

Speech of the Hon. Speaker, Tamil Nadu Legislative Assembly

Mr. Chairman, my dear colleagues, I thank you very much for giving me this opportunity to say my suggestions for framing the guidelines to select the outstanding Legislature.

The primary responsibilities of the Legislature of every state include Legislation, that is enacting laws, financial that is approving government expenditure and the third one is critical, that is asking questions, discussing motions, resolutions and scrutinizing the functions of the Executive.

The Constitution does not mandate a minimum number of sitting days for State Legislatures. It only mandates that a sitting be held every six months. As per the statistics available with me, presently state Legislatures convene for an average of 30 days in a year. This does not give the members, adequate time to discuss the business including scrutiny of the budget and a thorough consideration of Bills before they are passed in the Assembly.

As per the Tamil Nadu Legislative Assembly Rules, not more than ten days shall be fixed for the general discussion of the Budget and that not more than thirty days shall be fixed for the discussion and voting of demands for grants.

I am happy to bring it to the notice of the Hon. Chairman and the Members, that the present ruling party headed by Hon. Chief Minister Thiru M.K. Stalin has in its election manifesto assured that they will take action to conduct Assembly Meetings at least 100 days in a year. Though the ordinary hours of sittings of the Assembly, as per Rules, shall be from 10.00 a.m. to 2.00 p.m., in practice, assembly sittings are invariably extended even up to 5.00 p.m. in order to transact the business listed for the day with the approval of the Assembly.

Hence in my opinion the number of sitting days and working hours of the Legislature may be taken into account for selecting the outstanding Legislature.

Parliamentary democracy is most suitable form of governance in a democratic set up across the globe. The accountability of the Executive to the Legislature is of prime concern.

Question Hour in the House of the Legislature is considered as an important and significant transaction in a Parliamentary Democracy. It provides an opportunity for the members to seek and to obtain or elicit information from the Government on matters of public interest on the floor of the House. This exercise of putting questions to Ministers directly on the floor of the House establishes the control and supervision of legislature over executive. Thus, Question hour throws more light on several aspects of administration and hold the Government accountable for its actions.

I would like to suggest that the time spent on the Question hour and the number of members given opportunity with the Ministers reply may be taken as one of the criteria for selection of a best Legislature.

If a Legislator wants to play his role effectively for the betterment of the people and the country, he must make full use of all the available opportunities and should participate actively in the proceedings.

The hour following Question hour is popularly called Zero Hour and is used by Legislators to raise urgent matters of public importance. Whenever the Speaker declares that the Question Hour is over, a Member on the floor will raise a matter which considered to be of utmost importance to be brought to the attention of the House, and if Speaker permits the issue may be raised and brought to the notice of the Government. Ministers may also reply to the issue. We have to get the statistics from the Legislatures whether this device is properly used creating more opportunities for the Members to raise matters of urgent public importance.

The oppositions main role is to question the Government and hold them accountable. They are equally responsible in upholding the best interests of the people. To the extent, the success of democracy depends on the constructive role of opposition parties. Hence, they must be provided more chances to take part in the debate of the Assembly in order to have smooth functioning of the House.

Preference given to the Leaders of the Opposition parties, opportunities given to number of opposition members and number of cut-motions, number of questions and number of other notices received and discussed in the House may also be taken into account and considered as one of the criteria.

Next is the response to the Short Notice Questions, Call Attention Notices and Adjournment Notices. The percentage of number of notices responded in the Assembly may be taken as one of the criteria.

Law making includes several related legislative activities. The legislative role in formulating, reviewing and adopting a state budget has special significance. The budget is probably the most important bill that a legislature passes. A legislature that performs poorly on the budget exercise is likely to be an ineffective legislature overall. All the demands for grants have to be discussed and voted. In Tamil Nadu we have 54 demands for grants and all the demands are discussed and voted. Hence this may be taken as one of the criteria.

If the legislative parties are cohesive, the majority probably will play the decisive role on important issues. The majority party group will be a principal forum for deciding key issues. But the minority must also be accorded parliamentary rights. Hence the views of the minority may also be considered and taken into account. To what extent the views of the minority were taken into account may also be taken into consideration for selecting a best Legislature.

A major danger is that if partisanship is too heavily weighted in the process, minority members may find themselves almost completely shut out from the process. The only choice remaining for them would be to indulge in pandemonium and to obstruct the proceedings of the House. The conduct of the legislative parties inside the Assembly, therefore, merits close scrutiny. This can be judged by instances of suspension of members, walk outs, eviction and disorderly conduct by Members. Minimum instances of eviction/walk outs and disorderly conduct would naturally project a conciliatory and inclusive approach.

