



# PARLIAMENTARY COMMITTEES STRENGTHENING THE SCOPE AND ROLE

Parliamentary Committees serve an important role in scrutinising the work of the Government and improving the quality of Bills brought before Parliament. The effectiveness of Parliamentary Committees is crucial to the effective functioning of Parliament. Reports submitted by the Committees allow for informed debate in the Parliament. Additionally, Committees provide a forum to build consensus across party lines, develop subject expertise, and consult with experts and stakeholders.

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**A**s a key state organ, Parliament performs inherently varied and complex functions, including making laws and overseeing executive business. However, it is unwieldy to thoroughly deliberate on issues placed before it. To address this, it has formed several Committees that investigate specific issues in detail and report back to Parliament. Parliament relies

on Parliamentary Committees to thoroughly scrutinise matters. Therefore, Parliament functions in two modes: on the floor of the House and in Committees. Reports submitted by the Committees allow for informed debate in Parliament. Additionally, Committees provide a forum to build consensus across party lines, develop subject expertise, and consult with experts and stakeholders.<sup>1</sup>



**Table 1: Types of reports published by Subject Committees**

Report type	No. of Reports				% of Total Reports			
	14 <sup>th</sup> LS	15 <sup>th</sup> LS	16 <sup>th</sup> LS	17 <sup>th</sup> LS*	14 <sup>th</sup> LS	15 <sup>th</sup> LS	16 <sup>th</sup> LS	17 <sup>th</sup> LS*
Bills**	134	145	41	21	13%	14%	4%	2%
DFG	333	285	331	343	32%	28%	31%	38%
Topics	158	159	194	118	15%	16%	18%	13%
ATR	416	423	504	404	40%	42%	47%	45%
Total	1,041	1,012	1,070	892				

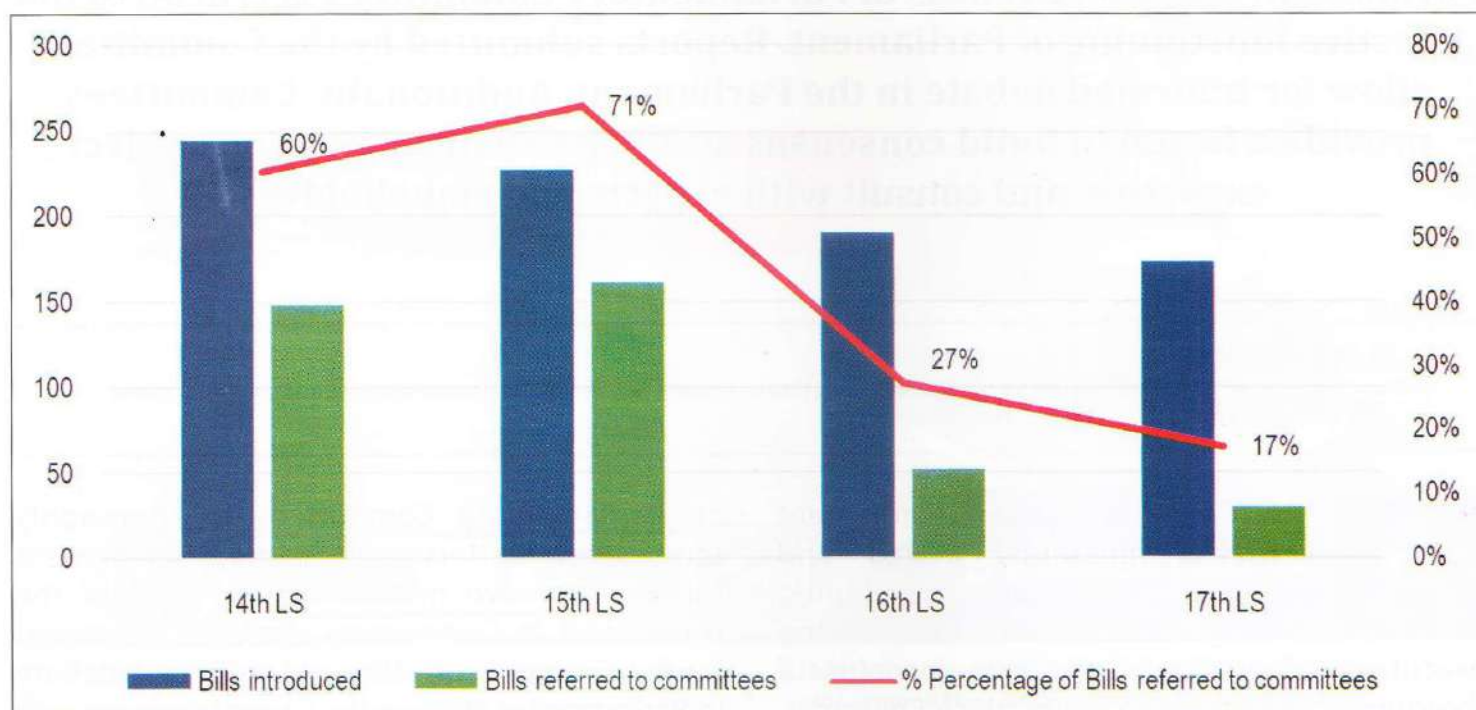
Notes: \*as of July 2023, \*\*does not include Bills referred to Joint Parliamentary Committees, LS refers to Lok Sabha.

