

78 MPs suspended; autocratic move: Opposition

Protesting members were demanding a statement from Home Minister Amit Shah on the security breach in the Lok Sabha; multiple Bills were passed amid the chaos and repeated adjournments; 92 MPs have been suspended in the current Winter Session so far; almost 50% of Opposition strength has been depleted in the Rajya Sabha

The Hindu Bureau
NEW DELHI

In a major escalation of tensions between the Opposition and the government, 78 MPs were suspended from both Houses of Parliament on Monday, taking the total number of suspended MPs in this session to 92. Opposition leaders termed it a "murder of democracy". Those suspended include the leader of the Congress in the Lok Sabha, Adhir Ranjan Chowdhury; Dravida Munnetra Kazhagam floor leader T.R. Baabuu; former Union Minister Dayanidhi Maran; and Trinamool Congress leader Saugata Roy. In the Rajya Sabha, al-

most 50% of the Opposition strength has been depleted. On Thursday, 14 MPs were suspended – 13 from the Lok Sabha and one from the Rajya Sabha.

Repeated adjournments In the Lok Sabha on Monday, 33 MPs were suspended around 3 p.m. after repeated adjournments of the House, and after Lok Sabha Speaker Om Birla read out a letter he had written to all MPs on Saturday.

The Opposition, however, continued to protest and Mr. Birla adjourned the House till noon.

As protests continued even after the House reconvened, presiding officer Rajendra Agarwal said



Voicing dissent: Suspended Opposition MPs protest outside the Parliament House in New Delhi on Monday. PTI

the behaviour was "inviting action from the Chair". At 3 p.m., after yet another adjournment, Parliamentary Affairs Minister Pralhad Joshi read out a resolution to suspend the 33

MPs, which was passed by a voice vote. While 30 MPs in the Lok Sabha were suspended for the duration of the Winter Session, three Congress members – K. Jayakumar, Vijay Vasanth,

Leaders of INDIA parties condemn action on MPs

NEW DELHI Leaders of the Indian National Developmental, Inclusive Alliance (INDIA) parties on Monday condemned the mass suspension of Opposition MPs. Floor leaders of the parties will meet Congress president Mallikarjun Kharge on Tuesday to decide the next course of action. » PAGE 5

and Abdul Khaleque – faced suspension pending the report of the Privileges Committee, as they had climbed on the Speaker's podium to raise slogans. Both in the Lok Sabha and

the Rajya Sabha, the protesting Opposition MPs were demanding a statement from Home Minister Amit Shah on last week's security breach in the Lok Sabha, which led to the arrest of six people.

Amid the din of protest, the Rajya Sabha cleared the Jammu and Kashmir Reorganisation (Second Amendment) Bill, 2023 and the Government of Union Territories (Amendment) Bill, 2023, passing both within 15 minutes.

Mr. Dhankhar's pleas for order in the House were ignored, as the Opposition refused to relent on its demand for a debate on the security breach.

Instead, Opposition MPs pressed for an opportunity

to allow Leader of the Opposition Mallikarjun Kharge to speak. Amid the suspensions, the Lok Sabha saw the introduction of the Telecommunications Bill, 2023, and the passage of the Post Office Bill, 2023.

The Opposition said that the "autocratic" government had thrown all democratic norms into the dustbin.

"With an Oppositionless Parliament, the Modi government can now bulldoze important pending legislation, crush any dissent, without any debate," Mr. Kharge said.

LEGISLATIVE DECLINE
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Omnibus Telecom Bill in Lok Sabha; legislation to streamline regulation

The Hindu Bureau
NEW DELHI

The Telecommunications Bill, 2023, introduced in the Lok Sabha on Monday, proposes the first comprehensive rewrite of telecommunications law in 138 years, consolidating spectrum rules, right of way, dispute resolution between service providers and the Department of Telecommunications or local governments, and other aspects of telecom regulation into one fresh statute. The Bill will replace the Telegraph Act, 1885.

Previous changes have been enabled by other laws and incremental amendments to the Act.

Instead of licensing, the Bill refers only to "authorisations" that will have to be obtained by telecom operators and other providers of telecom services, which have been defined as "transmission ... of any messages, by wire, radio, optical or other electro-



Cross connections

A look at what the Telecommunications Bill, 2023 proposes in its bid to replace the Telegraph Act, 1885

- The Union government may take over the operations of a telecom network on the grounds of public emergency or safety issues
- Telcos can 'reform' spectrum or use spectrum for technologies other than what they had bought it for
- Spectrum can be 'harmonised' or strategically shared across different geographies by different telcos
- Telecom customers are required to undergo biometric authentication

magnetic systems, whether or not ... subjected to rearrangement, computation or other processes". This wide definition could potentially include within its ambit a range of Internet-based communications services.

