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AN ASSESSMENT OF THE INDIAN PARLIAMENTARY DEMOCRACY

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ABSTRACT

Parliamentary Democracy is a refined form of Democracy. The Republican and Federal constitution of free India came into force on January 26, 1950. The constitution provides broadly for a Parliamentary form of Government based on Universal Adult Franchise and the accountability of the executive to the elected representative of the people. The Parliament represents all constitutionally organised shades of public opinion at national level and occupies an important place in the constitutional setup of the country. It has given a stage to the people through which they articulate and realise their aspirations and give vent to their grievances. The successful working of Parliamentary democracy is one of the notable achievements of free India.

Parliamentary Democracy



KEYWORDS : *Parliamentary Democracy , Republican and Federal constitution, notable achievements.*

INTRODUCTION

After the end of the 2nd World War India got independence on 15th August 1947, and constituted one of the largest democratic countries in the world. Prior to 1950, the people of the country popularly accepted the Indian Federation and Parliamentary Democracy. The constitution of India came into force on 26th January 1950. Before the First General Election, Nehru was appointed as the first Prime Minister(1947) of free India and he took the responsibility to lead Indian Parliamentary Democracy to success.

The period prior to 1958 had been a precarious period for Democracy, indeed for human freedom in all forms within the communist world, we have watched the progress and decline in human freedoms. The popular belief is that Democracy has failed in Asia. Because, Parliamentary Democracy of western type never had existed in most of the Asiatic countries. It never existed in China and in Japan prior to 1946. It did not take deep root in Burma, Srilank, Indonesia, Pakistan. Only forms of Parliamentary Democracy existed for a while in Pakistan. Excepting in India, Parliamentary Democracy has never been given a fair chance in most of the Asiatic countries.

In Pakistan, Sudan, and Thailand Democratic institution had been suspended and authority was exercised by the army. The Baghdad political trials provide a tragic proof that the new regime has scant respect for the independence of thought. The trend towards the lights of Democracy has gone out after a brief flicker in the newly freed countries of Asia. The Army has moved into the porches of power in many of the new states. Only in India Democracy was functioning successfully by the statesmanship of Nehru, even in the face of the strains of internal political and administrative problems and the challenge to planned economic development.

OBJECTIVES OF STUDY

1. Evolution of parliament democracy in India.
2. Assessment of Nehru contribution of Indian parliamentary Democracy
3. Idealism and practice of Indian Parliamentary democracy.
4. Socio and economic system influence of parliamentary democracy
5. System of Indian parliamentary democracy.

METHOD OF STUDY

This study is formulated on theoretical study. this study shows the development and background of the Indian parliamentary democracy since 1946. The contents of this article is borrowed from the secondary sources like books, articles, various leader theories, newspapers and other research thesis.

Basically, the scope of the Indian Parliamentary Democracy is extended limit to three important political institutions like, President, Cabinet and Parliament. Above all, India was fortunate enough in having three eminent personalities, who had implicit belief in Parliamentary democracy in the three key positions in the states, the President ship, the Prime Minister ship and the Speakership.

I. The Institution of President

The President is the Head of the state and the symbol of the Indian Republic. He is the supreme commander of the defence force of the Indian Union. It is in his name that executive power of the Union is exercised. He has a right to address Parliament and to send message to Parliament. His assent is essential for Parliamentary Bill to become law.

The President has power to impose President's Rule in the states and dissolve the Lok Sabha. It is for him to identify, after each General Election, the prospective Prime Minister and to invest him with office. This formidable array of presidential power does not, however, make him the repository of real or dictatorial political power because he is normally bound by the aid and advice of the Prime Minister. The office of the President is not designed as a parallel centre of power. The President is supposed to reign while. Prime- Minister rules; the President has considerable influence, but the Prime Minister has power.

