



BACKGROUND GUIDE

Lok Sabha

November 2024



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Letter from the Executive Board

Dear Parliamentarians,

We warmly welcome you to the Lok Sabha. We are absolutely elated to be serving as the Executive Board (EB) of the Sharanya Narayani International School Model United Nations 2024, and look forward to having you be a part of the SNISMUN '24 - LS as well, rendering these a magnificent two days, with the passion and fuel of muns at its peak with better debates, more incredible research and an even admirable element of well executed diplomacy and the prowess of lobbying displayed to its fullest.

However, many elements that come with the setting of a conference have so adapted and evolved pushing the veterans and newbies alike, ensuring and even demanding a sense of exquisite presentation and facilitation of debate and discussion. We will always be present for you at every step, to encourage you, push your boundaries, and re-center focus when needed. We count on you, as much as you might count on us. We look forward to mutual growth, and learning, albeit within the frame of discipline and cooperation. This study guide is a mere framework for your deeper research. This study guide consists of various angles and viewpoints so that you have a good idea about the concepts associated with the agenda.

We cannot stress enough that you need to pursue your own sources, especially because the study guide will not cover your individual stances. We wish you all the best and please don't hesitate to contact us if you have doubts or even if you just want to have a casual chat about the agenda (post conference of course). In closing, we encourage all delegates to approach this Lok Sabha session with a commitment to cooperation and execution. Looking forward to seeing you at the SNISMUN!

Constitue cum ausu et flore.

Regards,
Your Executive Board.

Bhuvin Anil
Chairperson
Nimisha Nishant
Vice Chairperson

Committee Brief

Article 79 of the Indian Constitution states that the council of the Parliament of the Union consists of the President and two houses known as the Council of States, Rajya Sabha, and secondly, the House of the People, Lok Sabha. Lok Sabha is composed of representatives of the people, chosen by them in direct elections on the basis of adult suffrage. 550 is the maximum strength of the House, as mentioned by the Indian Constitution. India follows a bicameral parliamentary system. Through the elections, the representatives of the people are elected, and these representatives are known as Members of the Legislative Assembly (MLAs). The tenure for the elected MLAs is for 5 years or until the body is dissolved by the President (on the advice of the ministers and internal discussions). The house meets in Sansad Bhavan, New Delhi.

Composition of the Lok Sabha (Article 81)

Article 81(1) provides that Lok Sabha shall consist of:

- Not more than 530 members chosen by direct election from territorial constituencies in the States; and
- Not more than 20 members to represent the Union Territories, chosen in such a manner as Parliament may by law provide.

Representation in Lok Sabha

At present, the Lok Sabha has 545 members. Of these, 530 members represent the states, 13 members represent the union territories.

- Representation of States: The representatives of states in the Lok Sabha are directly elected by the people from the territorial constituencies in the states. The election is based on the principle of universal adult franchise. Every Indian citizen who is above 18 years of age and who is not disqualified under the provisions of the Constitution or any law is eligible to vote at such election.
- Representation of Union Territories: The Constitution has empowered the Parliament to prescribe the manner of choosing the representatives of the union territories in the Lok Sabha. Accordingly, the Parliament has enacted the Union Territories (Direct Election to the House of the People) Act, 1965, by which the members of Lok Sabha from the union territories are also chosen by direct election.
- Nominated Members: The president can nominate two members from the Anglo- Indian community if the community is not adequately represented in the Lok Sabha. Originally, this provision was to operate till 1960 but has been extended till 2020 by the 95th Amendment Act, 2009.

Powers and Functions of the Lok Sabha

The following are the powers and functions of Lok Sabha.

Legislative Powers

- Ordinary bills can only become law after being approved by both Houses of Parliament.
- Although ordinary bills can be introduced in either chamber of Parliament, about 90% of bills are introduced in the Lok Sabha.
- If a law passed by the Lok Sabha is rejected by the Rajya Sabha and returned with or without changes, the Lok Sabha reconsiders the bill.
- A deadlock occurs if the Lok Sabha approves it again but the Rajya Sabha is still unwilling to approve it. If this deadlock is not resolved after six months, the President calls a joint sitting of the two Houses in accordance with Article 108's rules.

