Chapter-II

Parliamentary Committee System in India: Structure, Role and Functions

The parliamentary committee system has taken deep roots during the last six decades of parliamentary democracy in India. The number of the committees has substantially increased over the past years. Each of the committees with its specified functional responsibility and defined area of jurisdiction has been important in their own respect but mainly in terms of helping the Parliament in discharging its responsibility in a more efficient and transparent manner. The present chapter attempts to provide details of the entire spectrum of the parliamentary committee system in India- its structure, types, composition, membership, and role and functions assigned to the committees by the Parliament. Though the chapter attempts to provide an overall view of the parliamentary committee system and its working in India, special emphasis has been given to two types of parliamentary standing committees- Financial Committees and Departmentally Related Standing Committees. These two types of committees have been examined in detail in order to ascertain their competence on the one hand and working and performance over the years on the other. But before delving into the issue of structure and function of the parliamentary committee system, it is important to examine as to how parliamentary committee system in India has been conceptualised, how do they differ from the governmental committees and what is the locus standi of the committee system in the constitutional scheme of the Parliament.
Status, Logic and Rationale of the Parliamentary Committees

So far as the meaning of Parliamentary Committee in India is concerned no precise meaning is spelt out in the text of the Constitution or under the relevant clauses of the composition of Parliament. As a way of reference the definition of Parliamentary Committee is derived from the Rules of Procedure and Conduct of Business in the two Houses of the Parliament. As per the provisions contained in the Rules of Procedure and Conduct of Business in both the Houses, the Parliamentary Committee has been conceived in the following manner: i) committee is appointed or elected by the House or nominated by the Speaker/Chairman; ii) committee works under the direction of the Speaker/Chairman; iii) committee presents its reports to the House or the Speaker/Chairman; and iv) committee has a Secretariat provided by the Lok Sabha/ Rajya Sabha Secretariat. The spelt out provision of the committees of the Parliament in a way also indicates their local standing.

It is also interesting to note that the Constitution of India does not make any detailed provision relating to the Parliamentary Committees- its composition, membership, power, functions etc. Despite this the committee system in the Indian Parliament plays important role as part of parliamentary practices and function. The explicit reference to the Parliamentary Committee in the Constitution is found under its Article 105 and Article 88. These two Articles somehow make reference to the committees of the Parliament. The relevant provision under the Clauses of Article 105 of the Constitution reads as follows:

(2) No Member of Parliament shall be liable to any proceedings in any court in respect of anything said or any vote given by him in Parliament or any committee thereof, and no person shall be so liable in respect of the
publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings

(3) In other respects, the powers, privileges and immunities of each House, shall be such as may from time to time be defined by Parliament by law, and, until so defined, shall be those of that House and of its members and committees immediately before the coming into force of section 15 of the Constitution.

(4) The provisions of the Clauses (1), (2) and (3) shall apply in relation to persons who by virtue of this Constitution have the right to speak in, and otherwise to take part in the proceedings of, a House of Parliament or any committee thereof as they apply in relation to members of Parliament.

Similarly, Article 88 provides:

Every Minister and the Attorney-General of India shall have right to speak in, and otherwise to take part in the proceedings of, either House, any joint sitting of the Houses, and any committee of Parliament of which he may be named a member, but shall not by virtue of this article be entitled to vote. ³

Besides making reference to the parliamentary committee in these two Articles of the Constitution, the entry 74 of the Union List of the Seventh Schedule also mentions the existence of the Committees. The entry 74 reads as follows:

Power, privileges and immunities of each House of Parliament and of the members and the Committees of each House; enforcement of attendance of persons for giving evidence or producing documents before Committees of Parliament or commissions appointed by Parliament. ⁴

It is evident from the above account that the existence of the Parliamentary Committees has been taken for granted. If it was not so the reference to the committees could not have been made.
In fact, the existence of Parliamentary Committees in India is not new. It has deep historical roots. The origin of the committee system in India is generally traced back to the Montague-Chempsford Reforms. However, the Committees at that time ‘were not free from the governmental control and interference. They had no powers and privileges.’\(^5\) It is important to point out here that the ‘Standing Orders of the Central Legislative Assembly provided for three Committees, namely, committee on Petitions in relation to Bills, Select Committee on Amendments of Standing Orders, and Select Committee on Bill.’\(^6\) Besides these Committees the Public Accounts Committee was also in existence since this time. However, the nature and competence of the committee was not the same as it is found in the contemporary context of the committee system of the Parliament. In fact, the committees system that existed before independence got radically transformed after the introduction of the parliamentary democracy with set of its institutions. After independence, the Committee System has been introduced and structured to get fitted into the new requirement of the effective functioning of the Parliament in India. The restructuring of the earlier committees and creation of new committees underlines the relevance and logic of the committee system, especially in the context of the increasing volume of the works of the Parliament. At this point it is worth recapturing the logic and rationale of parliamentary committee system in India.

The logic and rationale of the Parliamentary Committee System in India is informed by numerous factors. The most important among them is the objective of ensuring executive accountability and better oversight over the functioning of the executive. This function is difficult to perform by the whole house of the Parliament. It hardly

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needs emphasis that the work of the Parliament has increased manifold over the years. In this case the disposal of business and effective discharge of responsibilities become difficult. The two key functions of the Parliament relating to law making and securing executive accountability is somehow constrained by the paucity of time available in the Parliament for transacting business of this nature. Obviously in this case the Parliamentary Committees assume importance as the Parliament can discharge its function with the help of the Parliamentary Committees. The functions of the Parliamentary Committees become important for both the reasons of ensuring executive responsibility and scrutiny of the legislative proposals. The Parliamentary Committees make it possible to scrutinise the legislative proposal in a more detailed and serious manner. It also becomes possible to ensure executive accountability and keep vigil on the functioning of the government. It does not, however, imply interference of the Committees in the day to day functioning of the administration. The functional responsibilities of the Committees are concerned mainly about the broad issues of the governmental policies, programmes and their implementation. Different Parliamentary Committees make it possible to have Parliamentary control over executive in these matters. Since Parliamentary Committees are representative body of the Parliament, they enjoy greater degree of legitimacy. Observations and recommendations of the committees are not taken as party position. They stand above the party lines. The decisions arrived in the committees are collective decisions and above the party lines. It is also important to reiterate that many issues may not be deliberated in the House of the Parliament in the same manner and with same amount of seriousness as they are discussed and deliberated in the Committee.
Moreover, the deliberation in the Committee may not be strictly on party lines. Members of the Committees belonging to different parties get opportunity to express their concern in more objective and informed manner. The committees follow a broader consultation process in which non state actors and public at large get opportunity to express opinion on the issues of concerns. This is made possible by inviting opinion, memorandum, evidence and discussion with the public at large. Obviously the non member of the Parliament and Committees also get opportunities to participate in one way or the other in the deliberation on the relevant issues. This is not possible in case it is done in the House of the Parliament.

Subhash C. Kashyap very succinctly presents the rationale and logic of the Parliamentary Committees which is worth mentioning here. These are as follows:

1. The review of administrative action and examination of numerous and complicated legislative proposals and subordinate legislation require expertise and close scrutiny that are not possible [in the House and only possible through the Parliamentary Committees]

2. The workload [of the Parliament] is enormous. It does not have the time to undertake detailed investigations or even to discuss every matter at length. The Committee while ensuring a fuller and more comprehensive examination of technical and other matters, result in saving the time of the House for discussion of important matters and prevent the Parliament from getting lost in details and thereby losing hold on matters of policy and broad principles

3. The matters dealt with by Committees are often such as need to be considered in greater depth, with care and expedition,…so far as possible, in non partisan atmosphere. Accommodating different views and effecting compromises through give and take are accomplished more easily in Committee atmosphere than the House itself….
4. The Rajya Sabha has become almost a parallel Chamber. It can hardly be considered to be traditional “cooling” or revising Chamber, or House of elders or experts, guarding against hasty and faulty legislation. Under the circumstances, the Select Committee or Joint Committee on Bills may *inter alia* perform the role of the traditional second chamber.

5. Opposition members, despite their actual strength, find it easier to make their impact felt much more in Committees than on the floor of the House.

6. Committees provide useful forums for the utilization of the experience and ability that may otherwise remain untapped.

7. Committees act as liaison between the Parliament and the people on the one hand and between the government and the people on the other. They enable the general public, institutions and in some cases even individual citizens to participate more directly and effectively in the consideration by the Parliament of issues directly affecting the people.  

The above exposition unequivocally signifies the logic of the Parliamentary Committee system. Since the establishment of the Parliament of independent India and enactment of the Constitution of India, the number of committees with specialised functional responsibility has proliferated over the years. Obviously any systematic understanding of the working of the Parliamentary Committees is not possible only in terms of straitjacketing all of them into one. Different committees have their own area of functional responsibilities and competence. The ensuing section attempts to analyse the composition and various committees and their functions.

