



Research Paper

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The Deliberative Deficit: Diagnosing and Reforming India's Declining Parliamentary Productivity

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ABSTRACT

This paper investigates the phenomenon of the 'deliberative deficit' within the Indian Parliament, characterized by a quantifiable decline in its legislative productivity and oversight functions. Employing a descriptive-analytical methodology, it synthesizes quantitative data from parliamentary records and PRS Legislative Research with qualitative analysis of academic literature, expert commentary, and legal frameworks. The analysis reveals a multi-decadal trend of diminishing sitting days, truncated debates, underutilization of accountability mechanisms like Question Hour, and a precipitous decline in the referral of Bills to Parliamentary Committees. The paper diagnoses the root causes of this deficit, attributing it to a confluence of factors: intensifying political polarization, the ascendancy of the executive branch, particularly during periods of single-party majority, and the constraining effects of the Anti-Defection Law on legislative dissent. A comparative analysis with Westminster systems in the United Kingdom and Canada highlights systemic gaps in Indian parliamentary practice. The paper concludes by proposing a holistic framework of institutional, procedural, and legal reforms aimed at revitalizing Parliament's deliberative capacity. These recommendations include mandating a minimum number of sitting days, strengthening the committee system, amending the Anti-Defection Law to balance party discipline with legislative freedom, and institutionalizing pre-legislative consultation to restore Parliament's role as the central forum for democratic deliberation and accountability.

Introduction

The Parliament as the Cornerstone of Indian Democracy

The Parliament of India stands as the supreme legislative body and the primary institution of accountability within the nation's democratic architecture. Conceived by the framers of the Constitution as the "temple of democracy," it is the designated forum for articulating the will of the people, balancing the country's diverse and often competing interests through reasoned deliberation, and holding the executive branch accountable for its actions. The foundational principle of this parliamentary system is that just as the government is accountable to Parliament, the Parliament itself, as the highest legislative office, owes its ultimate accountability to the people of India, who

represent the highest sovereign authority in the democracy.

India's journey as a resilient post-colonial democracy is, in many ways, anomalous. It has sustained a robust and active political sphere, with hotly contested and inclusive elections, in a manner that stands as a rebuttal to Western liberal democratic theories that posit a set of socio-economic preconditions for democracy that India has historically lacked. The vibrancy of this political life makes the institutional health of its Parliament a subject of critical national and international importance. The Parliament's core functions extend beyond mere law-making to include executive oversight, budgetary control, and serving as a forum for national debate. It is through these functions that the constitutional promise of a government that is both responsive and responsible is

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realized. Therefore, any degradation in Parliament's capacity to perform these roles represents a fundamental challenge to the quality and substance of Indian democracy.

Defining the 'Deliberative Deficit': From Theoretical Ideals to Practical Realities

The concept of a 'deliberative deficit' serves as the central analytical framework for this paper. This concept is rooted in theories of deliberative democracy, most notably articulated by thinkers such as Jürgen Habermas and John Rawls, who posit that the legitimacy of political decisions stems from a process of public reasoning among free and equal citizens. Such a process requires specific preconditions: that participants are formally and substantively equal, and that decisions are reached not through coercion or power, but through the "force of the better argument". Deliberativeness, in this context, involves providing the necessary time and environment for open dialogue, ensuring participants have access to user-friendly information, and creating the space to understand issues, explore options, and weigh them against their values to arrive at considered recommendations.

The 'deliberative deficit' in the Indian Parliament can thus be defined as the widening chasm between this normative ideal of reasoned public discourse and the contemporary reality of its functioning. This deficit manifests when procedural shortcuts supplant thorough scrutiny, when partisan disruption replaces constructive debate, and when executive fiat overrides legislative deliberation. This decline is particularly poignant given India's rich and ancient tradition of public reasoning and dialogue, which dates back to at least the fifth century BCE and was fostered through various religious and cultural traditions. This history, which includes institutions ranging from ancient Buddhist councils to modern village assemblies (gram sabhas), suggests that deliberation is not an alien Western concept but a deeply embedded cultural practice.⁶ The current deficit, therefore, is not merely a failure to meet a theoretical standard but a significant departure from a long-standing indigenous tradition of public discourse, signalling a critical erosion of institutional capacity at the highest level of the state.

Structure of the Paper

This paper is structured to provide a comprehensive diagnosis of and prescription for the deliberative deficit in the Indian Parliament. Following this introduction, Section 2 reviews the existing academic and procedural literature on parliamentary decline and deliberative democracy. Section 3 outlines the research objectives and the descriptive-analytical methodology employed. Section 4 presents a detailed, data-driven analysis of the decline in parliamentary productivity over several decades, identifies the key causal factors, and provides a comparative perspective with other Westminster

democracies. Finally, Section 5 concludes the paper by summarizing the findings and proposing a multi-pronged framework of institutional, procedural, and legal reforms designed to revitalize the Indian Parliament's deliberative capacity and reinforce its role as the linchpin of Indian democracy.

