Table of Contents

I   Introduction .........................................................................................................................................1
II  Issue 1: Improving Citizen’s Access to Information about Parliament’s Proceedings .........................2
III Issue 2: Making Budget-related Information More Accessible to the Voter-cum-Taxpayer.....................6
IV  Issue 3: Increasing Transparency for Better Servicing MPs......................................................................8
V   Issue 4: Opening Up Proceedings of Parliamentary Committees............................................................13
VI  Issue 5: Increasing Accountability of MPs to the Citizen-Voter............................................................16
VII Issue 6: People’s Access to Information about MPs...........................................................................18
VIII Issue 7: Compensating for Time Lost Due to Disruption of Parliamentary Proceedings.................21
IX  Conclusion .........................................................................................................................................22
PARLIAMENT AND CITIZENS

BRIDGING THE GAP THROUGH GREATER TRANSPARENCY

Introduction:

India’s democracy is more than six decades old. When compared with the developing countries in Asia, Africa, Latin America and the Pacific, India’s elections to parliament are free and fair, and held regularly. The parliamentary model that we adopted has stood the test of time. In the 21st century, Parliament has arrived in the living room of every family that owns a television set or a computer. The harnessing of modern information communications technology has made this possible. A wealth of information about the Members of Parliament (MPs) and the business conducted in both Houses is available to any Internet-literate person at the click of a button. In no other country in South Asia has parliament come so close to the voter.

These amazing developments must also be viewed from the perspective of the grassroots. More than 90% of homes in India do not have TV sets (2006 data). Less than 10% of the population has access to computers or the Internet. More needs to be done to bridge the gap between Parliament and the citizen-voter who does not have access to television sets or computers. Even disadvantaged and impoverished voters living in small towns and villages would like to know what their elected representatives do in Parliament.

It is with this objective in mind that Commonwealth Human Rights Initiative and South Asians for Human Rights jointly launched a study to understand people’s access to information about what happens in Parliament. The study covered the parliaments of Bangladesh, India, Pakistan and Sri Lanka in South Asia, and to some extent those of the UK and the USA, generally recognised as advanced democracies. Given below is a set of seven crucial issues that must be considered for bridging the gap between citizens of India and their Parliament.
Issue 1: Improving Citizen’s Access to Information about Parliament’s Proceedings

Parliament as an elected body of the people performs two major functions. It:

a) makes or amends laws and
b) exercises oversights on the working of the government.

The Lok Sabha and the Rajya Sabha have at least three sessions in any given year, if not more, where they perform these functions using various instruments and mechanisms such as question hour, zero hour, short notice questions, discussions on various Bills, reports tabled in the House, and most importantly the budget presented by the government during the last quarter of the financial year. Both Houses also conduct much more detailed scrutiny of contents of Bills and the working of various government departments through the committee system. Each of these lengthy and rich proceedings is recorded verbatim every minute when Parliament is in session. The Secretaries General of the respective Houses are in charge of ensuring that the record of all the deliberations (except secret sittings) are published so that any person may have access to it.

Problem statement: No access at the constituency level

The uncorrected verbatim version of the proceedings of each House is uploaded on its website the day after every sitting. The corrected and official version of the same proceedings is uploaded on the website within 10-15 days of each sitting. The websites provide contact details of relevant officers in either Secretariat who may be contacted for obtaining a copy of the authentic version of the proceedings of any sitting. This is good practice. However, only the printed version of the proceedings is considered to be authentic. The respective Secretariats send out papers to the MPs prior to the commencement of the day’s sitting. MPs can also access the printed version of the deliberations from the library of Parliament. Citizen-voters at the constituency level do not have access even to the speeches of the MPs elected by them. Their only source of information is the mass media. Not all debates and deliberations are reported in the print and electronic media. As a result, the voter remains largely oblivious to what goes on inside Parliament. This is not a happy situation in a democracy.
RECOMMENDATIONS:

• In an ideal situation every member of the Lok Sabha can place a copy of the full set of papers related to the proceedings that he/she receives from the Secretariat in the largest or most popular library in his/her constituency. Every member of the Rajya Sabha may place his/her copy of the papers and records of deliberations of the House in the most popular library of his/her home district.

