

1. Evaluate the assertion that the Indian Parliament is in a state of decline.?

The Indian Parliament, as defined under Articles 79 to 122 of the Constitution, comprises two houses: the Lok Sabha (House of the People) and the Rajya Sabha (Council of States). The Lok Sabha represents the directly elected members from constituencies across the country, while the Rajya Sabha represents the states and union territories, with members elected by the state legislatures.

Indian Parliament is in a state of decline:

1. Reduced Parliamentary Debates: The quality and quantity of debates have declined, with fewer sessions dedicated to discussing significant bills and policies.

- **Example:** According to PRS Legislative Research, in the 2021 Monsoon Session, only 21% of the scheduled time was utilized for discussions, while 79% was lost due to disruptions.

2. Frequent Disruptions: Disruptions and walkouts have become more common, leading to wasted time and reduced productivity in passing crucial legislation.

- **Example:** The 2021 Winter Session saw disruptions leading to a loss of 52% of the scheduled time in the Lok Sabha.

3. Ordinance Raj: Increasing reliance on ordinances rather than thorough legislative processes indicates a weakening of the parliamentary system.

- **Example:** The number of ordinances promulgated has increased from an average of 7 per year in the 1950s to over 15 per year in the last decade.

4. Lack of Accountability: Parliamentary committees, designed to ensure government accountability, are often underutilized, with recommendations frequently ignored.

- **Example:** Only 40% of the recommendations of the Public Accounts Committee were implemented between 2014 and 2019.

5. Erosion of Federalism: Centralization of power and undermining of state governments have raised concerns about the Parliament's role in maintaining India's federal structure.

- **Example:** The implementation of GST has been criticized by some states for eroding their fiscal autonomy.

6. Inadequate Representation: The representation of diverse social groups and regions within Parliament has diminished, impacting the inclusivity of policymaking.

- **Example:** A 2019 study found that only 14% of MPs are women, far below the global average of 24%.

The Indian Parliament is not experiencing a decline.

1. Legislative Output: Despite challenges, Parliament continues to pass significant legislation, addressing key issues such as economic reforms and social justice.

2. Technological Integration: Adoption of digital tools and online platforms has enhanced the efficiency and transparency of parliamentary functions.

- **Example:** The National e-Vidhan Application (NeVA) aims to make all legislative processes paperless, promoting transparency.

3. Active Committees: Parliamentary committees, when fully functional, provide detailed scrutiny of bills and policies, contributing to informed decision-making.

- **Example:** The Joint Parliamentary Committee on the Data Protection Bill held multiple rounds of consultations, incorporating diverse stakeholder views into the legislation.

4. Judicial Oversight: The judiciary's role in upholding the constitutionality of parliamentary actions ensures a check on any decline.

5. Vibrant Democracy: Public participation and media coverage of parliamentary proceedings have increased, ensuring greater accountability and responsiveness.

- **Example:** Lok Sabha TV and Rajya Sabha TV provide live coverage of parliamentary proceedings, making the process more transparent and accessible to the public.

6. Global Comparison: Compared to many other democracies, the Indian Parliament remains relatively robust and active in its legislative role.

- **Example:** The Indian Parliament sits for an average of 67 days per year, which is higher than many other democracies like the U.S. Congress, which averages around 133 days but with shorter daily sessions.

Way forward:

1. Reforming Parliamentary Procedures

- Allocated Time for Debate: Ensure sufficient time is allocated for debating policies and bills.
- ✓ **Example:** UK Parliament's practice of dedicating specific days for debates on bills and issues.
- Revising the Whip System: Allow more freedom for members to express individual opinions.
- ✓ **Example:** National Commission to Review the Working of the Constitution (NCRWC) suggested relaxing the whip system.

2. Strengthening Committees

- ✓ **Empowering Committees:** Strengthen parliamentary committees for detailed scrutiny of policies.
Example: In the UK, nearly 40% of the parliamentary work is done in committees.
- ✓ **Expert Testimonies:** Include expert testimonies and evidence-based discussions in committees.
Example: US Congress routinely calls on experts to testify before committees.

3. Encouraging Bipartisanship

- ✓ **Consensus Building:** Encourage cross-party dialogues and consensus-building measures.
Example: Scandinavian countries' practice of cross-party cooperation on major policies.
- ✓ **Joint Parliamentary Sessions:** Facilitate joint sessions on critical issues to foster collaboration.
Example: Article 108 Provides for joint sittings of both houses of Parliament in India.

