

# Strengthening Parliamentary Committees

## Background Note for the Conference on Effective Legislatures

Parliamentary committees increase the efficiency and expertise of Parliament. Given the volume of work and the limited time at their disposal, legislators are unable to scrutinise every matter in detail on the floor of the House. Some of this work is entrusted to Committees, which are composed of groups of Members of Parliament (MPs). These Committees review proposed laws, oversee activities of the executive branch, and scrutinise government expenditure. Their reports allow for informed debate in Parliament.<sup>1</sup> Committees also provide a forum to build consensus across party lines, help develop expertise in subjects, and enable consultation with independent experts and stakeholders.<sup>1</sup> In this note, we give an overview of the Parliamentary committee system in India and list some metrics to measure their effectiveness.

### Committee system in India

There are broadly two kinds of committees: (a) Standing Committees; and (b) Ad-hoc Committees. Both Houses have a similar committee structure, with few exceptions. Their appointment, terms of office, functions, and procedure for conducting business is regulated as per Rules of Business of each House.

**Table 1: Types of Committees in the Lok Sabha and Rajya Sabha**

Standing Committees	Description
Financial Committees (Committee on Estimates, Public Undertakings, and Public Accounts)	<ul style="list-style-type: none"> <li>- Exclusively under the Lok Sabha secretariat. A Minister is not eligible to be a member.</li> <li>- Estimates Committee examines estimates of ministries, Public Undertakings Committee (PUC) examines functioning of public undertakings and Public Accounts Committee (PAC) scrutinises the statement of accounts showing the sums granted by Parliament for the expenditure of the government.</li> <li>- Customarily, chairperson of PAC is an Opposition member. PAC can hear non-official witnesses.</li> <li>- Estimates Committee elects 30 members only from the Lok Sabha. The Committees on Public Accounts and Public Undertakings have 7 Rajya Sabha members out of a total of 22 members.</li> </ul>
Departmentally Related Standing Committees (Committees on Agriculture, Commerce, Home Affairs, Health and Family Welfare etc)	<ul style="list-style-type: none"> <li>- Departmentally Related Standing Committees (DRSCs) were introduced in 1993 to ensure oversight over each ministry. A Minister is not eligible to be a member.</li> <li>- May hear expert witnesses and representatives of special interest groups.</li> <li>- There are 24 DRSCs. Committees such as Home Affairs, Finance and External Affairs are customarily chaired by a member of opposition party.</li> <li>- Each DRSC has 31 members, with 21 from Lok Sabha and 10 from Rajya Sabha. Seats on each Committee are allocated to parties in proportion to their strength in the House. The Chairs of the Committee are appointed by the Speaker or Chairman of each House.</li> </ul>
Other Standing Committees (Business Advisory Committee, Committee on Petitions, Subordinate Legislations, and Government Assurances, Joint Committees on Salaries and Allowances of MPs and Office of Profit)	<ul style="list-style-type: none"> <li>- Each House has a set of these Committees, to inquire into other matters related to Parliament and the day-to-day business of the House. Lok Sabha has 16 Committees and Rajya Sabha has 12. Rajya Sabha classifies Committees on Ethics, MPLADs, and Provision of Computers to Members of RS as Standing Committees.</li> <li>- Number of members varies between 7 and 26. Some have fixed term of one year while others are not fixed. A Minister is not eligible to be a member of the Committees on Women Empowerment; Government Assurances; Petitions; Subordinate Legislation; and Welfare of SC/STs.</li> <li>- Joint Committees include members (elected or nominated) from both Houses. Such Committees have about 15 members and are formed for a term of one Lok Sabha.</li> </ul>
Ad Hoc Committees	Description
Committees on Ethics, MPLADS, and Provision of Computers to LS Members, Joint Committees on Wakf, Railway Convention, Fertiliser Pricing etc	<ul style="list-style-type: none"> <li>- Appointed for a specific purpose such as the Joint Committee to examine pricing of telecom licenses and spectrum. They cease to exist after the task assigned to them is over. Lok Sabha classifies Committees on Ethics, MPLADS &amp; Computers as Ad Hoc Committees.</li> <li>- Include Select and Joint Committees on Bills. Eg. Commercial Division of High Courts Bill, 2009.</li> <li>- Except for the Joint Committee on Wakf, the committees operate in the Lok Sabha. Include members from both Houses and the number varies between 10 and 30.</li> </ul>

Sources: "Parliamentary Committees Introduction," Lok Sabha website and "Committees of Rajya Sabha," Rajya Sabha website; PRS.

