



COMMITTEE SYSTEM IN INDIAN PARLIAMENT: A STUDY

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ABSTRACT:

During the years in which the Indian Parliament has functioned as a sovereign body, there have been remarkable developments in Parliamentary practice and procedure. A noteworthy part of these developments has been in the direction of Parliamentary Committees. Parliament discusses policies but unless there are Committees which can discuss details and where those who run the administration have to give evidence, where matters can be thoroughly Parliament where discussions are likely to be on party lines and often mixed with politics and passion, in the Committee's members can meet in a more informal and peaceful atmosphere and concentrate in a truly business like fashion on the problems entrusted to them. It is here that the greatest advantage of the Committee system lies.

KEYWORDS: *Indian Parliament , direction of Parliamentary Committees.*

INTRODUCTION:

Parliamentary Committees are of two kinds-*Ad hoc* Committees and Standing Committees. An *Ad hoc* Committee is appointed for a specific purpose and when it has finished its assigned work and has submitted its report, it ceases to exist. The best known and most regular examples of *Ad hoc* Committees are the Select and Joint Committees on Bills. Such Committees are appointed on the other matters as well. One such committee functioning at present is the Railways Convention Committee.¹

Each House has a number of Standing Committees. The Rajya Sabha and the Lok Sabha each have a Business Advisory Committee, a Committee on Petitions, a Committee of Privileges and a Rules Committee. The Lok Sabha has in addition a number of other Committees.

Of special importance is yet another class of Committees which act as Parliament's 'Watch Dogs' over executive. These are : the Committee on Subordinate Legislation, the Committee on Government Assurances, the Estimates Committee, the Public Accounts Committee, Committee on the Public Undertakings. The Estimates Committee, the Public Accounts Committee and the Committee on Public Undertakings play an important role in exercising check on Governmental expenditure.

The functions and composition of the important Committees of Parliament are discussed here :



PUBLIC ACCOUNTS COMMITTEE

The Public Accounts Committee, popularly known as PAC, is the oldest Financial Committee.

The Committee consists of 15 members elected by the Lok Sabha. Seven members of the Rajya Sabha are associated with it. A Minister is not eligible for election. As a matter of practice, since 1967, a member of opposition is being appointed as the chairman of the Committee.

The main duty of the Committee is to ascertain whether the money

granted by Parliament has been spent by Government “within the scope of the demand”. The appropriation accounts of the Government of India and the Audit Report presented by the Comptroller and Auditor-General mainly form the basis for examination by the Committee. Cases involving losses, nugatory expenditure and financial irregularities come in for severe criticism from the Committee. The Committee is not concerned with questions of policy. It is concerned only with the execution of the policy laid down by Parliament and its results. The life of the Committee is one year.

ESTIMATE COMMITTEE

This Committee consists of 30 members who are elected by the Lok Sabha every year from among its members. Unlike the PAC and the Committee on Public Undertakings, the members of Rajya Sabha are not associated with it. A Minister is not eligible for election to this Committee. The life of the Committee is one year.

The Committee examines estimates of the various Ministries, Departments and Projects of the Government of India and suggests economy, improvements in organisation and efficiency or administrative reforms which can be effected in consistence with the policy underlying the estimates. The Committee acts as the continuous ‘economy committee’ and its criticisms and suggestions act as deterrent on extravagance in public expenditure.

COMMITTEE ON PUBLIC UNDERTAKINGS

The Committee on Public Undertakings consists of 22 members-15 elected by the Lok Sabha and 7 from the Rajya Sabha. The Members of the Committee hold office for a term of one year. The Committee was constituted for the first time with effect from May 1, 1964.

The functions of the Committee on Public Undertakings are : (a) to examine the reports and accounts of the Public Undertakings; (b) to examine the reports, if any, of the Comptroller and Auditor-General on the Public Undertakings; (c) to examine in the context of the autonomy and efficiency of Public Undertakings, whether the affairs of the Public Undertakings, are being managed in accordance with sound business principles and prudent commercial practices; and (d) to exercise such other functions vested in the Public Accounts Committee and the Estimates Committee in relation to the Public Accounts Committee and the Estimates Committee in relation to the Public Undertakings as are not covered by clauses (a), (b) and (c) above and as may be allotted to the Committee by the Speaker from time to time. The Committee does not, however, examine matters of major Government policy and day-to-day administration of the Undertakings.