Accumulated structures The law folds in many of the amendments and structures that telecom regulation and administration have accumulated in

the decades since the Telegraph Act was passed.

For instance, the National Frequency Allocation Plan, an administrative document that sets aside airwaves for different purposes, has now been given statutory force. Auctions will be the "preferred" mode of allotment of spectrum, while administrative allotment will be used in cases such as satellite TV and broadband.

Provisions on lawful in-

terception, or surveillance of telecom communications, have been retained as per the earlier Act. The Bill allows the Union government to take over the operations of a telecom network on the grounds of public emergency or safety issues.

More power

Right-of-way laws have been updated to give local authorities such as district magistrates more power to adjudicate disputes. "[S]uch positive measures will significantly accelerate the delivery of digital connectivity benefits to every citizen of India," the Cellular Operators Association of India (COAI) said in a statement. The Bill requires telecom customers to undergo "biometric authentication", the form of which will be notified later. The person familiar with the thinking behind the Bill said that this was put in place to curb spam calls and messages.

Legislative decline

Denial of legislative debate furthers democratic backsliding in India

Both the security breach in Parliament last week featuring a theatrical attempt by individuals to highlight an issue of public importance – unemployment – and the Union government's response have been deeply problematic. The government's stymieing of any debate over this issue in Parliament and the Chair's recourse to an unprecedented high number of suspensions of Opposition legislators following their demand for a statement in the Houses and a debate, have been in line with its disregard for deliberative democracy. As many as 78 Opposition Members of Parliament were suspended on Monday. Fourteen more were suspended earlier – 92 in total, and nearly matching the 94 suspensions overall since 2014 prior to this session. Unlike in the two Lok Sabhas (2004-14), when even ruling party legislators, including rebels, were suspended for unruliness, only Opposition members have been subject to suspension, which includes those for far less severe offences since 2014.

The hallmark of a functioning democracy is deliberation, wherein elected legislators debate and discuss issues of public import and seek solutions to issues that affect citizens. A thorough deliberation involves not just televised speeches from Parliament but also debates, the utilisation of parliamentary and standing committees to delve into the issue and for Bills and legislation to be discussed threadbare before consideration. Instead, over the course of recent parliamentary sessions during the National Democratic Alliance's tenure, there have been multiple attempts at browbeating the Opposition, getting Bills passed without adequate discussion, disallowing amendments on merit, and under-utilising standing and parliamentary committees while trying hard to play to the gallery. Legislative business and parliamentary work have been given short shrift, while theatrics by legislators in both the Treasury and Opposition benches, and one-upmanship through the use of suspensions, have dominated proceedings. It is no wonder that such actions have compelled global democracy reports by research institutions such as V-Dem Institute to characterise India's democracy as an "electoral autocracy". Worse, the use of the draconian Unlawful Activities (Prevention) Act to indiscriminately target dissenters, such as the protesters who threw canisters and raised slogans in Parliament last week, has also fallen into the recent pattern of a deliberate equation of dissent with terror. Again, this has led the U.S.-based Freedom House, that measures civil and political liberties, to declare India as "partially free". The recent actions by the government only contribute further to the backsliding of democracy in India, making these developments a matter of serious concern.

Unseemly turn

Kerala's Governor-government conflict should not result in belligerent protests

The conflict between the Governor and the Left Democratic Front government in Kerala has turned unseemly. Raj Bhavan's relations with regimes other than those run by the Bharatiya Janata Party have been quite testy in recent years, and the problem is quite acute in Kerala. The issue arises from sharp political and ideological differences, as appointees in Raj Bhavan have made it a point to use their position as chancellor of universities as well as their constitutional role in granting assent to Bills to cause annoyance to elected governments. In a sign of rising acrimony, differences over appointments to the Senate of the Kerala University have snowballed into frequent protests. While student activists accuse the Chancellor, Governor Arif Mohammed Khan, of appointing right-wing sympathisers to the Senate, he has been complaining about political interference in the universities. In the latest incident, the University of Calicut saw dramatic scenes as activists of the Students' Federation of India (SFI) put up posters against the Governor-Chancellor. The Governor has accused Chief Minister Pinarayi Vijayan and the State police of being behind the poster campaign against him. Some days ago, SFI activists blocked Mr. Khan's car, resulting in some arrests.