4. Enhancing Member Capacities

- ✓ **Training Programs:** Provide training and resources for members to improve their debating skills.
Example: The Parliamentary Studies and Training (BPST) institute in India provides training to MPs.
- ✓ **Research Support:** Establish robust research support systems for legislators.
Example: The Congressional Research Service (CRS) in the US provides extensive research support to legislators, this can be emulated in India

5. Media and Public Engagement

- ✓ **Responsible Media Coverage:** Promote responsible media coverage that highlights substantive debates.
Example: The BBC's balanced coverage of parliamentary proceedings.
- ✓ **Civic Education:** Increase public awareness and engagement with parliamentary proceedings.
Example: The 170th Law Commission report emphasized the need for greater public engagement in legislative processes.

The Parliament is the cornerstone of a democratic system, serving as the supreme legislative body responsible for enacting laws, representing the will of the people, and ensuring government accountability. Its effective functioning is essential for the preservation of democratic principles and the proper governance of the nation.

2. What is the Sixth Schedule? Why is Ladakh demanding to be brought under it? What are the issues in giving Sixth Schedule status to Ladakh?

The Sixth Schedule of the Indian Constitution (Articles 244(2) and 275(1)) provides for the administration of tribal areas in Assam, Meghalaya, Tripura, and Mizoram through Autonomous District Councils (ADCs). These councils have legislative, judicial, and executive powers to protect the rights and autonomy of tribal populations.

Sixth Schedule Overview:

- **Autonomous Governance:** ADCs can create laws on land, forest management, agriculture, village administration, inheritance, and more.
Example: The Khasi Hills Autonomous District Council in Meghalaya has implemented laws to protect indigenous land rights (Article 244(2)).
- **Judicial Powers:** Councils can establish courts for the trial of specific cases, such as disputes related to marriage, inheritance, and land, as seen in the Garo Hills Autonomous District Council (Article 275(1)).

- **Revenue Powers:** They have the authority to levy and collect taxes on properties, markets, and tolls, enabling self-sustenance and development.

Why is Ladakh Demanding Inclusion in the Sixth Schedule?

- **Preservation of Cultural Identity:** Ladakh, with its unique tribal culture, seeks inclusion in the Sixth Schedule to safeguard its cultural heritage and traditional customs through legal protection.
- **Ensuring Representation:** After the 2019 reorganization of Jammu and Kashmir, Ladakh became a Union Territory without a legislative assembly, leading to concerns over the loss of local autonomy and representation. The region's leaders feel politically dispossessed as decision-making has shifted from public participation to bureaucratic processes.
- **Strengthening Democratic Institutions:** Inclusion in the Sixth Schedule would allow for the establishment of autonomous councils, which would enhance democratic governance at the grassroots level and ensure inclusive and accountable decision-making.
- **Socio-Economic Development:** The autonomy granted under the Sixth Schedule could enable the formulation and implementation of locally relevant development initiatives, improving socio-economic outcomes. This is crucial given the current lack of a public service commission and job policy, which has fuelled frustration among the youth.

Issues in Granting Sixth Schedule Status to Ladakh

- **Legal and Administrative Hurdles:** The Constitution explicitly reserves the Sixth Schedule for the Northeast region, requiring a constitutional amendment to include Ladakh. This poses significant legal and administrative challenges.
- **Demographic Composition:** Ladakh's demographic mix includes a significant non-tribal population, raising questions about the applicability of tribal-centric provisions. Unlike the Northeast regions, Ladakh's mix of Buddhists and Muslims complicates the straightforward application of the Sixth Schedule, as it might not fully align with the diverse needs of the population.
- **Potential Delays in Governance:** Adding complexity to Ladakh's governance structure could lead to administrative challenges and delays in decision-making processes, which might hinder efficient governance.
- **Economic Development Concerns:** Critics argue that the restrictions imposed by the Sixth Schedule could impede Ladakh's economic development by limiting land use, resource exploitation, and investment opportunities.
- **Current Progress and Reservations:** The central government has pointed out that the UT administration is already addressing the socio-economic needs of Ladakh, with sufficient funds being provided. Additionally, the reservation for Scheduled Tribes in direct recruitment was recently increased from 10% to 45%, which significantly aids tribal development.
- **Clear Chain of Command and Security:** Ladakh's status as a Union Territory ensures a clear chain of command for security operations, particularly important given its sensitive borders with China and Pakistan. This status strengthens India's sovereignty and diplomatic position in the region.

Strengthening local self-government can empower Ladakh's indigenous communities by ensuring their participation in governance and protection of cultural rights. By fostering local governance, Ladakh can achieve sustainable development while preserving its unique heritage, addressing concerns more effectively at the grassroots level.