• The respective Secretariats may dispatch a complete set of the printed copies of all open deliberations of the Rajya Sabha and the Lok Sabha to the main public library situated in every district headquarters. The availability of these documents must be advertised widely through the print and electronic media so that people may go through them and find out what their MP did or did not say in the House. This will require some resource investment every year. However, this is a necessary and justifiable cost aimed at reducing the distance between people and Parliament.

• Community Information Centres set up by the State Governments at the taluka/tahsil/block level may be advised to allow local residents to access the websites of the Rajya Sabha and the Lok Sabha through the existing Internet-enabled computers. A nominal fee may be charged for browsing and providing printouts to interested people.

• The respective Secretariats must take action to translate all information available on the English version of the website into Hindi. Action may be taken by the Secretariats in a phased manner to provide translation of the material in all languages mentioned in the Eighth Schedule of the Constitution.
<table>
<thead>
<tr>
<th>Country</th>
<th>Name of the House</th>
<th>Accessibility of Parliamentary Proceedings</th>
<th>In practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>Jatiya Sangsad</td>
<td>The Secretary of Jatiya Sangsad has the duty to publish full report of proceedings as soon as possible. The Speaker is empowered to authorize any person to print, publish, distribute or sell any paper, document or report laid on the table of Jatiya Sangsad.</td>
<td>Record of proceedings is not available even on the website. Copies may be accessed at Jatiya Sangsad’s library.</td>
</tr>
<tr>
<td>Pakistan</td>
<td>Senate</td>
<td>Secretary of Senate is authorized to publish journals containing summary reports of open proceedings.</td>
<td>Record of proceedings is not available even on the Senate website. Copies may be accessed at the Parliament library.</td>
</tr>
<tr>
<td></td>
<td>National Assembly</td>
<td>Secretary of National Assembly is authorized to publish a bulletin containing a summary of proceedings of each open sitting.</td>
<td>Record of proceedings is not available even on the National Assembly website. Copies may be accessed at the Parliament library.</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>Parliament</td>
<td>Hansards or official reports of parliamentary proceedings are maintained by the Secretariat.</td>
<td>Hansards for every month are displayed in the Parliament’s website.</td>
</tr>
<tr>
<td>UK</td>
<td>House of Lords</td>
<td>Hansards or official reports of parliamentary proceedings are maintained by the clerk of the House.</td>
<td>Hansards are publicly accessible on websites in a searchable database.</td>
</tr>
<tr>
<td></td>
<td>House of Commons</td>
<td>Hansards or official reports of parliamentary proceedings are maintained by the clerk of the House.</td>
<td>Hansards are publicly accessible on websites in a searchable database.</td>
</tr>
<tr>
<td>Country</td>
<td>Parliament</td>
<td>Proceedings Reporting</td>
<td>Legislative Journal</td>
</tr>
<tr>
<td>---------</td>
<td>------------</td>
<td>-----------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>USA</td>
<td>Senate</td>
<td>Proceedings must be published on a daily basis.</td>
<td>Legislative Journal published in the daily- Congressional record. Proceedings are telecast and broadcast live by accredited TV and radio stations.</td>
</tr>
<tr>
<td></td>
<td>House of Representatives</td>
<td>Proceedings must be published on a daily basis.</td>
<td>Legislative Journal published in the daily- Congressional record. Proceedings are telecast and broadcast live by accredited TV and radio stations.</td>
</tr>
<tr>
<td>India</td>
<td>Rajya Sabha</td>
<td>The Secretary General has the responsibility for ensuring that a full report of the proceedings at open sittings is published as soon as possible.</td>
<td>Uncorrected verbatim version uploaded on the Rajya Sabha website a day after every sitting. Corrected reports are uploaded within 10-15 days. Proceedings are telecast live.</td>
</tr>
<tr>
<td></td>
<td>Lok Sabha</td>
<td>The Secretary General has the responsibility for ensuring that a full report of the proceedings at open sittings is published as soon as possible.</td>
<td>Uncorrected verbatim version uploaded on the Lok Sabha website a day after every sitting. Corrected reports are uploaded within 10-15 days. Proceedings are telecast live.</td>
</tr>
</tbody>
</table>
Issue 2: Making Budget-related Information More Accessible to the Voter-cum-Taxpayer