Sources: Digital Sansad; Madhavan MR, "Parliament" in Rethinking Public Institutions in India<sup>9</sup>; PRS.

Standing Committees can be broadly categorised into four types: (i) subject, (ii) financial, (iii) accountability, and (iv) administrative. Parliament may also form Ad hoc Committees from time to time. For instance, the *Jan Vishwas* (Amendment of Provisions) Bill, 2022 was referred to a Joint Parliamentary Committee, which is an Ad-hoc Committee. Such Committees are disbanded after submitting the report.

Department-related Committees, or subject Committees, ensure oversight over each ministry. A Minister is not eligible to be a member. There are 24 subject Committees, and each Committee has 31 members, with 21 from the Lok Sabha and 10 from the Rajya Sabha. Membership in Committees is

allocated to parties in proportion to their strength in the House. Subject Committees review proposed laws, select subjects for closer examination, and scrutinise the allocated budget for each ministry. To ensure proper scrutiny of Bills before passage, they can be referred to a subject Committee for detailed examination. Committees have contributed to improving laws passed by Parliament. For instance, the Anti-Maritime Piracy Bill, 2019, mandated the death penalty if an act of piracy caused death.<sup>2</sup> The Standing Committee on External Affairs noted that the Supreme Court had ruled that the mandatory death penalty violated the fundamental rights to equality and liberty.<sup>3</sup> It recommended that the penalty be modified to life imprisonment or death.

