

....wings to aspirations

- The work done by the Parliament in modern times is not only varied in nature, but considerable in volume.
- The time at its disposal is limited. So it cannot, give close consideration to all the legislative and other matters that come up before it.
- A good deal of its business is, therefore, transacted by what are called the Parliamentary Committees.

AD-HOC & STANDING COMMITTEES

- Parliamentary Committees are of two kinds: Ad hoc Committees and the Standing Committees.
- Ad hoc Committees are appointed for a specific purpose and they cease to exist when they finish the task assigned to them and submit a report.
- The principal Ad hoc Committees are the Select and Joint Committees on Bills.
- Others like the Railway Convention Committee, the Committees on the Draft Five Year Plans and the Hindi Equivalents Committee were appointed for specific purposes.
- Apart from the Ad hoc Committees, each House of Parliament has Standing Committees like the Business Advisory Committee, the Committee on Petitions, the Committee of Privileges and the Rules Committee.

STANDING & OTHER COMMITTEES

- Of special importance is yet another class of Committees which act as Parliament's 'Watch Dogs' over the Executive.
- These are the Committees on Subordinate Legislation, the Committee on Government Assurances, the Committee on Estimates, the Committee on Public Accounts & the Committee on Public Undertakings and the Departmentally Related Standing Committees (DRSCs).
- The Committee on Estimates, the Committee on Public Accounts, the Committee on Public Undertakings and DRSCs play an important role in exercising a check over governmental expenditure and policy formulation.

COMPOSITION & FUNCTIONS SELECT & JOINT COMMITTEES

- When a Bill comes up before a House for general discussion, it is open to that House to refer it to a Select Committee of the House or a Joint Committee of the two Houses.
- A motion has to be moved and adopted to this effect in the House in which the Bill comes up for consideration.
- In case the motion adopted is for reference of the Bill to a Joint Committee, the decision is conveyed to the other House requesting them to nominate

CLASS NOTES OTHER PARLIAMENTARY COMMITTEES

Members of the other House to serve on the Committee.

- The Select or Joint Committee considers the Bill clause-by-clause just as the two Houses do.
- Amendments can be moved to various clauses by Members of the Committee.
- The Committee can also take evidence of associations, public bodies or experts – who are interested in the Bill.
- After the Bill has thus been considered, the Committee submits its report to the House.
- Members who do not agree with the majority report may append their minutes of dissent to the report.

BUSINESS ADVISORY COMMITTEE

- The Business Advisory Committee of Lok Sabha consists of 15 Members, including the Speaker who is the ex-officio Chairperson.
- The Members are nominated by the Speaker.
- Almost all sections of the House are represented on the Committee as per the respective strength of parties in the House.
- The function of the Committee is to recommend the time that should be allotted for the discussion of such Government, legislative and other business as the Speaker, in consultation with the Leader of the House, may direct to be referred to the Committee.
- The Committee, on its own initiative, may also recommend to the Government to bring forward particular subjects for discussion in the House and recommend allocation of time for such discussions.
- The decisions reached by the Committee are always unanimous in character and represent the collective view of the House.
- The Committee generally meets at the beginning of each Session and thereafter as and when necessary.
- It is constituted at the commencement of new Lok Sabha after the general elections and thereafter from time to time under the provisions of Rule 287.
- No specific term of its office is laid down in the rules but like other parliamentary committees, it holds office until a new committee is nominated by the Speaker.
- In practice, however, the Committee is usually reconstituted every year and assumes office in the first week of June.
- The Deputy Speaker, if he is not nominated on the Committee may also be invited to attend the sittings of the Committee, as a special invitee.
- In view of the limited membership of the Committee and the presence of a large number of Opposition parties in the House, it is not possible



for the Speaker to nominate members from each and every party.

- So, members from some of the parties in the Opposition which do not find representation on the Committee are chosen on ad-hoc basis by the Speaker and invited to attend its sittings as special invitees
- The Members so invited take part in the deliberations of the Committee. However, they are not counted for the purpose of quorum.
- The Committee only allots time in respect of the business to be transacted by the House during the Government time.

