

# **STALLING PARLIAMENT & LEGISLATURES IS TANTAMOUNT TO SUBVERTING DEMOCRACY: VICE PRESIDENT**

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Vice President's Secretariat

## **Stalling Parliament & Legislatures is tantamount to subverting democracy: Vice President**

**VP expresses anguish over unruly behavior of MPs & MLAs;**

**Respecting people's mandate essential for the functioning of Legislatures: VP**

**VP asks States to review progress on transfer of 29 subjects to rural local bodies;**

**Presents 1st Democracy Awards instituted by State Election Commission of Maharashtra**

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The Vice President of India, Shri M. Venkaiah Naidu has said that the stalling the functioning of the Parliament and Legislatures was tantamount to subverting democracy and betraying people.

Speaking after presenting 'Democracy Awards' at a function organized by the Maharashtra State Election Commission, in Mumbai today, Shri Naidu, who is the Chairman of the Rajya Sabha, said that he was deeply distressed by the behavior of some sections in the Rajya Sabha during the last two years.

The Vice President was pained when members disregard rules and conventions leading to pandemonium in the House. The members of the Rajya Sabha have a special responsibility to lead by example. If MPs and MLAs resort to slogan-shouting and disrupting the proceedings, they would be rendering a disservice to Parliamentary democracy, he added.

Expressing his anguish over the objectionable comments made by a member of the Lok Sabha about a woman presiding officer, Shri Naidu said it was not in our culture to disrespect women. Such behavior would demean our Parliamentary democracy, he added.

Pointing out that the ruling and opposition parties should not treat each other as enemies or

adversaries, the Vice President said that respecting the mandate of the people and allowing the governments of the day to deliver as per the mandate must be an essential principle of functioning of legislatures.

Observing that both ruling and opposition parties have a shared responsibility in ensuring effective functioning of the Parliament and legislatures, Shri Naidu urged them to adopt a spirit of mutual respect and accommodation.

The Vice President stressed that democracy was all about debate, discussion and decision and they cannot be replaced by disorder, disruption and delay in legislation “which is nothing but a negation of the spirit of democracy”.

Stating that the basic functions of the Parliament and State Legislatures were legislation, deliberation and ensuring accountability of the executive, Shri Naidu said the opposition can and should take the governments to task if they deviate from what has been offered to the people.

Shri Naidu said the ruling and opposition parties should function as joint stakeholders in the well being of the people and socio-economic transformation of the country. “Our nation needs both effective and responsible governments and opposition. Country’s interests are not well served if either of them is found wanting”, he added.

"As the Presiding Officer of Rajya Sabha, I have always insisted that opposition should be allowed it's say in all aspects of the functioning of the House. That is the only way we can make our parliamentary democracy more meaningful. We are the largest democracy in the world. We shall be the best in terms of quality as well", the Vice President said.

On the devolution of powers to local bodies as mandated by the 73rd and 74th Constitutional amendments, he said that even though 26 years have lapsed since they were constitutionally empowered, the devolution seems to be less than satisfactory.

The Vice President urged all the States to review the progress made on transferring 29 subjects to them and added that any further delay would be tantamount to violating the constitutional mandate.

Stressing the need for devolving adequate funds, functions and functionaries—three Fs—to empower the Panchayati Raj bodies, Shri Naidu said democracy would be more meaningful and robust when people participate in their own affairs.

Shri Naidu underscored the importance of 5 “D”s in making democracy successful. They are- 1) Discuss 2) Debate 3) Decision 4) Decentralization 5) Delivery

Referring to the 150th birth anniversary of the Father of the Nation, Mahatma Gandhi Ji this year, Shri Naidu reminded that Gandhi Ji was the biggest votary of decentralization of powers and believed that every village has to be responsible for its own affairs. He said it was absolutely essential for a fully functional and responsive grass-roots level governance system to further strengthen the democratic foundations in the country.

The Vice President also advocated the need to make it mandatory for holding elections to local bodies every five years without giving scope to state governments to postpone them.

The Chief Minister of Maharashtra, Shri Devendra Fadnavis, the State Election Commissioner, Maharashtra, Shri J.S. Saharia and other dignitaries were present on the occasion.

The Vice President presented Democracy Awards to 15 recipients in different categories.

Following is the text of Vice President's address:

"It is indeed a pleasure to be amongst you and share my thoughts on a subject that is close to my heart.

Firstly, let me greet various stakeholders of the local-self government in Maharashtra State and congratulate all the awardees of the First Democracy Awards.

I would like to specially congratulate Mr. J.S. Saharia, State Election Commissioner, Maharashtra for this wonderful initiative of the Commission.

As we are aware, the Constitution was amended in 1992 through historic 73rd and 74th Amendments to accord Local Self-Governments (LSGs) their rightful place in nation-building.