The first president Dr. Rajendra Prasad was strictly a constitutional ruler. The communists however, argue that the President should have asserted his position given in the constitution and interfered with the policies and programmes of the ruling party. But a constitutional ruler must accept the advice of his ministers so long as they have a majority in the Lok Sabha. That is if the constitutional doctrine of ministerial responsibility means anything at all, the President would have to sign his own death warrant, if it is presented to him for his signature by a minister commanding a majority in Lok Sabha. If there is any tampering with this fundamental principle, his downfall is in sight. The President can only expatiate to his ministers on the dangerous consequences of their policy; he can picture the unwisdom of their course of action. But when once the ministers decided on the course of action to be taken on any particular subject, the president must accept it. This is the essential position of a constitutional ruler and Dr. Rajendra Prasad observed this principle in letter and spirit.

II. The Institution of the Cabinet

The constitution of India explicitly embodied the principle of cabinet government based on the collective responsibility of the Council of Minister to the Lok Sabha, recognizing the Prime Minister as the first among equals. Under pressures of contemporary life and swiftly changing methods of communication and styles of political leadership, the institution of cabinet has yielded to the supervening and controlling primacy of the office of the Prime Minister. The principle of collective responsibility has been modified by the special status and power of the Prime Minister who determines the membership of the cabinet and has a decisive voice in the choice of the party's Parliamentary candidates. Institutionally, the Prime Minister is the leader of Lok Sabha, the Leader of the Party and an acknowledged Leader of the Nation and the three roles naturally Prime Minister ship for more than

seven decade was a fortunate and important factor to the success of Indian Democracy. The value of Prime Minister ship is lost if there is frequent change in the Leadership of the county, as in Pakistan, Srilank and Indonesia.

III. The Institution of Parliament

Basically, the Indian Parliament exercises influence rather than power. Its functions lie primarily in the processes of consultation and articulation and in the audit and scrutiny of the operations of the Government. The substance of the power resides in the cabinet and more particularly in the office of the Prime Minister, but the sanction for the political power is provided by the representative principle embodied in Parliament clearly, Parliament is not the principal or exclusive focus of real power. Led by the Prime Minister and the cabinet, the majority party in the Lok Sabha must necessarily support its own Government. In the party system of Parliamentary Government, the party leaders command the loyalty and allegiance of members who are subject to the party whip and who cannot ordinarily defy the leadership with impunity.

The Indian Parliament is a bi-cameral legislature. Unlike most Parliaments in the western countries, the Indian Parliament is relatively young and of late there is a positive emerging tendency for the Indian Legislators(MPs) to grow younger with successive elections. This also means that there is a substantial number of out going members who do not seek office again or are not re-elected.

The composition of the Parliament determines the character and contour of Legislative politics. The position of the members of the Parliament is both highly visible and prestigious. Even though the members of Parliament are not the exclusive foci of power, membership of the members of Parliament ensures a measure of proximity to the seats of power and may either open the doors to political office or at least bestow reflected glory. What is more, considerable social honour and recognition attaches to the elective offices although members of the educated elite often describe politics as a 'dirty game'.

The Lok Sabha the Lower House of Indian Parliament is composed on the basis of Universal Adult Franchise. The induction of a large number of new and young members may weaken the sense of tradition while it may emphasize new dimensions and a measure of amateurish dynamism. Many of the new and young members would, over a period of time, promote greater political mobility and vigour in the working of legislative institutions. Perhaps, Indian politics has yet to resolve the problem of reconciling the claims of experience and specialization with the claims of continuous youthful renewal. Its normal period is five years, it may be dissolved by president on the advice of Prime Minister Prematurity.

The Rajya Sabha, the Upper House of the Parliament is a permanent House. One-third (1/3) members retiring by rotation every two years. Its members are elected by state legislators broadly on the basis of population for a term of six years. Twelve(12) members are nominated by President of India on the basis of their special knowledge or practical experience in respect of such matters as Literature, Science, Art and Social Service.

IV. The Institution of Speakership

The speaker of Lok Sabha occupies an important place within the precincts of Parliament its routine and rituals. The Indian resembles the British Speakership closely in many ways except for the amorphous associations most Indian speaker, both of the Lok Sabha and the State Assemblies, have maintained with their parties. In India, the speakers seat is seldom left uncontested and that is one reason the speakers both at centre and in the states, have generally found it necessary and expedient to retain their political affiliations even their election as speaker, at least for electoral purpose.