COMMITTEE ON PRIVATE MEMBERS BILL

- This Committee consists of 15 Members and the Deputy Speaker is its Chairperson when nominated as a Member of the Committee.
- The Committee is nominated by the Speaker.
- The functions of the Committee are
- to allot time to Private Members' Bills and Resolutions,
- to examine Private Members' Bills seeking to amend the Constitution before their introduction in Lok Sabha,
- to examine all Private Members' Bills after they are introduced and before they are taken up for consideration in the House and
- to classify them according to their nature, urgency and importance into two categories namely, category A and category B, and
- to examine such Private Members' Bills where the legislative competence of the House is challenged.
- The Committee, thus, performs the same function in relation to Private Members' Bills and Resolutions as the Business Advisory Committee does in regard to Government Business.
- The Committee holds office for a term not exceeding one year.

RULES COMMITTEE

- The Rules Committee consists of 15 Members, including the Speaker who is the ex-officio Chairperson of the Committee.
- The Members are nominated by the Speaker.
- The Committee considers matters of procedure & conduct of business in the House and recommends any amendments or additions to the Rules of Procedure and Conduct of Business in Lok Sabha that are considered necessary.

• The Rules Committee is constituted under Rule 330. GENERAL PURPOSE COMMITTEE

• The GPC was for the first time constituted by the Hon'ble Speaker on the 26th November, 1954 with the object that the Speaker may take into confidence and have informal consultations with the representatives of the various Parties and Groups in the House in regard to various directions in which the work of the House may be improved and organized on better lines so that in all such matters the Speaker may be able to proceed with their full support, in other words, with the cooperation of the whole House.

- The Speaker is the ex-officio Chairperson of the Committee which consists of Deputy Speaker, Members of the Panel of the Chairpersons, Chairpersons of all Standing Committees of Lok Sabha, Leaders of Recognised Parties/Groups in Lok Sabha and such other Members as may be nominated by the Speaker.
- The Committee considers and advises on such matters concerning the affairs of the House as may be referred to it by the Speaker from time to time and as do not appropriately fall within the purview of any other Parliamentary Committee.

COMMITTEE OF PRIVILEGES

- This Committee consists of 15 Members nominated by the Speaker.
- The function is to examine every question involving breach of privilege of the House or of the Members of any Committee thereof referred to it by the House or by the Speaker.
- It determines with reference to the facts of each case whether a breach of privilege is involved and makes suitable recommendations in its report.
- The Committee of Privileges is constituted under Rule 313.
- The Chairperson of the Committee is appointed by the Speaker from amongst the members of the Committee
- The Committee continues in office till a new Committee is appointed.
- With the coming into force w.e.f. 18.3.1986 of the Members of Lok Sabha (Disqualification on Ground of Defection) Rules, 1985, made by the Speaker under paragraph 8 of the Tenth Schedule to the Constitution an additional function has been assigned to the Committee.
- The Speaker may refer to the Committee any petition regarding disqualification of a member on ground of defection for making a preliminary inquiry and submitting a report to him. The procedure to be followed by the Committee in these cases is so far as may be the same as is applicable to questions of breach of privilege.

COMMITTEE ON PAPERS LAID ON THE TABLE

- This Committee consists of 15 Members nominated by the Speaker. Its function is to examine all papers laid on the Table of the House by Ministers (other than those which fall within the purview of the Committee on Subordinate Legislation or any other Parliamentary Committee) and to report to the House
- whether there has been compliance of the provisions of the Constitution, Act, rule or regulation under which the paper has been laid;
- whether there has been any unreasonable delay in laying the paper;

- if there has been such delay, whether a statement explaining the reasons for delay has been laid on the Table of the House and whether those reasons are satisfactory;
- whether both the Hindi and English versions of the paper have been laid on the Table;
- whether a statement explaining the reasons for not laying the Hindi version has been given and whether such reasons are satisfactory; and
- such other functions in respect of the papers laid on the Table as may be assigned to it by the Speaker from time to time.