In India the budget-making exercise is conducted in secrecy. There are strong arguments in favour of retaining high levels of secrecy just as there are valid arguments for opening up this process. The regular practice is for the Ministry of Finance to hand over copies of the full budget document for distribution amongst MPs as soon as the Finance Minister begins reading out Part B of his/her speech. As Part B contains all tax proposals that the government expects Parliament to approve for the next financial year, absolute secrecy is maintained until it is actually read out in the Lok Sabha. However, without entering into that debate it may be said that there is room for improving transparency after the budget proposals have been made public.

Problem statement: No access at the constituency level and in local languages

The language and terminologies used in budget documents are difficult for the non-specialist citizen-voter to understand. People do not have easy access to budget documents that are written in a simple and comprehensible language that is devoid of technical jargon. If such simplified documents were made available in the local languages people would have the opportunity to debate the budget proposals even as Parliament discusses it.

Every Ministry and Department is required to prepare annual reports explaining the activities undertaken during a given year and the manner in which public funds sanctioned by Parliament were spent. These reports are available on the websites of the respective Ministries. However, people who are not computer literate are unable to access these annual reports.

Parliament also has an obligation to be transparent about its own budgetary proposals, statement of expenditure and sanctioned budget. The Lok Sabha website contains a detailed description of the demand for Grants made for its functioning during a given financial year. The Rajya Sabha website does not contain a similar mention of the budget approved for its use. As the voter-cum-taxpayer pays for the expenses of Parliament, this information must be made accessible in the public domain.
RECOMMENDATIONS:

- The Government of India may create simple language versions of documents related to budgets and annual reports of Ministries and Departments and cause them to be disseminated in digital and hard copy format.

- Community Information Centres set up by the State Governments at the taluka/tahsil/ block level may be advised to allow local residents to access the websites to these simpler versions of budget documents and annual reports through the existing Internet-enabled computers. A nominal fee may be charged for browsing and providing printouts to interested people.

- The respective Ministries and Departments may dispatch a complete set of these simpler versions of budget documents to the main public library situated in every district headquarters. The availability of these documents must be advertised widely through the print and electronic media so that people may go through them to understand how efficiently their tax money was spent the previous year, and what new tax proposals have been made for the next year. This will require some resource investment every year. However, this is a necessary and justifiable cost aimed at reducing the distance between people and government.

- Information about the budget proposals and expenditure statements of the Rajya Sabha and the Lok Sabha must be made available to people in the public domain.
Issue 3: Increasing Transparency for Better Servicing MPs

The business of Parliament has increased in volume considerably over the last six decades. They raise questions of public importance, represent the interests of their constituencies, discuss legislation, debate on the demand for grants made by various departments, examine audit reports, and scrutinise the performance of ministries and departments in a given financial year.

1) Problem Statement: Inadequate transparency about calendar of sessions

The Government acting through the President has the prerogative of deciding when Parliament shall convene and when it shall come to a close. The dates of sittings in each session are decided only a few weeks before the actual commencement of the session. There are instances where the Government has caused the Houses to be adjourned sine die in order to prevent the opposition parties from taking it to task on sensitive matters. It appears that MPs have little control over matters relating to the conduct of Parliament’s business. In advanced democracies there is greater certainty about when Parliament will convene and for how long because dates of each session are publicised at the beginning of every year. Even in neighbouring Pakistan the Secretariat of the Senate displays at the beginning of the year the exact dates and the number of sittings of the House that will be held throughout the year.
RECOMMENDATION:
- The Government and the presiding officers of both Houses of Parliament may agree to
decide upon and publicise the dates of all sessions in a given year along with the number
of sittings in each session, at the beginning of the calendar year or the financial year.