**Types, Composition and Functional Responsibilities of the Parliamentary Committees**

There are numerous committees covering wide spectrum of functions related to the Parliament. All the committees are generally classified into two broad categories: i)
Ad-hoc Committees and ii) Standing Committees. As name suggests, Ad-hoc Committees are constituted for specific purpose and they function only for the period of the completion of their work. On the other hand Standing Committees of the Parliament are regular in nature. Only the membership and chairmanship change on every reconstitution of the Committee. The broad functional responsibility remains the same besides the general procedure and practice of these committees. Though the main focus in the chapter has been laid on two different kinds of Parliamentary Standing Committees, namely Financial Committees and Departmentally Related Standing Committees, other Committees have also been touched upon in generic terms for systematic comprehension of the entire Committee System in the Indian Parliament.

**Ad-hoc Committees:**

Ad-hoc Committees can broadly be classified into two broad categories: i) Select or Joint Committees on Bills which are appointed to consider and report on particular Bills; ii) Committees which are appointed to enquire into a specific matter. Select or Joint Committees on Bills are distinguished from other Ad-hoc Committees inasmuch as they are concerned with Bills and procedure to be followed by them is laid down in the Rules of Procedure and Directions by the Speaker/Chairman. The second category of Ad-hoc Committees is constituted from time to time either by the two Houses on motion adopted in that behalf or by the Speaker/Chairman. There numerous cases of the constitution of Ad-hoc Committees for specific purposes.⁹
Standing Committees of the Parliament:

There is a large number of Standing Committees in the Parliament. Currently such Standing Committees are 55 in numbers. Out of the 55 Standing Committees 31 are Joint Committees of the two Houses. 24 Committees are Single House Committees out of which 12 Committees are under the jurisdiction of the Rajya Sabha and 12 under the Lok Sabha. The Parliamentary Standing Committees are further classified into the categories listed below on the basis of their composition and function:


Subject Committees or Departmentally Related Standing Committees; - They are twenty four in number covering the whole gamut of Government Departments.

House Committees relating to the day to day work of the House e.g. Business Advisory Committee, Committee on Private members’ Bills and Resolutions, Committee on Absence of members from the sittings of the House and Rules Committee.

Enquiry Committee- Committee on Petitions, Committee on Privileges and Ethics

Scrutiny Committee – they are Committees on Government Assurances, Subordinate Legislation; Papers Laid on the Table of the House and Welfare of Scheduled Caste and Schedules Tribes.

Service Committees – General Purposes Committee, House Committee and Joint Committee on Salaries and Allowances of Members of Parliament.
The details about the types, composition, membership, mode of appointment of members and Chairman, and tenure of the Committees are presented in tabular form in the Table-1 indicated below.

### Table-1

**Membership, Chairmanship and Tenure of Parliamentary Committees**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Committee</th>
<th>Membership</th>
<th>Mode of appointment</th>
<th>Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>LS</td>
<td>RS</td>
<td>Total</td>
</tr>
<tr>
<td><strong>Joint Committees</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-24</td>
<td>Departmentally Related Standing Committees (16 of LS+8 of RS)</td>
<td>21</td>
<td>10</td>
<td>31</td>
</tr>
<tr>
<td>25</td>
<td>Committee on the Welfare of Scheduled Castes and Scheduled Tribes</td>
<td>20</td>
<td>10</td>
<td>30</td>
</tr>
<tr>
<td>26</td>
<td>Committee on Empowerment of Women</td>
<td>20</td>
<td>10</td>
<td>30</td>
</tr>
<tr>
<td>27.</td>
<td>Committee on Public Accounts</td>
<td>15</td>
<td>07</td>
<td>22</td>
</tr>
<tr>
<td>28.</td>
<td>Committee on Public Undertakings</td>
<td>15</td>
<td>07</td>
<td>22</td>
</tr>
<tr>
<td>29.</td>
<td>Joint Committee on Offices of Profit</td>
<td>10</td>
<td>05</td>
<td>15</td>
</tr>
<tr>
<td>30.</td>
<td>Joint Committee on Salaries and Allowances of MPs</td>
<td>10</td>
<td>05</td>
<td>15</td>
</tr>
<tr>
<td>31.</td>
<td>Library Committee</td>
<td>06</td>
<td>03</td>
<td>09</td>
</tr>
<tr>
<td><strong>Single House Committees of Lok Sabha/Rajya Sabha</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32-33</td>
<td>Business Advisory Committee</td>
<td>15</td>
<td>11</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Committee Name</td>
<td>Total Members</td>
<td>Tenure</td>
<td></td>
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</tr>
<tr>
<td>34-35</td>
<td>Rules Committee</td>
<td>15</td>
<td>16 - do - do - do - do</td>
<td></td>
</tr>
<tr>
<td>36-37</td>
<td>General Purposes Committee</td>
<td>See Note 3</td>
<td>do - do - do - do - do</td>
<td>See Note 3</td>
</tr>
<tr>
<td>38-39</td>
<td>Committee of Privileges</td>
<td>15</td>
<td>10 - Nominated</td>
<td>Appointed</td>
</tr>
<tr>
<td>40-41</td>
<td>Committee on Petitions</td>
<td>15</td>
<td>10 - do - do - do - do</td>
<td></td>
</tr>
<tr>
<td>42-43</td>
<td>Committee on Government Assurances</td>
<td>15</td>
<td>10 - Nominated</td>
<td>Appointed</td>
</tr>
<tr>
<td>44-45</td>
<td>Committee on Subordinate Legislation</td>
<td>15</td>
<td>15 - Nominated</td>
<td>Appointed</td>
</tr>
<tr>
<td>46-47</td>
<td>Committee on Papers Laid on the Table</td>
<td>15</td>
<td>10 - do - do - do - do</td>
<td></td>
</tr>
<tr>
<td>48-49</td>
<td>House Committee</td>
<td>12</td>
<td>10 - do - do - do - do</td>
<td></td>
</tr>
</tbody>
</table>

**Standing Committees only in Lok Sabha**

<table>
<thead>
<tr>
<th></th>
<th>Committee Name</th>
<th>Total Members</th>
<th>Tenure</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>Committee on Estimates</td>
<td>30</td>
<td>- Elected - do</td>
<td>Not Exceeding one year</td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>Committee on Absence of Members from the Sittings of the House</td>
<td>15</td>
<td>- Nominated - do</td>
<td>- do</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>Committee on Private Members’ Bills and Resolutions</td>
<td>15</td>
<td>- - do - do - do - do</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Standing Committees only in Rajya Sabha**

<table>
<thead>
<tr>
<th></th>
<th>Committee Name</th>
<th>Total Members</th>
<th>Tenure</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>53</td>
<td>Ethics Committee</td>
<td>10</td>
<td>- Nominated</td>
<td>Appointed</td>
<td>Till reconstituted</td>
</tr>
</tbody>
</table>
In the Lok Sabha, all the three Committees, namely, the Committee on Ethics, the Committee on Provision of Computers for Members of Parliament, Offices of Political Parties and Officers of Lok Sabha Secretariat and the Committee on Members of Parliament Local Area Development Scheme are constituted as ad hoc Committees.

**Notes:**

1. *Nominated* means nominated by Speaker, Lok Sabha in respect of Lok Sabha Members and by the Chairman, Rajya Sabha in respect of Rajya Sabha Members.

2. *Elected* means elected by the House on the basis of proportional representation by means of a single transferable vote.

3. *There is no fixed term for General Purposes Committee (GPC) of Lok Sabha and it continues in office till the dissolution of Lok Sabha. It consists of Speaker, Deputy Speaker, members of the Panel of Chairmen, Chairmen of all Standing Parliamentary Committees, Leaders of recognized Parties/Groups in Lok Sabha and such other members as may be nominated by the Speaker. The Speaker, Lok Sabha acts as the ex-officio Chairman of the Committee. In Rajya Sabha it is composed of similar membership as in the Lok Sabha. The Chairman, Rajya Sabha acts as the ex-officio Chairman of the Committee. It continues in office till reconstituted.*

The above cited table-1 provides information relating the membership of different committees, the number of members, mode of membership, chairmanship of the Committees, and tenure of the Committees. Besides the information given in the tabular form some of the additional information relating to these committees needs to be considered which are detailed below.
**Composition of the Committee**

Members are appointed or elected to a Parliamentary Committee on a motion made and adopted or nominated by the Speaker.\(^12\)

The Composition of the Committees represents all sections of the House and shades of opinion. Different parties are represented in proportion to their strength in the House. Members are appointed on the Committees only if they are willing to serve on a particular committee.\(^13\) Members may also be appointed on ad-hoc Committees on a motion adopted by the House wherein the motion itself contains the names of the members proposed to be appointed.\(^14\)

