



# Vidhi

Centre For Legal Policy

BETTER LAWS. BETTER GOVERNANCE

# PARLIAMENTARY PRODUCTIVITY INDEX

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*Measuring Disruptions in the Indian Parliament*

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## I. INTRODUCTION

In July, 2016, the Vidhi Centre for Legal Policy released a report titled “Disruptions in the Indian Parliament” (‘Report on Disruptions’). Our report was a study of the procedure and trends in parliamentary debate in India and identified reasons why disruptive debates are such a common feature in Parliament. While writing the Report on Disruptions, we also looked at best practices to improve parliamentary productivity in other countries and suggested some key reforms to improve the functioning of the Indian Parliament.

In the course of our research, we identified various structural and substantive reasons for constant disruptions in the Indian Parliament. One of the reasons we found for disruptive activity was the fact that there are various issues with the way the debates and sessions are structured. A majority of the Members of Parliament feel that there is inadequate time and opportunity to raise issues during debate. For this reason, they constantly interrupt orders of business and speeches of other members, for apprehension that their issues would not be taken up for discussion. Another cause for disruptive activity that we found was members raising concerns about the lack of accountability in Government policies and decisions. In this regard, we found that certain practices followed in other jurisdictions, such as the “Prime Minister’s Questions” in the UK, were helpful for Members who wished to raise questions relating to Government actions and policies by engaging directly with the leader of the Government. In addition, we found that the Speakers who preside over the session of the Houses do not resort to their disciplinary powers to dissuade members from disrupting in Parliament. In conclusion, we suggested that structural changes as well as changes in the way disruptive activities are dealt with, are the need of the hour, to ensure that debates are marked by relatively less disruptive activity and as a result, more constructive discussion.

However, we felt that the research on debates and procedure of Parliament should not be limited to a theoretical study alone. What practical steps can be taken to disincentivise Members of Parliament (‘MPs’) from disrupting Parliament? How can disruptions be made a publicly unacceptable form of parliamentary protest? To this end, we have formulated a Parliament Productivity Index (PPI) that measures both the productivity of a session of Parliament and identifies five most disruptive MPs on the basis of clearly defined parameters. The purpose of this index and report is not to cause any personal affront to an MP or to Parliament as a whole, but instead to highlight certain practices commonly observed in Parliament which are inconsonant with a well-functioning and responsive democratic institution.

As an introduction to our study, the following chart identifies the different kinds of disruptive activity largely observed in parliamentary debates.