## National Commission to Review the Working of the Constitution (NCRWC)<sup>2</sup>

In 2002, the NCRWC pointed out some shortcomings of the committees: (a) low attendance of MPs at meetings; (b) too many ministries under a committee; (c) norms not followed by most political parties while nominating MPs to committees; and (d) the constitution of DRSCs for a year leaves very little time for specialisations.

### Recommendations of NCRWC

- DRSCs should be periodically reviewed. All Bills should be referred to DRSCs. They can elicit public views and call specialist advisors. The DRSCs may finalise the second reading stage in the Committee.
- Three new committees should be set up: (a) Standing Committee on National Economy to provide analysis of the national economy with resources for advisory expertise, data gathering and research facilities; (b) Standing Constitution Committee to scrutinise Constitutional Amendment Bills before they are introduced in Parliament; and (c) Committee on Legislations to oversee and coordinate legislative planning. Existing Committees on Estimates, Public Undertakings and Subordinate Legislation may not be needed. The Petitions Committee can be a supplement to the proposed office of the Lok Pal.
- Major reports of all Committees should be discussed in Parliament especially in cases where there is disagreement between a Committee and the government. The recommendations of the PACs should be accorded greater weight and they should be treated as the “conscience-keepers of the nation in financial matters”.

### Some Metrics to Measure Effectiveness of Committees

The committee system in India can be evaluated both qualitatively and quantitatively. A quantitative study would include comparison of the number of reports submitted by each committee, number of meetings held, and the attendance of MPs for each meeting. A qualitative study would have a higher level of subjectivity and would include studying the quality of the recommendations, level of knowledge of MPs, quality of discussions in the Committees etc. We list some possible ways to measure the working of committees.

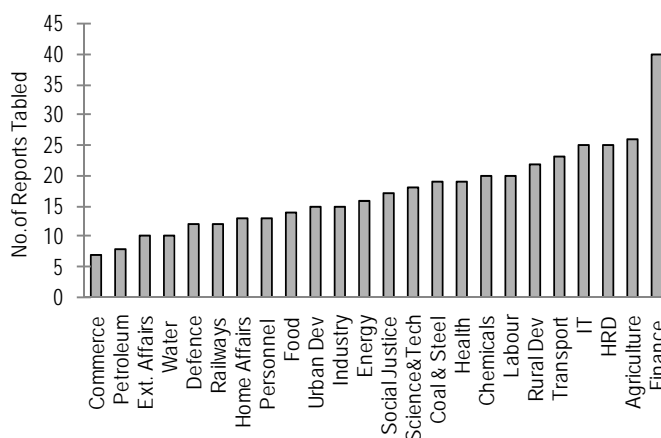
### Number of reports tabled

Each Committee tables various types of reports.

- Financial Committees: Review of policies or a scheme, and Action Taken Reports (ATRs), which are reports of any action taken by the government on a Committee’s recommendations.
- DRSCs: Analysis of Bills, review of policies, ATRs and Demand for Grants (estimate of Ministry’s expenditure).
- Other Committees: Analysis of the specific issue for which the Committee was constituted.

In Chart 1, we show the number of reports tabled by DRSCs in the 15<sup>th</sup> Lok Sabha (till Oct 2011). Among DRSCs, Finance tops the list followed by Agriculture, IT and HRD.

**Chart 1: Number of reports tabled by each DRSC**



In Table 2, we provide an overview of the total number of reports submitted by various other committees. The types of reports tabled include ATRs and reviews.

Among the three Financial Committees, the PAC submitted the highest number of reports at 39. The Estimates Committee and the Public Undertakings Committee submitted 11 reports each.

Among the other Committees, the Ethics Committee submitted only one report while the MPLADS Committee submitted six reports.

**Table 2: Total Reports Tabled by Some Committees**

Committees	Total reports
Public Accounts Committee	39
Subordinate Legislation	29
Private Members' Bills	21
Government Assurances	20
Estimates Committee	11
Public Undertakings Committee	11
MPLADS	6
Ethics	1

Sources: Lok Sabha and Rajya Sabha websites, PRS

\* Note: Data for all charts sourced from Lok Sabha and Rajya Sabha websites.

