

## GS Mains Daily Answer Writing

### Week 2 (Day 1)

#### Model Structures

### 1. Role of Parliament is to deliberate, discuss and decide but in recent times disruption has become a roadblock in parliamentary functioning. Comment

#### Model Structure

##### Introduction

- There is a sharp rise in the time lost in disruptions and in the cost of running the Parliament.
  - The 11th Lok Sabha lost 5 percent of its time to disruptions. This rose to over 10 per cent in the 12th Lok Sabha and 22.40 per cent in the 13th Lok Sabha. In the 14th and 15th Lok Sabha, at least 30 percent of the time has been lost to disruptions in session after session.

##### Main Body

- In representative parliamentary democracy, parliament is at the centre of democratic processes.
- Parliament in general has deliberative role, specifically it performs critical functions such as:
  - Debating Function: Parliamentary debates make it possible to analyse any or every issue that faces the nation. These debates form the heart of democratic decision making.
  - Legislative Function: It enacts legislation for the country. No law can be passed without due procedure established in the Constitution where Parliament's powers have been enumerated.
  - Enforcing accountability of executive: Parliament ensures that the executive does not overstep its authority and remains responsible to the people who have elected them.

- Financial Function: Grants resources to the government to implement its programmes. In democracy, the legislature has financial control over the government through budgetary process.
- Representation: Parliament represents the divergent views of members from different regional, social, economic, religious groups of different parts of the country.
- Reasons for disruptions:
  - Opposition has a significant role to play in the form of constructive criticism of the policies of the government & to provide an alternative government. However, there are instances where the opposition- irrespective of party in power at centre – have used parliament as a site of protest and not for debate.
  - Fragmented Polity: Indian electoral system has been increasingly fragmented since 1970's with the emergence of regional parties. This is also because of diversity in India. Even though it has been positive for deepening democracy by making Indian democracy more representative, there are certain unintended consequences of rise in regional parties. The regional issues find themselves in the form of protests within the parliament leading to disruptions.
  - Quality of representatives in parliament is another reason why the parliamentary conventions as developed in the west are not followed in India. According to a report by the Association for Democratic Reforms and National Election Watch, at least 34 percent of Lok Sabha MPs have self-declared criminal cases against them. About 22 percent of these face serious criminal charges. Such membership is likely to have reduced commitment to democratic conventions.
- Consequences of disruptions in Parliament
  - Accountability of government is not duly enforced.
  - Discussions withheld: Parliament represents the divergent views of members but disruptions tend to reduce these functions as there is reduced scope to raise issues of public concerns through parliamentary procedures like Questions, Motions, resolutions etc.
  - Erosion of credibility: Disruptions also contribute to undermining the respect representatives ought to have in the eyes of the citizens.

- Financial Loss: With frequent disruptions Parliament the public exchequer loses crores of rupees
- Resort to Ordinances: Disruptions tends to Increase in resorting to ordinance as tool of law making using disruptions as pretext for not following due legislative procedure

## Conclusion

- Increasing political awareness of citizenry about the role of parliament and how disruption tends to hurt public interest would help stem the frequent parliamentary disruptions.
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## 2. The constitution of India provides a quasi-federal polity with the Center stronger than the States. Comment. (250 words)

### Model Structure

#### Introduction

- Quasi-federal means in a federal set-up where despite having two clear sets of government – central and the states, more powers are given to the Central Government.

#### Main Body

##### India - A Quasi-federal polity with strong center –

- Division of powers is in favour of the Centre and highly inequitable from the federal angle.
  - Eg, Union List contains more & important subjects
- No Territorial Integrity with States - The Parliament can unilaterally change the area, boundaries or name of any state.
- Emergency Provisions
  - During an emergency, the Central government becomes all powerful and the states go into the total control of the Centre.

- It converts the federal structure into a unitary one without a formal amendment of the Constitution.
- Flexible Constitution
  - Majority of the Constitution can be amended by the unilateral action of the Parliament
  - Power to initiate an amendment to the Constitution lies only with the Centre.
- Appointment of Governor - by the President. Holds office during the pleasure of the President.
  - He also acts as an agent of the Centre.
- Integrated Constitutional Offices
  - Indian constitution provides for an integrated audit machinery, election commission and states have no control over these offices
- Apart from this, features like Single Citizenship, Integrated Judiciary and All India Services also signifies centralising tilt.

## Conclusion

- The Supreme Court held that Federalism is a basic feature of the Constitution of India and it is unique in its nature and is tailored according to the specific needs of the country (Kuldip Nayar v Union of India).
  - Therefore, it would not be wrong to conclude that the Constitution of India is quasi-federal in nature, as stated by K C Wheare.
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