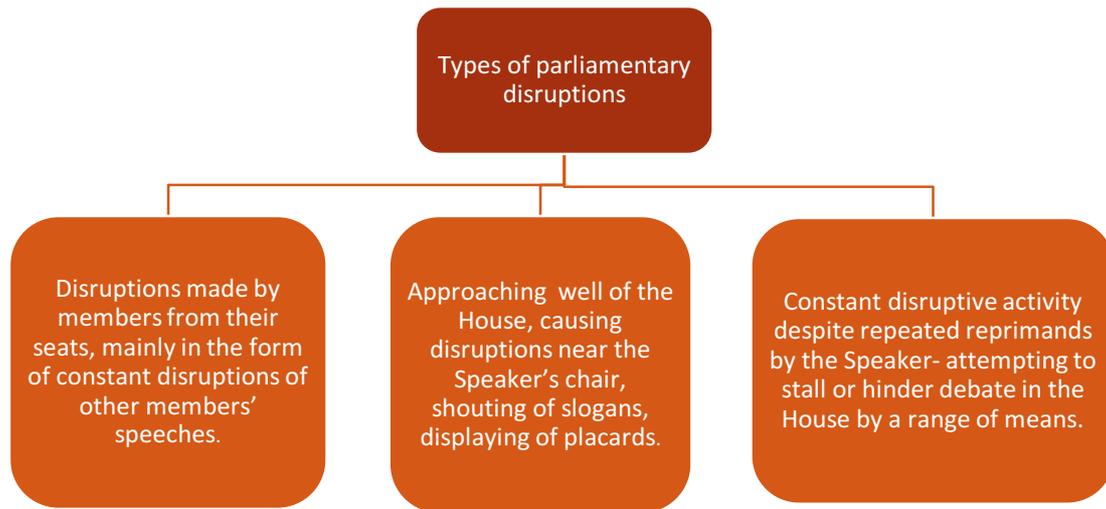


FIG. I

Based on different kinds of disruptions, we observed how the Presiding Officers in both Houses dealt with them. Largely, we found that specific kinds of disruptions led to specific reactions from the Presiding Officer, based mostly on the extent to which the member was disrupting the House. This was also dependent on the frequency with which the member was disrupting the debate. As a general matter, the Chairperson of the proceedings in each House of Parliament, the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha respectively, have issued directives to all MPs to ensure their effective participation during parliamentary deliberations. Specifically, the directives provide guidance on (1) the methods for participation in debates; (2) mistake or inaccuracy in statements made in the House; (3) personal explanation by a member; and (4) management of questions, discussions, motions and such other devices during the proceedings.<sup>1</sup> When these are breached, as disruptions always do, the following actions are taken by the Presiding Officers:

<sup>1</sup> “Directions by the Chairman, Rajya Sabha under the Rules of Procedure and Conduct of Business in Rajya Sabha”, Rajya Sabha Secretariat (2014), available at <[http://rajyasabha.nic.in/rsnew/directions/direction\\_chair.pdf](http://rajyasabha.nic.in/rsnew/directions/direction_chair.pdf)>, accessed on 18.12.2016; “Directions by the Speaker of the Lok Sabha”, Lok Sabha Secretariat (2014), available at <[http://164.100.47.132/LssNew/direction/DIRECTION-2010-P-FINAL\\_1.pdf](http://164.100.47.132/LssNew/direction/DIRECTION-2010-P-FINAL_1.pdf)>, accessed on 18.12.2016. See generally, various provisions of the Rajya Sabha and Lok Sabha Rules that contain guidelines on the manner in which MPs should conduct themselves; also see “Members - Do’s and Don’ts”, Training Cell, Rajya Sabha Secretariat (2012), available at <[http://rajyasabha.nic.in/rsnew/information\\_booklet/Members%20Do%20&%20Dont.pdf](http://rajyasabha.nic.in/rsnew/information_booklet/Members%20Do%20&%20Dont.pdf)>, accessed 18.12.2016.