As we celebrate the 150th birth anniversary of the Father of the Nation, Mahatma Gandhi Ji this year, we should remember that he was the biggest votary of decentralization of powers and believed that every village has to be responsible for its own affairs. "In panchayat Raj only the panchayat will be obeyed and the panchayat can only work through the law of their making", Gandhi Ji had said. Mahatma Gandhi always talked of self-rule and Gram Swaraj, where he envisioned the true spirit of democracy and participation of citizens.

Dear sisters and brothers, it is absolutely essential for a fully functional and responsive grass-roots level governance system to further strengthen the democratic foundations in the country.

In a bid to empower the rural local bodies financially and politically, the 73rd constitutional amendment was enacted. As per the act, 29 items have to be transferred to local bodies, besides the setting up of state election commissions and finance commissions. It also stipulated enhancing resources for local bodies, reserving one-third seats for women and, in proportion to their population, for SCs and STs in all three tiers, apart from forming gram sabhas with people's participation.

Even though it has been more than 26 years since local bodies have been constitutionally empowered, the devolution of powers and functions seems to be less than satisfactory.

I have been always stressing the need for devolving adequate funds, functions and functionaries—three Fs—to empower the panchayati raj bodies Democracy would be more meaningful and robust when people participate in their own affairs.

All the State must review the progress they have made with regard to devolution powers and see that all the 29 subjects are transferred to the local bodies immediately. Any further delay would be tantamount to violating the constitutional mandate.

I am happy that the present government had accepted in toto the recommendations of the 14th Finance Commission, which has awarded two lakh two hundreded ninty two crore rupees (Rs.200, 292.2 crores) to Panchayats for 2015-2020, which is more than three times the grant of the 13th Finance Commission. The grants are directly transferred to the gram panchayats unlike in the past when they were meant for all the three tiers, including blocks and districts. The share for rural local governments has increased from 0.5 per cent to 2 per cent of the total allocations when compared to the 13th Finance Commission.

I have also been advocating the need to make it mandatory for holding elections to local bodies

every five years without giving scope to state governments to postpone them.

Maharashtra has a very long tradition of social reforms and political reforms. Immediately after the formation of new State of Maharashtra, in 1961, the then government constituted the V.P.Naik Committee to study the Local Self-Government apparatus for a more decentralized governance process in the state. This had set an example to the other states in the country and still remains a most important initiative of any state in India.

Maharashtra had to merely develop on this foundation set in 1961. Therefore, one of the striking features of the local government in Maharashtra is 50% reservation to women in the local bodies.

The State Election Commissions which are vested with powers to conduct elections to Local Self-Governments must always ensure that they are held in a free, fair and transparent manner. A vibrant and robust State Election Commission is the cornerstone of an effective democracy. The State Election Commissions have the responsibility to ensure that the trust in the political system and important institutions of governance is not eroded. They have to ensure that the purity of elections is never compromised.

Similarly, the State Governments are duty bound to provide all the resources as per the assessment of SECs in order to help them conduct elections in a free, fair and transparent manner.

I want to congratulate Mr. J.S. Saharia, the State Election Commissioner for novel and innovative practices adopted by him to strengthen the democratic process in the State. I am told that his efforts to bring the marginalized and vulnerable groups into the political process have rightfully borne fruits not only in terms of increasing the voting registration by almost 12% in last four years, but also helped in empowering them to contest in the local bodies elections. I am also happy to learn that Maharashtra State Election Commission has taken pioneering initiatives like digitization of nomination papers and affidavits by all candidates, establishment of Institute of Democracy for Good Governance (IDEGG) and 100% use of EVMs in LSG elections.

As we all are aware, India is on a fast track of economic development. It is important to ensure that there is equitable distribution of the fruits of the development. Therefore, it becomes essential to train individuals in democratic practices, especially at the grass roots level.

I must laud the State Election Commission for instituting "Democracy Awards" to recognise the exemplary work carried out by various people and institutions.

Elections cannot be completed without peoples' participation. People's participation is not limited to contesting elections and taking part in voting every five years. When I say "Peoples' Participation", I am referring to the importance of continuously encouraging and enthusing people about elections. It is also equally important to recognise the efforts put in by various agencies, including the security personnel and Civil Society Organisations.

I would also like to emphasize that the time has come to devolve as many functions as possible to the rural and urban local bodies.

I also request various State Governments to undertake electoral reforms including amending the State Laws concerning LSGs in conformity with the Constitution.

India has embarked upon a great social revolution by providing universal adult franchise in all its elections and reserving seats for SC / ST & minimum 33% for women in the LSGs. This has led

to bringing down the walls that were erected in the name of caste, community and community.