2) Problem Statement: Inadequate transparency about calendar of business

The respective Secretariats advertise a broad calendar of business for either House a few days
before the commencement of each session. The grouping of ministries for the purpose of providing
answers to questions raised by MPs is also indicated a few days in advance. However, the detailed
agenda for each sitting is distributed to the MPs only the night before each sitting. In India, where the
business calendar is revised on any particular day, it is not always displayed prior to the conduct of
the revised item of business. If MPs are to participate in the business of the Houses in an informed
and well-prepared manner, it is important for them to have access to the business calendar for all
sittings constituting a session well before the commencement of that session.

RECOMMENDATIONS:
- The presiding officers of the Rajya Sabha and the Lok Sabha may ensure that the Business
Advisory Committees finalise the calendar of business for each sitting and the Secretariat
make copies available to MPs at least 48 hours in advance of the commencement of each
sitting.
- The Secretariats may start an SMS/ Instant Mail service to provide MPs with real time
access to the calendar of business for every sitting in every session.
- The Secretariats may advertise a mobile phone number where any person may access
information about the calendar of business. This may be a free service if resources are
available. If resources are a constraint, requester may be charged at nominal rates.
3) Problem statement: Inadequate transparency about admission of questions

MPs raise questions on various matters of public interest that are within the jurisdiction of the Central Government. These questions are handed over to the Secretariat of the respective Houses to be passed on to the concerned ministry/department. The concerned Minister provides a reply to the questions either verbally or in writing. In any case both kinds of answers and the respective questions are accessible on a searchable database of questions (starred and unstarred) on websites of the Rajya Sabha and the Lok Sabha. However, the Rules of Business does not require the presiding officer to give reasons to an MP for not admitting his/her questions or for altering the original content of a question. MPs have the right to know why their questions have not been admitted or the content of their questions have been altered. The Right to Information Act, 2005 contains a specific provision which requires every public authority making an administrative or quasi-judicial decision to give reasons for such decisions to affected persons. This applies to the Secretariats of the Houses as well. A similar provision must be included in the rule book of all Parliaments. This will ensure that decisions to alter or to not admit questions are taken with greater care.

RECOMMENDATIONS:
- The respective Secretariats must provide in writing reasons to the concerned MP when his/her questions are not admitted or altered before tabling in the House; and
- The respective Secretariats must publish on their website the text of all questions, motions and resolutions rejected before admission in the House along with the name of the concerned MP and the reasons for such rejection.
### Table 2: Access to Crucial Information about Parliament