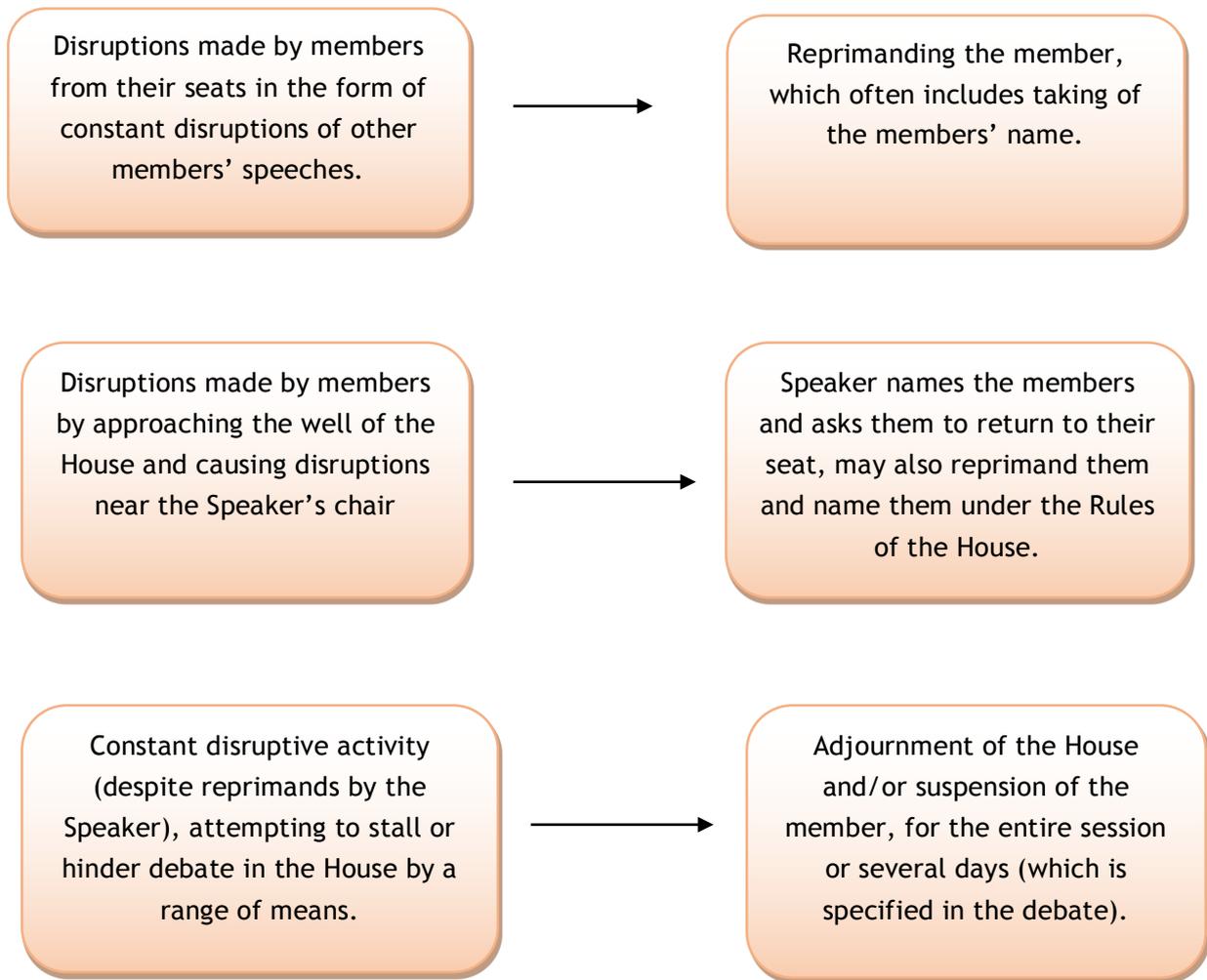


FIG. II

Using the Presiding Officer's official actions as the starting point, this Report creates a Parliamentary Productivity Index. This Index measures the extent of productivity in Parliament, as well as the most disruptive MPs in the House in any session. This Report seeks to explain the rationale behind creating an index, and the ranking list of most disruptive MPs. It details the variables employed to create this index and the ranking list, and the reasons for choosing certain variables and not others. The limitations of such an exercise are also carefully set out. Finally, the formula for the index is explained, and tested on data from the debates in the Lok Sabha over a period of 100 days.

This index is designed to serve as a mirror to MPs, providing them hard data on their own (un)productivity. At the same time, by naming members who are most disruptive, the Report adopts the approach of 'naming and shaming' MPs, thereby looking to create strong disincentives for constantly disruptive behavior.

## II. PARLIAMENTARY PRODUCTIVITY INDEX (PPI)

Debates in the Indian Parliament are criticised for being marked by constant disruptions that lead to reduced qualitative debate on issues of importance. We felt that an objective, data-based analysis of the productivity levels of the Houses would help understand and address the reasons for these disruptions. This, in turn, can draw further attention to issues of parliamentary procedure in India, paving the way for reform to ensure better quality debates and productive sessions in the Parliament. A Parliamentary Productivity Index (PPI) has thus been created with the available data to represent the productivity of the debates- both qualitatively and quantitatively.

The idea of indices for measuring productivity of debates has been explored before, on one occasion, in India. In his paper on party discipline and disruptions in parliament, the Economist Ajit Phadnis has proposed an empirical test to investigate whether legislators, who toe the party line, are given preferential access to party-controlled benefits, taking into account various variables.<sup>2</sup> Some of these include factors such as the co-relation between participation in debates and disruptive activity. Essentially, the study uses Parliamentary disruptions to study the dynamics of party discipline in India. Our present report differs in that we seek to quantify, to some extent, the productivity of the Houses of Parliament. The variables we will be using is the time allocated and spent on different orders of business, and the frequency of disruptions in the debate, which will be explained in detail in this Chapter, as well as the subsequent Chapter, of this Report.

### A. Methodology

At the outset, it must be mentioned that a characteristic feature of the debates studied was that the list of business for a day is often not adhered to because disruptions lead to a massive loss of time. Due to this, selective issues and orders of business are taken up, with some of the business spilling over to the next day. The aim behind making this index was to understand objectively how much time is lost on a particular day due to adjournments and who is responsible for such time lost.

#### 1. The time period used as a representative sample

We observed that largely, the maximum number of disruptions that take place in the House(s) took place in the Question Hour. Therefore, to calculate the time used and time lost, we considered the Question Hour as a representative sample of time.