There are Joint or Select Committees on Bills. The motion contains the names of the Members of Lok Sabha only, and a recommendation to the other House to Join in the Joint Committee and communicate the names of that House to be appointed on the Committee. Ministers in charge of the Bill or Member in charge in case of a Private member’s Bill are also appointed members of the Select Committee. The Ministers who are members of Rajya Sabha may also be appointed but they are not entitled to vote in the Committee. Members may also be appointed on an ad-hoc committee on a motion adopted in that regard.\(^15\)

**Committees Elected by the House**

Members of the Committees on Public Accounts, Estimates, Public Undertakings and Welfare of Scheduled Casts and Scheduled Tribe and the Joint Committee on Office of Profit are elected by the Members of the House. For this purpose a motion containing the number of the members and the manner of election i.e. the system of proportional representation by means of a single transferable vote, is moved and
adopted by the House. Members of the Rajya Sabha are also appointed on these committees. 16

Committees Nominated by the Speaker

Members of other Committees e.g. Business Advisory Committee, Committees on Private Members & Business, Papers Laid on the Table, Privileges, Subordinate Legislation, Government Assurances, Absence of Members from the sittings of the House and the Committees, Rules Committee and all the Departmentally Related Subject Committees are nominated by the Presiding Officer (Speaker). While nominating the members on these Committees, the Speaker takes into consideration the claims, interests and strength of the various parties and groups in the House. He/she informally consults the Leaders of various Parties and Groups and obtains the panel of names out of which he/she makes a selection. 17

Chairman of a Committee

The Chairman of all the Parliamentary Committees are appointed by the Speaker in case of Lok Sabha and by the Chairman in case of Rajya Sabha from amongst the members of the concerned Committee. When Speaker is the member of the Committee, He/she is the ex-officio Chairman of the Committee, examples are; Rules Committee, Business Advisory Committee and General Purposes Committee. Where Speaker is not the member and the Deputy speaker is the member of a Committee, he is appointed as Chairman of the Committee, example is Committee on Private Members Bills and Resolutions. 18 The Joint Committee on Salaries and Allowances of members of Parliament elects its own Chairman. As per established
convention, a member belonging to the major Opposition Party is appointed the Chairman of Public Accounts Committee.

**Term of the Office of the Committees**
A Parliamentary Committee nominated by the Speaker/Chairman and the one which are elected by the House hold Office for a period not exceeding one year. Joint or Select Committees have no fixed term. It is generally specified in the motion itself which is moved in the House for referring a Bill to the Select Committee. And if no date is fixed than the Committee is required to present its reports within three months.

**Quorum**
The quorum to constitute a sitting of a Committee is, as near as may be, one third of the total members of the Committee. When a Committee constituted or elected on the basis of a resolution adopted by the House, the requirement of the Quorum is specified in the motion itself.

**Powers of the Committees**
Powers of the Parliamentary Committees are laid down in the Constitution [Art 105(3)] of the Rules of Procedure and Conduct of Business in the House, and Directions issued by the Speaker Lok Sabha/ Chairman Rajya Sabha from time to time.

The common powers of all the Parliamentary Committees are to take evidence, call for documents, send for persons, papers and records and make special reports. The Committees of each House of Parliament enjoys the same powers, privileges and immunities as are enjoyed by the House.¹⁹
Reports of the Committees

Parliamentary Committees present their reports to the House or the Speaker/Chairman as the case may be. After Presentation, the copies of the report are circulated to the Members of Parliament, Ministries/Departments of Government of India and to the media also. Government/Ministries/Departments are to take action on the recommendations of the Committees and furnish the Action taken Replies on the recommendations/observations to the Committee concerned. After getting the Replies from the Ministry, the Committee examines them and presents an Action Taken Report to the House. 20

Reports of all the three Financial Committees and twenty four Departmentally Related Standing Committees substantially influence the policies and governance of the Union.

Functions of the Parliamentary Standing Committees

Different Parliamentary Committees listed in the table-1 have their specified areas of functional responsibilities. Though the Finance Committees and twenty four Departmentally Related Standing Committees will be examined in detail, the functions of different Parliamentary Committees are presented in the tabular form. The Table-2 provides relevant information about the functions of all the committees.
Table-2
Parliamentary Committees Functions

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Committee</th>
<th>Functions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Joint Committees</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-24</td>
<td>Departmentally Related Standing Committees (16 of LS+8 of RS)</td>
<td>To examine Demands for Grants; Bills; Annual Reports and National Basic Long Term Policy Documents.</td>
</tr>
<tr>
<td>25</td>
<td>Committee on the Welfare of Scheduled Castes and Scheduled Tribes</td>
<td>To consider the reports submitted by the National Commission for SCs and STs; to examine the representation of SCs and STs in services of Central Government, Public Sector Undertakings (PSUs), Nationalised Banks, etc. And to review the working of welfare programmes for SCs and STs in the Union Territories.</td>
</tr>
<tr>
<td>26</td>
<td>Committee on Empowerment of Women</td>
<td>To consider the reports of National Commission for Women and to report on the measures that should be taken by the Union Government for improving the status and conditions of women.</td>
</tr>
<tr>
<td>27</td>
<td>Committee on Public Accounts</td>
<td>To examine accounts showing the appropriation of sums granted by the House for the expenditure of Government, the annual finance accounts of the Government, etc.</td>
</tr>
<tr>
<td>28</td>
<td>Committee on Public Undertakings</td>
<td>To examine the report and accounts of the Public Undertakings.</td>
</tr>
<tr>
<td>29</td>
<td>Joint Committee on Offices of Profit</td>
<td>To examine and recommend what offices should disqualify and what offices should not disqualify a person for being chosen as, and for being a Member of Parliament under Article 102 of the Constitution.</td>
</tr>
<tr>
<td>30</td>
<td>Joint Committee on Salaries and Allowances of M.Ps.</td>
<td>To make rules to provide for travelling and daily allowances, medical, housing, telephone, postal, water, electricity, constituency and secretarial facilities, etc., to members of Parliament.</td>
</tr>
<tr>
<td>31</td>
<td>Library Committee</td>
<td>To consider and advise the Speaker on matters concerning the Parliament Library.</td>
</tr>
</tbody>
</table>

**Single House Committees of Lok Sabha/Rajya Sabha**
| 32-33 | Business Advisory Committee | To recommend allocation of time for discussion of legislative and other business of Government and suggest particular subjects for discussion. |
| 34-35. | Rules Committee | To consider and recommend any amendments or additions to the Rules of Procedure and Conduct of Business. |
| 36-37. | General Purposes Committee | To advise the Speaker, Lok Sabha or Chairman, Rajya Sabha on matters concerning the affairs of the House. |
| 38-39. | Committee of Privileges | To examine questions involving breach of privilege of the House or of the members or of any Committee thereof and make suitable recommendations. |
| 40-41. | Committee on Petitions | To consider and report on petitions and representations. |
| 42-43. | Committee on Government Assurances | To follow-up all assurances given by the Ministers during the proceedings of the House. |
| 44-45. | Committee on Subordinate Legislation | To scrutinize and report 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. |
| 46-47. | Committee on Papers Laid on the Table | To examine all papers laid on the Table of the House by the Ministers and to report to the House on delay cases. |
| 48-49. | House Committee | To deal with all questions relating to residential accommodation and other facilities for members. |

**Standing Committees only in Lok Sabha**

| 50. | Committee on Estimates | To report what economies, improvements in organization, efficiency or administrative reform consistent with the policy underlying the estimates may be effected; to suggest alternative policies; and to examine whether the money is well laid out within the limits of the policy implied in the estimates. |
| 51. | Committee on Absence of Members from the Sittings of the House | To consider applications from members for leave of absence from the sittings of the House and examine every case where a member has been
<table>
<thead>
<tr>
<th></th>
<th>Standing Committees only in Rajya Sabha**</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>52.</td>
<td>Committee on Private Members’ Bills and Resolutions</td>
<td>To allot time to Private Members’ Bills and Resolutions and to examine Private Members’ Bills seeking to amend the constitution before their introduction.</td>
</tr>
<tr>
<td>53.</td>
<td>Ethics Committee</td>
<td>To oversee the moral and ethical conduct of Members and to examine cases referred to it with reference to ethical and misconduct of Members.</td>
</tr>
<tr>
<td>54.</td>
<td>Committee on Provision of Computers to Members of Rajya Sabha</td>
<td>To go into all aspects relating to supply of computers to Members of Rajya Sabha and to review the hardware and software requirement of Members.</td>
</tr>
<tr>
<td>55.</td>
<td>Committee on Members of Parliament Local Area Development Scheme</td>
<td>To monitor the implementation of schemes under Members of Parliament Local Area Development Scheme.</td>
</tr>
</tbody>
</table>

**In the Lok Sabha, all the three Committees, namely, the Committee on Ethics, the Committee on Provision of Computers for Members of Parliament, Offices of Political Parties and Officers of Lok Sabha Secretariat; and the Committee on Members of Parliament Local Area Development Scheme are constituted as ad hoc Committees.**

The functions of the Parliamentary Committees as stated in the above Table-2 are important in their own respects. Most of the Committees have been discharging responsibilities as per their assigned role and functions. Assignment of functional responsibilities, however, does not essentially ensure their effective and efficient discharge. The effectiveness of the committees in the overall contexts of parliamentary practices is somewhat subject to critical scrutiny. In fact, the actual functioning of the Committees is subject to many factors. Any attempt of evaluating the functioning of the Committee may indicate diverse situation. This issue has specifically been taken into consideration in ensuing chapters. The next two chapters make attempts in this direction. These chapters examine as to how and to what extent
the Parliamentary Standing Committees especially the DRSCs have been able to discharge responsibilities. If there is any mismatch what are the areas in which mismatch is more pronounced.