On the occasion of presenting these awards today as a mark of celebration of our democracy, it is appropriate on my part to share some of my thoughts and concerns about our cherished democracy, functioning of our legislatures and the conduct of MPs and MLAs.

I am deeply distressed by the behavior of some sections in the Rajya Sabha during last two years as the Presiding Officer of Rajya Sabha.

Parliament functions based on the Rules of the constituent Houses, Conventions, earlier rulings of the Chair and code of conduct for members. As the Chairman of Rajya Sabha, it pains me if members chose to disregard them resulting in pandemonium which in turn erodes the stature of the House of Elders in the eyes of the public.

Members of Rajya Sabha have a special responsibility cast on them of leading by example being the members of the House of Elders. During this session, some members in their wisdom have preferred to tear official papers and throw them at the Chair on some occasions.

Such conduct does not speak well of the functioning of our parliamentary democracy.

I proudly say that on this occasion today that it is the people of our country who have imbibed the true spirit of democracy by regularly voting in the elections in rising numbers and choosing their representatives to the Parliament and State Legislatures.

After doing so, they expect their representatives to conduct themselves in the best possible manner and strive over the next five years to make a difference to their lives by enabling them fulfill their hopes and aspirations.

However, I am sad to say on this occasion that the elected representatives often do not match the democratic spirit of our people through their conduct in the legislatures.

Democracy is all about – Debate, Discussion and Decision. This can't be replaced by – Disorder, Disruption and Delay in legislation which is nothing but a negation of the spirit of democracy.

Basic functions of the Parliament and State Legislatures are ....Legislation that is making laws for socio-economic transformation of our country; Deliberation that is raising issues of public importance and ensuring the Accountability of the executive of the day.

If MPs and MLAs resort to slogan shouting, rushing into the well of the Houses and disruption of the proceedings, they are only compromising on these three core functions of the legislatures. This is a great disservice to the Parliamentary democracy and letting down the people, the patrons of it.

In every election, people give a certain mandate to the elected governments. Thereafter, the chosen governments go about delivering on the promises made to the people over the next few years. Respecting such a mandate of the people and allowing the governments of the day to deliver as per the mandate should be an essential principle of functioning of such legislatures.

Opposition parties do have the right and responsibility of seeking the governments to deliver on the promises made by them during the polls. Opposition can and should take the governments to task if they deviate from what has been offered to the people for which various effective instruments are available in the Parliament and State Legislatures.

I want to make it clear that both the ruling and opposition parties have shared responsibility of ensuring effective functioning of our legislatures by taking on board concerns of each other.

Stalling the functioning of legislatures means subverting democracy and betraying the people.

The best way of going forward is ..To let the opposition has it's say and the Government has it's way. Democracy is all about the 'numbers' of each section of a legislature. Whoever has the highest numbers run the government and those who have lesser numbers are required to ensure that governments do not stray from the mandate of the people.

The ruling and opposition parties should not look at each other as enemies or adversaries. Instead, they should function as joint stakeholders in the well being of the people and socio-economic transformation of the country.

Our nation needs both effective and responsible governments and equally effective and responsible opposition. Country's interests are not well served if either of them is found wanting.

It is the parliament and state legislatures that give ample opportunities for both the ruling and opposition parties to give out their best. MPs and MLAs should always be guided by this cardinal principles so that our legislatures can become vibrant instruments of the change that the people wish to happen.

I expect the Members of Parliament and in particular, the Members of Rajya Sabha to take the lead in the transformation of our legislatures through their exemplary conduct and contribution to effective functioning of the House.

Country has witnessed a couple of days back, a Member of Lok Sabha making some objectionable comments about a women presiding officer who was in the chair. Members of that House have rightly voiced outrage over the comments of that Member. It is not in our civilization to disrespect women. This kind of behavior and comments in Parliament and other legislatures demean our parliamentary democracy and should be avoided byaccommodatio

As the Presiding Officer of Rajya Sabha, I have always insisted that opposition should be allowed it's say in all aspects of the functioning of the House. It is because that is the only way we can make our parliamentary democracy more meaningful. I have always advocated a sense of balance and a spirit of accommodation by all the concerned.

We are the largest democracy in the world. We shall be the best in terms of it's quality as well.

I urge upon both the ruling and opposition parties in all the legislatures of the country to be guided by such a spirit of mutual respect and accommodation.

I am sure the Democracy Awards will go a long way in enthusing people to strengthen the democratic processes. These awards and felicitations are meant to inspire others for achieving excellence.

I am told that the SEC Maharashtra has drafted a common Representation of People's Act for all the LSGs on the lines of Representation of the People's Act to bring uniformity in the electoral process. I am sure the State Government would examine the draft and take appropriate action.

Thank You

JAI HIND!"

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RR/BK/MS/RK

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