Recent court judgments have underscored that elected regimes should not be undermined by unelected Governors. Such verdicts have drawn public attention to the partisan role played by Governors to stymie governance in States not run by the ruling party at the Centre. In a recent ruling, the Supreme Court of India set aside a reappointment given to a vice-chancellor in Kannur University on the ground that there was unwarranted interference by the government. Given that chancellors are expected to act independently, there is much scope for a clash with the government. However, responding to such situations through organised protests is not advisable. Chief Ministers should instruct their supporters to avoid street protests that turn belligerent. One way to resolve the issue is by legislation either removing Governors as chancellors or transferring the chancellor's powers to any other authority. However, Bills containing such changes are not likely to get the Governors' assent. This does make legal redress difficult for those aggrieved by what they deem to be arbitrary use of the chancellor's powers. It may be time to think of a long-term solution in the form of a statutory prohibition on Governors being chancellors of State universities. The M.M. Punchhi Commission on Centre-State relations had recommended ending the practice of burdening Governors with the role of university chancellor.

What does COP-28 mean for cities?

How are cities important with respect to tackling climate change? How was this year's Conference of Parties different when it came to talking about the role of urban cities in climate action? Why do cities in the Global South require more support?

EXPLAINER

Tikender Singh Panwar

The story so far:
The 28th Conference of Parties (COP-28) in Dubai has been described by some as being a mixed bag. Even though it could not come up with a profound statement of ending fossil fuels, at least a discussion was triggered. A few ambitious delegates described it as the "beginning of the end of an era of fossil fuels". This was an important COP owing to the Global Stock Taking (GST) over the Paris climate deals of keeping global temperatures below 1.5 degree Celsius and reducing greenhouse gas (GHG) emissions. Likewise, the Loss and Damage Fund was also cleared. The focus was therefore, on both mitigation and adaptation strategies.

What was discussed about cities?
When the United Nations Framework Convention on Climate Change (UNFCCC) initiated the COP in 1995, 44% of people lived in cities. Currently, 55% of the global population is urban and this is expected to reach 68% by 2050. The urban world today consumes nearly 75% of primary energy and is responsible for roughly 70% of CO2 (76% of total GHG) emissions. Hence, the desired results of the Paris commitments are not possible without addressing urban issues.

At this year's COP, there was a special day dedicated to a ministerial meeting on urbanisation and climate change. This meeting convened Ministers of housing, urban development, environment finance, and other portfolios; local and regional leaders, financial institutions, non-government organisations; and other stakeholders. Such moves forced some of the city representatives and Civil Society Organisations (CSOs), to raise their voice and emphasise on the principle – "nothing for us without us". This lays down the fundamental point of redefining



New beginning: Delegates arrive at the COP-28 climate summit, in UAE on December 10. AP

the financial and governance architecture of COPs. City representatives have been arguing for multi-level green deal governance and for revisiting the governance and regulation of energy and climate action. Likewise, some European city groups have been staunchly advocating for direct actions in cities.

Rafal Trzaskowski, ENVE chair and Mayor of Warsaw, leading member of the mayor's delegation for COP-28, argued for formally recognising the role of subnational governments in global climate change negotiations, accelerating and scaling up climate action by working across all levels of governance and sectors, and providing direct financing and technical assistance to cities and regions. This will require an "out of the box" imagination as it would mean

transgressing the authorities of federal governments. Nevertheless, the moot point is that cities and regions are key actors in driving climate ambition forward and in creating green jobs, reducing air pollution, and improving human health and well-being. The efforts of city governments should be formally recognised in COP decision documents.

What can be done in the Global South?

The cities of the Global South are far more vulnerable than their western counterparts. The city leaders are hardly empowered, the major employment is in the informal sector, adaptation is key as most cities are vulnerable to climate induced disasters and the pent up drive to attract investments to cities has further

widened the gap between the rich and the poor. In most countries, and in India particularly, 40% of the urban population live in slums. Pollution is a major contributor in reducing life expectancies and social and economic inequities are quite inherent in their systems. So, to ensure fair participation in climate action plans and to claim loss and damage compensation, etc., there has to be a radical shift in the processes governing the cities. One of the ways of achieving progress, even if that is too little, can be through creating a climate atlas of these cities, mapping them and identifying hotspots. Here, a major support system from existing financial architecture including the outcome of COPs is required.

During the preparation of Nationally Determined Contributions (NDCs) and National Adaptation Plans, cities find themselves excluded from the process of climate action plans. There is hardly any representation of city leaders and civil society groups in this process. Hence, reclaiming space at COPs and during the run up to them in respective countries should happen parallelly.

This does not discount the fact that some cities like Chennai are spearheading their climate action plan and have decided to meet their zero emission targets by 2050, even before the Indian national government's stipulated time period of 2070. Though this may sound too ambitious, it qualifies the point that cities are at the forefront in reclaiming spaces in meeting climate action plans and hence should get a fair share in planning both mitigation and adaptive strategies. COP-28 may have been a damp squib as many say, however, it has brought to fore the crucial question of acknowledging the interconnections, interdependencies and interconnectedness of climate action, social justice and the role of the urban world.

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THE GIST

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EVA STALIN