The legislature's oversight role is also worth considering; that is, how and to what extent does the legislature monitor the application and effect of the laws it has enacted. We should pay some attention to legislative foresight; that is, how and to what extent the legislature looks ahead in order to develop policies to meet the future needs of the State. If the enactments passed by the Legislature are not opposed by the public then that has to be considered as one of the criteria for selecting a best legislature.

The Legislature does not have the requisite time at its disposal. Hence, through various Legislature Committees it exercises its functions. Standing committees are key agencies and some legislators play larger legislative roles by virtue of their committee assignments. Number of Committee meetings, presentation of reports may be taken as one of the criteria for selecting a best legislature.

In our parliamentary polity, the speaker of the House occupies a position of great prestige and dignity. Strong leadership is essential if the legislative process is to work well. This requires individuals with strategic, problem-solving and consensus-building abilities. His decisions in matters connected with the business of the House are final, his interpretations cannot be questioned and his rulings are binding on all sections of the House. Hence the comments from neutral sections of the public and media can be taken as one of the criteria for selecting a best Legislature.

Deliberation is an important feature of the legislative process. It necessitates a give-and-take and an exchange of information and ideas. Deliberation provides the possibility that a number of legislators will be influenced by the discussion. Hence questions put forth by the Members and the answers given by the Hon. Ministers may be taken as a criteria for selecting a best legislature.

While deliberation involves the exchange of ideas, building consensus involves a more material exchange. It depends on the willingness of opposing sides to sit down together and negotiate their differences. This can be judged by how the Hon. Chief Minister reacts to the critical comments of the opposition members and that can be taken as one of the criteria for selecting a best legislature.

Live telecasting of proceedings brings more discipline in the House and the common people will know as to what their representatives are doing and how they are performing in the House and how the Speaker is functioning from the chair. This will make democratic more meaningful to our people and hours of live telecasting of proceedings and response from the public may be taken as one of the criteria for selecting a best legislature.

Training and orientation programme, given to the legislators may also be taken in to account for selecting a best legislature.

In a system of Parliamentary democracy the relationship between press and Legislature is very important. The press conveys to the people what their representatives are doing in the Legislature. Without the press, the members of the public would be in darkness about the activities of the persons whom they have voted. The press keeps the people informed of what is happening in the House. Hence, comments of the media may also be taken as a criteria for selecting a best legislature.

A high standard of debate is an essential pre-requisite for the successful working of parliamentary institutions. Ensuring quality of debates in a Legislature becomes the collective responsibility of the Speaker, political parties, party leaders in the House, ministers besides

members. Speakers, being the custodians of the rights and privileges of the House have an enormous responsibility to ensure order and discipline in the House which are so essential for maintaining high standards of debates. For ensuring uninterrupted and smooth transaction of the business in the House, it is essential that the Speaker should win the confidence of the members. The Speaker is expected to be impartial and must have adequate regard for the rights of the minority. A good speaker must be very patient and he has to hear all speeches and quite often long and boring and also quarrelsome ones. He cannot afford to lose temper or run away. Hence the response in the press about the conduct of the House by the Speaker may be taken as one of the criteria.

There is potential for conflict when there is no harmony between the Union and the States and especially when the Union without consensus or consultation, infringes on the Legislative domain of the State Legislature or disregards the collective opinion of the State Legislative Assembly expressed in the form of Bills/Resolutions. Presently, often there is talk in the national and local media of the Union asserting itself forcefully much against the wishes of the States in matters of Legislation. The Governor of the State plays an important part in conveying the collective opinion of the Legislature along with his just recommendations. The Governor should act impartially as the head of the State in terms of the Constitution. How far the Legislature fights for protecting its State rights may also be taken as one of the criteria for selection of a best Legislature.

Maintenance of discipline and decorum in the House is a very important pre requisite for a high standard of debate in the House. The frequent obstructions and disturbances in the House reduce the value of debates and also affect the normal business in the House. Dissent is a democratic expression, but it should be expressed through the contours and parameters of parliamentary devices. Maintenance of discipline and decorum, therefore, is vital for the functioning of our parliamentary democracy. Proper utilization of the time of the House is very vital to ensure quality debates. It is unfortunate that the precious time of the House is

wasted on account of disorderly scenes and interruptions in some of the Houses. Hence that can also be taken as one of the criteria for selecting a best Legislature.

Debate is the essence of parliamentary activities. In this regard, the Leaders of the political parties both the ruling and the opposition can qualitatively and quantitatively contribute for raising standard of debate in the House. Leaders can guide their members and most important is their timely intervention may diffuse the tension in the House especially over the emotive issues raised in the House. Despite all the pressure of work and his multifarious engagements, the presence of Hon. Chief Minister during the Assembly meetings and timely intervention may also be taken as one of the criteria for selecting a best Legislature.

With these few suggestions I conclude my speech.

Thank you,

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