Executive Powers

- The Council of Ministers is collectively responsible before the Lok Sabha in accordance with Article 75(3). The majority leader in the Lok Sabha becomes Prime Minister. The Lok Sabha is home to the majority of the ministries.
- As long as the majority in the Lok Sabha has confidence in them, the ministers remain in their positions.
- In accordance with the mechanism outlined in Rule 198 of the norms of procedure and conduct of business of the Lok Sabha, the Lok Sabha has the power to remove the ministry from office by voting a vote of no-confidence against it.
- As a result, the Lok Sabha has the power to make or break the ministry. The Lok Sabha continues to have direct authority over the Council of Ministers.
- Ministers can be questioned by MPs about the administration's policies and activities. They are free to critique their actions. The Indian Constitution's Article 75 grants the right to ask inquiries.
- They are capable of moving and adopting a variety of resolutions and motions (adjournment motion, call attention motion, censure motion, and no-confidence motion)

Financial Powers

- The Lok Sabha has extensive budgetary authority. A money bill may only be introduced in the Lok Sabha in accordance with the guidelines provided by Article 109. The money bill then moves on to the Rajya Sabha after being approved by it.
- The Lok Sabha Speaker decides if a certain law qualifies as a money bill or not in the event of a disagreement. His choice is final; it cannot be contested in a court, the Lok Sabha, or even the Rajya Sabha.
- As a result, we can assert that the Lok Sabha has ultimate authority over the state's finances. No tax can be imposed, collected, altered, or eliminated without the consent of Lok Sabha.
- Without the Lok Sabha's approval, the government cannot carry out its fiscal policy.

Judicial Powers

- Additionally, the Lok Sabha has some judicial duties. Either the Lok Sabha or the Rajya Sabha may initiate the impeachment procedures against the President referred to in Article 61. Only when an impeachment resolution is approved by both Houses with a 2/3 majority of their members can the President be removed from office.
- The Rajya Sabha's allegations against India's vice president are also the subject of an investigation by

the Lok Sabha.

- According to the provisions of Article 124 (4), the Lok Sabha and the Rajya Sabha may vote together to remove any judge of the Supreme Court or of a State High Court.
- For the removal of some high-ranking state officials, such as the Attorney General, the Chief Election Commissioner, and the Comptroller and Auditor General of India, both Houses may pass a special address jointly and submit it to the President.
- Any member or citizen found guilty of violating the House's rules may also face punishment from the Lok Sabha.

Electoral Powers

- A few electoral duties are also carried out by the Lok Sabha. The Lok Sabha's elected members participate in the presidential election.
- In accordance with Article 66 of the Indian Constitution, members of both the Lok Sabha and the Rajya Sabha vote to choose the vice president of India.
- The members of Lok Sabha also choose the Speaker and Deputy Speaker from among themselves.

Miscellaneous Powers

The following duties are shared by the Lok Sabha and the Rajya Sabha:

1. Approval of the President's ordinances [Article 123 (2)]
2. A change in the state's borders. addition of new states, and renaming any state, Article (3)
3. Changes the requirements for members of the State Legislatures and the Parliament as set forth in the RPA Act of 1951
4. Modifying the members of Parliament's pay and benefits.
5. Creating a Joint Public Service Commission with at least two other states.
6. Passing a resolution to dissolve or establish a state legislature's upper chamber (Article 169)
7. Approval of an emergency declaration(Article 352 and Article 356)

To infer, this committee, Lok Sabha, allows all the different diverse sections of India to reach out to a conclusion on matters of concern. The ultimate objective of this Lok Sabha is to promote the reciprocation of various ideas and the generation of remarkable and pertinent interactions and communication.

Keyword Glossary

1. **"Act (of Parliament)"** - An Act is a bill passed by both houses of the Parliament.
2. **"Amendment(s)"** – It is a provision to edit or alter a motion or question under discussion in the Legislature. It includes omission, substitution, addition, and insertion of certain words, figures, or marks to the clause of a bill, a resolution, or a motion. There can also be an amendment to an amendment.
3. **"Adjournment of the House"** – Suspending the proceedings of the house for the day and then resuming it on the following working day or a fixed decided date. The Adjournment of the House can be to a

particular day or to an hour, time, or part of the same day.

