



ENGAGING AS A PARLIAMENTARIAN

How to intervene effectively

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Role of a Parliamentarian

Members of Parliament represent the hopes and aspirations of the people of India. They play a significant part in furthering the social and economic welfare of Indian citizens. Parliamentary discussions have a substantial impact on a wide range of subjects such as health, education, agriculture, internal security, and infrastructure.

As representatives of citizens, MPs have three key roles. They debate and pass laws that govern the country. They oversee the work of the government to ensure effective governance. They ensure efficient allocation of public resources through the Union Budget.

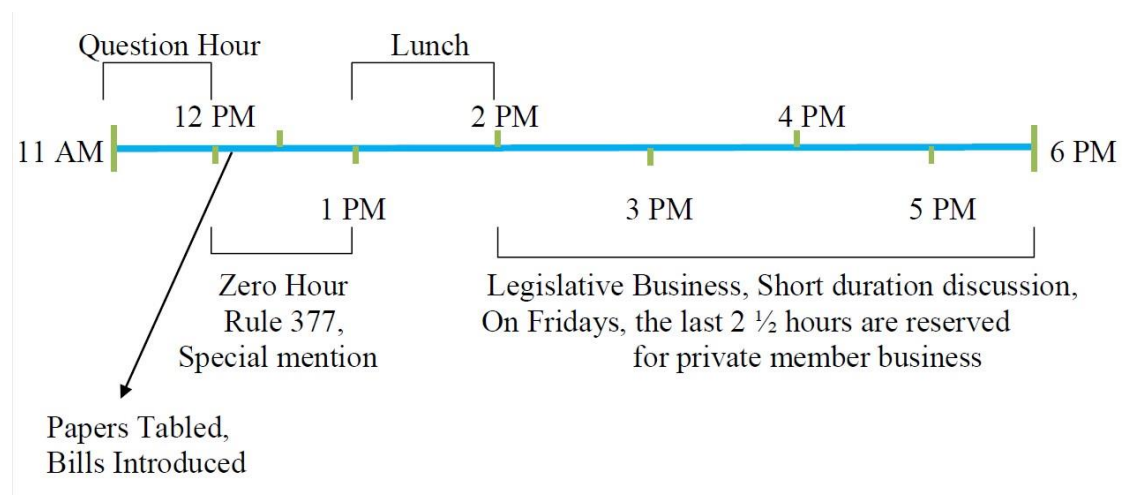
Both Houses of Parliament have detailed Rules of Procedure which regulate their functioning. It is essential that MPs understand how to navigate these Rules in order to make effective interventions.

The purpose of this primer is to assist newly elected Lok Sabha MPs in understanding the Rules of Procedure of the Lok Sabha. This document is intended to enable them to participate constructively in the proceedings of the House. It has been organised in a manner that highlights the opportunities for participation in Lok Sabha on a typical day. Each section provides an overview of the Rules and explains the procedural requirements that need to be followed.

Lok Sabha: An Overview

Lok Sabha begins work at 11 am and is ordinarily scheduled to work till 6 pm, with a lunch break from 1 pm to 2 pm. If the House decides, it can work through the lunch break or work beyond 6 pm. Lok Sabha's proceedings are presided over by the Speaker of the House. In the Speaker's absence, the Deputy Speaker or a member from the panel of Chairpersons preside over the House.

Figure 1: A day in Parliament



An MP may participate in the House in broadly two ways. In certain proceedings, MPs may speak on behalf of their parties and may be subject to the party whip. This includes participation in discussions on government Bills, budgets etc., in which the party leadership decides the names of the MPs who would speak. In certain other proceedings, such as Question Hour and some Zero Hour interventions, MPs act independent of their party affiliation.

The time allocated for all business of the House is regulated by a committee called the Business Advisory Committee. It is chaired by the Speaker and consists of leaders of political parties in the House. It decides the business that would be taken up in the week and allocates time for each debate. Based on the nature of the intervention, the Speaker either allocates time to an individual MP or distributes the time between the parties based on their strength in the House. The party leadership then determines who will participate on its behalf in the proceedings.

All proceedings in the House are guided by the Rules of Procedure, which are implemented by the Speaker. The Rules require that MPs give prior intimation to the Secretariat/Speaker for asking questions, raising issues, initiating or participating in debates. This is called “giving notice”. For example, to ask a question in the House, a notice of fifteen days is required. There is some flexibility in the Rules to allow for debates at shorter notice with the permission of the Speaker.