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<sup>2</sup> See Ajit Phadnis (2016), Working Paper no. 510 'Party discipline and disruptions in parliament: Evidence from 15th Lok Sabha of the Indian parliament', available at <[https://www.iimb.ernet.in/research/sites/default/files/WP%20No.%20510\\_0.pdf](https://www.iimb.ernet.in/research/sites/default/files/WP%20No.%20510_0.pdf)> accessed on 30.01.2017.

## 2. The quantitative measure of productivity

As a preliminary exercise, we recorded the duration of the debate for a particular day. Following on from this, we calculated the time lost in disruptions. This was done by noting the time that the House was adjourned and the time the House re-assembled. By calculating the time that passed in between these occurrences, we arrived at the time lost. This time lost, subtracted from the duration of the entire debate (for that day), would give us the total time that the House was productive. These variables helped us in capturing the time for which the House was productive, represented in the form of an index. We have referred to this as the "quantitative index" to measure the productivity of the debates.

**Note:** Though the time that the House was adjourned and re-assembled was provided for clearly in the debates, this is however not truly reflective of the time lost due to disruptions. In the course of the debates, we observed that there were several other instances of disruptive activity which did not lead to adjournment of the House. However, we have not calculated the time spent on disruptive activity (other than those which led to adjournments) as it is difficult to gauge exactly how much time has been lost due to a particular incident of disruption. This is because disruptive activity is reflected as the word "interruption" throughout the course of the debate without specifying necessarily when, and for how long, it takes place.

## 3. The qualitative measure of productivity

For creating an index showing the qualitative measure of productivity, we looked at the extent of disruptive activity in the debates. Though this is difficult to quantify, we have attempted to do so by counting the number of disruptions that took place on a particular day. A reading of the debates reveals that the word "interruptions" are used in the text of the debates to indicate every time a member creates disruptions during the debate. In Hindi, this appears as the word "vyavadhan" in the text of the debate. This is commonly observed throughout the course of the debate. As noted above, maximum incidents of disruptions usually take place in the Question Hour.

**Note:** In our Report on Parliamentary disruptions in India, we had classified "interruption" to mean an interjection by a member during the speech of another member or during the discussion on a listed item, or a statement by a member on an issue of public importance. We had distinguished this from a "disruption", which is usually a longer break in parliamentary proceedings, encompasses an undesired statement, action and gesture that not only delays the transaction of business in Parliament, and usually violates the behavioural protocol that every MP is required to observe.<sup>3</sup> However, in calculating the qualitative index, we have not made this distinction between an "interruption" and a "disruption". This is because in the text of the debates, it is difficult to say with accuracy which incidents are disruptions or interruptions.

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<sup>3</sup> See "Disruptions in the Indian Parliament", Report of the Vidhi Centre for Legal Policy, p. 4. Available at <Report\_Disruptions+in+the+Indian+Parliament\_Vidhi.pdf> accessed on 18.12.2016.

On examining the text of the debates, there are often periods of time where little or no substantial discussion is happening on the topics in the order of business. During this time, the text of the debates reflects the Speaker continuously asking members to sit down and/or refrain from disruptive activity and allow the proceedings to continue. It has also been observed that while members are speaking, other members may interject or interrupt the speech. This was mainly observed on two instances, namely, Question Hour and the List of Matters taken up for discussion, where members raised issues of national importance or issues relating to their own constituencies. It is, however, difficult to tell in which situation the interjection amounts to a “disruption” and in which it amounts to an “interruption”, i.e. where the interjection may have been made to raise a legitimate concern (and contributed usefully to the debate), or where it led to disruptions and wasting the time of the House (which could have been used for constructive debate).

For the sake of ease of data collection over a large period of days (debates), we have taken all interruptions collectively to be disruptive. While this may lead to some imprecisions in the calculation of the actual index for a particular day, it still provides us an accurate representative sample of the quantitative and qualitative aspects of parliamentary debate on that day. Our rationale for calculating the index within this Report is to show the application of the index in practice. We recommend that inaccuracies relating to distinctions between legitimate interruptions and disruptions may be resolved through better representation of this data in parliamentary debates by the Lok Sabha and Rajya Sabha Secretariats.

**Note:** It must be kept in mind that this may raise issues is that it may have led to over-inclusion of disruptive activity in some of the debates.