An effort here is to critically reflect on two types of Parliamentary Standing Committees that have critical importance in ensuring governmental accountability. One set of such Committees is Financial Committees and the other is Departmentally Related Standing Committees. It is worth examining the structure, role and function, logic of their creation and functioning of these Committees. The understanding about these Committees helps in critically examining their competence.

**Financial Committees**

There are three Parliamentary Standing Financial Committees- the Public Accounts Committees; the Estimate Committee; and the Committee on Public Undertakings. All the three Committees are endowed with the responsibility of ensuring fiscal accountability of the government through the mechanism of detailed scrutiny of governmental spending and performance. The scrutiny of expenditure and performance by the Committees helps the Parliament in discharging the expected role and responsibility in more efficient manner. In a sense the three Financial Committees play the role of watchdog of Parliament as they bring to light inefficiencies, waste and indiscretion in the implementation of policies and programmes approved by the Parliament. This is one of the most important reasons that necessitates the efficient and effective Financial Committee System especially in a country like India wherein the Parliament is constrained by time in deliberating on
each of the issues which is otherwise made possible through the Committees. At this point it is important to glance over the role, function and working of each of the Financial Committees. The following section makes an attempt in this direction.

The Public Accounts Committee
The Public Accounts Committee (PAC) is one of the oldest Financial Committees. The first Committee on Public Accounts was constituted in 1921 in the wake of the Montague-Chelmsford Reforms. The Finance Member of the Executive Council used to be the Chairman of the Committee. This position continued right up to 1949. However, the situation got changed with coming up of the new Constitution of India in 1950. The Public Accounts Committee came under the control of the Speaker Lok Sabha as a Parliamentary Committee. Initially the membership of the Committee was restricted only to Lok Sabha. Rajya Sabha had no representation in it until 1954-1955. It was only in this year that membership of the committee got extended to the Rajya Sabha also. As of now the PAC consists of 22 member out of which 15 members elected by Lok Sabha every year from amongst its members according to the principle of proportional representation by means of single transferable vote and not more than 7 members of Rajya Sabha elected by that House in like manner. The system of proportional representation helps the parties or groups in the House to get representation on the Committee according to their strength in the House. Thus varied ideologies, interests and regions are always represented on the Committee. But to enable the Committee to retain continuity and experience, under a well established convention, 2/3 members are re-elected for the term of another year. Though the members of both the Houses serve on the Committee, it is not a joint
Committee. It is a committee of Lower House with the association of the Members from the Upper House.

Chairman of the Committee is appointed by the Speaker Lok Sabha. It is interesting to note that the Chairman of the Committee till 1966-1967 belonged to the ruling party. However, from 1967 onwards it has emerged as general practice that a distinguished leader of opposition party is appointed as the chairman of the Committee. Chairman of the Committee occupies a pivotal position. He directs the proceedings of the Committee, lays down the programme of its work, decides its course of activities. He generally suggests to the Committee, Accounts and Audit paras which he thinks need a deep probe. During official evidence, he puts the leading questions and also raises major supplementary question. He is the real guide of the Committee and also the guardian of its rights and privileges.

**Functions of the Committee**

The functions of the PAC as enshrined in Rule 308(1) of the Rules of Procedure and Conduct of Business in Lok Sabha include the examination the accounts showing the appropriation of sums granted by the Parliament for the expenditure of the Government; the annual finance accounts of the Government and such other accounts laid before the House as the Committee may think fit. The Committee is not concerned with the policy, but it points out whether there has been extravagance or waste in carrying out that policy.

Rule 308 of the Rules of Procedure and Conduct of Business in Lok Sabha entrusts the Committee with the examination of money spent on any service during a
financial year in excess of the amount granted by Parliament for that purpose. The
Comptroller & Auditor General of India brings it to the notice of Parliament (cases
of excess). Investigating such an excess, the Committee goes into the facts of each
case and circumstances leading to that and recommends for its regularization.

In scrutinising the Appropriation Accounts of the Government of India and the
Report of the Comptroller & Auditor General of India thereon, the Committee has to
satisfy:

(a) that the moneys shown in the accounts as having been disbursed were
legally available for, and applicable to, the service or purpose to which they
have been applied or charged;
(b) that the expenditure conforms to the authority which governs it; and
(c) that every re-appropriation has been made in accordance with the
provisions made in this behalf under rules framed by competent authority.
It shall also be the duty of the Committee –
(a) to examine the statement of accounts showing the `income and
expenditure of state corporations, trading and manufacturing schemes,
concerns and projects together with the balance sheets and statements of
profit and loss accounts which the President may have required to be
prepared or are prepared under the provisions of the statutory rules regulating
the financing of a particular corporation, trading or manufacturing scheme or
concern or project and the report of the Comptroller and Auditor General
thereon.
(b) to examine the statement of accounts showing the income and expenditure
of autonomous and semi autonomous bodies, the audit of which may be
conducted by the Comptroller and Auditor General of India either under the
directions of the President or by a statute of Parliament; and
(c) to consider the report of the Comptroller and Auditor General in cases
where the President may have required him to conduct an audit of any
receipts or to examine the accounts of stores and stocks. If any money has been spent on any service during a financial year in excess of the amount granted by the House for that purpose the Committee shall examine with reference to the facts of each case the circumstances leading to such an excess and make such recommendation as it may deem fit.  

The Committee ensures governmental accountability by ascertaining the money granted by Parliament has been spent by Government "within the scope of the demand." The implications of this phrase are that (i) money recorded as spent against the grant must not be more than the amount granted, (ii) the expenditure brought to account against a particular grant must be of such a nature as to warrant its record against the grant and against no other, and (iii) the grants should be spent on purposes which are set out in the detailed demand and they cannot be spent on "any new service not contemplated in the demand."  

The Committee "examines cases involving losses, nugatory expenditure and financial irregularities. When any case of proved negligence resulting in loss or extravagance is brought to the notice of the Committee, it calls upon the Ministry/Department concerned to explain what action, disciplinary or otherwise, it had taken to prevent a recurrence. In such a case it can also record its opinion in the form of disapproval or pass strictures against the extravagance or lack of proper control by the Ministry or Department concerned."  

The functions of the Committee can be summed up as follows: first to ensure that money is spend as Parliament intended, second to ensure the exercise of due economy and third to maintain high standard of public morality in all Financial matters. The Committee functions in close cooperation and with the Audit support of
the Comptroller & Auditor General of India. Manifold auditing parameters which include (a) Accountancy Audit, (b) Regularity Audit, (c) Appropriation Audit, (d) Propriety Audit or what is also known as Discretionary Audit and (e) Efficiency-cum-performance Audit help in better scrutiny of accountability of the government in spending and performance.

It is noteworthy to mention that the PAC has emerged as one of the important Parliamentary Committees with regard to ensuring governmental accountability despite the fact that ‘its findings are ex post facto’. 27 The committee has been instrumental in promoting discipline in governmental spending and performance.

The Estimate Committee

The Estimate Committee was first set up on April 10, 1950. It consists of 30 members elected every year by the Lok Sabha from amongst its Members. It is a committee of Lok Sabha and its members are elected from amongst the members of the House on a motion moved by the outgoing Chairman on the basis of principle of proportional representation by means of single transferable vote. It ensures representation of almost all the groups and parties in Lok Sabha according to their numerical strength in the House. Fairly good member of senior members are elected to serve on the Committee. Political parties take care to give representation to various states. Thus the Committee is a miniature Parliament.

Under a Convention, established since 1956-57 only one third members of the Committee retire every year and the remaining two thirds are re-elected for another year in order to maintain continuity and facilitating uninterrupted accomplishment of work left over by the previous Committee and also to make the experience gained by
the members available to the Committee. The retiring members are however, eligible for re-election after a break of one term.