4. **"Bill(s)"** - A draft of a legislative proposal put in the proper format. It later becomes an Act.
5. **"Constitution"** - The system of fundamental laws and principles of a government (written), a system of laws and customs established by the sovereign power of a State for its own guidance.
6. **"Speaker"** - The Speaker is the Principal Presiding Officer Moderator of the Lok Sabha. In the House, his authority is supreme, which is based on his absolute and unvarying impartiality.
7. **"Deputy Speaker"** - Deputy Speaker is an elected moderator who is not subordinate to the Speaker and holds an independent position. When the Speaker is not present in the house, the Deputy Speaker is required to perform all the duties of the Office of the Speaker.
8. **"Election Commission"** - A constitutional independent body in India created for the purpose of holding and smoothly functioning elections.
9. **"Houses of Parliament"** – There are two Houses of Indian Parliament: the Rajya Sabha and the Lok Sabha.
10. **"Leader of the House"** - In Lok Sabha, usually the Prime Minister or the person elected by them serves as the leader of the house. He/She is the leader/ representative of the ruling party.
11. **"Leader of Opposition"** - Leader of the largest minority party in the house is the leader of opposition.
12. **"Draft bill"** - Government Bills that are issued first in a draft form to allow them to be looked at in detail before they are introduced.
13. **"Forceful conversion"** - Conversion of religion by being suppressed and forced by power and influence and not by one's will.

Agenda

Migration from the erstwhile East Bengal/East Pakistan and the present day Bangladesh to eastern and north-eastern parts of India has been an ongoing phenomenon. Only after the partition of India in 1947, following which political boundaries changed, has this age-old tradition become 'illegal'. In the aftermath of partition, several lakh Hindus fled from East Pakistan for India to escape communal violence. This was also seen during the liberation war of Bangladesh in 1971. In 1965, the then Chief Minister of Assam claimed that over one million "illegal Pakistani infiltrators" had entered eastern India between 1951 and 1961, and of which 220,961 were in Assam, 459,494 in West Bengal, 297,857 in Bihar and 55,403 in Tripura.¹⁵ Again, thousands of Chakmas and Hajongs fled to India following the construction of the Kaptai hydroelectric dam and the ethnic conflict in Chittagong Hill Tracts during the 1970s and 1980s. These were the three streams of 'forced migration' that occurred in response to specific incidents and have not continued after the incidents subsided.

However, illegal movement of people from Bangladesh to India continues. The issue has been one of the most complex and hotly debated issues between the two neighbours, and also within India. This cross-border movement of people is due to a number of interrelated factors: economic, environmental, religious and political. Among them economic and environmental factors have been the key drivers. Bangladesh is one of the most populous and poorest countries in the world. With 130.03 million persons in 2001, the country has one of the highest population density, 881 per sq. km. The World Bank had even estimated that unless the average fertility rate drops further, the country will be home to more than 180 million people in 2025 and to 208 million in 2050.¹⁶ Mapping the poverty line by the direct calorie intake (DCI) method at less than 2122 kcal per person per day, altogether 44.3 per cent (or 55.9 million) of the country's population was 'absolute poor' in 2002.¹⁷ Further, the country is also highly prone to natural calamities, such as floods, cyclone, drought, riverbank erosion and landslides. Hence, Bangladesh is a major source of labour, but mainly of low-skilled and unskilled workers. Over the years, a large number of people have voluntarily migrated for both long and short-term employment, which is an important livelihood strategy for its large population. Most long-term emigration is to industrialised countries, such as the UK and North America. During the 1970s, labour markets in the Middle East offered a new scope for Bangladeshi migrant workers. Later, such migration also expanded to the newly industrialised countries of South-East Asia. From 1976 to 2002, more than 3 million people migrated overseas for employment.¹⁸ Above all, a large number of Bangladeshis have clandestinely migrated into India, a process that continues unabated. Such continuing illegal immigration creates tensions between India and Bangladesh, particularly when India's Border Security Force (BSF) tries to push back illegal Bangladeshi immigrants. Most of these attempts are, however, thwarted by their Bangladeshi counterpart, Bangladesh Rifles (BDR), on the grounds that the alleged illegal immigrants are 'Indian citizens'. In fact, Bangladesh authorities have been consistently maintaining that there are no Bangladeshis in India.