## B. Formula for the Indices

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### 1. The Rationale and Intuition for the Index:

An index of productivity of a house of parliament should have the following features:

- It should have lower and upper limits (like 0 and 1) for comparability and intuitive interpretation;
- It should have a positive relationship with the amount of time the house is actually discussing business (the total time minus adjournment periods);
- It should have a positive relationship with the “quality” of the conduct of the house when undertaking business.
- Since an absolute measure of the upper and lower bounds of quality are difficult to define and interpret, it should have a “reference period”, e.g. prior 100 days of session, relative to which its value can be interpreted.

The index here has been constructed with these features in mind. Our indicator of quality is the number of times the word interruption has been used during a session.

## 2. Measuring the quantity (time spent on business) aspect of House productivity

- **T<sub>t</sub>**: The length of the session during the day in minutes (total time from beginning of the debate to the time that the debate was adjourned for the next working day) minus the time lost in adjournments;
- **Max T**: This is the maximum value of T observed in the 100 days prior to day t.
- **Min T**: This is the minimum value of T observed in the 100 days prior to day t.
- **Relative T-Star (T\*)**: For day t,  $T_t^* = \frac{T_t - \min T}{\max T - \min T}$

This will result in a value between 0 and 1, where 1 is the maximum productivity and 0 is the minimum productivity.

## 3. Measuring the quality aspect of House productivity

This index was formulated using variables and data relating to amount of disruptive activity that took place in the debate(s). The following are the variables used, explained briefly:

- **Q<sub>t</sub>**: The number of times the word “interruptions” was mentioned in the detailed record of the session of the day;
- **Max Q**: This is the maximum number of interruptions in a day observed in the 100 days prior to day t.
- **Min Q**: This is the minimum number of interruptions in a day observed in the 100 days prior to day t.
- From the above, Q\* was calculated as follows:

$$\text{For day } t, Q_t^* = \frac{\max Q - Q_t}{\max Q - \min Q}$$

It is important to keep in mind that there is a negative correlation between interruptions and House productivity. The higher the number of interruptions on a particular day, the lower the productivity of the House is likely to be.

## 4. The Index of House Productivity

We now have a measure of quantitative as well as a measure of qualitative productivity. The index of House productivity combines them in the following manner:

$$I_t = \frac{1}{3} \{ (1 + T_t^*) * (1 + Q_t^*) - 1 \}$$

This is the final index, which will be a value between 0 and 1.

**Explanatory note for the index formula:** Numerical indices are created primarily to get objective and consistent measurement of qualitative phenomena across space and time. In order to fulfil this role, indices should have certain desirable qualities like a) boundedness (a ceiling and a floor) for

intuitive interpretation; and b) monotonic relationship with each underlying aspect of the qualitative phenomenon, (like T, time and Q, quality above). In the formula above, since T and Q are individually bounded between 0 and 1, to avoid their product taking a value of zero for only one of them reaching zero (making the contribution of the other variable unobservable, or in other words, violating the monotonic relationship in (b) above), we need to add a positive value (here 1) to T and Q each before multiplying them. Now when T and Q are both zero, the index ought to reach its minimum (zero) as well. To achieve that we need to subtract 1 from the product above. Further, when T and Q are both maximized (1 each) then the index ought to be maximized as well. When T=Q=1, the value of the term within {} is 3. In order to achieve greater intuitive interpretation, it is best to restrict the index value between 0 and 1 rather than between any other range. Dividing the term within the parenthesis: {}, by 3 accomplishes that objective.

### C. Our findings: An illustrative example

The time period we used as a sample size was 100 days, spread over some sessions of the Parliament. For this, the debates of the 16<sup>th</sup> Lok Sabha were studied. Note that the "House" in this illustrative example refers to the Lok Sabha. As an illustrative example, we have taken the debate on 2<sup>nd</sup> August, 2016.

#### 1. The quantitative productivity index

In the reference period that we have studied, the maximum time which was actually used (i.e. the maximum time for which the debate lasted, which was greater than the time scheduled for debate on a regular basis, which is 11 am- 6pm as per the Rules and Regulations of the Houses<sup>4</sup>) was on 08.03.2016, which was 705 minutes. This is [Max T]<sub>t</sub>. The minimum productive time was found to be 3 minutes, on 24.07.2015. This is [Min T]<sub>t</sub>.

**Note:** Our "reference period" for any particular day would be the 100 days in which the Lok Sabha was in session preceding that particular day, ending with (and including) the day in question.

