



Parliamentary Committees

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This article is based on “**Restoring the broken oversight mechanisms of Parliament**” which was published in The Hindustan Times on 26/03/2021. It talks about the significance of the parliamentary committees.

India’s Parliament recently passed the **National Capital Territory of Delhi (Amendment) Bill, 2021**, which significantly alters the way the government in New Delhi functions. Despite the nature of the sweeping changes this bill proposed, it was not sent to a **parliamentary committee**.

In a parliamentary democracy, the bills of such significance are sent to parliamentary committees for closer scrutiny. However, 71% of the bills went to parliamentary committees between 2009 and 2014, and this dipped to only 25% between 2014 and 2019.

Sidelining parliamentary committees is increasingly becoming the norm in India. But, given the significance of the parliamentary committee system in democracy, it needs to be strengthened rather than rendered defunct.

Significance of the Parliamentary Committees

- **Provides Legislative Expertise:** Most MPs are not subject matter experts on the topics being discussed — they are generalists who understand the pulse of the people but rely on advice from experts and stakeholders before making decisions.
Parliamentary committees are meant to help MPs seek expertise and give them time to think about issues in detail.
- **Acting as a Mini-Parliament:** These committees act as a mini-parliament, as they have MPs representing different parties are elected into them through a system of the single transferable vote, in roughly the same proportion as their strength in Parliament.
- **Instrument for Detailed Scrutiny:** When bills are referred to these committees, they are examined closely and inputs are sought from various external stakeholders, including the public.

- **Provides a Check on the Government:** Although committee recommendations are not binding on the government, their reports create a public record of the consultations that took place and put pressure on the government to reconsider its stand on debatable provisions.

By virtue of being closed-door and away from the public eye, discussions in committee meetings are also more collaborative, with MPs feeling less pressured to posture for media galleries.

Sidelining of Parliamentary Committee: Issues

- **Weakening of Parliamentary System Government:** A parliamentary democracy works on the doctrine of fusion of powers between parliament and the executive, but the Parliament is supposed to maintain oversight of the government and keep its power in check.

Thus, by circumventing the Parliamentary committees in the passing of significant legislation, there is a risk of weakening democracy.

- **Enforcing Brute Majority:** In the Indian system, it is not mandatory for bills to be sent to committees. It's left to the discretion of the Chair — the Speaker in the Lok Sabha and Chairperson in the Rajya Sabha.

By giving discretionary power to the Chair, the system has been specially rendered weak in a Lok Sabha where the ruling party has a brute majority.

Way Forward

- **Making Discussion Mandatory:** In countries such as Sweden and Finland, all bills are sent to committees. In Australia, a selection of bills committee, which includes members from the Opposition, is tasked with identifying the bills that should go to committees.
 - It is perhaps time for India to mandate a similar requirement to avail the benefits of the committee system that have been taken for granted so far.
 - This would require amending the rules of procedure in both Lok Sabha and Rajya sabha.
- **Periodic Review:** According to the National Commission to Review the Working of the Constitution (NCRWC), DRSCs should be periodically reviewed so that the committees which have outlived their utility can be replaced with new ones. For example:
 - Standing Committee on National Economy to provide analysis of the national economy with resources for advisory expertise, data gathering, and research facilities.
 - Standing Constitution Committee to scrutinize Constitutional Amendment Bills before they are introduced in Parliament.

Conclusion

Mandating scrutiny for the significant bills passed is by no means a hurdle to the legislative process, rather it is necessary to uphold the quality of legislation, and by extension, the quality of governance. Thus, a strong parliamentary committee system is required to ensure Parliament's sanctity in the law-making process.

Drishti Mains Question

Sidelining parliamentary committees erodes the sanctity of parliament as a law-making body.
