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Q15

Individual Parliamentarian's role as the national lawmaker is on a decline, which in turn, has adversely impacted the quality of debates and their outcome. Discuss.(15).

UPSC Civil Services Mains 2019 · GS II · 15 marks · Parliament and State Legislatures

Parliament and State legislatures - structure, functioning, conduct of business, powers and privileges and issues arising out of these.

Core demand of the question

- Individual Parliamentarian's role as the national lawmaker is on a decline, which in turn, has adversely impacted the quality of debates and their outcome. Discuss

Revision summary

The **Tenth Schedule** makes a whipped vote a condition of keeping the seat, shrinking the MP as an independent lawmaker.

Private Members' Bills rarely pass; the executive owns the legislative agenda.

Fewer sittings and **guillotine** of grants cut debate time; skipping standing committees hurts outcome quality.

DRSCs and PAC still give members a scrutiny role off the floor.

- **Correctives:** narrower whip, mandatory committee reference, and a minimum sitting calendar.

Introduction

A national lawmaker in a parliamentary system is both a party member and a representative who speaks, amends, and votes. Over recent decades the individual MP's room has shrunk: the whip, fewer sitting days, guillotined debates, and executive-heavy bills. Debate quality and legislative outcome have suffered where scrutiny moved off the floor and sometimes off the committee as well. The decline is real; it is not the death of Parliament.

Body

Why the individual role has declined

- The **Tenth Schedule** (Constitution (Fifty-second Amendment) Act, 1985) makes defiance of a party whip on a vote a disqualification. An MP cannot, without risking the seat, vote a conscience line on most ordinary legislation.
- Anti-defection was meant to stop horse-trading; its side effect is to turn the lawmaker into a division-bell number once the whip is issued.
- Private Members' Bills almost never pass; the legislative agenda is the government's. Individual initiative survives mainly as questions, zero hour, and adjournment noise.
- Sitting days have fallen compared with the early decades; the Budget is often guillotined, so many Demands for Grants are not debated at all.

- Ordinances, money bills used to limit Rajya Sabha, and tightly whipped Constitution Amendment Bills further reduce the floor as a place of individual amendment.

Effect on debates and outcomes

- Scripted party speeches replace clause-by-clause argument; interruptions rise; recorded debates thin out on technical bills (taxation, Aadhaar-era data, insolvency).
- When bills skip **Departmentally Related Standing Committees**, the individual MP loses the only room where party lines are softer and evidence is heard. The **National Commission to Review the Working of the Constitution** and later presiding officers repeatedly asked that all Bills go to committee.
- **Outcome quality suffers as errors travel into the Gazette and return as amendments:** rushed financial bills and poorly scrutinised criminal-law changes are the pattern, not a single scandal.
- Representation of constituencies still happens through MPLADS (later paused and restored in cycles) and through questions; that is welfare brokerage, not law-making.

What still supports the individual MP

- Standing committees, the **Public Accounts Committee**, and the Committee on Petitions remain places where an MP can examine a ministry without a whip on every sentence.
- Rajya Sabha's longer tenure and less strict electoral clock sometimes allow a more individual voice, though party discipline exists there too.
- Privileges, the **Ethics Committee**, and the right to vote in a secret Presidential election are remnants of a member's own legal personality.

Committees and correctives

- The **Second Administrative Reforms Commission** on ethics and on organisational structure of government stressed accountability of the executive to Parliament, which needs time and un-whipped committee work.
- **Recommendations long on the table:** narrower application of the whip (only confidence, money, and no-confidence, as some democracies do), a minimum calendar of sittings, mandatory committee reference except in declared urgency, and revival of Private Members' days with a real chance of passage.
- The presiding officer's power to allow more half-hour discussions and to protect Zero Hour is a small internal fix.

Discussion

- **The statement is largely agreed:** anti-defection plus executive dominance has reduced the MP as lawmaker and has hurt debate and drafting.
- Outcome is not only floor rhetoric; committee institutionalisation after 1993 is a partial counter. Decline is of the individual on the floor, not of every parliamentary tool.

Flow diagram

Tenth Schedule whip -> Decline of individual MP
Government agenda -> Decline of individual MP
Fewer sittings guillotine -> Decline of individual MP
Decline of individual MP -> Weaker floor debate
Bills skip Committees -> Weaker floor debate
Committees -> Partial scrutiny remains

Conclusion

The individual parliamentarian's law-making role has declined because the **Tenth Schedule** whip, a government-owned agenda, fewer sittings, and bypassed committees leave little room for a personal amendment. Debates and legislative outcomes have thinned with that decline. Restoring committee reference and narrowing the whip are the practical answers, not nostalgia for an unwhipped golden age that party government never fully was.

Facts & figures

Tenth Schedule (52nd Amendment, 1985)

Anti-defection: disqualification for voting against the party whip, with limited exceptions later narrowed by the 91st Amendment.

Departmentally Related Standing Committees (1993)

Ministry-wise committees meant to restore scrutiny when the floor no longer does clause work.

National Commission to Review the Working of the Constitution

Recommended stronger committee examination of Bills and a more effective Parliament.

Guillotine

Practice of putting remaining Demands for Grants to vote without discussion when the Budget timetable ends.

Private Members' Bills

Bills introduced by members who are not ministers; almost none become law in contemporary Lok Sabhas.

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