It cannot, however, be gainsaid that the independence and impartiality of the speaker is confined to the proper functioning of the Parliament. His office is not a mere ceremonial device. He is clothed with enormous powers in regulating the business of the House. He rules on points of order, decides on the admissibility of questions and motions, determines and makes arrangement and the allocation of time for the business of the House, moderates and debates and guides the committees and the House generally in procedural matters and matters of conventions. He is the custodian of the rights

and privileges of the members and it is on him that the duty to protect the rights of the opposition is cast. In the performance of some of these functions he is aided by party whips, party leaders and the leader of the House, but it is his imprimatur which puts the seal of near finality on Parliamentary process.

The role of the speaker Lok Sabha as the umpire of the Parliamentary process may be difficult when the contending teams in the game are evenly matched in number and quality. In the Indian Lok Sabha even without numerical balance between the ruling party and the opposition, the speaker's role calls for extraordinary endurance and stamina.

Numerically, the opposition has never been strong and cohesive enough in the Lok Sabha to appear in equal array against the Treasury benches and their supporters and yet the proceedings of the House have never lacked in the cuts and thrusts of a vociferous opposition and frequent tugs of verbal warfare.

Finally, the speaker of the Lok Sabha must be a strong man. If the speaker is weak, Parliamentary democracy will not function effectively. Fortunately the first speaker was very able person. He came to the office after a considerable experience. He had a profound knowledge of Parliamentary tradition and precedents. His great contribution was that he established valuable Parliamentary conventions. When Speaker Mavalankar died, Nehru, said, "I must confess that I and perhaps some others had got so much used to Shri. Mavalankar as speaker and had come to rely so much on the way he could deal with any situation that might arise with calmness with courtesy and at the same time with firmness that we can hardly think of this Parliament without him. He was an inseparable part of it, the cementing link between us. Therefore his passing away, apart from the obvious personal sorrow involved, is a break from a tradition from almost an institution that had grown up here and his going away for the moment leaves the Lok Sabha almost like a headless body leaving a gap behind, which is difficult to fill."

V. The Institution of the Local self Government

Another reason for the success of Parliamentary Democracy in India is the existence of strong system of Local Self Government which has developed and reinforced the democratic process. Local Self Government is an instrument of political and popular education. It is even more directly connected with the preservation of democratic institutions. Our Central and even State Governments are all so complicated mechanisms that responsibility to the people can be enforced only at long intervals and on a few matters of major importance. Therefore Democracy functions more vitally in local areas. Thus Local Self Government is an instrument of political education. It provides for the greatest number of citizens all the essentials of political education. It opens the eyes of the novice to the practical difficulties of administration. It brings home the risks of political power. It develops practical political capacity which can be acquired only by the actual exercise of power. In the ultimate analysis for the vast majority of the people, the political school is local self government. Where there is no strong system of local self – government, there is political demoralization. But India is fortunate to have strong system of local self government which facilitated the smooth working of Democratic institutions.

CONCLUSION

Nowhere is procedure so decisive or so binding as it is in Parliament. This is rightly so because unless discussion and debate are strictly controlled, and procedural requirements for transaction of business strictly adhered to, it is impossible to transact all the volume of business it now manages to put through. Parliament is essentially a decision making body. Unlike the decisions of all other social organizations, the decision of this body affects the life, liberty and property of all of us. They have, therefore, to be not only arrived at after full discussion and debate but also after due consideration and care. At the same time, the limitations of Parliamentary time necessitate that all its business should be carefully controlled by devices like notice, motions, controlled discussion and voting. Even the most enthusiastic and loquacious member of Parliament will soon realize that procedure, practice and conventions, no matter how seemingly trivial, have a purpose and are based on past experience and

therefore, should be zealously guarded by him for the benefit of all. Government has respected them as devices to transact with their responsibility to the House must express its views and offer its criticisms as well as suggestions. Members of opposition and other non-official members have viewed the various procedures as so many devices to make Government behave in a responsible manner, to prevent governmental power becoming oppressive, repressive or corrupt and to bring it to account for all its acts of commission or omission.

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