The Chairman of the Committee is appointed by the Speaker from amongst its members. If the Deputy Speaker is the member of the Committee, he is appointed its Chairman. Otherwise, a senior member of the ruling party on the committee is nominated as the Chairman of the Committee. Speaker is guided by the advice of the ruling party which is represented by the Minister of Parliamentary Affairs. A Minister cannot be elected as a member of the Committee and if a member after his election to the Committee is appointed a Minister, he ceases to be a member of the Committee from the date of such appointment. The term of the Committee is one year. Chairman not only occupies an important position in the Committee but also steers the Committees’ work. He guides and directs the deliberations. The entire programme of Committee’s work is drawn up with his consent and approval. He puts the leading questions to the witness. The Questionnaire for officials, minutes of the Committee sittings and draft reports are approved by the Chairman first.28

The functions of the Estimates Committee are: (a) to report what economies, improvements in organisation, efficiency or administrative reform, consistent with the policy underlying the estimates may be effected; (b) to suggest alternative policies in order to bring about efficiency and economy in administration; (c) to examine whether the money is well laid out within the limits of the policy implied in the estimates; and (d) to suggest the form in which the estimates shall be presented to Parliament.29 Though Committee is not entitled to question the policy laid down by
the Parliament by means of Statute or Resolutions, the Committee is free to examine the working of the policy.\textsuperscript{30}

Soon after it is constituted, the Committee selects such of the estimates pertaining to a Ministry/Deptt. of the Central Government or such of the statutory and other bodies of the Central Government as may seem fit to the Committee. The Committee also examines matters of special interest which may arise or come to light in the course of its work or which are specifically referred to it by the House or the Speaker. The Committee calls for preliminary materials from the Ministry/Department, statutory and other Government bodies in regard to the subjects selected for examination and also memoranda from non-officials connected with the subjects for the use of the Members of the Committee.\textsuperscript{31}

**The Committee on Public Undertakings**

The origin of the Committee on Public Undertakings can broadly be located in the context of the planned economic development in the country after independence. With the adoption of Industrial Policy Resolution, several statutory corporations and Government Companies involving large capital funds investments came into existence. Since the money to finance them are appropriated from the consolidated fund of India, the question of setting up a separate Parliamentary Committee to look into the affairs of the public companies was discussed in the House as early as in 1953, Speaker Mavalanker wrote to the Prime Minister about the need for setting up such a committee. Prime Minister set up a Sub-Committee of the Congress Parliamentary Party to consider the proposal in 1958 which endorsed the suggestion. Like that it took almost 10 years of discussions and several Motions for creation of
this Committee and finally the Committee on Public Undertakings was set up for the first time in May 1964.  

The Committee consists of 22 members comprising 15 members elected by Lok Sabha from amongst its members according to the principle of proportional representation by means of single transferable vote and seven members elected by Rajya Sabha in like manner. Members of the Committee are for the term of one year. The Chairman is appointed by the Speaker from amongst its members.

The functions of the Committee are:-

(1) (i) To look into and examine the reports and accounts of the Public Undertakings specifically allotted to this Committee. These are the Undertakings-established by Central Acts

(ii) Every company whose annual report is placed before the Houses of Parliament under sub-section (1) of section 61 9A of the Companies Act,1926

(iii) Specific enterprises namely Hindustan Aeronautics Ltd., Bharat Electronics Ltd., Mazagon Dock Ltd. and Garden Reach Shipbuilders and Engineers Ltd.  

(2) to examine the reports, if any, of the Comptroller and General thereon

(3) to examine in the context of the autonomy and efficiency of Public Undertakings whether their affairs are being managed in accordance with sound business principles and prudent commercial practices and also such matters which may be specifically referred to it by the House or the Speaker.

The Committee selects the subject for examination whose comprehensive appraisal appear in the Audit Report presented to the Parliament. The Committee may also select one or more aspects of working of various Public Undertakings for comprehensive study. After detailed examination of the subject, the Committee includes the conclusions and recommendation in their report which is presented in
Lok Sabha by the Chairman or any other member authorized by him on that behalf and simultaneously a copy is laid on the table of the Rajya Sabha. As a convention like the reports of the P.A.C. & Estimates Committee, the reports of Committee on Public Undertakings are also not discussed in the House.

**Performance of the Financial Committees**

Performance of the Committees may be seen from two interrelated perspectives- one from the perspective of discharging responsibilities in terms of presenting Report, no of sittings held, visit to the establishment and places under examination by the Committee etc. and another on the basis of their effectiveness in influencing the working of the federal policies and keeping vigil on governmental spending. The Financial Committees of the Parliament have performed reasonably well on both the counts. If we glance over the work done by the Committees during the tenure of the 14th Lok Sabha we get an idea about the working of the Committees.

**Table-3**

**Performance of the Financial Committees 2004-2005 to 2008-2009**

<table>
<thead>
<tr>
<th>Name of the Committees</th>
<th>Reports Presented</th>
<th>No. of Sittings held</th>
<th>No. of sub-committees/Study Groups Constituted</th>
<th>No. of Establishments/Placed visited</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Accounts Committee</td>
<td>84 (Original-40, Action Taken-44)</td>
<td>99</td>
<td>Nil</td>
<td>85</td>
</tr>
<tr>
<td>Committee on Estimate</td>
<td>20(Original-10, Action Taken-10)</td>
<td>77</td>
<td>Nil</td>
<td>98</td>
</tr>
<tr>
<td>Committee on Public Undertakings</td>
<td>37 (Original-19, Action Taken-18)</td>
<td>87</td>
<td>Nil</td>
<td>65</td>
</tr>
</tbody>
</table>

**Source:** Calculated and Adapted from the Activities of Parliamentary Committees during the Fourteenth Lok Sabha. Information available on the official Website of the Lok Sabha. See the document 'Parliamentary Committees,XIV Lok Sabha A Study’http://164.100.47.132/estudy/committees.pdf
It is evident from the above table that all the three Financial Committees have been able to hold meetings of the Committees to a reasonable extent. So far as the Reports by the committee are concerned the PAC is far ahead of the others in terms of no. of Reports presented by the Committee. All the three Financial Committees have been playing important role since their inception. They have been instrumental in influencing the policy decisions of the government and improvements in the working of the governmental policies and programmes. The PAC has succeeded in bringing out the issue of misuse of public money or disproportionate expenditure in implementing a programme. The Committee on Public Undertaking has help in evaluating the working of the public sectors establishments.

**Departmentally Related Standing Committees**

The Departmentally Related Committees (DRSC) have emerged as important institutional mechanisms of discharging responsibilities of the Parliament during the last two decades of their creation and working. These kinds of committees are already in existence as a part and parcel of the Legislature in different polities. The establishment of such committees in India in 1993 was a new experiment and addition to the Parliamentary Committee System. The creation of such committee in India had its own context and logic. Given the amount of works of the Parliament, it was almost a requisite to offload responsibility for an efficient and effective functioning of the Parliament. This is precisely the context that informs the logic of
the establishment of DRSC in India. Besides the generic context, there are also specific reasons for the establishment and growth of the DRSCs.

It may be recalled that the Demands for Grants (Estimates) of various Ministries are presented in Lok Sabha every year along with the Budget Statement. Each Demand contains a statement of the total grant proposed followed by a detailed estimate under each grant divided into items. Only such Estimates which are not charged on the Consolidated Fund of India are submitted in the form of Demands for Grants to Lok Sabha for their assent. Lok Sabha before approving the demands has an opportunity to discuss the matters under the administrative control of that Ministry and each head of the Demand as it is put to the vote of the House. During the discussion the members can disapprove a policy pursued by a particular Ministry, can suggest measures for economy or can also focus the attention of the Ministry to specific local grievances. A powerful device in the hands of the members at this stage is ‘Cut Motion’. The House has the power ‘to assent or to refuse to assent to any demand subject to reduction of certain amount. The motions to reduce the amounts of demands for grants are called ‘Cut Motions’. The objective is to draw the attention on a specified matter in such a motion. If a Cut Motion is carried by the House, it amounts to loosing the confidence in the Council of Ministers. The opportunity to discuss the Demands for Grants is lost to the House because of lack of time.

Moreover, with the unprecedented growth of governmental activities over the years, Parliament had been finding itself some what handicapped in exercising fully one of its pivotal roles of scrutinizing the whole range of demands and estimates presented
by the government to the Parliament for its assent. When the demands of a particular Ministry is discussed in the Houses, all its programmes and policies come under the magnifying glass of Parliament.

However what was happening, that year after year demands for grants of most Ministries comprising of enormous budgetary allocation were getting passed by Parliament by guillotining without any discussion. On an average hardly 2-3 Ministries could be discussed on the floor of House. For instance in 1989 the demands of only 3 Ministries/Departments could be discussed and rest of them as many as 34 Ministries/Departments’ were guillotined. Thus pre-voting scrutiny of demands of grants of large number of Ministries/Departments could not take place, which is necessary to ensure that the Executive remains responsive and responsible to the Parliament. Similarly many of the Bills were also used to be passed without a thorough scrutiny. This issue was deliberated upon in the Presiding Officers’ Conference 1978, in the Third Regional Common Wealth Parliamentary Association Seminar in 1984 and again in Conference of Presiding Officers of Legislative Bodies in India in 1984. Thereafter the Rules Committee of the Lok Sabha considered a proposal for setting up the ad-hoc Committees for pre-voting scrutiny of Demands for Grants. However, no final decision could be taken at that time. It was for the first time in 1989 that a proposal of a far reaching nature designed to strengthen the Committee System and to secure Executive responsibility in a far more effective way was considered and approved by the Rules Committee of the Eighth Lok Sabha. The proposal for setting up of three subject Committees – Agriculture, Science and Technology and Environment and Forests was approved by the House in July 1989.
and these Committees were set up for the first time with effect from 18th August 1989.41

The subject Committees set up in 1989 were to examine the activities of concerned Ministries, Departments and to report as to what economies, improvement in organizational, efficiency or administrative reforms consistent with the policies approved by the Parliament might be effected. These Committees were also to examine the Annual Reports Plan Projects/ activities of the concerned Ministries.42
Like that this was an experimental phase or the pre-cursor of a full fledged Committee System in Indian Parliament.