<table>
<thead>
<tr>
<th>Country</th>
<th>Name of the House</th>
<th>Annual Calendar of Parliament’s Sessions</th>
<th>Calendar of Business</th>
<th>Questions Raised in Parliament</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>Jatiya Sangsad</td>
<td>Not disclosed in advance.</td>
<td>Orders of the Day (agenda for sittings) made available to MPs the night before each sitting.</td>
<td>No information on questions and answers is available in the Jatiya Sangsad website.</td>
</tr>
<tr>
<td>Pakistan</td>
<td>Senate</td>
<td>Rule Book of Senate requires the Government to publicise the annual calendar of business.</td>
<td>Detailed agenda made available to MPs the night before each sitting.</td>
<td>No information is provided on the website.</td>
</tr>
<tr>
<td></td>
<td>National Assembly</td>
<td>Not disclosed in advance.</td>
<td>Detailed agenda made available to MPs the night before each sitting.</td>
<td>Questions raised and answers provided are available in pdf file on the website. However, no search facility is available.</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>Parliament</td>
<td>Not disclosed in advance as Parliament meets during the first and third week every month.</td>
<td>The Secretariat publishes the calendar of business every month.</td>
<td>Daily Hansards containing questions raised and answers provided are uploaded on the website. However, no search facility is available.</td>
</tr>
<tr>
<td>Country</td>
<td>House</td>
<td>Schedule Details</td>
<td>Calendar Details</td>
<td>Hansard Details</td>
</tr>
<tr>
<td>---------</td>
<td>-------</td>
<td>------------------</td>
<td>------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>UK</td>
<td>House of Lords</td>
<td>Sessions are conducted in specific months by convention. Actual dates are not announced at the beginning of the year.</td>
<td>The calendar of business is published on a daily basis.</td>
<td>Daily Hansards containing questions raised and answers provided are uploaded on the website.</td>
</tr>
<tr>
<td>UK</td>
<td>House of Commons</td>
<td>Sessions are conducted in specific months by convention. Actual dates are not announced at the beginning of the year.</td>
<td>The calendar of business is published on a daily basis.</td>
<td>Daily Hansards containing questions raised and answers provided are uploaded on the website.</td>
</tr>
<tr>
<td>USA</td>
<td>Senate</td>
<td>Disclosed in advance.</td>
<td>Published daily and disseminated through website.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>USA</td>
<td>House of Representatives</td>
<td>Disclosed in advance.</td>
<td>Published daily and disseminated through website.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>India</td>
<td>Rajya Sabha</td>
<td>Not disclosed in advance.</td>
<td>Detailed agenda made available to MPs the night before each sitting.</td>
<td>Questions raised and answers provided in both Houses are accessible on a searchable database available on their respective websites.</td>
</tr>
<tr>
<td>India</td>
<td>Lok Sabha</td>
<td>Not disclosed in advance.</td>
<td>Detailed agenda made available to MPs the night before each sitting.</td>
<td>Questions raised and answers provided in both Houses are accessible on a searchable database available on their respective websites.</td>
</tr>
</tbody>
</table>
Issue 4: Opening up Proceedings of Parliamentary Committees

India is the only country in the South Asian region and one amongst the few developing countries where proceedings of Parliament are telecast live. This ensures access to the working of Parliament to people in real time. Ordinarily, sittings of both Houses are open and any person who obtains a pass from the Secretariat may observe the proceedings from the gallery situated above the halls of the Houses.

In India Parliament also conducts a large part of its business through its standing and ad hoc committees. The departmentally related standing committees vet Bills and scrutinise demand for grants. Citizens and stakeholders are provided opportunities to make submission on Bills submitted to these committees and invitations are advertised through the print media. The Public Accounts Committee scrutinises the audit reports of ministries and departments while the Committee on Public Undertakings scrutinises the audit reports of all central public sector undertakings.

1) Problem statement: Committee meetings not held in public

The working of Parliamentary committees is an area where secrecy continues to endure despite increasing levels of openness characterising the transaction of business at the House level. The dates of sitting and the agenda of the committees are not always advertised publicly. Citizens and stakeholders who make depositions are sworn to secrecy before they depose before these committees. Revealing information about any deposition made to the committee or any of its deliberations prior to the publication of its report is treated as a breach of parliamentary privilege. Whether the verbatim record of the deliberations of the committee will be disclosed along with its report is left to the discretion of the chair of the committee. The situation is very different in advanced democracies like the UK and the USA—Except where the chair decides that the proceedings of the committee be held behind closed doors, all sittings of the committee are open to the public and held under the glare of the media. Even in neighbouring Pakistan some of the parliamentary Standing Committees have started holding their sittings in public, which are covered by the media. For example, the Standing Committee of the National Assembly on Defence and Defence Production occasionally holds public sittings.
RECOMMENDATIONS:

• The rules of parliamentary committees may be amended to allow citizens to attend the sittings except in extraordinary circumstances where public interest is better served by holding the sitting in camera. In all such instances reasons must be publicly announced for not allowing access to non-members;

• The secretary/officer servicing a parliamentary committee must be made responsible for uploading the calendar of every committee on the House website well in advance;

• The respective Secretariats of the Houses must ensure that all reports and findings of the parliamentary committees are uploaded on their websites soon after they are tabled; and

