Lapsing of Bills - Waste of Lok Sabha Time

Why in news?

Vice President suggests to rethink the lapse procedure to avoid wastages of time.

What are the key things suggested by Vice President?

- Following the provisions of Article 107 of the Constitution, 22 Bills passed by the 16th Lok Sabha now stand lapsed.
- The Lok Sabha would now have to take up these 22 Bills again for consideration and passing which is the wastage of time.
- So the Vice President called for a debate on a Constitutional provision that provides for automatic lapsing of any Bill passed by Lok Sabha.
- He also suggested, a Bill which is not taken up for consideration and passage within five years of introduction should automatically be treated as lapsed.
- Since Rajya Sabha is a permanent House, Bills introduced there do not lapse, and remain pending, sometimes for decades.
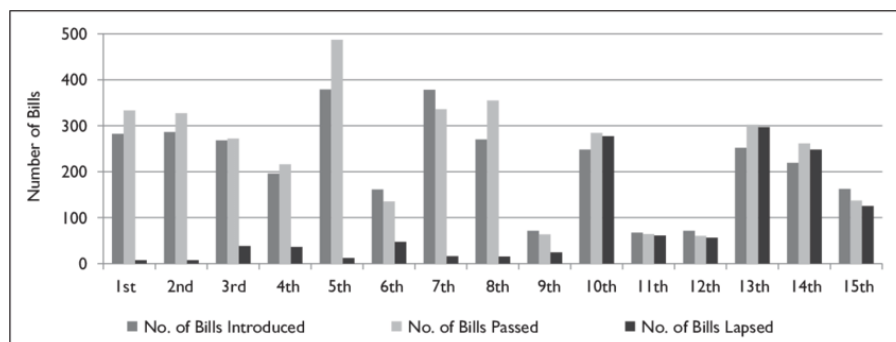
When a bill gets lapsed in Indian Parliament?

- **Article 107 -** Provison as to introduction and passing of bills.
- According to this article, **Cases when a bill lapses are**,

1. A bill originated in the Lok Sabha but pending in the Lok Sabha – **lapses**.
2. A bill originated and passed by the Rajya Sabha but pending in Lok Sabha – **lapses**.
3. A bill originated and passed by the Lok Sabha but pending in the Rajya Sabha – **lapses**.
4. A bill originated in the Rajya Sabha and returned to that House by the Lok Sabha with amendments and still pending in the Rajaya Sabha on the date of the dissolution of Lok Sabha- **lapses**.

- **Cases when a bill does not lapse -**

1. A bill pending in the Rajya Sabha but not passed by the Lok Sabha **does not lapse**.

2. If the president has notified the holding of a joint sitting before the dissolution of Lok Sabha, **does not lapse**.
3. A bill passed by both Houses but pending assent of the president **does not lapse**.
4. A bill passed by both Houses but returned by the president for reconsideration of Rajya Sabha **does not lapse**.

What is the Status of Legislations in the parliament?

- India's first Lok Sabha (1952-1957) passed a total of **333 Bills** in its five year tenure.
- Since then, every Lok Sabha which has completed over three years of its full term has passed an **average of 317 Bills**.
- Where a Lok Sabha has lasted for less than 3 years, it has passed an **average of 77 Bills.** This includes the 6th, 9th, 11th and 12th Lok Sabhas.

- Both houses spent nearly half their time on transacting legislative business. So lapse of bill affects the productive time spend on legislative business.
- Number of bills lapsed at the end of every Lok Sabha is increasing,
- **22 Bills lapsed** after the dissolution of the **16th Lok Sabha**.

- **Pendency of Bills in Rajya Sabha (as of 2019)**:

1. 3 bills are pending for more than 20 years,
2. 6 bills are pending between 10-20 years,
3. 14 bills are pending between 5-10 years and
4. 10 bills are pending for less than 5 years.

- The lapsed Bills include important bills like

1. The Land Acquisition Bills passed by Lok Sabha in 2015,
2. The Motor Vehicles (Amendment) Bill, 2017,
3. The Banning of Unregulated Deposit schemes Bill, 2019,
4. The Aadhar and Other Laws (Amendment) Bill, 2019,
5. Triple Talaq Bills of 2017 and 2018, etc.

- It takes considerable time and energy to get a Bill passed in either of the Houses of Parliament.
- The efforts of Lok Sabha for passing these 22 Bills have been rendered waste and again it has to be taken up for consideration and to be passed in the parliament.
- Lok Sabha spent a larger share of its work hours on legislative business, 21% in the 15th Lok Sabha and 19% in the 14th Lok Sabha.
- 59% of the bills in the Lok Sabha were discussed for more than two hours in 16th Lok Sabha.
- So on lapsing of bills at the end of the term of Lok Sabha leads to wastage of time, as the new Lok Sabha has to take up the bills again.
- It would take a minimum of two sessions to do so there is a need to rethink the provision regarding the lapsing of Bills in the Parliament and also to increase the productivity.

Source: Indian Express, PRS