The Rules also give the Speaker discretion in some matters. For example, the discretion to allow an MP to raise a matter of public importance rests with the Speaker.

Decision-making in the House

All decisions in the House are posed as motions, which are put to vote in the House. Typically, the voting is done orally with MPs supporting the motion saying *aye* and those opposing the motion saying *no*. The motion is accepted if the Speaker is of the opinion that more MPs are in favour of the motion. However, every MP has the option of asking the Speaker to hold a recorded vote which is called a division. In a division, the vote of each MP is recorded.

GOVERNMENT OVERSIGHT

Introduction

In a Parliamentary democracy, the government is collectively responsible to the Parliament for its actions. Therefore, MPs have several devices at their disposal to scrutinise the work of the government. These include asking questions on the government's policies and debating on national issues.

This section provides an overview of the various ways in which MPs can hold the government accountable.

An MP can raise issues in the House either on behalf of their political party or independently. In certain interventions, an MP can directly submit his name to the Speaker for consideration. In other interventions, the party leadership decides which MPs will speak on the issue and communicates the names of such MPs to the Speaker.

Question Hour

Lok Sabha starts every day with Question Hour. Members use it to hold the government accountable for its policies and actions. During this Hour, an MP can ask a Minister any question related to the implementation of laws and policies under the purview of their Ministry.

What are the different types of questions?

There are three different types of questions: starred, unstarred and short notice questions.

Starred Question: A starred question is asked by an MP and answered orally by the Minister-in-charge. Each MP is allowed to ask one starred question per day. Starred questions are submitted in advance (15 days) and only 20 questions are picked (through ballot) for oral answer on a day.

The questioning MP can thereafter ask upto two supplementary questions. The Speaker may then permit other MPs to ask supplementary questions.

Preparing for a Starred Question

Starred questions are better suited to inquire about the government's views on issues and its policy inclination. The MP can then pose supplementary questions, and other MPs may follow them.

Supplementary questions can be used to get answers on issues that the government may not have explained in its reply to the question.

The list of questions is available five days in advance. This gives MPs the opportunity to prepare for supplementary questions.

Typically, 5-6 questions are answered in the one hour allocated for Question Hour. Therefore, it may be preferable to focus on the first few questions while preparing supplementaries.

Unstarred Question: An unstarred question receives a written reply from the Ministry. These are also submitted 15 days in advance. A maximum of 230 unstarred questions are picked for a day.

Preparing for an Unstarred Question

Unstarred questions do not allow for follow-up questions. Therefore, they are more conducive for getting answers on queries related to data or information.

An MP may submit a maximum of five questions per day. Of the questions listed against his name, one may be a starred question.

Short Notice Question: These relate to a matter of urgent public importance. They can be asked with less than 10 days' notice, with reasons for the short notice. Like starred questions they are answered orally followed by supplementary questions. These are admitted at the discretion of the Speaker, with the consent of the concerned Minister. This is a rarely used device; such questions have not been admitted even once in the last 10 years.

Zero Hour

The Hour immediately following the Question Hour is popularly known as the Zero Hour. This period is usually used to raise matters that are urgent and cannot wait for the notice period required under other procedures.

For raising matters during the Zero Hour, MPs must give notice before 10 am to the Speaker on the day of the sitting. The notice must state the subject they wish to raise in the House. The Speaker decides whether to allow the matter to be raised. Short Notice Questions too are taken up during the Zero Hour.

Laying of Papers: At the beginning of Zero Hour, various papers such as Annual Reports of Ministries and Public Sector Undertakings, audit reports by the CAG, reports of Parliamentary Committees, and government notifications are laid on the table of the House.

Debates and Motions

MPs may raise and debate various issues in the House. Some of these are posed as questions in the form of motions and subsequently voted upon by the House. The House may also discuss issues without voting upon them.

There are a number of opportunities for Members of Parliament to raise issues on their own initiative. Some of these are discussed below.

Matters under Rule 377

After the laying of papers, matters which cannot be raised under the Rules relating to Questions, Short Notice Questions, Calling Attention, Motions, etc. can be raised under Rule 377. MPs may raise issues under this Rule, in their individual capacity, with the consent of the Speaker. Notice needs to be given before 10 am on the day of the sitting and the text of the notice cannot exceed 250 words. Presently 20 MPs are allowed to raise matters under Rule 377 per day. The names of the MPs are selected on the basis of the strength of parties in the House. A member can raise only one matter under Rule 377 during a week. For example, in the 16th Lok Sabha, a range of matters have been raised, such as, setting up of new schools and railway lines.