Review of Literature

The "Decline of Parliament" Thesis in Indian Academia

The notion that the Indian Parliament is in a state of decline is a rare point of convergence between academic scholarship and popular opinion. This "decline of Parliament" thesis underpins much of the contemporary media and scholarly narrative, implicitly contrasting the current state of affairs with a perceived "golden era" of parliamentary functioning. The literature identifies several interlocking causes for this perceived deterioration.

One school of thought, as noted by Ronojoy Sen, attributes the decline to a shift in political culture, where the "idiom of mass politics" has infiltrated the legislative chambers, replacing deliberative norms with disruptive tactics like walkouts and sloganeering. However, other scholars argue that the root causes are more institutional than cultural. A significant body of work focuses on the structural shifts in Indian politics since the late 1980s. The rise of intense party polarization, particularly around the ideological contestation between secularism and Hindu nationalism, is seen as a key factor that has eroded the space for consensual decision-making and flexibility in debate.¹² This is compounded by the role of the media, which has incentivized a "politics of spectacle," where legislators perform for television cameras rather than engaging in substantive deliberation with their peers.

Furthermore, scholars have analyzed the impact of governmental structures on parliamentary efficacy. The era of coalition governments (1989-2014), while theoretically empowering the legislature through bargaining, often resulted in chaotic "house management" and legislative paralysis. Paradoxically, the subsequent return to single-party dominance has been argued to have accelerated the decline. With a robust majority, the executive is empowered to disregard not only the opposition but also established parliamentary processes, leading to what has been termed a "majoritarian and authoritarian streak" in governance. This has manifested in a drastic reduction in the use of committees for legislative scrutiny and a growing gap between the complexity of modern policy challenges and the capacity of Members of Parliament (MPs) to engage with them meaningfully.

A counter-narrative, termed the "democratization thesis," argues that the social churning since the 1970s has made Parliament more representative of marginalized sections

of society. Proponents of this view, such as Valerian Rodrigues and Balveer Arora, contend that judging Parliament solely by the metric of efficiency is flawed, as the institution's role in articulating and negotiating social transformation has deepened. However, this thesis is challenged by the empirical reality that the decline in key productivity indicators has been sharper.

After the peak of this democratic upsurge, suggesting that while Parliament has become more inclusive, it has simultaneously become less effective as an institution of voice and accountability. The consensus in recent literature points towards a legislature whose effectiveness, integrity, and authority are diminishing, prompting critical questions about the health of India's democratic processes.

Theoretical Underpinnings of Deliberative Democracy

The critique of India's parliamentary decline is implicitly and explicitly benchmarked against the normative standards of deliberative democracy. This body of political theory, drawing from thinkers like Habermas, emphasizes that political legitimacy is derived from public deliberation characterized by rationality, equality, and inclusivity. The core principle is that outcomes should be determined by reasoned argument rather than by power, wealth, or coercion. This framework provides a powerful lens for diagnosing the "deliberative deficit," which can be understood as the failure of an institution to meet these procedural standards.

However, the literature on deliberation in India offers a crucial nuance. Scholars like Amartya Sen have highlighted India's long and rich history of public reasoning, suggesting that deliberation is not a foreign import but a practice with deep indigenous roots. Furthermore, studies of local deliberative bodies, such as the constitutionally mandated village assemblies (gram sabhas), reveal a unique adaptation of deliberative theory. In the Indian context, marked by profound social and economic inequalities, deliberation has often functioned not as a process that requires pre-existing equality, but as a *mechanism* to achieve it. These institutions, backed by state policies of inclusion, have become forums where historically marginalized communities can assert their dignity and demand social equality. This perspective reframes the assessment of the parliamentary deficit. The decline in parliamentary deliberation is not just a procedural failure; it represents the weakening of a key institutional tool for deepening democracy and fostering inclusion in a vast and diverse society. The disaffection of the public with government-led participation and a decreasing trust in decision-making processes underscore this democratic deficit at both local and national levels.

Foundational Texts on Parliamentary Procedure and Practice

The standards for ideal parliamentary functioning in India are authoritatively codified in seminal texts that serve as both procedural guides and statements of institutional philosophy. The most definitive of these is *Practice and Procedure of Parliament* by M.N. Kaul and S.L. Shukla, now in its eighth edition. This work is considered the standard reference on the rules, conventions, and procedural frameworks that govern the Indian Parliament. It provides a systematic explanation of the parliamentary apparatus, emphasizing that procedure is not merely a set of rigid laws but a body of ideas and principles that must be applied with wisdom and flexibility to ensure the orderly conduct of business. Kaul and Shukla stress that the parliamentary system requires an "essential basis of co-operation between the Opposition and the Government" and that its success depends on fostering a spirit of tolerance, free discussion, and mutual understanding.