In 2003, the then Deputy Prime Minister, LK Advani, estimated that about 15 million Bangladeshis were in India. The 'Task Force on Border Management', which submitted its report to the Government of India in August 2000, also estimated 15 million Bangladeshis, with about three lakh entering India illegally every year. The largest concentrations of Bangladeshi immigrants are in Assam, West Bengal and Bihar. These states also share large land borders with Bangladesh. Several districts of West Bengal - Murshidabad, South and North 24 Parganas, Nadia and West Dinajpur - have a large proportion of Bangladeshi migrants, who have almost assimilated with the native population.

The British occupation of Assam and subsequent expansion of power to surrounding areas brought massive changes in the society, polity and economy of the North-East region. With the development of the tea, oil and coal industries, the demand for migrant labour expanded and this attracted large-scale immigration from other parts of the country. Further, the availability of surplus land attracted a large number of cultivators from nearby East Bengal/East Pakistan. Only after the partition of India did immigration from what is Bangladesh today become 'illegal'. However, as per the Assam Accord, those who came prior to 1971 are 'Indian citizens'. In 1998, the then Governor of Assam, SK Sinha, studied the impact of illegal migration in Assam and in his report to the President of India, he observed: "it is unfortunate that to this day after half-a-century of Independence; we have chosen to remain virtually oblivious to the grave danger to our national security arising from this unabated influx of illegal migrants".

Assam Accord

The Assam Accord was a Memorandum of Settlement signed by the Governments of India and Assam, and the All Assam Students' Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) in New Delhi on August 15, 1985.

The signing of the Accord led to the conclusion of a six-year agitation that was launched by AASU in 1979, demanding the identification and deportation of illegal immigrants.

Assam Accord History

- The problem related to illegal immigrants in Assam became a cause of great concern around 1980.
- This had led to a profound sense of apprehension regarding the continuing influx of foreign nationals into Assam and the fear of adverse effects on the political, social, cultural and economic life of the state.
- The then Prime Minister Indira Gandhi began a dialogue with the All Assam Students' Union (AASU) All Assam Gana Sangram Parishad (AAGSP), and talks were held at the levels of the PM and Home Minister during 1980-83. Formal discussions resumed in March 1985, when Rajiv Gandhi was PM.
- The Accord was finally signed later in 1985, keeping all aspects of the problem including constitutional

and legal provisions, international agreements, national commitments and humanitarian considerations.

What was agreed upon in this agreement:

- Some of the important clauses of the Assam Accord are as follows:
 - Foreigners Issue (Clause 5)
 - Safeguards and Economic Development (Clauses 6 and 7)
 - Restoration of Normalcy (Clauses 13 and 14)
- In 1986, a new Department was set up in the Government of Assam, called "**Implementation of Assam Accord Department**", to implement the various clauses of the Memorandum of Settlement.

Issue related to foreigners:

- It was agreed that "**for purposes of detection and deletion of foreigners, 1.1.1966** shall be the base data and year" and that "**all persons who came to Assam prior to 1.1.1966**, including those amongst them whose names appeared on the electoral rolls used in 1967 elections shall be regularised."
- Foreigners who "**came to Assam after 1.1.1966 (inclusive) and upto 24th March, 1971 shall be detected in accordance with the provisions of The Foreigners Act, 1946, and The Foreigners (Tribunals) Order, 1964**", and their names "will be deleted from the electoral rolls in force".
 - The same cut-off was used in updating the [National Register of Citizens \(NRC\)](#).
- Such persons, it was agreed, will be required to register themselves before the Registration Officers of the respective districts in accordance with the provisions of
 - **The Registration of Foreigners Act, 1939, and**
 - **The Registration of Foreigners Rules, 1939.**
- On the expiry of a period of ten years following the date of detection, the names of all such persons that have been deleted from the electoral rolls shall be restored. All persons who were expelled earlier, but have since reentered illegally into Assam shall be expelled.
- Under Clause 5.8, "**Foreigners who came to Assam on or after March 25, 1971 shall continue to be detected, deleted and practical steps shall be taken to expel such foreigners.**

Clause 6 of Assam Accord:

- Clause 6 deals with safeguards for the Assamese people. It says that, **constitutional, legislative and administrative safeguards**, as may be appropriate, shall be provided to protect, preserve and promote the culture, social, linguistic identity and heritage of the Assamese people.