• Any non-member must be provided access to the depositions and submissions made before a parliamentary committee on request, unless such disclosure has the real potential of harming the public interest.
### Table 3: Accessibility to proceedings of Parliamentary Committees

<table>
<thead>
<tr>
<th>Country</th>
<th>Name of the House</th>
<th>Are proceedings of parliamentary committees open?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>Jatiya Sangsad</td>
<td>No</td>
</tr>
<tr>
<td>Pakistan</td>
<td>Senate</td>
<td>Some committees have decided to open up their meetings to the public.</td>
</tr>
<tr>
<td></td>
<td>National Assembly</td>
<td>Some committees have decided to open up their meetings to the public.</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>Parliament</td>
<td>No</td>
</tr>
<tr>
<td>UK</td>
<td>House of Lords</td>
<td>Yes. Open sessions are telecast and broadcast live.</td>
</tr>
<tr>
<td></td>
<td>House of Commons</td>
<td>Yes. Open sessions are telecast and broadcast live.</td>
</tr>
<tr>
<td>USA</td>
<td>Senate</td>
<td>Yes. Senate Open sessions are telecast and broadcast live.</td>
</tr>
<tr>
<td></td>
<td>House of Representatives</td>
<td>Yes. Open sessions are telecast and broadcast live.</td>
</tr>
<tr>
<td>India</td>
<td>Rajya Sabha</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Lok Sabha</td>
<td>No</td>
</tr>
</tbody>
</table>
Issue 5: Increasing Accountability of MPs to the Citizen-Voter

A 2008 estimate showed that every minute of Parliament business cost the public exchequer Rs.26,000. This expenditure may have risen considerably in 2010 due to inflation. It is the voter-cum-taxpayer who ultimately bears the cost of running Parliament. All MPs are public servants. As the master of democracy in India, every voter has the right to know if his/her MP is attending Parliament regularly or not, and if not then what are the reasons for the absence of the MP from the House. India’s Parliament is amongst the few in the world whose website displays the attendance record of MPs. A list of MPs who are hospitalised is also disclosed on the website.

1) Problem statement: Transparency about leave of absence

In the Rajya Sabha, the Chair is required to read out the entire leave application of the MP to the whole House. So the MP’s reason for seeking leave becomes a part of the record of the House deliberations. Anybody can access it on the House website. However, the Lok Sabha does not disclose the reasons of the MP seeking leave of absence. There is a need for uniformity of practice in disclosing reasons for MPs’ leave of absence.

RECOMMENDATION:
- The respective Secretariats must publicise on the websites of the Houses the names of MPs who have sought leave of absence, the period for which leave has been sought, and their reasons for seeking leave of absence.
2) Problem statement: Transparency about hourly attendance of MPs

Every MP is required to sign the attendance register on the morning of every sitting of the Rajya Sabha and the Lok Sabha. Claims of daily allowance by MPs are honoured only if they have signed the register. However, there is no certainty that every MP sits through every minute of the House proceedings. Instances where MPs have drawn the attention of the Chair about lack of quorum when important matters are called to be voted upon are not rare.

In addition to the attendance register of MPs, the lobby officer is required to maintain an hourly chart showing the number of members present in either House during different hours of the day. This chart also indicates the total attendance of the Houses during any sitting. At the end of each session an analytical abstract is prepared showing statistical data with regard to the maximum and minimum attendance for every sitting, highest and lowest head count per hour, and the average attendance per sitting during the session. However, the hourly charts themselves are not displayed on the websites of the respective Houses.