BUSINESS ADVISORY COMMITTEE

The Business Advisory Committee of the Lok Sabha consists of 15 members, including the Speaker who is the ex-officio Chairman. The members are nominated by the Speaker. Almost all sections of the House are represented on the Committee. In the Rajya Sabha, this Committee consists of ten Members including the Chairman who is also the Chairman of the Committee. The function of the Committee is to recommend the time that should be allotted for discussion of legislative and other business which the Speaker/Chairman, in consultation with the leader of the House, may refer to it. The Committee, on its own initiative, may also recommend to the Government to bring forward particular subjects for discussion in the House and recommend allocation of time for such discussion. The decision reached by the Committee are always unanimous in character and represent the collective view of the House. The Committee generally meets at the beginning of each session and thereafter as and when necessary.

COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

The Committee consists of 15 members who hold office for one year. The members are nominated by the Speaker. The Committee considers all applications from members for leave of absence from the sitting of the House and examines every case where a member has been absent for a period of 60 days or more without permission, from the sittings of the House. In its report, it makes recommendations in each case as to whether the absence should be condoned or leave applied for granted or whether the circumstances of the case justify that the House should declare the Seat of the Member vacant.

Committee on Private Members Bills and Resolutions

This Committee of the Lok Sabha consists of 15 Members. The Deputy Speaker is generally its Chairman. The Committee allots time to Private Members Bills and Resolutions, examines private Members Bills seeking to amend the Constitution before their introduction in the Lok Sabha and also examines such Private Members Bill where the Legislative competence of the House is challenged.

The Committee, thus performs similar function in relation to Private Members Bills and Resolutions as the Business Advisory Committee does in regard to Government Business. The Committee holds office for a term not exceeding one year.

RULES COMMITTEE

The Rules Committee in both the Houses consists of 15 Members nominated by the Speaker/Chairman. The Speaker or the Chairman is the ex-officio Chairman of the Committee. The Committee considers matters of procedure and conduct of business in the House and recommends amendments or additions to the Rules of Procedure and Conduct of Business that are considered necessary.

COMMITTEE OF PRIVILEGES

This Committee consists of not more than 15 Members in the Lok Sabha and not more than 10 Members in the Rajya Sabha. Its function is to examine every question of privilege of the House or of the members or of any of its Committees referred to it by the House or by the Speaker/Chairman. It determines, will reference to the facts of each case, whether a breach of privilege is involved and makes suitable recommendations in its report to the House.

COMMITTEE ON PETITIONS

The Committee on Petitions is one of the oldest Parliamentary Committees. It consists of not less than 15 Members in the Lok Sabha and 10 Members in the Rajya Sabha. The members of the Committee are nominated by the presiding officers of the respective House. A Minister is not nominated to this Committee and if a member is appointed a Minister after his nomination to this Committee he ceases to be a member of the Committee from the date of such appointment.

The right of submitting petitions to Parliament is an inherent right of the people, which enables them to ventilate their grievances and put forth suggestions before the Supreme Body elected by them. The functions of the Committee on Petitions are (i) to examine all petitions presented to the House and to satisfy itself that they comply with the rules relating to petitions; (ii) to examine the specific complaints made in petitions on matters of general public interest and suggest either remedial measures applicable to the cases under review in a concrete form, or to prevent recurrence of such cases in future.

COMMITTEE ON GOVERNMENT ASSURANCES

In the Lok Sabha this Committee consisting of 15 Members are nominated by the Speaker. In the Rajya Sabha it consists of 10 Members nominated by the Chairman. A Minister is not nominated to this Committee. While replying to questions in the House or during discussions on Bills, Resolutions, Motions, etc. Ministers at times give assurances or undertakings either to consider a matter or to take action or to furnish the House with further information later. The function of this Committee is to scrutinise these assurances, and report to the House on the extent to which the assurances have been implemented.

COMMITTEE ON SUBORDINATE LEGISLATION

The Committee on Subordinate Legislation came into existence on December 1, 1953. This Committee consists of not more than 15 Members in each House, who are nominated by the Speaker or the Chairman as the case may be. A Minister is not nominated to this Committee.