COMMITTEE ON PETITIONS

- The Committee consists of 15 Members nominated by the Speaker.
- A Minister is not nominated to this Committee.
- The function of the Committee is to consider and report on petitions presented to the House.
- Besides, it considers representations from individuals, associations, etc. on subjects which are not covered by the rules relating to petitions and gives directions for their disposal.
- The Committee on Petitions is constituted under Rule 306.
- The Committee continues in office till a new Committee is appointed. Normally the Committee is reconstituted every year.
- It functions to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit and to suggest remedial measures, either in a concrete form applicable to the case under review or to prevent such cases in future;
- It functions to consider representations, letters and telegrams from various individuals, associations etc. which are not covered by the rules relating to petitions and to give directions for their disposal.

COMMITTEE ON SUBORDINATE LEGISLATION

- The Committee consists of 15 Members nominated by the Speaker.
- A Minister is not nominated to this Committee.
- The term of the Committee is one year.
- The Committee scrutinizes and reports to the House whether the powers to make regulations, rules, sub-rules, by-laws, etc. conferred by the Constitution or delegated by Parliament are being properly exercised by the Executive within the scope of such delegation
- It is constituted under Rule 318.(LS) COMMITTEE ON GOVT ASSURANCE
 - This Committee consists of 15 Members nominated by the Speaker.
 - A Minister is not nominated to this Committee.
 - While replying to Questions in the House or during discussions on Bills, Resolutions, Motions, etc., Ministers at times give assurances or undertakings either to consider a matter or to take action or to furnish the House further information later.

- The functions of this Committee are to scrutinize the assurances, promises, undertakings, etc. given by Ministers from time to time and to report to Lok Sabha on the extent to which such assurances, etc. have been implemented and to see whether such implementation has taken place within the minimum time necessary for the purpose.
- The Committee on Government Assurances is constituted under Rule 323.
- The Committee on Government Assurances has prescribed an outer limit of three months for the implementation of an assurance to be calculated from the date of its being given in the House.
- However, if Government foresees any genuine difficulty in implementing the assurance within the stipulated period, the Ministry concerned may submit to the Committee a request for extension of time as considered minimum for fulfilment of the assurance.
- The pending assurance do not lapse on dissolution of the Lok Sabha.

COMMITTEE ON ABSENCE OF MEMBERS FROM THE HOUSE

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

COMMITTEE ON WELFARE OF SCs & STs

- The Committee on the Welfare of Scheduled Castes & Scheduled Tribes consists of 20 Members elected by the Lok Sabha & 10 Members of Rajya Sabha are also associated with it.
- The term of the Committee is one year. A Minister is not eligible for election to the Committee and if a Member becomes a Minister, he/she ceases to a Member of the Committee.
- The main functions of the Committee are to consider all matters concerning the welfare of the Scheduled Castes and Scheduled Tribes, falling within the purview of the Union Government and the Union Territories, to consider reports submitted by the National Commission for Scheduled Castes and National Commission for Scheduled Tribes and to examine the measures taken by the Union Government to secure due representation of the Scheduled Castes and Scheduled Tribes in services and posts in its control.

COMMITTEE ON WOMEN EMPOWERMENT

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- This Committee came into being on 29 April 1997 as a consequence of identical Resolutions adopted by both the Houses of Parliament on the occasion of the International Women's Day on 8 March, 1996.
- The Committee consists of 30 Members; 20 Members of Lok Sabha nominated by the Speaker and 10 Members of Rajya Sabha nominated by the Chairman, Rajya Sabha.
- The term of the Committee is of one year. A Minister is not nominated to the Committee.
- The Committee has been primarily mandated with the task of reviewing and monitoring the measures taken by the Union Government in the direction of securing for women equality, status and dignity in all matters.
- The Committee would also suggest necessary correctives for improving the status/condition of women in respect of matters within the purview of the Union Government.
- Another important function of the Committee is to examine the measures taken by the Union Government for comprehensive education and adequate representation of women in Legislative Bodies/services and other fields.
- To consider the Reports submitted by the National Commission for Women and report on the measures that should be taken by the Union Government for improving the status/conditions of women in respect of matters within the purview of the Union Government including the Administrations of the Union territories;
- To consider the Reports submitted by the National Commission for Women and report on the measures that should be taken by the Union Government for improving the status/conditions of women in respect of matters within the purview of the Union Government including the Administrations of the Union territories;

HOUSE COMMITTEE

- The Committee consists of 12 Members nominated by the Speaker.
- The term of the Committee is one year. The House Committee deals with the residential accommodation and other amenities for Members.
- There is also an Accommodation sub-Committee consisting of not more than four members including the Chairperson of the House Committee who is the ex-officio Chairperson of the sub-Committee.
- The members of the sub-Committee are nominated by the Chairperson of the House Committee from amongst the members of the House Committee.
- The main function of the sub-Committee is to advise on the allotment of residential accommodation to members of Lok Sabha. An appeal against the decision of the House Committee or the Accommodation sub-Committee lies with the Speaker whose decision is final.

