

ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: Parliament Session (IT solutions) video conference
ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The Hindu
ದಿನಾಂಕ : DATE: 4/6/2020

India's Parliament is missing in action

In today's extraordinary circumstances it should convene soon; adapting IT solutions can make this even easier



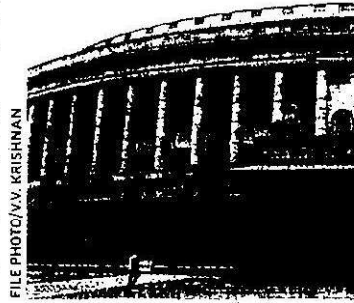
M.R. MADHAVAN

Parliaments in democracies around the world are meeting and questioning their governments on their responses to the COVID-19 pandemic. The Canadian Parliament had its first lockdown meeting towards the end of April, with roughly 280 of the 338 Members of Parliament attending through video conference and questioning the government for three hours. The British Parliament has adopted a hybrid model of in-person and video attendance. Several other countries have held sessions either with physical distancing (fewer MPs attend with agreement across parties) or video conferencing or a combination of the two. These include France, Italy, Argentina, Brazil, Australia and New Zealand. Many others are convening their committees through video-conferencing. The Inter Parliamentary Union has documented the processes used by various national parliaments to meet during the pandemic. India's Parliament, which prides itself as the apex representative body of the world's largest democracy, is a notable absentee from this list.

Parliament has a central role in our system of governance. First

and foremost, it is the institution that checks and challenges the government of the day. While introducing the draft Constitution, B.R. Ambedkar explained why the drafting committee had preferred a parliamentary form over the presidential system of governance. The reasoning was that while the presidential system provides a higher level of stability, the parliamentary system is better at holding the government to account on a daily basis through questions, motions and debates. Over the decades, our Parliament has evolved procedures of accountability including hearings of committees. The fact that Parliament and its committees have not met for over two months indicates the absence of scrutiny of government actions.

National laws are made by Parliament. The current steps by the central government are being taken under the Disaster Management Act, 2005, which was not designed to handle epidemics. The reasoning is that the central government had no choice as there was no other law that provide it with powers to impose a lockdown across the country, which was needed to arrest the spread of the disease. This misses the point that Parliament, which was meeting till a day before the national lockdown was announced, could have passed an appropriate Act. This is what many other countries have done – an Act with suitable checks and an expiry date, which could be renewed by Parliament, if required.



FILE PHOTO BY KRISHNAN

The Constitution requires all expenditure by the government to be approved by Parliament. The government has announced a series of measures to address the economic crisis sparked by the health crisis and the lockdown. These have not been subject to parliamentary scrutiny or approval.

The pressing issues

MPs have a duty to shape policy and guide the government in national interest. They represent the concerns of people by raising issues in Parliament. The country is facing serious challenges on many fronts as a consequence of the pandemic. These include addressing questions on how to stall the epidemic from spreading, how to treat people who are infected, and how to minimise the loss of life to the virus. There is also the question of how the economy is impacted, both from the supply side due to the lockdown, and from the demand side as incomes and spending contract.

Then there is the large humanitarian question of mitigating the impact on the most vulnerable

sections of the population, both the urban poor and in rural areas. There have been several news reports of migrants being mistreated, not provided transport, being harassed by the police – and being stripped of their dignity, even in cases where they have been provided with food and shelter. There needs to be concerted action to alleviate the distress. Parliament is the forum where such issues should be discussed and a plan of action agreed upon.

Our Constitution does not prohibit meetings that may require maintenance of physical distancing or remote meetings. It states that the President may summon Parliament "to meet at such time and place as he thinks fit". The Rules of Procedure of both Houses require the Secretary-General to issue summons to each member specifying the "date and place for a session" of the House. These enabling clauses can be used to hold hybrid meetings or remote meetings. The Rules require parliamentary committees to sit within the "precincts" of the House but the Speaker may permit meetings to be held outside; indeed, sub-committees often go on study tours outside Delhi. Thus, there is no prior parliamentary action required to permit meetings through video-conferencing.

Secure connectivity

The question of security and secrecy may come up. The meetings of the Houses are usually telecast live, and there is no issue of confi-

dentiality. Committee meetings, on the other hand, may require secure remote working tools. Given that large global corporations as well as parliamentary committees of several other countries seem to have solved this problem, there is no reason that the Indian Parliament cannot adapt these solutions. All district headquarters are linked with fibre optic lines, so even if there is a problem of connecting the constituency office of MPs, they could use such government facilities.

The question boils down to how our parliamentarians view themselves. If they think that they are sentinels of the people, they should find a way to perform their constitutional duties. Over the last three months, central and State governments have issued over 5,000 notifications to deal with the COVID-19 pandemic. The appropriateness of these circulars need to be examined by Parliament and its committees. In ordinary times, Parliament would have its next session in the second half of July. In today's extraordinary circumstances, Parliament should meet sooner, perhaps within a couple of weeks. India prides itself on being the world's largest democracy as well as the information technology provider to the world. It is imperative that Parliament harnesses the country's IT strengths to buttress our credentials as a performing democracy.

M.R. Madhavan is President of the PRS Legislative Research, New Delhi