The whole matter was considered afresh by the General Purposes committee and the Rules committees of both the Houses in 1993 together and a broad consensus was arrived at that the Standing Committees be set up to consider the Demands for Grants, Bills and the long term basic national policies presented to the Houses and referred to them by the Speaker/Chairman of Rajya Sabha and the Annual Reports of the Concerned Ministries/Department.43

With the approval of the Reports of the Rules Committees of Lok Sabha and Rajya Sabha by the two Houses, 17 Departmentally Related Standing Committees covering all the Ministries and Departments of the Union government set up in March 1993 were divided into two parts as follows.

Part-I– included 6 committees one on each Commerce Home Affairs, Human Resources Development, Industry, Science and Technology, Environment and Forest, Transport and Tourism. These Committees were managed and serviced by
Rajya Sabha Secretarial and the Chairman of these Committees was to be appointed by Chairman Rajya Sabha and worked under his directions.


The Committees in Part-II were serviced by Lok Sabha Secretariat and worked under the Direction of the Speaker, Lok Sabha. Each of these Committees consisted of 45 members – 30 from Lok Sabha and 15 from Rajya Sabha.

After watching the working of the D.R.S.Cs. system for over a decade’s time, it was observed that the unwielding jurisdiction of some of the D.R.S.Cs made it difficult for them to examine and report on all the subjects. It was also observed that the long time taken by some of the Committees in examining and reporting on Bills tended to delay their passage in Parliament. Subsequently a Joint Parliamentary Committee on Jurisdictional Overlap between the Parliamentary committees was constituted to consider these matters in 2001. This Committee, in their report, presented to the Houses of Parliament recommended the restructuring of the Committee system. They suggested raising the number of the D.R.S.Cs. from 17 to 24. This recommendation was agreed upon in the meeting of the Speaker with the Leaders of Parties on 4 July 2004.

With the restructuring of the system of DRSCs., while a few Committees have been newly created a few have been renamed according to the changes in their
jurisdiction. Another change which occurred during this restructuring is that the number of members on each Committee has been reduced from 45 to 31. Now each D.R.S.Cs consists of 31 Members-21 from Lok Sabha and 10 from Rajya Sabha.

Table-4

Details of the Departmentally Related Standing Committees and their Jurisdictions

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Name of the Committees</th>
<th>Ministries/Departments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Part-I</td>
</tr>
<tr>
<td>1</td>
<td>Committee on Commerce</td>
<td>Commerce and Industry</td>
</tr>
<tr>
<td>2</td>
<td>Committee on Home Affairs</td>
<td>(1) Home Affairs&lt;br&gt;(2) Development of North Eastern Region</td>
</tr>
<tr>
<td>3</td>
<td>Committee on Human Resource Development</td>
<td>(1) Human Resource Development&lt;br&gt;(2) Youth Affairs and Sports&lt;br&gt;(3) Women and Child Development</td>
</tr>
<tr>
<td>4</td>
<td>Committee on Industry</td>
<td>(1) Heavy Industries and Public Enterprises&lt;br&gt;(2) Micro, Small and Medium Enterprises</td>
</tr>
<tr>
<td>5</td>
<td>Committee on Science &amp; Technology, Environment &amp; Forest</td>
<td>(1) Science and Technology&lt;br&gt;(2) Space&lt;br&gt;(3) Earth Science&lt;br&gt;(4) Atomic Energy&lt;br&gt;(5) Environment and Forests</td>
</tr>
<tr>
<td>6</td>
<td>Committee on Transport, Tourism and Culture</td>
<td>(1) Civil Aviation&lt;br&gt;(2) Shipping, Road Transport and Highways&lt;br&gt;(3) Culture&lt;br&gt;(4) Tourism</td>
</tr>
<tr>
<td>7</td>
<td>Committee on Health and Family Welfare</td>
<td>Health and Family Welfare</td>
</tr>
<tr>
<td>8</td>
<td>Committee on Personnel, Public Grievances, Law and Justice</td>
<td>(1) Law and Justice&lt;br&gt;(2) Personnel, Public Grievances and Pensions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Part-II</td>
</tr>
<tr>
<td>9</td>
<td>Committee on Agriculture</td>
<td>(1) Agriculture&lt;br&gt;(2) Food Processing</td>
</tr>
<tr>
<td>No.</td>
<td>Committee Name</td>
<td>Industries</td>
</tr>
<tr>
<td>-----</td>
<td>--------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| 10  | Committee on Information Technology                    | (1) Communications and Information Technology  
(2) Information and Broadcasting |
| 11  | Committee on Defence                                   | Defence                                                                     |
| 12  | Committee on Energy                                    | (1) New and Renewable Energy  
(2) Power                                                                          |
| 13  | Committee on External Affairs                          | (1) External Affairs  
(2) Overseas Indian Affairs                                                        |
| 14  | Committee on Finance                                   | (1) Finance  
(2) Corporate Affairs  
(3) Planning  
(4) Statistics and Programme Implementation |
| 15  | Committee on Food, Consumer Affairs and Public Distribution | Consumer Affairs, Food and Public Distribution                             |
| 16  | Committee on Labour                                    | (1) Labour and Employment  
(2) Textiles                                                                       |
| 17  | Committee on Petroleum and Natural Gas                 | Petroleum and Natural Gas                                                  |
| 18  | Committee on Railways                                  | Railways                                                                   |
| 19  | Committee on Urban Development                         | (1) Urban Development  
(2) Housing and Urban Poverty Alleviation                                     |
| 20  | Committee on Water Resources                           | Water Resources                                                             |
| 21  | Committee on Chemicals and Fertilizers                 | Chemicals and Fertilizers                                                  |
| 22  | Committee on Rural Development                         | (1) Rural Development  
(2) Panchayati Raj                                                               |
| 23  | Committee on Coal and Steel                            | (1) Coal  
(2) Mines  
(3) Steel                                                                           |
| 24  | Committee on Social Justice and Employment             | (1) Social Justice and Empowerment  
(2) Tribal Affairs  
(3) Minority Affairs                                                               |

**Composition, Role and Functions of the Committees (DRSCs)**

Each Departmentally Related Standing Committee consists of 31 members -21 from Lok Sabha and 10 from Rajya Sabha for the term of one year. 47 Seats on each
Committee are allocated to different parties and groups in the House as far as practicable in proportion to their respective strength in the House. The large membership of these Committees is meant to ensure greater participation of a maximum number of membership in the deliberations of policies programmes, plans and projects and their implementation by the Government. Suitable number of seats is also allocated to independent unattached members. 48

A Minister can not be nominated as a member on the Committee. And if a Member after his nomination to the Committee is appointed a Minister he/she ceases to be the Member of the Committee. 49

Chairman of the Committee

The Chairman of each of the Standing Committee specified in Part-I working under the directions of the Chairman Rajya Sabha is appointed by him from amongst the members of the Committee and in respect of the Committees, specified in Part-II is appointed by the Speaker Lok Sabha. 50 In practice the Chairman for the Committee in Part-I is from amongst the members from Rajya Sabha on the Committee and in respect of the committees in Part-II from amongst the members from Lok Sabha on the Committee. If the Chairman is for any reason unable to act, the Speaker may appoint another Chairman in his place. 51 If the Chairman is absent from any sitting, the Committee chooses another member to act as Chairman for that sitting. 52

Duties and Powers of the Chairman

The Chairman has the duties and powers in respect of the proceedings of the Committee similar to those of the Speaker in respect of the proceedings of the
House. He appoints the Chairperson of a sub-committee whenever the Committee may decide to set up such committee under rule 263(1). He fixes the time and date for holding the sitting of the Committee. If there is no Quorum; he can suspend the sitting till there is quorum or adjourn the sitting for some future date. Any procedural matter arising at the sitting of the Committee is decided by the Chairman or if he thinks fit, he can refer the matter to the Speaker for his decision. In case there is an equality of votes on any matter during the deliberations of the Committee, the Chairman or acting Chairman has a second or casting vote. The minutes of the sittings of a Committee are approved by the Chairman and its report is signed by him on behalf of the Committee. He has the power to correct the patent errors or matters of factual nature in the report. All communications between a Committee and the Speaker or the House are made by the Chairman of the Community.