Complementing this is the extensive body of work by Dr. Subhash C. Kashyap, a distinguished scholar and former Secretary-General of the Lok Sabha. His numerous books, including *Our Parliament* and the multi-volume *History of the Parliament of India*, provide deep insights into the evolution of parliamentary democracy in India.¹⁹ Kashyap's scholarship underscores the critical role of procedural devices in ensuring that the executive remains accountable to the legislature at all times. These foundational texts collectively establish a benchmark for procedural propriety. They articulate a vision of Parliament where time is used judiciously, where debate is constructive and well-informed, and where established procedures are respected as the essential safeguards of a functional democracy. The contemporary decline in parliamentary productivity, characterized by disruptions, hasty legislation, and the bypassing of established norms, stands in stark contrast to the principles articulated in these foundational works, highlighting the extent of the deliberative deficit.

Research Objectives

1. To define and conceptualize the "deliberative deficit" in the context of the Indian Parliament by establishing clear, measurable metrics for parliamentary productivity, moving beyond simplistic measures of legislative output.
2. To historically contextualize and quantitatively measure the decline in parliamentary productivity from the first Lok Sabha (1952) to the seventeenth (2019-2024), using empirical data on sittings, debates, and committee functioning.

3. To conduct a causal analysis to diagnose the primary drivers of this decline, examining the interplay of political factors (polarization, executive dominance), institutional weaknesses (committee system), and legal frameworks (Anti-Defection Law).

Research Methodology

Quantitative Analysis:

The empirical backbone of this study is derived from quantitative data tracking the functioning of the Indian Parliament. The principal source for this data is PRS Legislative Research, a highly regarded, non-partisan research institution that provides detailed statistics and analysis on parliamentary activity. Data from PRS is used to measure trends in the number of sitting days, the volume of legislation passed, the time spent on debates, the functioning of Question Hour, and, critically, the rate of referral of Bills to parliamentary committees. This data is supplemented by official records from the Lok Sabha and Rajya Sabha Secretariats, publications from the Ministry of Parliamentary Affairs, and press releases from the Press Information Bureau (PIB), which provide official figures on legislative business conducted during parliamentary sessions, and normative factors shaping parliamentary performance and potential reforms.

Data Analysis

The Arc of Productivity: From the First Lok Sabha to the Seventeenth

The trajectory of the Indian Parliament's deliberative health is not one of simple, linear decline but of a complex erosion marked by distinct phases, each contributing to the contemporary deficit in unique ways. The early post-independence period, particularly under Prime Minister Jawaharlal Nehru, is often retrospectively viewed as a "golden era." Despite his party's overwhelming majority, Nehru actively fostered a culture of debate, frequently engaging with opposition Members of Parliament (MPs) and invoking the "majesty" of Parliament. This period was characterized by frank and open debate on diverse policy matters, establishing Parliament's primary function as a deliberative body where issues were highlighted for the nation. However, even this era was not without its own deficit; while the culture of deliberation was strong, Parliament's structural power to enforce accountability was limited. For instance, treaties did not require parliamentary ratification, and the executive, being part of the legislature, meant that Parliament's role was often confined to passing or rejecting laws rather than making them. This represents a deficit of power, where deliberation occurred but lacked sufficient institutional teeth.

A significant shift occurred during the tenure of Prime Minister Indira Gandhi, which was marked by an incremental deterioration in Parliament's policy impact. Crucial decisions, such as the declaration of the

Emergency, were made without any legislative debate or input, representing a fiat issued by the executive. The rise of extra-constitutional "kitchen cabinets" gradually replaced Parliament as the primary venue for decision-making, a trend that continued under subsequent strong-majority governments.

The period from 1989 to 2014 ushered in a new phase defined by coalition politics. The loss of a single-party majority for the Indian National Congress (INC) should, in theory, have enhanced Parliament's effectiveness by making inter-party bargaining and negotiation necessary. Instead, it led to a deficit of order. The fragmentation of the party system resulted in chronic instability and severe "house management" problems, with parliamentary proceedings frequently paralyzed by disruptions. Data from this period shows that time lost in disruptions surged from 10% to 40% between 1996 and 2014, demonstrating that a weaker executive did not automatically translate into a more productive legislature. The return of single-party dominance in 2014 marked the beginning of the current phase, characterized by a deficit of intent. With a commanding majority, the executive branch has demonstrated a consistent pattern of bypassing or marginalizing established deliberative mechanisms. This is not a consequence of a lack of power or a breakdown of order, but a deliberate political choice to prioritize legislative speed over scrutiny. The sharp and systematic decline in the referral of Bills to committees, the truncation of debates, and the underutilization of accountability tools during the 16th (2014-2019) and 17th (2019-2024) Lok Sabhas are the primary symptoms of this phase. Understanding these distinct phases is critical, as reforms designed to address a deficit of order (e.g., stricter disciplinary rules for disruptions) may prove ineffective in an era defined by a deficit of intent, which requires strengthening institutional mandates that cannot be easily circumvented by a powerful executive.