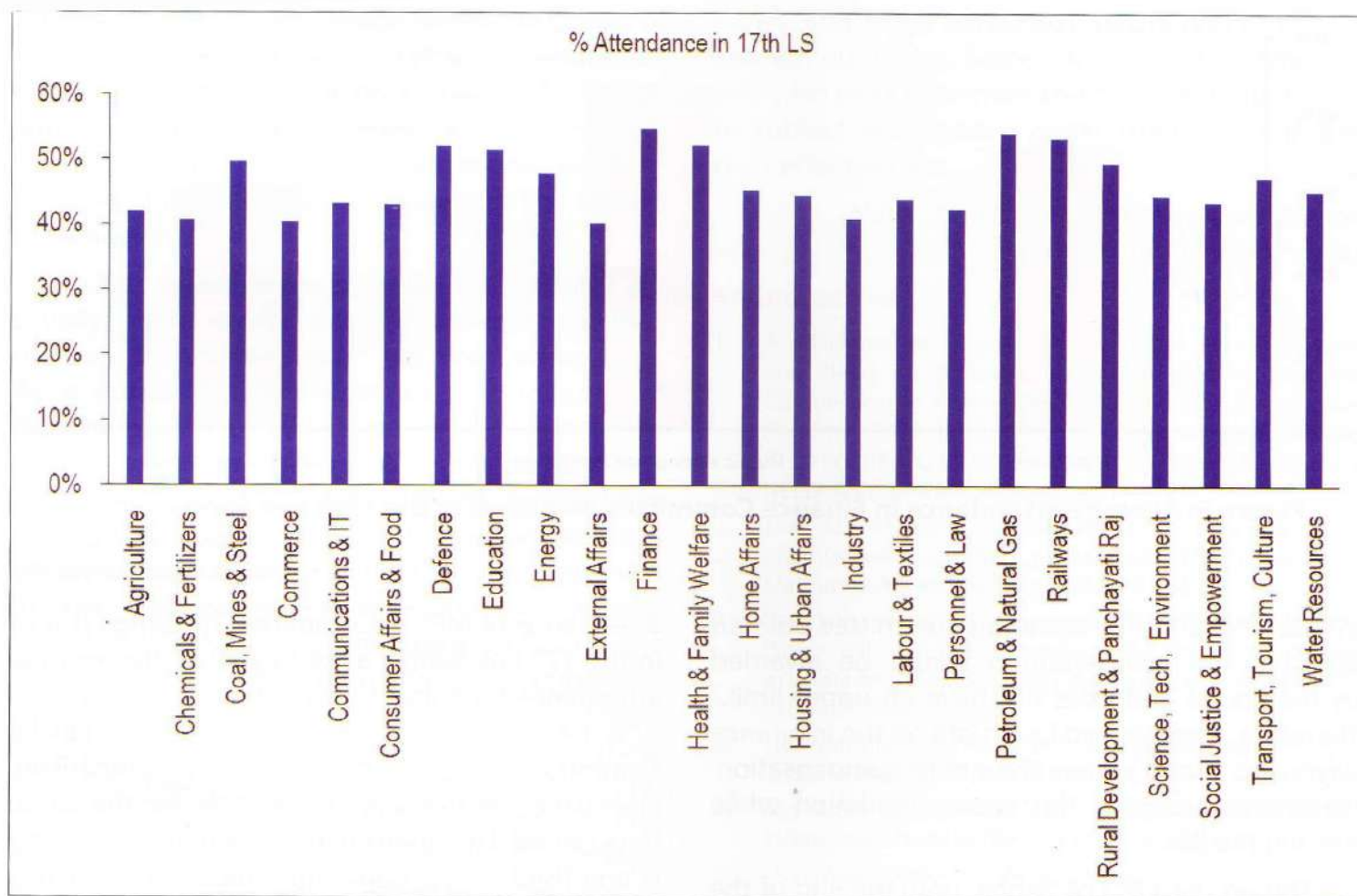


**Figure 1: Number of Bills Referred to Committees between the 14<sup>th</sup> Lok Sabha and the 17<sup>th</sup> Lok Sabha**

Note: \* as of the end of Monsoon Session of 2023, LS refers to Lok Sabha.

Sources: Digital Sansad; PRS





**Figure 2: Average attendance in Subject Committee Meetings in the 17th Lok Sabha\* (in %)**

Note: \* as of July 2023.

Sources: Digital Sansad; PRS.