Private Member Resolutions

Any MP, who is not a Minister, may move a resolution in the form of a recommendation, declaration of opinion, approval or disapproval of an act or policy of the government, or to bring an important matter to the attention of the government. These are known as Private Member Resolutions. MPs are required to give a two- day notice to move a Private Member Resolution. The last two and a half hours of sitting on Fridays alternate between Private Member Resolutions and Private Member Bills.

Calling Attention (Rule 197)

An MP, in his individual capacity, may call the attention of a Minister to any matter of urgent public importance, to which the Minister gives a response. Clarificatory questions can be asked after the Minister's

response and he shall reply at the end to all such questions. For example, during the 16th Lok Sabha, an MP had called the attention of the Minister of State, Home Affairs to give a statement on the problem of floods in the country.

Notice must be given before 10 am on the day of the sitting, and up to five members can be shortlisted by ballot. The notice is valid for a week. At most, two such matters are allowed to be raised in a day.

Half-an-Hour Discussion (Rule 55)

Where an answer to a starred or unstarred question needs further explanation, an MP may raise a half-an-hour discussion. He is required to table a notice three days in advance, stating reasons for raising a half-an-hour discussion. The Speaker may allow such a notice at his/her discretion. A maximum of four other MPs can raise further questions during this time. In the 16th Lok Sabha, some of the topics discussed under half-an-hour discussions included the Pradhan Mantri Gram Sadak Yojana, irregularities under MGNREGS, and rise in the price of milk.

The Business Advisory Committee may identify some issues for detailed discussion. It allocates the time for each party, and the party leadership nominates the members who would speak on its behalf.

Short Duration Discussion (Rule 193)

Under this provision, an MP can raise a discussion on a matter of urgent public importance. The MP will need to give notice to the Speaker specifying the matter to be raised and the reasons for doing so. The MP raises the matter and this is followed by other MPs discussing the issue. The Minister-in-charge responds at the end of the discussion. Some of the major issues discussed in the 16th Lok Sabha were the agrarian crisis in the country, inflation, and various natural calamities.

Rule 184

The procedure for taking up an issue under this Rule is similar to that of Rule 193, with one exception. The issue is raised in the form of a motion. After the Minister's reply, the House votes on the motion. For example, in the 15th Lok Sabha, motions were raised to require the government to take steps to contain inflation (motion adopted) and to disapprove Foreign Direct Investment in retail (motion denied).

Adjournment Motions

This procedure is available to draw the attention of the government and criticise its decision in an urgent matter for which a motion or resolution, with notice, would be too late. Notice of an adjournment motion is required to be given before 10 am on the day on which the motion is proposed.

If the adjournment motion is accepted, the House adjourns after voting. The adoption of an adjournment motion is seen as a censure of the government, although there is no compulsion on the government to resign. In the 16th Lok Sabha, one adjournment motion was admitted.

No Confidence Motion

A motion of no confidence can be moved against the Council of Ministers. Notice for such a motion has to be given before 10 am on the day of sitting.

A no confidence motion is moved by an MP if according to him/her the government's activities have not been satisfactory and resignation of the government is demanded. The Speaker will ask MPs who support the motion to rise at their seats, and will fix a time for a motion if at least 50 MPs do so. At the end of such a debate the motion is put to vote. If the motion is adopted, the government has to resign.

No-Confidence Motion in 2018

In the 16th Lok Sabha, a no-confidence motion was moved against the government in the Monsoon Session of 2018. The motion was defeated. It was the 27th no-confidence motion since 1952.

Motion of Thanks to the President's Address

The Constitution provides for an address by the President to both Houses of Parliament assembled together after each general election and before the start of the first session every year. The address is drafted by the government and contains its broad policy plans and legislative agenda for the year.

After the address, each House of Parliament discusses the Motion of Thanks, and the Prime Minister responds. In the motion of thanks, MPs may move amendments to the motion, which are put to vote. An amendment to the address in Lok Sabha is treated as a vote of no-confidence against the government.

Assurances

During a reply to a question or a discussion, the Minister may assure the House that further action will be taken by the government and will be reported back. Such an assurance may include taking a matter into consideration, taking action, or providing further information to the House. The Committee on Government Assurances monitors implementation of assurances made by Ministers. The assurance is to be implemented within three months of being given in the House, unless extended.

LAW-MAKING

Introduction

MPs make laws on a variety of complex topics. A well-informed MP has the opportunity to participate in the House and determine the shape of the law. This participation may be carried out through debates on Bills introduced in the House, deliberations on Bills in Parliamentary Committees, and by introducing private member legislation.