Quantitative Indicators of the Deliberative Deficit

The decline in parliamentary deliberation is not merely a qualitative perception; it is a quantifiable phenomenon evidenced by a range of statistical indicators. An analysis of parliamentary data over several decades reveals a consistent and worrying trend across key metrics of legislative activity and executive oversight.

Analysis of Sitting Days and Legislative Throughout

One of the most telling indicators of Parliament's diminishing role is the steep decline in the number of days it convenes. The annual average of sittings for the Lok Sabha has plummeted from a robust 121-135 days in the 1950s and 1960s to an average of around 55-70 days in the last two decades. The 17th Lok Sabha, which held its sessions between June 2019 and February 2024, sat for a total of only 274 days. This is the lowest number of sittings for any Lok Sabha that has completed a full five-year term. This reduction in sitting days severely constricts the time

available for all parliamentary business, from law-making to holding the government to account.

This decline has given rise to a critical paradox concerning the definition of "productivity." While the time available for deliberation has shrunk, the legislative output measured purely by the number of Bills passed, has at times been high. The 16th Lok Sabha passed 133 Bills which was 15% higher than the 15th Lok Sabha. The 17th Lok Sabha passed a total of 179 Bills (excluding Finance and Appropriation Bills). However, this high volume of legislation has been achieved by drastically cutting down on scrutiny and debate. The data reveals a direct inverse relationship between the speed of legislative passage and the quality of deliberation. In the 17th Lok Sabha, an astonishing 58% of Bills were passed within two weeks of their introduction, and 35% were passed with less than an hour of discussion in the Lok Sabha. This trend suggests that "productivity," when measured by the sheer number of laws enacted, has become a misleading metric that masks a severe deliberative deficit. The government's ability to pass more laws in less time is not a sign of efficiency but a symptom of Parliament's abdication of its core function of detailed scrutiny.

Table 1: Sittings and Legislative Output of Lok Sabhas (1st-17th)

| Lok Sabha Term | Years | Total Sittings | Average Sittings per Year | Total Bills Passed |
|----------------|-----------|----------------|---------------------------|--------------------|
| 1st | 1952-1957 | 677 | 135 | 333 |
| 2nd | 1957-1962 | 581 | 116 | 327 |
| 3rd | 1962-1967 | 578 | 116 | 272 |
| 4th | 1967-1970 | 469 | 117 | 216 |
| 5th | 1971-1977 | 613 | 102 | 487 |
| 6th | 1977-1979 | 267 | 95 | 136 |
| 7th | 1980-1984 | 464 | 116 | 336 |
| 8th | 1985-1989 | 485 | 97 | 346 |
| 9th | 1989-1991 | 109 | 73 | 63 |

| | | | | |
|------|-----------|-----|----|-----|
| 10th | 1991-1996 | 423 | 85 | 284 |
| 11th | 1996-1997 | 125 | 83 | 64 |
| 12th | 1998-1999 | 88 | 68 | 60 |
| 13th | 2000-2004 | 356 | 89 | 302 |
| 14th | 2004-2009 | 332 | 66 | 261 |
| 15th | 2009-2014 | 357 | 71 | 179 |
| 16th | 2014-2019 | 331 | 66 | 205 |
| 17th | 2019-2024 | 274 | 55 | 179 |

Source: Compiled from PRS Legislative Research and Ministry of Parliamentary Affairs data.

Note: "Total Bills Passed" includes all bills passed by both Houses, excluding Finance and Appropriation Bills for some terms for consistency. Averages are rounded

[The Erosion of Scrutiny: A Deep Dive into the Parliamentary Committee System](#)

The most alarming indicator of the deliberative deficit is the systematic sidelining of Parliamentary Committees. Established in 1993, the Departmentally-Related Standing Committees (DRSCs) were designed to function as "mini-Parliaments," providing a forum for detailed, evidence-based, and non-partisan scrutiny of legislation, budgets, and government policies away from the public glare and political posturing of the House floor. These committees allow for clause-by-clause examination of Bills, consultation with experts and stakeholders, and the building of cross-party consensus, thereby significantly improving the quality and rigour of legislation.

However, the practice of referring Bills to these committees has witnessed a precipitous decline. The data reveals a stark and deliberate trend of bypassing this crucial stage of the legislative process. This practice should be interpreted not as a sign of efficiency, but as a "sign of abdication by Parliament of its duty to scrutinise Bills". The consequences are significant: poorly drafted legislation that is prone to implementation challenges and judicial review, and a lack of stakeholder buy-in, which can undermine the legitimacy of the law itself. The decline is particularly glaring when compared to the robust committee scrutiny in previous Lok Sabhas, where referral was the norm rather than the exception. This trend

highlights a fundamental shift in the legislative process, prioritizing speed and executive will over deliberative quality and democratic accountability.