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JOINT COMMITTEE ON SALARIES & ALLOWANCES

- The Joint Committee on Salaries and Allowances of Members of Parliament is constituted under the Salary, Allowances and Pension of Members of Parliament Act, 1954. (Sec 9)
- Apart from framing rules for regulating payment of salary, allowances and pension of Members the Committee also frames rules in respect of amenities like medical, housing, telephone, postal, constituency and secretarial facilities.
- The one-year term of the Committee commences from the day on which Committee elects its Chairperson from amongst themselves.
- It is consisting of five members from the Rajya Sabha nominated by the Chairman and ten members from the Lok Sabha nominated by the Speaker is constituted.
- The Joint Committee is a Standing Committee of Parliament and a member of that Committee holds office as such member for one year from the date of his nomination. The Committee determines its own rules of procedure.
- The Joint Committee is empowered to make, after consultation with Government, rules on matters specified in sub-section (3) of section 9 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 which pertains to regulation of matters of details of the payment of travelling and daily allowances and pension under that Act, constituency allowance; provision of medical, housing, telephone, water, electricity facilities and the amount which may be paid by way of repayable advance for the purchase of conveyance; the rate of interest thereon and the mode of recovery of such amount and interest thereon.
- Reports are not presented by the Joint Committee to the House.
- The rules made by the Joint Committee do not take effect until they are approved and confirmed by the Chairman of the Rajya Sabha and the Speaker of the Lok Sabha and are published in the Gazette.
- Such publication of the rules is, under the Act, a conclusive proof that they have been duly made.

JOINT COMMITTEE ON OFFICE OF PROFIT

- This Committee consists of 15 Members; 10 Members are elected from Lok Sabha and 5 from Rajya Sabha.
- The Committee is constituted for the duration of each Lok Sabha.
- The main functions of the Committee are to examine the composition and character of the Committees appointed by the Central and State Governments and to recommend what offices should disqualify and what offices should not disqualify a person for being chosen as, and for being, a Member of either House of Parliament under article 102 of the Constitution.
- The Committee also scrutinizes from time to time, the Schedule to the Parliament (Prevention of

Disqualification) Act, 1959, and recommends any amendments in the said Schedule, whether by way of addition, omission or otherwise.

COMMITTEE ON THE WELFARE OF OBC

- The Committee on the Welfare of Other Backward Classes, which is an ad hoc Committee, consists of 20 Members elected by the Lok Sabha and 10 Members of Rajya Sabha are also associated with it.
- The term of the Committee is one year from the date of its first sitting
- A Minister is not eligible for election to the Committee.
- The main functions of the Committee are:
- to consider the reports submitted by the National Commission for Backward Classes set up under the National Commission for Backward Classes Act, 1993 and to report to both the Houses as to the measures that should be taken by the Union Government in respect of matters within the purview of the Union Government, including the Administrations of the Union territories;
- to report to both the Houses on the action taken by the Union Government and the Administrations of the Union territories on the measures proposed by the Committee;
- to examine the measures taken by the Union Government to secure the representation of the Other Backward Classes, particularly the Most Backward Classes, in services and posts under its control (including appointments in the public sector undertakings, statutory and semi-Government Bodies and in the Union territories) having regard to the provisions of the Constitution;
- to report to both the Houses on the working of the welfare programmes for the Other Backward Classes in the Union territories;
- to consider generally and to report to both the Houses on all matters concerning the welfare of the Other Backward Classes which fall within the purview of Union Government, including the Administrations of Union territories; and
- to examine such of matters as may deem fit to the Committee or are specifically referred to it by the House or the Speaker.

