

All India Political Parties Meet

Letter from the Executive Board

Dear Parliamentarians,

We warmly welcome you to the All India Political Parties Meet. We are absolutely elated to be serving as the Executive Board (EB) of the Candor Model United Nations 2024, and look forward to having you be a part of the CANMUN '24 - AIPPM 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 All India Political Parties Meet with a commitment to cooperation and execution. Looking forward to seeing you at the CANMUN!

Constitue cum ausu et flore.

Regards,
Your Executive Board.

Bhuvin Anil
Chairperson

Sai Sudhay
Vice-Chairperson

Vian De Costa
Moderator

Introduction to the Committee

AIPPM is an acronym for All India Political Parties Meet. It was created for Indian politicians so that they may engage in public debate, discussion, and deliberation without having to succumb to the intricate mandate and procedure of the Parliament of India, also known as the Lok Sabha House of the People, or "legislative functions of the parliament." Typically called before the session of the Parliament or before the introduction of a bill, this committee aims to arrive at a consensus before the sessions begin. It is a supplementary body to the Parliament without any legislative provisions.

The All India Political Parties Meet is a committee that simulates political reality by discussion and deliberation on various levels of policy and governance in our country today. It is a non-technical yet powerful committee for unconstrained political debate. Members of this committee are expected to be duly updated in case of any developments outside the committee that are of relevance to the agenda and shall be expected to respond to such dynamic circumstances while keeping their assigned portfolios i.e. the ministers they are representing and their political interests in mind. Therefore keeping oneself updated with the latest changes in the dynamic field of Indian Politics is a must.

This meeting will adhere to neither parliamentary rules of procedure nor MUN rules of procedure. It would have its own independent set of rules of procedures which are subject to circumstantial changes.

Types of Documentation

Press Releases

Press releases can be written by any delegate in committee and they make their statement as themselves. They don't require signatories.

Recommendatory Bills

Bills are drafted by members of the house. It can be authored and submitted by any member of the house. There are two kinds of bills- Public Bills and Private Bills. For the purposes of this conference, we will strictly have only committee wide or bloc-wide bills to discuss solutions on the agenda at hand. A sample

bill of the actual Parliament is shown below for your perusal. However, the Executive Board would go through the nuances of drafting a bill and its necessary formatting at an appropriate time during the conference.

https://prsindia.org/files/bills_acts/bills_parliament/2022/Weapons%20of%20Mass%20Destruction%20Bill.%202022.pdf

Representation of Peoples' Act

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 elections.
- 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 Brief

Anti-conversion laws: These laws aim to regulate religious conversions, particularly those involving force, fraud, or inducement.

History

- During British colonial rule, some Hindu princely states were under the law of anti-conversion.
- In the 1930s, the aim of this law was the prevention of Christianization, i.e., converting the original religions of Indians, assumed to be Hindu, to other religions such as Christianity.
- Later in India, the need for this law was to protect the majoritarian religion, thought as the original religion of India, and prevent the forceful conversion to other people, mostly poor, scheduled castes, and scheduled tribes' people, for the sake of money, Some examples of such acts and laws are Raigarh State Conversion Act of 1936 and the Udaipur State Anti-Conversion Act of 1946.
- After Indian independence, on the same law, an addition and amendment were suggested by the Constituent Assembly's Advisory Committee on Fundamental Rights, stating the prohibition of 'forceful conversion and undue influence conversion'. At that time, this law was completely rejected.
- Legislation aimed at preventing forced religious conversion was primarily directed at Muslims attempting to convert non-Muslims during the 1980s.
- However, in the 1990s, Christianity became the focus of such legislation because it was associated with Western colonialism.
- In 1954, again, a law was introduced in the Lok Sabha, that stated that missionaries should get licenced and that whenever a person gets converted, he/she should be registered with the government, beforehand. Again, this law was not passed by the majority. Since that time, several other laws and bills have been introduced in India.

Current Law:

- India is a country with a variety of religious customs and beliefs. Four significant global religions - Hinduism, Buddhism, Sikhism, and Jainism—originated from the Indian subcontinent.
- According to the 2011 census data, Hinduism is followed by 79.80% of the Indian population, followed by Islam by 14.23%, Christianity by 2.30%, Sikhism by 1.72%, Buddhism by 0.70%, and Jainism by 0.37%.
- An anti-conversion law is a law, followed in some states, but not all states of India. The laws are in force in seven out of twenty-eight states: Arunachal Pradesh, Odisha, Madhya Pradesh, Chhattisgarh, Gujarat, Jharkhand, Himachal Pradesh, and Uttar Pradesh.
- The law declares that it is prohibited for anyone to change their religion using deceitful methods, pressure, manipulation, enticement, coercion, or fraudulent means, including marriage. The law only prohibits involuntary or forced conversion.