The duration of the session on 02.08.2016 was 449 minutes. The time lost in adjournments on this day was 93 minutes. This was calculated using T1, T2 and T3 which are explained below. This exercise must be carried out as many times as there are adjournments in a day. This means that if there are 4 instances, the total time lost due to adjournments will be calculated by adding T1, T2, T3 and T4 (and so on).

- On this day there were three adjournments. In the first incident, the House was adjourned at 12:15 pm and re-assembled at 12:30 pm. Consider this to be T1, the value of which is 15 minutes.

<sup>4</sup> For example, see Rules of Procedure for Conduct of Business for the Lok Sabha, where it is stated in Chapter IV: "12. Unless the Speaker otherwise directs, sitting of the House on any day shall ordinarily commence at 11.00 hours and conclude at 18.00 hours with a lunch break for one hour which may ordinarily be from 13.00 hours to 14.00 hours." Available at <[http://164.100.47.132/LssNew/rules/RULES-2010-P-FINAL\\_1.pdf](http://164.100.47.132/LssNew/rules/RULES-2010-P-FINAL_1.pdf)>, see p.8. Accessed on 01.02.2017.

- In the second incident, these times for adjournment and re-assembling were 12:31 and 12:47 respectively. Consider this to be T2, which is 16 minutes.
- In the third instance, these times for adjournment and re-assembling were 13:35 and 14:37 respectively. Consider this to be T3, which is 62 minutes.
- The total time lost due to adjournments on 02.08.2016 was thus  $T1 + T2 + T3 = 93$  minutes

Time used was therefore  $(449 - 93) = 356$  minutes. This is  $T_t$ .

Using these variables in the formula, we have:

**Relative T-Star**,  $T_t^* = (356 - 3)/(705-3) = 0.50$ .

## 2. The qualitative productivity index

Through the course of the 100 days, the maximum number of interruptions were on 12.09.2015 which amounted to 907 disruptions. This is  $[\text{Max } Q]_t$ .

The minimum number of interruptions were found to be 0. This occurred on five days in the course of our representative sample, on 18.07.2016, 04.03.2016, 23.02.2016, 30.07.2015, 28.07.2015, 21.07.2015 and 04.03.2015. This is  $[\text{Min } Q]_t$ .

On the date of debate we are using for testing the formula, i.e. 02.08.2016, the number of interruptions were 273 ( $Q_t$ ). Using the values in the formula, we have:

$$Q_t^* = (907-273)/(907-0) = 0.70$$

## 3. The combined index

$$\text{PPI} = [(1 + T_t^*) * (1 + Q_t^*) - 1] \div 3$$

$$\text{PPI} = [(1+0.5) * (1+0.7) - 1] \div 3$$

$$\text{PPI} = 0.52$$

This index reflects, as a value between 0 and 1, how productive or unproductive the session was. The closer the index value is to 1, the more productive or better the session is. The index will hit the value 1 when the  $T_t^* = 1 = Q_t^*$ . This would mean that  $T_t^* = \text{Max } T$  and  $Q_t = \text{Min } Q$  i.e. the T is the maximum time in the reference period, and the Q is the minimum interruption in the reference period.

For instance, on the basis of the PPI value calculated above, we can then say that the House was  $(0.52*100) = 52\%$  productive, or in other words, 52% of the time was used productively.

**Note:** The day in question must be included in the reference period else theoretically the index can exceed 1 or become negative.

### III. RANKING LIST OF THE MOST DISRUPTIVE MEMBERS OF PARLIAMENT

As noted in the Report on Disruptions, every interruption by an MP does not tantamount to a disruption. In fact, interruptions during parliamentary deliberations sometimes make for healthy debate over contemporary issues of public interest. However, on many occasions, MPs tend to come to the well of House, shout slogans, display banners, make unwarranted statements that do not have anything to do with the ongoing debate, or simply heckle other MPs during their speeches. These intrusions do not fall within the confines of acceptable parliamentary behaviour and may be said to constitute disruptions. To understand the parliamentary process better and accord a value to each such incident of disruption, we decided to tabulate a ranking list of the top five most disruptive MPs.

#### A. Methodology

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For tabulating the ranking list, we analysed the official uncorrected text of Lok Sabha debates at the Winter Session of 2013-2014 and at the Monsoon Session of 2015. These debates are available on the Lok Sabha website. We counted the number of the times the name of a particular MP was mentioned in the text of the debates for coming to the well of the House at each of the two sessions. Given that the remaining instances of interruptions or disruptions were case sensitive, and had to be gauged from the text of the debates, we have omitted them in our calculations. Since the Rajya Sabha debates do not specify names of persons who come to the well of the House, we had to limit our ranking list to the Lok Sabha debates only.