**Functions of Departmentally Related Standing Committees**

An important function of the DRSCs of Parliament is to consider the Demands for Grants of the Ministries under their jurisdiction and make a report to the Houses. After the General discussion on the Budget in the House is over, the House is adjourned for a fixed period. (Though there is no fixed number of days, but normally it is 3 to 4 weeks’ time). During this period of recess, the Committees consider the demands for grants of the concerned ministries within their respective jurisdiction and make their report within that period and cannot ask for the extension of the time.

The Demands for grants are considered by the House in the light of the reports of the committees. The concerned committee, make a separate report on grants of each
When the Committee starts considering the Demands first of all they call for background material/preliminary material from the concerned Ministry. The background/preliminary material may include the following points:

i) Performance Budget of the current year

ii) Annual report of the previous year

iii) Detailed Demands for Grants for the current year

iv) A brief summary of Demands for Grants, Analysis of Demands for Grants i.e. percentage increase in various heads over the last 2-3 years may also be given.

v) A detailed note on the funds allocated during current Five Year Plan, amount actually spent, target fixed for various activities vis-à-vis actual achievements and the reasons for not achieving the targets if any.

vi) The amount earmarked during previous two Annual Plans, the amount spent and the achievements made against the target fixed for various activities.

vii) A note on advance planning for the subsequent five year plan and notes on various schemes/projects under implementation by the Department/Ministry separately for each scheme.

The material related to subjects under examination of the Committee after its receipt in the Committee Secretariat is circulated to the members which is to be treated as confidential. The members after going through the papers, suggest questions or indicate the points on which further information may be called. These along with other relevant points culled out by the Secretariat are consolidated in the form of questionnaire which are, after the approval of the Chairman are sent to the Ministry/Department concerned. And the replies received from them are made available to the members and also sent to the Department concerned in advance who are to tender evidence before the Committee. During the evidence, Ministry/Department/organization is represented by the Secretary of the
Ministry/Head of the Department or Organization, however the Chairman can permit any other officer in place of the Secretary on a request made by him to appear before the committee. After the evidence is concluded, the draft report is prepared and after the approval of the Chairman circulated to the members of the Committee. The draft report is adopted by the Committee, most of the times on broad consensus in their meeting. However any member can give a note of dissent on the Report of the Committee which is presented to the House along with the Report. The Report on the Demands for Grants is to be presented to the House as soon as the House reassembles after the recess.

(2) Another important function of the DRSC is to examine such Bills pertaining to the concerned Ministries/Departments as are referred to the Committee by the Chairman of Rajya Sabha/Speaker Lok Sabha as the case may be and make report thereon. While considering the Bill referred to the Committee, they are to consider the general principle and clauses of the Bills which have been introduced and referred to the Committee. While requesting for sending the preliminary/material, in connection with the examination of Bill, the Secretariat request them to supply the material on:

i) Historical backgrounds of the Bill covering inter-alia- the necessity of such a legislation, its aims and objectives.

ii) High Court and Supreme Court judgements, if any in respect of the clauses/provisions contained in the Bill.

iii) Report(s) of the committee(s) if any, appointed by the Government in the past which have suggested the enactment of such a legislation.

iv) Up to date list of Experts, interest groups, associations and other Non-governmental organizations on the subject,
v) Any other information which either committee or the government thinks necessary or proper to be furnished to the committee.

Rest of the procedure is the same as in case of the Demands for Grants.

(3) The third function of the Departmentally Related Standing Committee is to consider national basic long term policy documents presented to the Houses, if referred to the committee by the Chairman of Rajya Sabha or the Speaker as the case may be and make reports thereon.\textsuperscript{71}

(4) The DRSCs besides examining the reports on Demands for Grants, Bills and Policy documents also take up for scrutiny, the Annual Reports/subject based on annual reports pertaining the respective Ministries/Departments.\textsuperscript{72} However the Standing Committees do not consider the matters related to day to day administration of the Ministry/Department.\textsuperscript{73} At the outset the committee selects the subject based on the Annual Report of the Ministry. After that the same procedure is followed.

The Committee can appoint sub-committee or study group for carrying out detailed examination of the subject and can also if necessary avail of expert opinion or public opinion before preparing the report.\textsuperscript{74} The sub-committee/Study group is appointed in order to:- i. to study intensively the background material furnished by the Department/Ministry etc.

ii. to prepare the Questionnaire to be issued to the Ministry.

iii. to undertake study tour and prepare tour notes.

iv. to indicate the broad points on which the report may be prepared.\textsuperscript{75}

The Reports of the Committee have persuasive value and are treated as considered advice given by the Committee.
Action Taken Reports of the DRSCs

While forwarding the Reports on Demands for Grants/Annual Reports/ Long Term national policies to the Government, the Ministry/Department concerned is asked to furnish a statement showing the action taken by them on the recommendations and observations contained in the report within three months from the date of presentation of the Report. Ordinarily no extension is granted, only in exceptional circumstances, extension up to another one month can be granted.\(^{76}\)

The statement showing the action taken by the Government is considered by the Sub-Committee appointed for the purposes of examining the action taken replies. The Sub-Committee scrutinizes replies received from the Government and indicate the points on which draft Action Taken Reports may be prepared. They also discuss and approve the draft action taken report before circulating it to the whole Committee for their consideration.

In case no sub-committee is appointed for the purpose, Government’s statement on action taken is considered by Chairman and then by the whole Committee.\(^{77}\)

The Report on Action Taken is prepared, which consists of five parts:
(i) Report (ii) Recommendations/observations which have been accepted by Government (iii) Recommendations/observations which the Committee do not desire to pursue in view of government’s reply;(iv) Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee;(v) Recommendations/observations in respect of which final replies of the Government are still awaited.
After presenting the report in the House, the same is forwarded to the Ministry/Department. 78

While forwarding the Action Taken Report, the Ministry concerned is asked to furnish as early as possible Statements of Action Taken or proposed to be taken by them on the recommendations contained in part-I and final replies to recommendations in part-V of the Action Taken Report. 79

The replies so received are consolidated in the form of a statement and after the approval of the Chairman are laid on the table of the House. Regarding the Report(s) on Bill(s) a memorandum/statement indicating whether the recommendations/observations offered by the Committee were discussed/accepted/not accepted/amendments other than those suggested by the committee were accepted, is prepared by the committee. For this purpose necessary information may be obtained from the Ministry concerned. The Memorandum/Statement so prepared is circulated to the members of the Committee after the approval of the Chairman. 80

**Working of the DRSCs**
The Performance of the DRSCs during the last two decades has been reasonably well despite few limitations and gap between the expected role and actual performance. An evaluation of the working of DRSCs shows that they have created positive impact on the efficient discharge of responsibilities of the Parliament. Recommendations of the DRSCs have impacted the policies of government at different stages. So far the performance of the Committees in terms of their working is concerned; the available data shows that they have done considerable work since
their inception. This point gets substantiated if we glance over the different dimensions of the working of the DRSCs. No. of Reports presented, No. of sittings held, no. of recommendations made by the committees, no of recommendations accepted by the government are some of the indicators of the state of working of the Committees on the one hand and their effectiveness on the other. The following section makes an attempt to analyse the working of the committees. For the purpose, the DRSCs functioning under the jurisdiction of the Speaker Lok Sabha have been taken as case for analysis. Since the DRSCs working under the jurisdiction of the Chairman Rajya Sabha have been taken for in depth analysis in the next two chapters, reference to these committees is only in generic terms.

A cursory glance on the working of the Committees attached to Rajya Sabha Shows that during the period from 8 April 1993 to 31 December 2004, the DRSCs of the Rajya Sabha had presented 707 reports to the Parliament. Of these, 310 were reports on Demand for Grants, 105 on Bills, 6 on Policies and 143 on Annual Reports/Subjects. Besides, 143 Action Taken Reports were presented. 81 During the period 8 April 1993 to 6 February 2004, the DRSCs of the Lok Sabha submitted a total of 984 Reports. Of these, 321 were reports on Demand for Grants, 87 on Bills 4 on Policies and 142 on Annual Reports/Subjects. Besides, 430 Action Taken Reports were presented. 82

The Table-5 given below provides information with regard to the DRSCs Lok Sabha for the period 2004- 2009. 83 During the period 975 reports were presented. Of these 349 were the original reports and 626 Action Taken Reports. The presentation of a large number of Action Taken Reports is itself a positive indication of the working
of the Committees. However, no report relating to the policies were presented during the period. This may be considered as lop sided aspect of the working of the committees during the period.