Case Studies:

Chhattisgarh:

- Chhattisgarh follows the Chhattisgarh Religion Freedom (Amendment) Act of 2006. By this act, it is legal to have a punishment of three years in prison and a fine of INR 20,000 for the people who violate it.
- If the offender is a woman, a minor, or a member of a scheduled caste or tribe, the penalty rises even higher, with a punishment of four years in prison and a fine of INR 200,000.

Haryana:

- In Haryana, the Prevention of Unlawful Conversion of Religion Act was enacted in 2022. This is the establishment of a punishment of one to five years imprisonment or a fine of INR 100,000 or both.
- It also criminalizes hiding one's religion while getting married and imposes a penalty of three to ten years imprisonment and a fine of INR 300,000 for those who violate this.

Odisha:

- Odisha follows the Orissa Freedom of Religion Act, of 1967. It states that: "provides that no person shall convert or attempt to convert, either directly or otherwise, any person from one religious faith to another by the use of force or by inducement or by any fraudulent means."
- Violation again follows the punishment of money and imprisonment.

Madhya Pradesh:

- Madhya Pradesh was the second state to implement the anti-conversion law. It also enacted the Dharma Swatantrya Adhiniyam (Religious Freedom Act) in 1968. The law declares that it is prohibited for anyone to change their religion using deceitful methods, pressure, manipulation, enticement, coercion, or fraudulent means and has a penalty of either one-year imprisonment, a fine of INR 1,000, or both for violators.
- In 2021, the Madhya Pradesh Freedom of Religion Ordinance, 2020, came into effect, which imposes a penalty of up to one year in prison and a fine of INR 5,000 for offences. If the offender is a minor, a woman, or a member of a scheduled caste or tribe, the punishment can be up to two years in prison and a fine of INR 10,000.

Karnataka:

- The Karnataka Protection of Right to Freedom of Religion Act, 2021, was passed in 2022. Karnataka is one of the states that is very strict concerning the law. This law bans unauthorised inter-religious marriage.
- Any forced conversion is punishable by three to five years imprisonment, and a fine of INR 25,000. Here, in case an offender is a minor, woman, or a member of a scheduled caste or scheduled tribe, the penalty increases to three to ten years imprisonment, and a fine of INR 50,000.
- In the case of a Mass conversion, punishment would lead to three to ten years of imprisonment and a fine of INR 100,000, depending on the intensity of the crime.

The states of Jharkhand, Himachal Pradesh, and Uttarakhand also follow a similar system.

Uttar Pradesh:

- The state has the Uttar Pradesh Prohibition of Unlawful Religious Conversion Ordinance, 2020. This law is also known as Love Jihad Law by the media and the public, however, the law does not claim any phrase like this.
- The laws mention the punishment for conversion as non-bailable imprisonment with imprisonment that can be till 10 years, if undertaken through misinformation, unlawfully, forcefully, allurement, or other allegedly fraudulent means.
- The laws mention that the conversions need to be approved by the district magistrate beforehand.

Problems with the law:

- A similar law was initiated in the 1980s, but this time, the law was considered to be against Muslim populations, so was opposed by the communal forces. This time again there are chances of disruption of the law.

- Article 25 of the Indian Constitution (1950) states: All people are entitled to the freedom to rightly and freely practise any religion they want. The question that arises is, would this anti-conversion law affect Article 25?
- Sarla Mudgal vs Union of India is a Supreme Court of India case. In this case, the issue was, if a Hindu changes his religion to Islam, for doing more than 1 marriage, would the law be valid? Its judgement in 1995 laid down the principles against the practice of conversion to Islam, stating that conversion is not allowed.
- The biggest question that arises is the law going against secularism and freedom of religion in India, where the citizens are free to practise and believe in any religion they want. Is punishing people for changing their religion constitutional and democratic.

Court Rulings and Impact

1. Madhya Pradesh: The Madhya Pradesh Freedom of Religion Act (1968)

Context: Madhya Pradesh was one of the earliest states to enact an anti-conversion law, with the **Madhya Pradesh Dharma Swatantraya Adhiniyam (1968)**. This law required individuals wishing to convert to another religion to inform district authorities before doing so.

Key Case: Rev. Stanislaus v. State of Madhya Pradesh (1977)

- **Issue:** The validity of the law was challenged in the Supreme Court. The petitioner, Rev. Stanislaus, argued that the law violated the fundamental right to freedom of religion, guaranteed under Article 25 of the Constitution of India.
- **Ruling:** The Supreme Court upheld the constitutionality of the Madhya Pradesh law, stating that while the right to propagate one's religion is protected under Article 25, the right to convert another person to one's religion is not. The court reasoned that the law only prohibited forcible conversions and did not interfere with voluntary religious conversions.