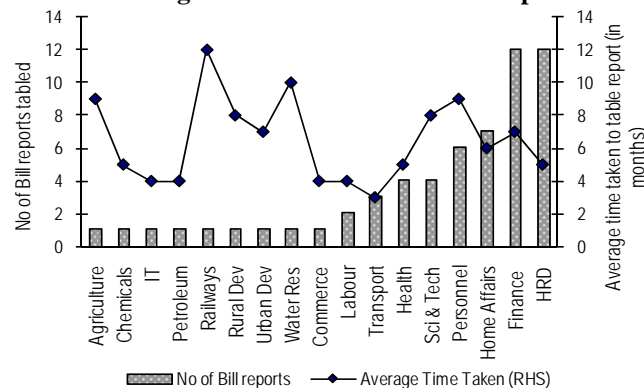
### Time Taken to Submit Reports

Most Bills introduced in Parliament are referred to the respective DRSCs. Generally, DRSCs get two to three months to submit the report. In case the report is not submitted within the stipulated time, the DRSC can get an extension.

Chart 2 depicts the number of reports tabled by each DRSC that analysed a Bill. It also gives the average time taken by each DRSC to table the reports.

Nine DRSCs submitted only one report. On average, the Committees on Railways and Water Resources took the maximum time to submit reports.

**Chart 2: Average time taken to submit Bill reports**



### Number of Meetings Held and Attendance of MPs

Each Committee holds a certain number of meetings before tabling a report. In Table 3 we provide data on the number of meetings held for Demand for Grants in some DRSCs. The detailed estimate of each Ministry’s expenditure is called Demand for Grants.

Most committees, on average, have 1-2 meetings per report. However, the average time spent in meetings per report varies between 3 to 10 hours. The attendance of MPs for committee meetings range between 50 to 60 per cent.

**Table 3: Data on Demands for Grants**

DRSCs	Reports*	Avg meetings per report	Avg meeting time per report (hr)	Attendance (in%)
Finance	13	1	7	50
Defence	3	4	10	57
Petroleum	3	2	4	61
HRD	4	2	5	48
Rural Dev	12	2	6	50
Health	1	2	7	52

Sources: Respective reports of the Committees; PRS

\*No of reports for which data is available

Table 4 gives an overview of the number of meetings held to finalise some Bills and the time spent in discussing these Bills in the DRSCs. The number of meetings for Bills varies between 2 and 16. However, some of the reports do not include the details of the meetings. For example, the MPs met 13 times to prepare the report on the Nuclear Liability Bill. Committees met only twice for Bills such as the Anti Hijacking Bill, 2010 and the Juvenile Justice Bill, 2010.

**Table 4: Data on meetings for some Bills**

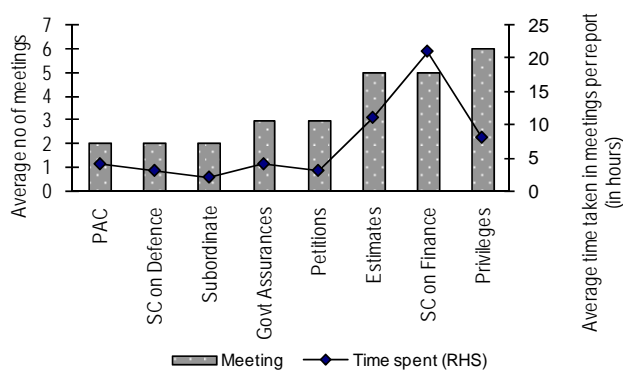
Bills	Meetings	Av time per meeting (hrs)
Women’s Reservation Bill, 2008	12	NA
Civil Liability for Nuclear Damage Bill, 2010	13	NA
Public Interest Disclosure Bill, 2010	4	NA
Companies Bill, 2009	9	3
Copyright (Amendment) Bill, 2010	15	2
Prevention of Torture Bill, 2010	9	2
Foreign Educational Institutions Bill, 2010	11	2
Educational Tribunals Bill, 2009	3	2
Juvenile Justice Bill, 2010	2	2

Sources: Standing Committee reports of respective Bills; PRS

It is important to note that whereas the number of meetings of the Committee is measurable, the quality of its work is difficult to judge.