Table 2: Referral of Bills to Departmentally-Related Standing Committees (DRSCs) (14th - 17th Lok Sabha)

| Lok Sabha Term | Years | Total Bills Introduced | Bills Referred to DRSCs | Percentage Referred |
|----------------|-----------|------------------------|-------------------------|---------------------|
| 14th | 2004-2009 | - | - | 60% |
| 15th | 2009-2014 | - | - | 71% |
| 16th | 2014-2019 | - | - | 25% |
| 17th | 2019-2024 | - | - | 16% |

Source: Compiled from PRS Legislative Research data. Note: The 17th Lok Sabha figure is sometimes cited as low as 10% or 11% in some reports, but 16% is a commonly cited figure from PRS analysis of the full term

The Muting of Accountability: The Decline of Question Hour and Debates

The deliberative deficit extends beyond law-making to the core function of executive oversight. Key parliamentary instruments designed for holding the government accountable on a daily basis have been systematically weakened through disruption and underutilization. The Question Hour, the first hour of a parliamentary sitting, is a critical mechanism for MPs to ask questions and hold ministers directly accountable for the functioning of their ministries. It is a vital tool for transparency and has historically been used to expose administrative lapses and corruption.

However, in recent years, the Question Hour has been persistently disrupted or rendered ineffective. Data for the 17th Lok Sabha shows that this crucial hour functioned for only 60% of its scheduled time in the Lok Sabha and a mere 52% in the Rajya Sabha. During some sessions, the figures have been even more dismal; for instance, in one period during the 17th Lok Sabha, Question Hour functioned for only 19% of its scheduled time in the Lok Sabha and 9% in the Rajya Sabha.

This decline is mirrored in other forms of debate. Adjournment motions, a powerful tool for the opposition to halt normal proceedings to discuss a matter of urgent public importance, have become virtually extinct. No adjournment motions were taken up in either the 16th or 17th Lok Sabhas, a stark contrast to the seven such motions discussed in the 14th Lok Sabha. Furthermore, the active participation of individual MPs in debates has

remained low. In the 17th Lok Sabha, despite an average attendance of 79%, MPs participated in an average of only 45 debates each over the five-year term. This combination of disrupted accountability sessions and low debate participation indicates a significant muting of Parliament's oversight role, allowing the executive to function with reduced scrutiny.

Bypassing Deliberation: The Rise of Ordinances and Truncated Budget Scrutiny

The executive branch has increasingly utilized two primary methods to circumvent parliamentary deliberation altogether: the promulgation of ordinances and the severe truncation of budget scrutiny. The Constitution allows the executive to issue ordinances-temporary laws-when Parliament is not in session, but this power is meant for emergencies. However, it has been increasingly used to enact legislation on contentious issues, thereby bypassing the entire process of debate and committee scrutiny.

An even more profound erosion of parliamentary power is visible in the area of financial accountability. The power of the purse- the authority to scrutinize and approve government expenditure is one of Parliament's most fundamental responsibilities. Yet, the time spent on discussing the Union Budget has seen a dramatic decline. The 17th Lok Sabha, for instance, discussed the annual budget for an average of only 35 hours. This has led to the routine use of the "guillotine," a procedure where all outstanding Demands for Grants from various ministries are put to a vote at once without any discussion. Between 2019 and 2023, an average of 80% of the budget was voted on without discussion. In some years, this figure has been even higher, with over 75% of Demands for Grants being passed without debate in 2023, and 100% in 2018. This practice effectively reduces Parliament's role in fiscal oversight to a mere formality, granting the executive a blank cheque for a majority of its proposed expenditure and representing a severe abdication of constitutional responsibility.

Table 3: Time Spent on Union Budget Discussion in Lok Sabha (Selected Years)

| Lok Sabha Term | Average Hours on Budget Discussion | Average % of Demands Guillotined |
|----------------|------------------------------------|----------------------------------|
| 10th (1991-96) | ~100 hours | ~60% |
| 14th (2004-09) | ~40 hours | ~80% |
| 15th (2009-14) | ~30 hours | ~85% |
| 16th (2014-19) | ~40 hours | ~83% |
| 17th (2019-24) | ~35 hours | ~80% |

Source: Compiled from PRS Legislative Research data. Note: Figures are approximate and represent averages over the term to illustrate the trend. The percentage of demands guillotined has varied year-on-year but has remained consistently high.

Causal Factors of the Decline

The precipitous decline in parliamentary productivity is not a result of a single failure but a symptom of deeper, interlocking maladies within India's political and institutional framework. The data points to a systemic crisis driven by political polarization, executive aggrandizement, and a flawed legal structure that suppresses legislative independence.

