CHAPTER XII

System of Committees

There are various matters for which the House is not a suitable forum of discussion or action. If for example, an enquiry is to be held, it must be made by a Small Committee rather than a House containing hundreds of members. Such tasks are often entrusted to Committees constituted ad hoc e.g. selected committees or standing committees such as the Committee of Privileges. The Committees take evidence, if necessary, investigate or deliberate upon the matter referred to them and make a report containing their conclusions and findings. No Committee can, however, bind the House by their report. It is for the House to take any action on the report. Very often, reports are made only for the purpose of information of the House and no action is taken.

Certain general rules govern the procedure of committees. The members of the committees are often elected on a motion, but some of them are formed by nomination by the Presiding Officer. In some of the committees, the composition of the House party-wise is reflected, e.g. the committee of Public Accounts which is elected on the principle of proportional representation. The Committee of Privileges is nominated by the Presiding Officer.

The following are the classes of Committees which are common in the Indian Legislatures:

a) Committee of the Whole House. The House may resolve itself into a Committee but is is not usual in India.
b) Business Advisory Committee. This Committee is nominated by the Presiding Officer. The function of this Committee is to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other business as the Presiding Officer in consultation with the Leader of the House may direct for being referred to the Committee.

c) The Committee on Petitions is also nominated by the Presiding Officer and its function is to examine all petitions submitted to the House and direct the circulation of such petitions if they are in order.

d) Estimates Committee and the Committee on Public Accounts are two Financial Committees through which the House keeps a check on expenditure. For detailed discussion...

f) The Committee on Subordinate Legislation.

All rules framed under any statute which require the rules to be laid before the House are examined by this Committee and the function of the Committee is to consider-

1) whether the rules are in accordance with the general objects of the Constitution or the Act pursuant to which they are made;
(ii) whether they contain matters which should be properly dealt with in an Act;
(iii) whether they contain imposition of tax;
(iv) whether they directly or indirectly bar the jurisdiction of Courts;
(v) whether they give retrospective effect to any of the provisions where the Act or Constitution does not confer such authority;
(vi) whether they involve expenditure from the consolidated fund or the Public revenues;
(vii) whether they appear to make any unexpected or unusual use of the powers conferred;
(viii) whether there have been unjustifiable delay in the publication of the rules or in laying them before Parliament;
(ix) whether for any reason they call for any elucidation.

(g) Committee on Government Assurances scrutinises the assurances, promises, undertakings, etc. given by ministers from time to time on the floor of the House and reports or the extent to which such assurance etc. have been implemented; and where implemented, whether such implementation has taken place within the minimum to be necessary.

(h) Committee on absence of members from the sittings of the House considers all applications for leave of absence from members and may, it seems, report against granting leave and it also considers whether a member's seat that should be declared vacant when a member has been absent for more than sixty days.
Rules Committee considers whether any amendment or modification of any such is necessary and reports its opinion. The amendments proposed are promulgated as rules unless any member gives notice of any amendment. By virtue of this provision rules in the Indian Legislatures are always in a fluid state and may be amended very easily.

The Committee on Private Members' Bills and Resolutions decides on the priority of Private Members' Bills having regard to their importance and clarifies them as category A and Category B and allocates the time to be allotted to such Bills and Resolutions.

Besides these, there are thus other Committees - the General Purposes Committee, House Committee and the Library Committee.

The function of the General Purposes Committee is to consider and advise on such matters concerning the affairs of the House as may be referred to it by the Speaker.

The House Committee deals with matters of accommodation, food, medical aid of members.

The Library Committee's function is (a) to consider and advise on such matters concerning the Library as may be referred to it by the Speaker, (b) to consider suggestions for improvement of the Library and (c) to assist members in fully utilising the services provided by the Library.

Procedural Committees

The Chairman of a Committee is nominated by the Presiding Officer but if the Deputy Presiding Officer, a member of the Committee he has to be nominated as Chairman.
The quorum is fixed at one-third of the number of members of a Committee. There is provision for the discharge of a member from the Committee if he is absent from two or more consecutive meetings of the Committee. Committees are authorised under the rules to appoint sub-committees to take evidence, send for persons and papers. Proceedings before Committees are considered confidential and any premature publication of its proceedings is considered a breach of privilege. The Committees may sit during the sittings of the House and may also sit during the period of prorogation. The Committees may sit only within the precincts of the House unless authorised by the Speaker to do otherwise.

There is no provision for any minority report except in the case of Select Committees on Bills. There is a time limit of three months unless extended by the House for making a report. Any report submitted by a Committee may be made available by the Committee to the Government before its presentation to the House.

These are the general rules of procedure and as already stated, the Presiding Officer is authorised to give directions regarding procedure to any Committee.