Using only those instances where an MP came to the well of the House during an ongoing parliamentary session, we populated the ranking list of the top five most disruptive MPs at the Lok Sabha of the Winter Session of 2013-2014 and the Monsoon Session of 2015. For the purpose of this list, we assumed three disruptions per day, and six disruptions over an entire session as the minimum threshold for the inclusion of an MP's name within the list of most disruptive MPs.

#### B. Limitations

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While extracting the information, we encountered certain limitations, which have been outlined below:

- The Question hour and the Zero Hour were the most disruptive: Most disruptions took place in the Question Hour and the Zero Hour, due to which these segments could not be conducted for more than a couple of minutes on each day of both sessions. However, the names of MPs engaging in disruptions in both these segments were not mentioned within the text of any of the debates. As a result, we were unable to include such instances within our ranking list.

- There were several other incidents of disruptions, where the text of the debate referred to the chaos in the House as only ‘interruptions’. In such instances, the names of MPs who engaged in such behaviour were not mentioned. Hence, our list does not reflect such instances of disruptions.
- While sometimes the time wasted can be gauged from adjournments, other times, in the absence of adjournments, there is no way to calculate the extent of time wasted. It was also not always obvious if some or all members came back to their seats after disrupting the House on a particular day. Since it was difficult to accord a value to the amount of time wasted on disruptions by each MP, on each day, we decided to not include this value within our ranking list.
- Several MPs who interrupted another MP’s speech did not always come to the well of the House and engage in disruptions. Hence, the names of such MPs did not feature in the text of the debates. In the absence of such names, we could not include other instances of disruptions within our list.
- It was also difficult to accrue a value judgement to whether the intervention of an MP from his/her seat constituted a disruption, based on the available information. Hence, we avoided accounting for those interruptions that were not obviously disruptions.
- Several MPs engaged in disruptive conduct only once, or twice in the entire session. While even a single resort to such conduct is not justified, it does not necessarily entail the inclusion of the MP’s name in the list of *most* disruptive MPs. Hence, our list does not reflect the names of such MPs.

### C. Our findings

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For the Lok Sabha of the Winter Session of 2013-2014, we found the top five most disruptive MPs to be:

1. Shailendra Kumar (29 disruptions)
2. Venugopal Reddy (12 disruptions)
3. YS Jagan Mohan Reddy (10 disruptions)
4. Arjun Roy & K Bapiraju (9 disruptions)
5. Baliram, AKS Vijayan & S.P.Y Reddy (7 disruptions)

For the Lok Sabha of the Monsoon Session of 2015, we found the top five most disruptive MPs to be:

1. Mallikarjuna Kharge (16 disruptions)
2. KC Venugopal (14 disruptions)
3. Gaurav Gogoi & AP Jithender Reddy (9 disruptions)
4. Saugata Roy (8 disruptions)
5. Dharmendra Yadav (7 disruptions)

As mentioned above, these numbers allude to only the most serious forms of disruptions, namely MPs coming to the well of House. To ensure we get a holistic picture on disruptions, we strongly recommend that the Presiding Officers name every MP who engages in any form of disruptive conduct, which violates the code of conduct of the House. By including every incident of disruption by an MP within the text of parliamentary debates, we would have a more successful and accurate ranking list, which counts all forms of disruptions resorted to by MPs.

Such a list, of which the list above is an illustration, will be a critical device to ensure accountability for disruptions with a view to reducing, and ultimately, eliminating their incidence in parliamentary debate in India.

The purpose of the PPI and the Ranking List is to make disruptions in Parliament a mass public concern. By presenting data on productivity in Parliament in a simple and accessible form as well as providing a list of five most disruptive MPs per session, it is our objective to create systemic disincentives for MPs to disrupt Parliament. Simply put, disrupting Parliament endlessly and without engaging in meaningful debate should not be publicly acceptable or politically rewarding. It is our view that if the public is sensitised through the PPI of the true extent of disruptions with hard data, a slow movement towards its general unacceptability will have begun. This, in turn, should make MPs, the representatives of the people, modify their behaviour in Parliament. While such behavioural change will necessarily be time-consuming, it is our view that with the PPI, which combines data analysis with easy-to-understand outcomes, a start has been made.



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