Parliament incorporated this change when it passed the Bill.<sup>4</sup>

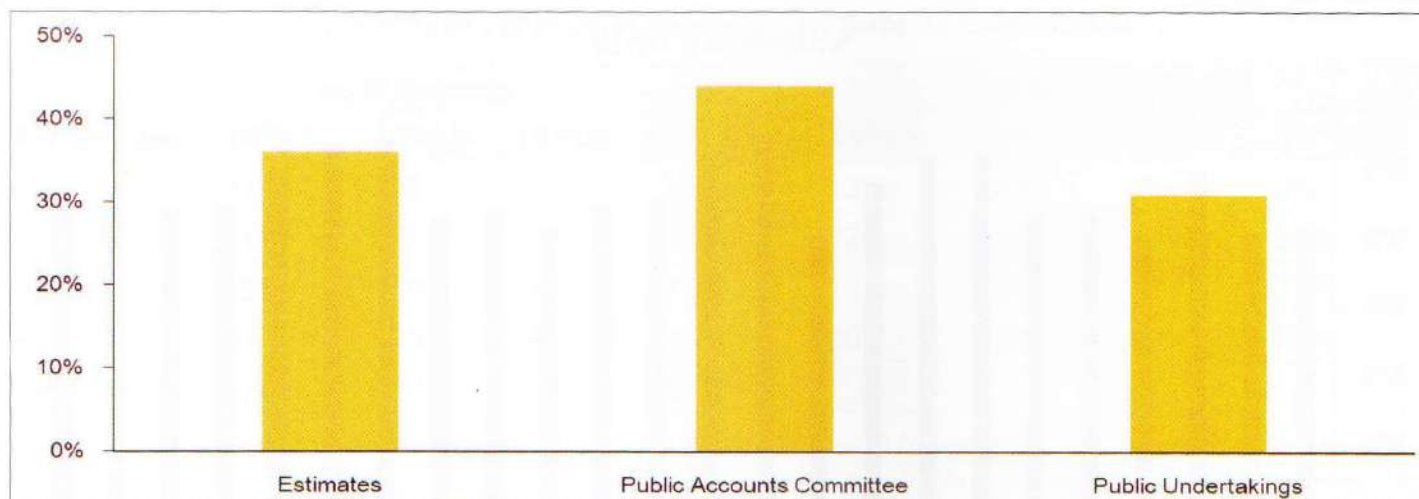
Financial Committees consist of three Committees: Estimates, Public Undertakings, and Public Accounts. A minister is not eligible to be a member. The Estimates Committee examines pre-budget estimates of ministries; the Committee on Public Undertakings (CoPU) examines the functioning of public undertakings; and the Public Accounts Committee (PAC) reviews the government's spending statement approved by Parliament. There are other Committees that investigate administrative and accountability matters related to Parliament and the House's day-to-day business. These Committees include the Committee on Privileges, which examines questions involving breaches of rights, privileges, and immunities enjoyed by Members of Parliament. The Committee on Petitions examines complaints sent to it in the form of petitions by the public. Additionally, Ad hoc Committees are appointed by

either House for a specific purpose. They cease to exist when they finish the task assigned to them and submit a report. In this article, we look at the scope and role of financial and subject Committees.

The effectiveness of Parliamentary Committees is crucial to the effective functioning of Parliament. There are several areas where Parliamentary Committees need improvement and strengthening.

**Referring all Bills to Committees:** Currently, Bills are not automatically referred to a Committee. The decision of whether a Bill should be referred to a Committee depends on the decision of the Speaker or Chairman, in consultation with the Minister presenting the Bill. Referring all Bills to a Committee would ensure that all laws go through a minimum level of Parliamentary scrutiny. For instance, the Motor Vehicles Act, 1988, requires the owner of every motor vehicle to take third-party insurance, which will cover compensation awarded to any person in case of an accident.<sup>5</sup> An amendment Bill in 2016 capped the insurance payout at Rs 10 lakh





**Figure 3: Average attendance in Finance Committee Meetings in the 17th Lok Sabha\* (in %)**

Note: \* as of July 2023  
Sources: Digital Sansad; PRS

in case of death.<sup>6</sup> The Standing Committee pointed out that the compensation would be awarded by the courts and does not have an upper limit.<sup>7</sup> Therefore, there should be no cap on the insurance payout so that it covers the entire compensation. Parliament accepted this recommendation while passing the Bill.