The Impact of Political Polarization and Single-Party Dominance

A primary driver of parliamentary dysfunction is the intensification of political polarization in India. The political landscape has become increasingly adversarial, characterized by deep ideological, religious, and regional divisions. This has transformed Parliament from a forum for consensus-building into an arena for confrontational politics. The rise of identity politics and the open contestation of foundational principles of the state, such as secularism, have stripped away the flexibility and openness required for genuine deliberation. In this hyper-partisan environment, disruptions are no longer just a spontaneous expression of dissent but a calculated political strategy. The opposition, feeling marginalized and denied space for debate, often resorts to grandstanding and obstruction to stall the government's agenda and attract media attention.

This dynamic is dangerously amplified during periods of single-party dominance, as witnessed during the 16th and 17th Lok Sabhas. A government with a strong majority in the Lok Sabha is institutionally empowered to push through its legislative agenda with minimal consultation. This creates a "majoritarian and authoritarian streak" where the executive feels little compulsion to engage with the opposition, build consensus, or subject its proposals to rigorous parliamentary scrutiny. The result is a vicious cycle: the government's dominance leads it to bypass deliberative processes, which in turn leads a frustrated and marginalized opposition to resort to disruptions, further degrading the quality of parliamentary discourse and providing the government with a pretext to pass legislation hastily amidst the chaos.

The Chilling Effect: How the Anti-Defection Law Curtailed Debate

While political dynamics set the stage for the deliberative deficit, the Tenth Schedule of the Constitution, commonly known as the Anti-Defection Law, provides the legal mechanism that entrenches it. Introduced via the 52nd Amendment in 1985, the law was intended to curb the "evil of political defections" and prevent the instability caused by legislators switching parties for personal gain.

However, its provisions have had a profound and deleterious unintended consequence: the suppression of all forms of legislative dissent and debate within political parties.

Paragraph 2(1)(b) of the Tenth Schedule stipulates that a legislator can be disqualified if they vote or abstain from voting in the House "contrary to any direction issued by the political party to which he belongs". This provision, enforced through the party whip, has a "chilling effect on the freedom of speech of the members of the house". It effectively transforms MPs from representatives elected to exercise their independent judgment on behalf of their constituents into mere delegates of the party high command. The law confuses legitimate dissent with defection, making parliamentary debate largely redundant, as the outcome of any vote is predetermined by the party whip. Legislators are deterred from voting according to their conscience or the specific interests of their constituency if it conflicts with the party line, for fear of losing their seat in the legislature.

This legal framework creates a powerful synergy with executive dominance. In India's parliamentary system, the executive (the Council of Ministers) is drawn from the majority party in the Lok Sabha. The Anti-Defection Law thus provides the executive with a constitutional tool to enforce absolute discipline over its own MPs, ensuring the smooth passage of its legislative agenda regardless of internal dissent or the merits of the opposition's arguments. This fundamentally alters the relationship between the executive and the legislature from one of accountability to one of control. An executive that benefits from this immense power has a vested interest in maintaining the law in its current stringent form, creating a self-perpetuating cycle that systematically hollows out parliamentary deliberation and concentrates power in the executive. Any meaningful attempt to curb executive overreach must therefore address the structural flaw embedded in the Anti-Defection Law.

A Comparative Perspective: Benchmarking against the UK and Canada

The severity of India's deliberative deficit becomes clearer when its parliamentary practices are benchmarked against those of other mature democracies that share the Westminster model, such as the United Kingdom and Canada. While all parliamentary systems grapple with challenges of executive power and party discipline, the institutional safeguards and procedural norms in the UK and Canada provide a stark contrast to the Indian reality.

A primary difference lies in the sheer amount of time dedicated to parliamentary work. The Indian Parliament's average of 60-70 sitting days per year is less than half of the 150-170 days for which the British Parliament convenes annually. This vast difference in time directly impacts the capacity for thorough deliberation.

The most significant divergence is in the role and functioning of the committee system. In the UK, it is standard practice for all Bills (except Money Bills) to be referred to a committee for detailed scrutiny. Similarly, in Canada, all bills are automatically referred to committees for examination. This institutionalized practice of mandatory scrutiny ensures that legislation is rigorously vetted, a norm that has been progressively abandoned in India.

Furthermore, mechanisms for direct executive accountability are more robust. The UK's weekly Prime Minister's Questions (PMQs) is a high-profile, televised event that forces the head of government to answer directly to the legislature, a practice with no direct, institutionalized equivalent in India. Both the UK and Canada also provide greater institutional space for the opposition to shape the parliamentary agenda. In the UK, the opposition is allocated 20 "opposition days" per session to debate subjects of its choosing, while Canada provides 22 such days. The well-established concept of a "shadow cabinet" in both countries also enhances the opposition's capacity for informed and systematic scrutiny of government ministries. These comparative examples demonstrate that while party discipline is a feature of all Westminster systems, robust procedural norms and institutional safeguards can create a more balanced and deliberative legislative environment.