Table-5

Reports Presented by DRSCs of Lok Sabha
(5.8.2004-26.2.2009)

<table>
<thead>
<tr>
<th>Committee</th>
<th>Reports</th>
<th>ATRs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DG</td>
<td>B</td>
</tr>
<tr>
<td>Agriculture</td>
<td>20</td>
<td>05</td>
</tr>
<tr>
<td>Information Technology</td>
<td>20</td>
<td>03</td>
</tr>
<tr>
<td>Defence</td>
<td>05</td>
<td>02</td>
</tr>
<tr>
<td>Energy</td>
<td>10</td>
<td>02</td>
</tr>
<tr>
<td>External Affairs</td>
<td>10</td>
<td>--</td>
</tr>
<tr>
<td>Finance</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td>Food, Consumer Affairs and Public Distribution</td>
<td>10</td>
<td>05</td>
</tr>
<tr>
<td>Labour</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>Petroleum and Natural Gas</td>
<td>05</td>
<td>01</td>
</tr>
<tr>
<td>Railways</td>
<td>05</td>
<td>02</td>
</tr>
<tr>
<td>Urban Development</td>
<td>10</td>
<td>--</td>
</tr>
<tr>
<td>Water Resources</td>
<td>05</td>
<td>--</td>
</tr>
</tbody>
</table>
Recommendations of the DRSCs and Action Taken by the Government thereon

One of the indicators of the success of the DRSCs is their role in influencing the policies and working of the governmental departments and institutions. As shown in the table above the DRSCs present four different kinds of reports to the Government pertaining to Demands for Grants, Bills, Policies, Annual Reports / Subjects; and action taken reports thereon. The effectiveness of the DRSCs lies in the acceptance of their recommendations by the government. It is interesting to note that recommendations of the DRSCs are not ignored. In depth analysis of the tables given below (Tables 6 and 7) shows that more than fifty percent of the recommendations made by the Committees have been accepted by the government in the past. This is itself an indicator of their success. It may be further recalled that the DRSCs in India are merely recommendatory Parliamentary institution; their recommendations are not binding on the government. If majority of the recommendations of the Committees
are accepted by the government, it is significant achievement of the Committee System in general and DRSC in particular.

Table-6
Action Taken by the Government on the Recommendations of the DRSCs of the Lok Sabha (April 1993 to February 2005)

<table>
<thead>
<tr>
<th>Recommendations by the Committees</th>
<th>Total No.</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of recommendations made</td>
<td>9158</td>
<td>---</td>
</tr>
<tr>
<td>No. of recommendations accepted by the Government</td>
<td>4901</td>
<td>53.52</td>
</tr>
<tr>
<td>No of recommendations which the Committee did not pursue in view of the replies by the Government</td>
<td>1517</td>
<td>16.56</td>
</tr>
<tr>
<td>No. of recommendations in respect of which replies of the Government has not been accepted by the Committee</td>
<td>1640</td>
<td>17.90</td>
</tr>
<tr>
<td>No of recommendations on which final replies awaited</td>
<td>1100</td>
<td>12.02</td>
</tr>
</tbody>
</table>

Table-7
Action Taken by the Government on the Recommendations of the DRSCs of the Lok Sabha (August 2004 to February 2009)

<table>
<thead>
<tr>
<th>Recommendations by the Committees</th>
<th>Total No.</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of recommendations made</td>
<td>6334</td>
<td>----</td>
</tr>
<tr>
<td>No. of recommendations accepted by the Government</td>
<td>3604</td>
<td>56.09</td>
</tr>
<tr>
<td>No of recommendations which the Committee did not pursue in view of the replies by the Government</td>
<td>640</td>
<td>10.01</td>
</tr>
<tr>
<td>No. of recommendations in respect of which replies of the Government has not been accepted by the Committee</td>
<td>1352</td>
<td>21.35</td>
</tr>
<tr>
<td>No of recommendations on which final replies awaited</td>
<td>738</td>
<td>11.65</td>
</tr>
</tbody>
</table>
To sum up, the Parliamentary Committee system in India has established its relevance over the decades of its existence. The elaborate form of Parliamentary Committees has not only proved its worth as effective institutions of Parliament but has also made its presence felt in the overall functioning of the Parliament. Since Parliamentary Committees are representative body of the Parliament, legitimacy of the Committee is secured. The decision of the Committee is considered as collective decision unless a member gives a dissenting note on any of the items of issues under consideration.

The tabular presentation of the functions of the Committees in preceding section provides an idea about the areas and extent of the Committees’ involvement in facilitating and discharging the responsibilities of the Parliament. The presentation of reports by the Committees is also one of the indicators of their working. The table included in the chapter clearly shows that the Committees have been able to discharge their responsibilities to a larger extent. The Parliamentary Standing Committees have also been successful in influencing the government’s policies and their working in numerous ways. The role of the Parliamentary Standing Committees in ensuring governmental accountability is globally recognized. The two Parliamentary Standing Committees- the Financial Committees and Departmentally Related Standing Committees have been specifically important in this regard. What is interesting to note here is that the Parliamentary Standing Committees in India are limited in competence as their recommendations are not binding on the government. Despite this limitation, the contribution and effectiveness of the committee system in India cannot be undermined.
Notes


12 Rule 254 (1) of the *Rules of Procedure and Conduct of Business in Lok Sabha*, New Delhi: Lok Sabha Secretariat, Twelfth Edition, 2007, p. 96. A similar kind of Rule is applicable in case of Rajya Sabha as per the provision contained in *Rules of Procedure and Conduct of Business in the Council of States*

13 Ibid, Rule 254 (2), p. 96

14 M.N. Kaul and S. L Sakdher, opcit. p.735.

15 Ibid

16 Ibid

17 Ibid pp. 736-737.


20 See for instance Direction 102 in the *Direction by the Speaker Lok Sabha*, New Delhi: Lok Sabha Secretariat, 2007, p.49.


24 See for detailed account of the Committee the information uploaded on the website of the Parliament available as Introduction of the Lok Sabha

http://164.100.47.134/committee/Introduction.aspx

25 Ibid
Ibid


Subhash C. Kashyap, Our Parliament: An Introduction to the Parliament of India, p. 197

See the information on the Estimate Committee available on the website of the Lok Sabha http://164.100.47.134/committee/Introduction.aspx. The information are derived from the Rules of Procedure and Conduct of Business in Lok Sabha, New Delhi: Lok Sabha Secretariat

see M.N. Kaul and S.L Sakdher, p. 840

Rule 312(B) (1) and 312(B) (2), Rules of Procedure and Conduct of Business in Lok Sabha, New Delhi: Lok Sabha Secretariat, 2007, p. 116.

M.N. Kaul and S.L Sakdher, p. 842

Ibid

Ibid, pp 846-847


M.N. Kaul and S.L Sakdher, p. 713.


Subhash C. Kashyap, Our Parliament: An Introduction to the Parliament of India, p. 200

M.N. Kaul and S.L Sakdher, p. 893
43 Ibid, p. 894
44 Ibid p. 894-895
46 Ibid, pp. 4-6.
47 Lok Sabha Secretariat, Departmentally Related Standing Committee, New Delhi: Lok Sabha Secretariat, 2009, p.3.
48 Ibid.
49 Ibid, p.4.
52 Ibid.
53 M.N. Kaul and S.L Sakdher, p. 130
54 Direction 56 (2), Directions by the Speaker, New Delhi: Lok Sabha Secretariat, Sixth Edition, p.30
57 Rule 283(2) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.104.
59 Rule 277(3) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.103.
60 M.N. Kaul and S.L Sakdher, p. 131
63 Rule 331G (a), (b) & (c) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.124.
64 Rule 331G (d) & (e) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.124
65 Procedure and Practice-Departmentally Related Committees, Vol.-1, New Delhi: Lok Sabha Secretariat, 2009, pp.16-17.
66 Direction 59 (1), Directions by the Speaker, New Delhi: Lok Sabha Secretariat, Sixth Edition, p.31
67 Rule 331 I (1) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.125
68 Rule 331 (2 & 3) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.125
69 Rule 331E (1) (b) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.123
70 Rule 331H of the Rules of Procedure and Conduct of Business in Lok Sabha, p.124
71 Rule 331E (1) (d) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.123
72 Rule 331E (1) (c) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.123
73 Rule 331E (2) of the Rules of Procedure and Conduct of Business in Lok Sabha, p.123
74 Rule 331 L of the Rules of Procedure and Conduct of Business in Lok Sabha, p.125
76 Rule 34 (1) and (2) of the Rules of Procedure (Internal Working) of the Departmentally Related Standing Committees (Lok Sabha), p.10.
77 35(1) and (2) of the Rules of Procedure (Internal Working) of the Departmentally Related Standing Committees (Lok Sabha), p.10.


82 Ibid, p.17.

83 Information on the Reports presented by the DRSCs of the Rajya Sabha for the period may accessed on [http://rajyasabha.nic.in/rsnew/summary_work/archive.asp](http://rajyasabha.nic.in/rsnew/summary_work/archive.asp)

84 Ibid, p.18

85 Adapted and calculated from the *Committee System in the Indian Parliament*, New Delhi: Lok Sabha Secretariat, 2010, p.9

86 Ibid, p.9