AD-HOC COMMITTEES

 Some Parliamentary Committees are appointed by the House or the Speaker or the Presiding Officers of both the Houses in consultation with each other on ad hoc basis as and when necessary for a particular purpose, such as Select/Joint Committee on a Bill or policy matters — for example, Select Committee on the Constitution (Scheduled Tribes) Order (Amendment) Bill, 1996; Joint Committee on the Constitution (Eighty-first Amendment) Bill, 1996; Joint Committee on the Broadcasting Bill, 1997; Joint Committee on Essential Commodities (Amendment) Bill, 1998; Committee to inquire into the misconduct of Members of Lok Sabha (2007) and Committee on Draft Five Year Plans and Joint Committee to suggest facilities and remuneration for Members of Parliament (1993).

- The Joint Parliamentary Committees (JPCs) on special issues are constituted to investigate serious issues which have greatly agitated the public mind and which involves frauds or corruption on large scale.
- Such Committees are set up on the basis of a consensus arrived at between the Government and the Opposition.
- JPC is a well known and potent investigative mechanism of Parliament.
- These Committees become functus officio after submission of their report to the Parliament.
- The following JPCs in this category have been constituted so far —
- Joint Committee to enquire into Bofors Contract (1987);
- Joint Committee to enquire into Irregularities in Securities and Banking transactions (1992);
- Joint Committee on Stock Market Scam and matters relating thereto (2001);
- Joint Committee on Pesticide residues in and safety standards for soft drinks, fruit juice and other beverages (2003);
- Joint Committee to examine matters relating to allocation and Pricing of Telecom Licences and Spectrum (2011).
- Besides, the following Committees are being appointed by the Presiding Officers on ad hoc basis for particular purposes for the last few years on the basis of periodically assessing their need viz.:
- Joint Committee on Food Management in Parliament House Complex;
- Joint Committee on Installation of Portraits/Statues of National Leaders and Parliamentarians in Parliament House Complex;
- Joint Committee on Maintenance of Heritage Character and Development of Parliament House Complex and Joint Committee on Security in Parliament House Complex, etc.
- The constitution, composition and functions, etc. of these Committees constituted by the House through motions are laid down in the motions and in the case of Committees constituted by the Presiding Officers, their terms of reference are decided by the Speaker, Lok Sabha, and the Chairman, Rajya Sabha, in consultation with each other as may be necessary, subject to the relevant rules and directions relating to Parliamentary Committees.

HOUSE SPECIFIC AD-HOC COMMITTEES

• The Committee on Provision of Computers to Members of Lok Sabha; the Committee on Ethics; the Committee on Members of Parliament Local Area Development Scheme (Lok Sabha) and the Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha are House specific ad hoc Committees of Lok Sabha.

DEPARTMENTALLY RELATED STANDING COMMITTEE

- A full-fledged system of 17 Departmentally Related Standing Committees came into being in April, 1993 covering under their jurisdiction all Central Ministries/Departments.
- The system of DRSCs was restructured in July, 2004 when the number of DRSCs was increased from 17 to 24 & the membership of each DRSC has been reduced from 45 to 31 Members.
- Out of the 24 Committees, 8 Committees are serviced by the Rajya Sabha Secretariat & 16 Committees by the Lok Sabha Secretariat.
- Each of these Standing Committees consists of not more than 31 Members — 21 to be nominated by the Speaker from amongst the Members of Lok Sabha and 10 to be nominated by the Chairman, Rajya Sabha, from amongst the Members of Rajya Sabha.
- A Minister is not nominated to these Committees. The term of Members of these Committees is one year.
- With reference to the Ministries/Departments under their purview, the functions of these Committees are:

(a) Consideration of Demands for Grants.
(b) Examination of Bills referred to them by the Chairman, Rajya Sabha, or the Speaker, Lok Sabha, as the case may be.

(c) Consideration of Annual Reports.
(d) Consideration of national basic long term policy documents presented to the House and referred to the Committee by the Chairman, Rajya Sabha, or the Speaker, Lok Sabha, as the case may be.