Table 4: Comparative Parliamentary Metrics (India, UK, Canada)

| Metric | India | United Kingdom | Canada |
|---|---|--|---------------------------------|
| Average Annual Sitting Days | 55-70 days | 150-170 days | ~130 days |
| Bill Referral to Committees | Discretionary; declined to 16% in 17th LS | Mandatory for most Bills | Automatic for all Bills |
| Prime Ministerial Accountability | Answers questions only for ministries under direct charge | Weekly Prime Minister's Questions (PMQs) | Daily 45-minute Question Period |

| | | | |
|---|--|----------------------------------|----------------------------------|
| Opposition on Agenda-Setting Power | None (agenda controlled by government) | 20 "Opposition Days" per session | 22 "Opposition Days" per session |
|---|--|----------------------------------|----------------------------------|

Source: Compiled from various reports and analyses.

Case Studies in Legislative Haste: Examining Bills Passed Without Committee Scrutiny

The tangible consequences of the deliberative deficit are most evident in the quality and public acceptance of laws passed without adequate scrutiny. Several recent high-profile legislative actions serve as compelling case studies of this systemic failure.

The Farm Laws (2020): Perhaps the most prominent example is the passage of three controversial farm laws in 2020. These laws, which aimed to fundamentally restructure India's agricultural markets, were first introduced as ordinances, bypassing initial parliamentary debate. When brought to Parliament, they were rushed through with minimal discussion and were not referred to any parliamentary committee for stakeholder consultation or detailed examination. One of the Bills was reportedly passed in the Rajya Sabha in just seven minutes without a proper vote. The lack of pre-legislative consultation and the complete absence of parliamentary scrutiny resulted in legislation that was widely perceived as illegitimate by a large section of the farming community. This led to one of the largest and most sustained protest movements in India's recent history, culminating in the eventual repeal of all three laws by Parliament in 2021- a process that, ironically, was also conducted without substantial debate. This entire episode exemplifies how bypassing deliberation not only produces poorly conceived laws but can also lead to significant social unrest and policy failure.

The Government of National Capital Territory of Delhi (Amendment) Bill, 2021: This legislation significantly altered the balance of power in the governance of Delhi, shifting authority from the elected legislative assembly to the centrally-appointed Lieutenant Governor. Despite its profound constitutional implications, the Bill was introduced in the Lok Sabha on March 15, 2021, and passed by both Houses within a week, without being referred to a committee for examination. The haste with which it was passed precluded any detailed analysis of its impact on federal principles and democratic governance in the national capital.

Other Examples of Hasty Legislation: This pattern is not limited to a few isolated cases. A range of other significant Bills have followed a similar trajectory, including the Right to Information (Amendment) Act, 2019, and the Unlawful Activities (Prevention) Amendment Act, 2019, both of which had significant implications for transparency and

civil liberties but were passed without committee scrutiny. Similarly, the Insurance (Amendment) Bill, 2021, which raised the limit for foreign direct investment in the insurance sector, took just one week to pass both Houses after its introduction. These cases collectively demonstrate a consistent and worrying trend where the executive uses its majority to push through major policy changes, treating Parliament as a rubber stamp rather than a deliberative body.

Conclusion and Recommendations

Recapitulation of Findings: The Gravity of the Deliberative Deficit

The evidence and analysis presented in this paper paint a grim picture of the state of the Indian Parliament. The institution is grappling with a severe and deepening 'deliberative deficit', a systemic crisis that extends far beyond procedural irregularities. The quantitative data reveals a multi-decadal decline in the fundamental metrics of parliamentary functioning: fewer sitting days, drastically reduced time for debate, the near-abandonment of the committee system for legislative scrutiny, and the routine guillotining of the national budget. This quantitative decline is a symptom of deeper causal factors. The rise of an adversarial and polarized political culture, combined with the consolidation of executive power under single-party dominance, has created an environment where deliberation is viewed as an obstacle to be overcome rather than a necessity for good governance. This dynamic is legally cemented by the Anti-Defection Law, which has effectively silenced internal dissent and transformed the legislature into an instrument of executive will. The cumulative effect of these trends is the erosion of Parliament's core constitutional functions. The quality of law-making is compromised, executive accountability is weakened, and public trust in India's primary democratic institution is dangerously undermined.⁸ Reversing this institutional decay is not merely a matter of procedural tinkering; it requires a comprehensive and multi-pronged reform agenda aimed at restoring the deliberative vitality of Parliament.

A Framework for Revitalizing Indian Parliament

Addressing the deliberative deficit requires a holistic approach that simultaneously tackles the institutional, procedural, and legal weaknesses of the current system. The following framework synthesizes recommendations from the Law Commission of India, various parliamentary experts, and best practices observed in comparative democracies.