RECOMMENDATIONS:
• The Secretariats of the respective Houses must publish on their websites the attendance record of all MPs on the day after every sitting;

• The Secretariats must make arrangements to record the presence of every MP during every hour of every sitting;

• The Secretariats must proactively publish on their respective websites, at the end of every session, the analytical abstracts of hourly charts showing statistics of the presence and absence of MPs on an individual basis and for the entire House. This information may be publicised on a weekly basis as part of the parliamentary bulletins that describe the details of work done in the House.
Issue 6: People’s Access to Information about MPs

In addition to the records of House deliberations, there are several other categories of information about MPs in which citizen-voters have begun to take interest. The voter has the fundamental right to know the financial and education background and criminal antecedents of any person contesting elections to Parliament. Since 2003, it has become regular practice for candidates contesting elections to Parliament to submit an affidavit disclosing details of assets and liabilities for self, spouse and three dependents in addition to their educational qualifications. Candidates having criminal cases registered against them must disclose full details about the nature of offences they are accused of, and the status of the criminal proceedings. The Election Commission of India is required to make these affidavits public so that the voter may get to know the background of electoral candidates, and make their choice at the electronic voting machine in an informed manner.

1) Problem statement: Assets and liabilities declaration – inadequate transparency

After a candidate wins elections to either House of Parliament it becomes mandatory for him/her to declare their assets (movable and immovable property for self, spouse and dependent children) within 90 days of taking oath of office as an MP. Liabilities to public financial institutions and the Central and any State Government are also required to be disclosed. In the Lok Sabha all such declarations are made to the Speaker and are entered in the ‘Register of Declaration of Assets and Liabilities of Elected Members’. This register is a confidential document as are the declarations filed by every MP. The Speaker’s permission is necessary for disclosure to other MPs or non-members. However, the Rajya Sabha allows any person to inspect the Assets Register who has obtained the permission of the Chair. There is no uniformity of practice in regard to declaration of assets and liabilities of MPs. If this information can be disclosed proactively on the website of the Lok Sabha for an electoral candidate there is no reason why the declaration filed by the same person after becoming an MP should be kept confidential.

RECOMMENDATION:

- All laws/rules restricting people’s access to declaration of assets and liabilities filed by MPs may be amended in order to ensure that they are available to other MPs and citizen-voters; and
- The custodian of the declarations of assets and liabilities must ensure that all such declarations are uploaded on the websites of the respective Houses.
2) Problem statement: MPLADS – inadequate transparency at the micro-level

Every MP has been given the power to cause development works in his/her constituency to the tune of Rs. 2 crores per year. Information about the money sanctioned, released and spent under the local area development scheme (MPLADS) is available on a special website maintained by the Ministry of Statistics and Programme Implementation, Government of India. MP-wise and constituency-wise statistics about release and expenditure of funds are available along with summary reports on this website. The websites of both Houses of Parliament provide links to this website. However, obtaining access to the micro-level details of money spent on each project and copies of related documents, bills and vouchers is very difficult. These records are maintained at the district level and it is not easy to access them despite their being fit for disclosure under the Right to Information Act. In fact, a significant number of citizens have used the RTI Act for seeking information about the details of MPLADS spending. Nevertheless, these details are not easily accessible, and often they are disclosed only upon the orders of the respective Information Commissions.

RECOMMENDATIONS:

• Detailed information about the allocation, sanction and spending of MPLADS funds must be made available on government websites with links to the websites of the respective Houses; and
• Information about the allocation, sanction and spending of MPLADS funds must be prepared in digital and hard copy format, and disseminated amongst people at the constituency level through Community Information Centres and district libraries maintained out of public funds. Additional, budgetary provisions may be made to the respective Secretariats to support such dissemination.

3) Problem statement: Allowances and amenities for MPs – inadequate transparency

Very little information is available in the public domain about allowances and amenities provided to MPs–for their upkeep. Some information has been provided only on the website of the Lok Sabha. This website contains broad details of the nature of allowances and amenities provided
to MPs, namely salaries, daily allowances, constituency and office expense allowance, traveling allowance and facilities, accommodation in the capital, telephone, internet, laptop and medical facilities, etc. Pension schemes containing entitlements of ex-MPs are also explained in some detail. However, the website does not contain any mention of the actual payments made to every MP during a financial year. Similar information about Rajya Sabha MPs is not publicly available. There must be uniformity of practice in disclosing the scheme of allowances and entitlements of MPs.