In the case of Assam, the CAA dilutes the Assam Accord of 1985, which had fixed March 24, 1971, as the cut-off date for determining citizenship irrespective of religious affiliations. With the CAA, the 1971 deadline for Assam has been extended now to 2014, which means that hundreds of thousands of non-Muslim foreign nationals from Bangladesh will be allowed to settle legally in the state.

No state in India has witnessed as much turmoil over citizenship and bloody agitations against foreign nationals as Assam.

The Assam movement's genesis can be traced to the pre-independence period when the British colonial regime recruited Bengalis in large numbers for clerical posts. Subsequently, from around the early decades of the 20th century, Muslim peasants from east Bengal were settled to enhance the agricultural yield. The relocation of people, both Hindu refugees and Muslim immigrants, continued after India's independence in 1947.

In 1979, civil society groups led by the All Assam Students' Union (AASU) launched a six-year agitation to resolve the illegal immigration and citizenship issues. The agitation ended with the signing of the Assam Accord by the government of India and leaders of the Assam movement.

However, there was no serious effort by the government to detect foreign nationals in the state nor any willingness to check further infiltration from Bangladesh.

Subsequently, another accord was inked by the government and the AASU in 2005 stipulating the update of the National Register of Citizens (NRC), which was first done in 1951.

Again, the government was reluctant to fulfill its commitment to update the NRC, prompting an NGO called Assam Public Works to lodge a petition in the Supreme Court.

In 2013, the apex court ordered the update of the NRC, which was completed in 2019. The NRC, as it stands today, has snowballed into a major controversy since the update was ridden with errors and it is believed that hundreds of thousands of foreign nationals had enrolled their names through fraudulent means. It is believed that the CAA will enable a large section of Bangladeshi Hindus who were left out of the NRC to gain citizenship.

On March 11, the Narendra Modi government announced implementation of the CAA. Two days later, the AASU filed a writ petition again in the Supreme Court seeking a stay on the CAA. The petition underscored that the government's notification of the rules for implementing the law contradicts the Assam Accord, the Citizenship Act, 1955, and defeats the purpose of the NRC.

Over 230 petitions have been filed in the apex court challenging the CAA over the past few years. The Supreme Court has issued a notice to the government seeking a response. The matter will be heard again on April 9.

The Ministry of Home Affairs has also issued a clarification saying that the CAA will not impact the citizenship of Indian Muslims who have “equal rights like their Hindu counterparts” and that no Indian citizen would be asked to produce any document to prove citizenship.

QARMA

1. Should refugees be provided with a legal identity?
2. Is the classification under CAA, reasonable as per article 14?
3. What are the parameters that immigrants should meet, to be considered as citizens?
4. What steps shall be taken to ensure border security, with special emphasis on unrest in Bangladesh?
5. With the current unrest in Bangladesh, will those who have fled the nation for security, be provided with humanitarian aid?, will they be provided citizenship, if yes on what parameters?
6. Is the Assam Accord valid, with the advent of CAA?
7. What actions shall be taken to ensure, the rights of immigrants from conflicted regions? (rohingyas, chakmas etc.

Accepted Sources

1. Government Reports (Each ministry publishes its own reports including External Affairs Ministry)
2. PTI, PIB
3. Government Websites
4. Government run News channels i.e., RSTV, LSTV(Now Sansad TV), DD News
5. Standing Committee Reports/ Commission Reports
6. Right To Information(RTI) Proofs
7. Parliamentary Standing Committee reports
8. Questions and Answers of the Parliament
9. Judgements from Hon'ble courts of judiciary.
10. Constitutional Law Commentaries such as DD Basu and MP Jain.

Note: These sources are merely indicative and not exhaustive. The authoritative value of a source will be decided on a case to case basis.



**GOOD LUCK TO ALL
DELEGATES!**