Institutional Reforms: Rebuilding the Foundations

Mandate a Minimum Number of Sitting Days: To ensure sufficient time for legislative and oversight functions, a minimum number of sitting days for Parliament should be statutorily mandated. The recommendation of the National Commission to Review the Working of the Constitution (NCRWC) for at least 120 sitting days for the

Lok Sabha and 100 for the Rajya Sabha provides a sound benchmark. To enhance predictability, an annual calendar for parliamentary sessions should be published in advance, a practice common in other democracies like the UK.

Strengthen and Mandate the Committee System: The role of the Departmentally-Related Standing Committees (DRSCs) must be revitalized. Parliamentary rules should be amended to make the referral of all substantive Bills to the relevant DRSC a mandatory step in the legislative process, mirroring the practice in the UK. To enhance the quality of their scrutiny, committees must be provided with significantly greater resources, including a cadre of dedicated, full-time research staff and technical experts, independent of the government ministries they oversee. Furthermore, to ensure their recommendations are taken seriously, the government should be required to table a formal "Action Taken Report" on the floor of the House for every committee report, providing a detailed justification for the acceptance or rejection of each recommendation.

Establish a Parliamentary Budget Office (PBO): To empower MPs to conduct meaningful scrutiny of the Union Budget and other complex fiscal policies, an independent, non-partisan Parliamentary Budget Office should be established. Modelled on similar institutions in other democracies, the PBO would provide MPs with objective analysis of budgetary proposals, fiscal implications of Bills, and medium-term economic forecasts, thereby levelling the informational playing field between the legislature and the executive.

Procedural Reforms: Changing the Rules of Engagement

Enforce Pre-Legislative Consultation: The Pre-Legislative Consultation Policy of 2014, which requires ministries to place draft Bills in the public domain for feedback, should be given statutory backing to make it a mandatory and enforceable part of the law-making process. This would enhance transparency, allow for stakeholder input at an early stage, and potentially reduce legislative errors and future conflict.

Introduce a Prime Minister's Question Hour: A dedicated, weekly Question Hour specifically for the Prime Minister should be institutionalized, modelled on the UK's successful PMQs. This would ensure direct and regular accountability of the head of the executive on pressing and cross-cutting national issues, a mechanism that is currently absent.

Empower the Opposition: To ensure that the opposition can play a constructive role in scrutiny, established international practices should be adopted. This includes institutionalizing the concept of a "shadow cabinet" to facilitate focused and expert-led tracking of government ministries, and allocating a specific number of "Opposition Days" in the parliamentary calendar where the opposition can set the agenda for debate.

Leverage Technology for Transparency and Efficiency:

Parliament should adopt modern technological tools to enhance its functioning. This includes using AI and data analytics to help MPs sift through vast amounts of data in budgets and reports to identify irregularities and trends. Furthermore, to increase transparency and public engagement, all committee proceedings, not just House sessions, should be live-streamed and archived for public access.

Legal and Constitutional Reforms: Addressing Structural Flaws

Amend the Anti-Defection Law (Tenth Schedule): The most critical legal reform is to amend the Tenth Schedule to address its chilling effect on debate. The application of the party whip should be restricted only to votes that directly threaten the stability of the government, such as a motion of no-confidence or a vote on the annual budget (Money Bills). On all other legislative matters, MPs should be free to vote according to their conscience and the interests of their constituents without fear of disqualification. This single reform would breathe life back into parliamentary debate. Additionally, the power to adjudicate disqualification petitions should be transferred from the Speaker, a political appointee, to an independent authority such as a permanent tribunal headed by a retired judge or the Election Commission of India, as recommended by both the Supreme Court and the Law Commission.

Implement Electoral Reforms: The quality of a legislature is inextricably linked to the quality of its members and the electoral process that brings them there. The government must act upon the long-pending recommendations of the Law Commission of India's reports on electoral reforms (such as Reports 170, 244, and 255). These reforms, which address critical issues like the decriminalization of politics, transparency in campaign finance, and the promotion of inner-party democracy, are essential for improving the overall integrity and quality of the political class that populates Parliament.

Concluding Thoughts: Reaffirming the Imperative of a Deliberative Parliament

A vibrant, deliberative, and effective Parliament is not a procedural luxury but a constitutional and democratic necessity for India. The steady erosion of its functions of scrutiny and accountability represents a hollowing out of the very core of India's system of governance. The reforms proposed in this paper—institutional, procedural, and

legal—are ambitious and will undoubtedly face political resistance. However, they are essential to reverse the trajectory of institutional decay. The objective of these reforms is not to create a weak and indecisive executive but to restore a healthy and constitutionally mandated balance of power. As former Vice-President K.R. Narayanan noted, the purpose of legislative oversight is not to weaken the administration but to strengthen it by investing it with more meaningful parliamentary support. By strengthening its deliberative capacity, Parliament can once again become the central pillar of Indian democracy, ensuring that governance is transparent, accountability is enforced, and the laws of the land are a product of reasoned public discourse, truly reflecting the will of the people.

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