The Committee scrutinises and reports to the House whether the powers to make regulations, rules, sub-rules, bye-laws, etc., conferred by the Constitution or delegated by Parliament are being properly exercised by the Executive within the scope of such delegation. The Committee may also examine provisions of Bill which seek : (i) to delegate powers to make orders; or (ii) to amend earlier Acts delegating such

powers, to ensure that suitable provisions for the laying of the orders on the Table of the House have been made therein.

COMMITTEE ON PAPERS LAID ON THE TABLE

This Committee consists of not more than 15 Members who are nominated by the Speaker. The Committee examines all the papers (other than those which fall within the purview of the Committee on Subordinate legislation or any other Parliament Committee) laid on the Table of the House by Minister to see whether there has been compliance of the provisions of the Constitution, Act, Rule or Regulation under which the paper has been laid.

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

This Committee consists of 30 Members – 20 from the Lok Sabha and 10 from the Rajya Sabha. The Committee considers all matters relating to the welfare of the Scheduled Castes and the Scheduled Tribes and keeps a watch whether the Constitutional safeguards in respect of these classes are properly implemented.

JOINT COMMITTEE ON OFFICES OF PROFIT

This Joint Committee consists of 15 Members, on a Government motion moved in the Lok Sabha and concurred by the Rajya Sabha, 10 Members are elected from the Lok Sabha and 5 from the Rajya Sabha according to principles of proportional representation by means of single transferable vote. The Committee is constituted for the duration of each Lok Sabha.

The Speaker nominates the Chairman from among the elected members. The main functions of the Committee are to examine the composition and character of the Committees and other bodies appointed by the Central and State Governments and to recommend what offices should disqualify and what offices should not disqualify a person from being a Member of Parliament under Article 102 of the Constitution.

Other Committees

Besides these, there are the General Purposes Committee, the House Committee and the Joint Committee on Salaries and Allowances of Members of Parliament which deal with facilities to members or other matters of interest to them.

The General Purposes Committee has no fixed number of members. It advises the Speaker who is the ex-officio Chairman of the Committee on such matters concerning the affairs of the House as may be referred to it by the Speaker from time to time.

The House Committee of each House is concerned with residential accommodation to the Members of the Lok Sabha or the Rajya Sabha as the case may be.

The Library Committee is an informal Committee constituted by the Speaker to advise him on matters pertaining to the maintenance and up-keep of the Parliament Library. The Committee consists of six members from the Lok Sabha including the Deputy Speaker who is the ex-officio Chairman of the Committee and three members of the Rajya Sabha. The Committee holds office for a term not exceeding one year.

The Joint Committee on Salaries and Allowances of Members of Parliament consisting of 10 members from the Lok Sabha and 5 members from the Rajya Sabha is for regulating the payment of daily and travelling allowances under the Salary, Allowances and Pension of Members of Parliament Act, 1954 (as amended) and also for providing medical, telephone, other allied and postal facilities to Members of Parliament.

Unless the Presiding Officer is himself the Chairman, he nominates from among the Members of a Committee a Chairman to conduct the proceedings of the Committee. Members take part in the discussion with the permission of the Chairman. Decisions are taken by a majority vote. A Committee may hear expert advice and call for papers and persons if it considers necessary for proper and expeditious disposal of its work. The conclusions of a Committee are embodied in a report which is presented to the House.²

So important, indeed, is the work done by Committees that Hiren Mukherjee has suggested “reduction in Parliament’s Ceremonial Session and increase in Committee work, drawing in more actively and consistently the service and talent of the members”.

NEW COMMITTEE SYSTEM IN PARLIAMENT

On March 29, 1993, the Lok Sabha took a historic decision, by an unanimous vote, to introduce the Standing Committee System in the Indian Parliamentary practice.

The merit of the new committee system is that Parliament is able to examine grants of departments in detail. At present Parliament only finds time to discuss the demands for about 7 or 8 ministries, and the rest are being guillotine, without detailed scrutiny of the financial allocations by Parliament. Under the new system, not only the annual grant of each ministry comes under detailed scrutiny by the stand Committees, but their performance also be examined in detail.

REFERENCES

1. Sabhash Kashyap, *Our Parliament*, 1992, p. 140.
2. Ministry of Information and Broadcasting, n. 1, p. 47