 These Committees do not consider matters of dayto-day administration of the

Ministries/Departments concerned. With the emphasis of their functioning to

concentrate on long-term plans, policies and the philosophies guiding the working of the Executive, these Committees are in a very privileged position to provide necessary direction, guidance and inputs for broad policy formulations and in the achievement of the long-term national perspective by the Executive

ETHICS COMMITTEE

- The genesis of formation of Ethics Committee in Parliament can be traced to a resolution adopted at the Presiding Officers Conference held in New Delhi in October, 1996 which desired the legislatures to explore the possibility of constituting Ethics Committee.
- The Ethics Committee, Rajya Sabha, the first such Committee by any legislature in India was constituted by the Chairman, Rajya Sabha on 4

March 1997, to oversee the moral and ethical conduct of the Members and to examine the cases referred to it with reference to ethical and other misconduct of Members.

- It was provided that in all respects of procedure & other matters, the rules applicable to the Committee of Privileges shall apply to the Ethics Committee with such variations & modifications as the Chairman, Rajya Sabha may, from time to time, make.
- The Committee was inaugurated by the then Vice-President of India and the Chairman of Rajya Sabha, Shri K.R. Narayanan, on 30 May 1997.
- As regards the Lok Sabha is concerned, the Committee of Privileges during the 11th Lok Sabha constituted a Study Group on 31 January, 1997 for undertaking study of Parliamentary Privileges, Ethics and related matters.
- The Study Group visited Australia, United Kingdom and United States America to study the position obtaining in these countries regarding matters pertaining to ethics and standards of conduct of Members etc.
- The Committee also attended the symposium at the Presiding Officers Conference at Shimla on 23 October, 1997 on the subject 'Need for Constitution of the Ethics Committees in Legislatures in India.'
- However, before the report could be laid at the Table of the House, the 11th Lok Sabha was dissolved on 4 December, 1997.
- The report was subsequently laid at the Table during the 12th Lok Sabha on 28 March, 1998.
- The Committee of Privileges in 12th Lok Sabha took up for consideration the follow up action of the above report.
- However, the 12th Lok Sabha also was dissolved on 26 April, 1999.
- As a consequence, the recommendation made in the Ethics Related Report could not be taken to a logical conclusion.
- Again in the 13th Lok Sabha, the unfinished agenda was brought to the notice of the Committee of Privileges.
- The Committee without any prejudice to the earlier recommendations made in the 11th Lok Sabha, recommended that a separate Ethics Committee be constituted in Lok Sabha.
- This report was presented to the Speaker on 4 April, 2000 and was laid on the Table on 18 April, 2000. The Speaker 13th Lok Sabha (Late Shri G.M.C. Balayogi) constituted the first Ethics Committee in Lok Sabha on 16 May, 2000 with the following terms of reference namely:-

(a) to oversee the moral & ethical conduct of the Members; and

(b) to examine the cases referred to it with reference to ethical and other misconduct of the Members.

- The Committee on Ethics (Thirteenth Lok Sabha) in their First Report, which was laid on the Table of the House on 22 November, 2001 and adopted by the House on 16 May, 2002 inter alia recommended that members should abide by general ethical principles which were laid down in the Report in addition to the provisions of the Rules, Directions and Conventions that have evolved over the years
- The Committee also recommended broad parameters vis-a-vis procedure for making ethics complaints as well as norms with regard to financial disclosures and declaration of interests by members.
- The Committee on Ethics (Fourteenth Lok Sabha) was also governed by the same terms of reference as laid down initially at the time of constitution of the Committee during the Thirteenth Lok Sabha.

- The Committee on Ethics in this regard presented their first Report to the Speaker, Lok Sabha on 24 August, 2006 and was laid on the Table of the House on 25 August, 2006.
- The Committee recommended that in the Rules of Procedure and Conduct of Business in Lok Sabha, a new Chapter viz. Chapter XXA containing provisions regarding 'Procedure for ethics complaints' (Rules 233A, 233B) may be added after Chapter XX of the Rules.
- The Committee further recommended incorporation in Chapter XXVI of the Rules regarding "Parliamentary Committees" the rules regarding Committee on Ethics (Rules 316A-316E).
- The Rules recommended by the Committee on Ethics could not, however, he placed before the Rules Committee (Fourteenth Lok Sabha), for their consideration.

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