legislative effectiveness at the state level intensifies centralization, threatening the integrity of India's federal system. For instance, state legislatures frequently endorse decisions imposed by the central government without adequate scrutiny.

Strategies for Revitalizing the Legislature

Institutional Reforms

1. Extend Session Duration: Establish a minimum number of days for parliamentary and state legislative sessions.

2. Enhance Committee Functions: Guarantee that all significant legislation is submitted to committees for thorough examination.

3. Amend the Anti-Defection Legislation: Provide legislators with more space to voice dissent without the threat of disqualification.

Behavioral and Cultural Adjustments

1. Implement Disciplinary Measures: Enforce stricter consequences for disruptions and inappropriate conduct.

2. Promote Constructive Discussions: Advocate for debates centered on issues rather than party affiliations.

Political Will and Leadership

1. **Dedication to Accountability:** Political entities should emphasize legislative accountability and transparency.
2. **Empower Legislators:** Decentralize authority within political parties to enhance the roles of individual Members of Parliament (MPs) and Members of Legislative Assemblies (MLAs).

Technological and Procedural Advancements

1. **Utilize Digital Platforms:** Leverage technology to enhance the accessibility and transparency of legislative activities for the public.
2. **Conduct Regular Assessments:** Implement periodic evaluations of legislative effectiveness based on objective criteria.

Conclusion

The decline of the legislature in India poses a significant challenge with extensive consequences for democracy and governance. Tackling this issue necessitates a multifaceted approach involving institutional, behavioral, and procedural reforms, supported by a strong political commitment. Revitalizing the legislature is essential not only as an institutional requirement but also as a democratic necessity to ensure that India's governance framework remains inclusive and accountable.

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