**RECOMMENDATIONS:**
- The Secretariats must upload on the websites of the respective Houses the scheme of remuneration and allowances and facilities to which every MP is entitled; and
- Information about actual payments made and expenses incurred on providing facilities to MPs must be prepared in digital and hard copy format, and disseminated amongst people at the constituency level through Community Information Centres and district libraries maintained out of public funds. Additional budgetary provisions may be made to the respective Secretariats to support such dissemination.
Issue 7: Compensating for Time Lost Due to Disruption of Parliamentary Proceedings

1) Problem statement: Disrupting House proceedings has become very common in recent times causing loss of parliamentary time to consider routine matters of public importance. One of the reasons for truncating the Budget session of 2010 by four days was the frequent high decibel protests launched by some MPs on emergent and sensitive issues. It has been estimated that the disruption of proceedings cost the voter-cum-taxpayer Rs. 20 crores. In the Lok Sabha 34% of session time was lost due to disruption of proceedings. This figure stood at 26% for the Rajya Sabha. If these figures are reasonably correct estimates, then action must be taken to compensate for lost time and resources.

RECOMMENDATIONS:

• Rules of business procedure of the respective Houses may be amended to authorise their presiding officers to extend a session by the number of hours/days equal to the number of hours/days lost due to disruption of proceedings.
CONCLUSION:

India’s Parliament is a beacon of hope to the millions of citizen-voters who send their representatives to voice their aspirations, hopes and concerns so that the Government may take effective action to mitigate their problems. There is no doubt that Parliament has become more and more transparent in its working in recent years. However, information about what MPs say and do in the Houses is accessible only to the miniscule technologically savvy segment of society. The large majority of citizen voter-cum-taxpayers remains oblivious of the deliberations in Parliament. There is an urgent need to bridge this gap between Parliament and the voters. Reducing the distance between citizen-voters and their elected representatives has enormous benefits. An informed citizenry is better placed to give useful feedback to MPs on governance issues. MPs can then alert the Government into taking remedial action to solve people’s grievances. Creating this twin-channel of information flow is one of the means by which conflict between the government and the governed may be reduced.


2. CHRI is an independent, international, non-profit, non-governmental organisation mandated to work for the practical realisation of human rights in the countries of the Commonwealth. Promoting people’s access to information and access to justice are its core work areas. CHRI works to raise public awareness about the value of the right to information. It collaborates with community based groups, catalyses the development of networks of concerned civil society organisations and seeks out the specific information needs of the people and communicates them to policy makers in various ways. CHRI’s police reforms programme aims to realise increased demand for and achievement of police accountability and reform throughout the Commonwealth. CHRI’s police reforms programme targets policy makers, police organisations, activists at the grassroots, civil society groups, the media and the general public to further its aims for reform and the implementation of democratic policing. It seeks to do this through a combination of advocacy, education, research and networking. For more details about CHRI please visit: www.humanrightsinitiative.org

3. SAHR is a democratic regional network with a large membership base of people committed to addressing human rights issues at both national and regional levels. SAHR seeks to contribute to the realisation of South Asian peoples’ right to participatory democracy, good governance and justice by strengthening regional response, including regional instruments, monitoring human rights violations, reviewing laws, policies and practices that have an adverse impact on human rights and conducting campaigns and programmes on issues of major concern in the region. SAHR’s basic policy is to identify the gaps in regional initiatives and to undertake activities which do not duplicate the work carried out by other regional or national NGOs. Its strength and legitimacy comes from its democratic structure and broad-based membership of recognised human rights defenders in the region. For more details about SAHR please visit: http://www.southasianrights.org

4. A total of 91 sittings are likely to be held in 8 sessions between March 2009 and February 2010: http://www.senate.gov.pk/Provisional%20Allotment%20Days/Calendar.pdf accessed on 07 July, 2010.

Policy Roundtables

CCS organizes policy roundtables, a means of engaging with legislators on issues of national importance in order to address the existing gaps between policy research and policy making.

In partnership with

Commonwealth Human Rights Initiative