This section provides an outline of the law-making process.

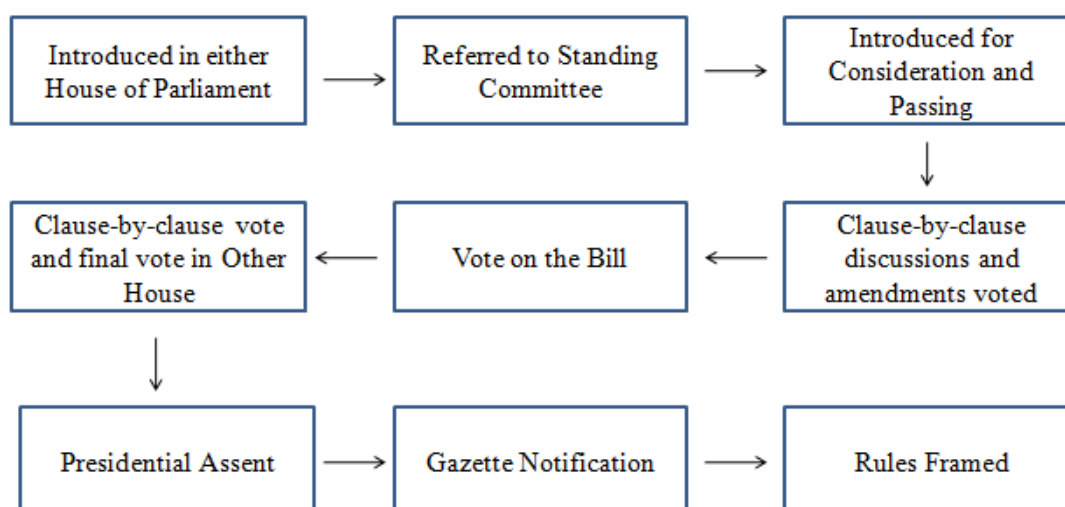
Legislation

For a Bill to become an Act, it has to be passed by each House of Parliament and receive the assent of the President. Parliament has the power to pass laws relating to subjects under the Union List (such as defence or citizenship) or Concurrent List (such as criminal procedures or family laws) of the Constitution. Government Bills are introduced by Ministers and Private Member Bills by any other MP. While the procedure to introduce and pass these Bills is the same, only 14 Private Members Bills have ever been passed.

Table 1: Bills in Parliament

Types of Bills	Subject	Introduction	Passage
Ordinary Bills	Anything under the Union and Concurrent Lists	Introduced in either House	Simple majority in each House
Money Bills	Involving taxation, borrowing, govt funding, payment or withdrawal of money from the Consolidated or Contingency Funds of India	Introduced only in LS	Simple majority in LS RS can recommend changes but LS has the right to reject them RS must return or pass a Bill within 14 days or it is deemed passed
Constitutional Amendment Bills	Amends the provisions of the Constitution	Introduced in either House	Simple majority of total membership and two-third majority of the MPs present and voting Some Bills also need to be ratified by half the state legislatures in the country

Figure 2: Steps Leading to the Enactment of a Law



The Law Making Process

- **Circulation:** A Bill is circulated at least two days before its introduction in the House. However, the Speaker has the discretion to waive this requirement. For example, the 2019 Bill to provide for reservation to the economically weaker sections was circulated, discussed, and passed on the same day.
- **Introduction:** The Minister moves a motion to introduce a Bill in the House. He has to give seven days’ notice before moving this motion. The Speaker may allow the motion to be moved at a shorter notice. The introduction of a Bill in Parliament is called the “First Reading”. If the motion to introduce the Bill is defeated, the Bill cannot be introduced.
- An MP can object to the introduction of a Bill on the grounds that the Bill initiates legislation outside the jurisdiction of Parliament or in violation of the Constitution. An MP opposing the introduction of a Bill has to give notice of his/her objections to the Bill by 10 am on the day it is listed for introduction. When the motion to introduce a Bill is opposed, the Speaker can allow the opposing MP and the Minister-in-charge to make brief statements. If a Bill is opposed on the ground that it falls outside Parliament’s jurisdiction, the Speaker may permit a full discussion on the Bill. Then the

motion to introduce the Bill is put to vote. If the motion is passed, the Bill will be introduced.