During the 17<sup>th</sup> Lok Sabha, until the end of the Monsoon Session of 2023, 17% of Bills have been referred to Committees (see Figure 1). This number has been declining over the last three Lok Sabhas, (as shown in Table 1). Discussing the recommendations made by the Committees or specifying the reasons for rejecting certain recommendations is also not mandatory. However, discussing these details in the House could help make laws robust. Further, consulting with experts on proposed laws may help address potential gaps in legislation. The National Commission to Review the Working of the Constitution (2002) noted that all Bills introduced in Parliament should automatically be referred to subject Committees for detailed consideration and discussion. Further, subject Committees should also review the implementation of laws passed by Parliament in their respective subject.<sup>1</sup> In some Parliamentary systems, such as the United Kingdom, all Bills other than Money Bills are automatically referred to Committees.<sup>8</sup>

**Attendance of MPs:** Parliamentary Committees hold multiple meetings to discuss issues through deliberations among Members. The participation of Members in these meetings is essential for the success of the Committee system. However, the

attendance of MPs in Committee meetings is low. In the 17<sup>th</sup> Lok Sabha, as of July 2023, the average attendance for subject Committees meetings was 47% (see Figure 2). The attendance in financial Committees drops further to 37%. In comparison, attendance in Parliament was 79% for the same time period. The quorum for a Committee meeting is one-third of the Committee members, which is around 10 members for a subject Committee. The National Commission to Review the Working of the Constitution Report (2002) noted that there was large scale absenteeism in Committee meetings.<sup>10</sup> Further, it observed instances where a single Committee encompassed too many ministries. It was noted that these Committees may not be able to conduct an in-depth examination of the functioning of multiple ministries.

#### **Shortage of technical staff and experts:**

The role of Committees includes examining selected matters in greater depth than is possible in the House and reporting any conclusions of those examinations to the House. Parliamentary Committees can consult with expert witnesses, stakeholders, and the public to better understand complicated issues and the potential impact of policies or legislation. The National Commission to Review the Working of the Constitution (2002) recommended that funds be secured to assist these Committees in conducting inquiries, holding public hearings, and collecting data. Currently, technical support available to Parliamentary Committees is limited to a secretariat that helps with scheduling meetings and taking notes. This is in contrast to



other democracies like Canada, where the Library of Parliament provides research staff to all Committees on request.<sup>11</sup> They provide background information and identify potential witnesses for the Committee. Committees are free to seek additional or more specialised research help from outside the Library of Parliament.

**Public transparency:** Committee reports are usually made public, but the internal workings of the Committee may not be transparent. As a measure of transparency, the minutes of Parliamentary Committee meetings are included within Committee reports. However, the meetings themselves are held behind closed doors. While closed door meetings allow for greater room to reach party consensus, they may hinder public awareness of key findings of Parliamentary Committees. Therefore, the National Commission to Review the Working of the Constitution (2002) recommended that major reports of all Parliamentary Committees be discussed in Parliament, especially where there is a disagreement between any Committee and the Central Government.<sup>10</sup> In contrast, some other democracies provide live webcasts of meetings. In Canada, Parliament allowed Committees to broadcast their proceedings within guidelines established by the Committee on House Management in 1991.<sup>12</sup> During the Covid-19 pandemic, the United Kingdom had live coverage of the Health and Social Care Committee on the country's preparedness for the pandemic.<sup>13</sup>

The National Commission to Review the Working of the Constitution (2002) recommended certain reforms for Parliamentary Committees.<sup>10</sup> These include the establishment of three new Committees: the Constitution Committee, the Committee on National Economy, and the Committee on Legislation.<sup>10</sup> The Committee noted that it may not be necessary to continue the existing Committees on Estimates, Public Undertakings and Subordinate Legislation as the topic covered by them can be covered by subject Committees or the proposed Committees.<sup>10</sup> The recommendation has not been implemented.

In conclusion, Parliamentary Committees serve an important role in scrutinising the work of the Government and improving the quality of Bills brought before Parliament. They enable parliamentarians to access stakeholder and expert

views, and forge consensus across party lines on contentious issues. Some reforms, such as referring every Bill to a Committee and providing expert staff to subject and finance committees, can improve their effectiveness. □

*(Note: The authors thank Niranjana Menon for helping collate the data.)*

## Endnotes

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