**Chart 3: Reports on policies, Rules, Assurances & Petitions**

In Chart 3, we provide data for some Committees on the average number of meetings held and the average time taken in meetings for reports related to policy reviews (for DRSCs) and the report related to the specific purpose of the Committee. For example, the Petitions Committee reviews each petition made by a citizen.



Among the 40 DRSC reports related to analysis of Bills tabled, the attendance of MPs in meetings for each Bill is about 50 per cent. The PAC, with a composition of 22 MPs, has an average attendance of 11 MPs in its meetings.

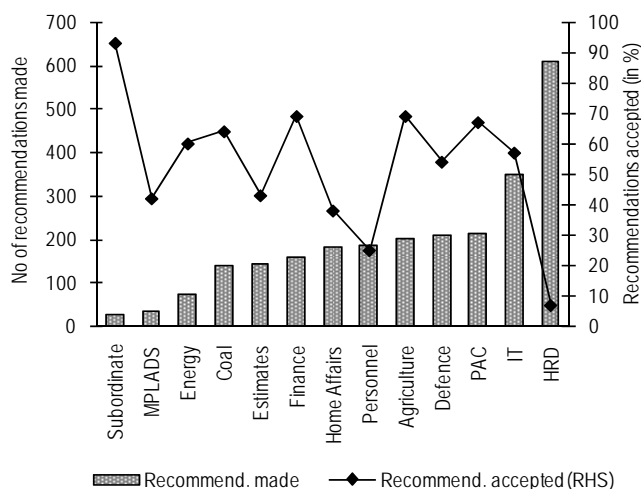
## Acceptance of Committee Recommendations

The impact of a Committee in influencing policy making could be measured by the proportion of its recommendations that are accepted and implemented. Such information is provided in the ATRs.

In Chart 4, we provide data for some on this aspect. This data does not include Bills since no ATRs are tabled regarding Bills. The Subordinate Legislations Committee made 28 recommendations with an acceptance rate of 93 per cent. The DRSC on HRD, on the other hand, made 608 recommendations but the acceptance rate for these recommendations is only 7 per cent.

The number of recommendations in Committees on MPLADS, Estimates and PAC vary highly between 36 and 213. However, their acceptance rate ranges between 40 to 60 per cent.

**Chart 4: Acceptance rate of Committee recommendations**



## International experience

Most democracies have a committee system although the number, type, size and function of committees vary widely. In Table 5, we provide an overview of the committee systems in some countries.

**Table 5: Committees in some countries**

Countries	Types of Committees	Description
UK	Select, Joint, General and Grand Committees	Committees have 10 to 50 members. Select Committees: Report on the work of departments, economic affairs etc. Joint Committees of both Houses. General Committees: Scrutinises proposed laws. 3 Grand Committees: Questions on Scotland, Wales and Northern Ireland. Most Committees allow public hearings and televising of the meetings.
USA	20 Senate, 21 House Committees, 5 Joint Committees, and Sub Committees	Senate Committees have between 7-30 members while House Committees between 9-62 members. Scrutinise laws, confirm government appointees, investigate government officials, and ensure that specific functions are carried out. Can hold hearings to get information from non-committee experts.
Canada	Committee of the Whole, Standing and Joint Committees, Special & Legislative Committees.	24 Standing Committees and some Joint Standing Committees. Most Committees have between 11 to 15 members. Study all matters related to the operation of the departments assigned to them. Legislative Committees are ad hoc committees set up to draft or review proposed legislation. Special Committees are also ad hoc committees set up to inquire into a particular matter. Committee of the Whole has the entire membership of the House of Commons and provides a forum for special debates. Examine Appropriation Bills and any laws referred. Follow less formal rules.

Sources: UK Parliament ([www.parliament.uk](http://www.parliament.uk)); US Congressional Committees (<http://usgovinfo.about.com>) "Parliamentary Committees: Enhancing Democratic Governance," Gordon Barnhart, Commonwealth Parliamentary Assoc, 1999; Parliament of Canada ([www.parl.gc.ca](http://www.parl.gc.ca))

## Notes

1. "Tools for Parliamentary Oversight: A Comparative Study of 88 National Parliaments," Inter Parliamentary Union, 2007.
2. "Parliament and State Legislatures," Chapter 5 of The National Commission to Review the Working of the Constitution (Chairperson: Shri M.N. Venkatachiah), March 31, 2002.

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