Impact: The ruling set a precedent for other states to enact similar laws, and the court's interpretation of the right to propagate religion has influenced subsequent legal battles over religious conversions.

2. Chhattisgarh: The Chhattisgarh Freedom of Religion Act (1968)

Context: Chhattisgarh inherited its anti-conversion law from Madhya Pradesh when the state was carved out in 2000. In 2006, the Chhattisgarh government sought to amend the law to make it more stringent.

Key Incident:

- **2006 Amendment Controversy:**
 - The amendment required those wishing to convert to seek prior permission from district magistrates.
 - The law also placed more stringent penalties on those found guilty of "forcible conversion," including imprisonment and hefty fines.

Impact:

- The amendment faced criticism from civil rights groups and religious minorities, who argued that the law was being misused to target Christian missionaries and tribal communities converting to Christianity.
- The state's stringent monitoring of conversions created a climate of fear, especially in tribal areas, where religious conversions are often more frequent.

3. Gujarat: The Gujarat Freedom of Religion Act (2003)

Context: Gujarat enacted the **Gujarat Freedom of Religion Act in 2003**, following the communal riots of 2002. This law also required prior permission from the district magistrate for conversions.

Key Incident: Gujarat High Court Strikes Down Amendment (2021)

- **Issue:** In 2021, the Gujarat High Court struck down key provisions of an amendment made to the Act in 2021, which included the presumption that any interfaith marriage was a form of forcible conversion unless proven otherwise.
- **Court's Ruling:** The Gujarat High Court ruled that these provisions were unconstitutional as they violated individual liberty and choice. The court emphasized that interfaith marriages and religious conversions conducted freely and without coercion cannot be presumed to be fraudulent.

Impact: The judgment was hailed as a significant victory for personal liberty and freedom of choice. However, the law continues to face challenges, particularly with allegations of misuse against religious minorities.

4. Uttar Pradesh: Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance (2020)

Context: In 2020, Uttar Pradesh passed a stringent anti-conversion law, which gained attention for its provisions aimed at preventing "love jihad," a term used by some to describe alleged conspiracies by Muslim men to marry Hindu women for the purpose of converting them to Islam.

Key Case: Salamat Ansari v. State of Uttar Pradesh (2020)

- **Issue:** A couple, Salamat Ansari (Muslim) and Priyanka Kharwar (Hindu), had married after Kharwar converted to Islam. They approached the Allahabad High Court for protection from harassment by the authorities, as the marriage was being scrutinized under the new law.
- **Ruling:** The Allahabad High Court ruled in favor of the couple, stating that "the right to live with a person of his/her choice is intrinsic to the right to life and personal liberty under Article 21 of the Constitution." The court criticized the state's interference in personal relationships, and reaffirmed that individuals had the right to choose their religion and partner.

Impact: This case led to increased public debate on the implications of anti-conversion laws and the role of the state in regulating personal decisions like marriage and religion.

5. Himachal Pradesh: Himachal Pradesh Freedom of Religion Act (2006)

Context: The **Himachal Pradesh Freedom of Religion Act (2006)** is similar to laws in other states, requiring individuals to notify the district magistrate before converting.

Key Case: Evangelical Fellowship of India v. State of Himachal Pradesh (2012)

- **Issue:** The Evangelical Fellowship of India challenged the Himachal Pradesh law, arguing that it infringed upon the right to freedom of religion and expression.

- **Ruling:** The Himachal Pradesh High Court struck down some of the provisions of the law, particularly those that placed undue restrictions on the right to convert, and ruled that personal belief is a private matter, not subject to state intervention.

Impact: The ruling highlighted the need to balance individual rights with the state's interest in preventing fraudulent conversions. However, the law remains a point of contention in the state, with ongoing monitoring of religious activities.

Bibliography

1. <https://sansad.in/lc>
2. <https://legislativebodiesinindia.nic.in/>
3. <https://sansad.in/lc/about/constituent-assembly>
4. <https://sansad.in/rs>
5. <https://sansad.in/lc/members>
6. <https://sansad.in/rs/members>
7. <https://sansad.in/lc/about/procedures>
8. <https://sansad.in/lc/about/important-parliamentary-terms>
9. <https://www.uscirf.gov/publications/indias-state-level-anti-conversion-laws>
10. <https://www.worldwatchmonitor.org/indias-anti-conversion-law-in-five-states-but-proposed-to-go-national/>

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.