- For example, the motion to introduce the Dam Safety Bill, 2018 was opposed on the ground that Parliament did not have the competence to legislate on the subject matter of the Bill. However, the motion for opposing the introduction was defeated and the Bill was introduced.
- **Reference of Bills to Committee:** Once a Bill has been introduced, it may either be taken up for discussion in the House or may be referred to a Parliamentary Committee for scrutiny. A Bill may be referred to a Standing Committee by the Speaker, or either House may form a Select Committee or Joint Parliamentary Committee (JPC) to examine the Bill in detail. For instance, the Insolvency and Bankruptcy Code, 2016 was referred to a JPC for scrutiny, based on demands by several MPs. In the 16th Lok Sabha, 25% of the Bills were referred to Committees.
- **Discussion or Second Reading:** The Bill is not discussed until the Committee submits its report to the House. Once the report of the Standing or Select Committee has been received by the House, the concerned Ministry may examine the report for suitable amendments to the Bill. In some cases, the Bill may be withdrawn by the Ministry, as happened in the case of the Financial Resolution and Deposit Insurance Bill, 2017, or there may be instances where the Bill is replaced by an entirely new legislation.

While examining Bills, Committees may consult Ministry officials, other stakeholders and experts. The Committee then submits its recommendations to the House. While these are not binding on the government, it may accept the recommendations. For example, a Joint Parliamentary Committee recommended modifications to the Insolvency and Bankruptcy Code, 2015. The recommendations were accepted and the modified code was passed in 2016.

- The Bill is taken up for discussion. The time allocated for the debate is given to different parties based on their strength in the House. The party leadership decides which MPs will speak within the allocated time.

- **Clause-by-clause Discussion:** Once a general discussion on the Bill has taken place, it is discussed clause-by-clause. A motion is then raised to adopt the Bill into consideration. At this stage, both MPs and the Minister-in-charge can move amendments to the Bill. For this, a notice of one day needs to be given before the Bill is listed for consideration. An MP who has moved an amendment has to explain the reasons for moving the specific amendment. An amendment can become part of the Bill if it is accepted by a majority of MPs. This is known as the “Second Reading”.

Preparing for a Debate on a Bill

Some things to consider while preparing for a legislative debate are:

- Does Parliament have the jurisdiction to pass the Bill?
- What are the policy objectives behind introducing the Bill?
- Given the objectives of the Bill, what are the alternative approaches that can be taken?
- What does the Standing Committee Report on the Bill say?
- What will be the impact of the Bill on the current regulatory framework? Does it contradict any other existing laws in the country?
- Are there any provisions in the Bill that contradict each other?
- Are there any ambiguities in definitions?
- Does the financial memorandum clearly lay out the financial implication of the provisions of the Bill, including for states?

- **Final Vote:** The Minister can then move that the Bill be passed. At this stage the debate is confined to arguments either in support or against the Bill, as amended. A simple majority of members present and voting is needed for an Ordinary or Money Bill to become a law. This is known as the “Third Reading”.
- **Other House:** Once a Bill is passed by the first House, it is sent to the other House for consideration and passing, where it follows the same process.

- **Presidential Assent:** Once a Bill has been passed by both Houses of Parliament, it is presented to the President for his assent. Once the President gives his assent, the Bill becomes an Act.

Exceptions to the above process

- **The second House amends the Bill:** If a Bill passed by the Lok Sabha is amended by the Rajya Sabha, it has to be passed by the Lok Sabha again before it goes to the President for his Assent.
- **The two Houses cannot agree on the Bill:** A joint sitting of both Houses may be called if a Bill has been passed by one House and rejected by the other or if the two Houses have disagreed on the amendments to be made in the Bill. In a joint sitting, the Bill needs to be passed by a simple majority of the members of both Houses present and voting. However, there is no provision of joint sittings on a Money Bill or a Constitution Amendment Bill.

Over the last 60 years, only three such joint sittings have been held. These were on the Dowry Prohibition Bill, 1959, the Banking Service Commission (Repeal) Bill, 1977, and the Prevention of Terrorism Bill, 2002.

- **President returns the Bill:** Except for Money Bills, the President may return a Bill to Parliament for reconsideration. If Parliament passes the Bill, in the same or amended form, and sends it to the President again, he has to give assent. The President returned the Parliament (Prevention of Disqualification) Amendment Bill, 2006.
- **Money Bills:** Unlike Ordinary Bills, a Money Bill can only be introduced in Lok Sabha. Rajya Sabha is required to return a Money Bill transmitted to it within 14 days, or it is deemed to be passed. It may return the Bill with or without recommendations. However, it is open to Lok Sabha to accept or reject the recommendations of Rajya Sabha. If any question arises as to whether a Bill is a Money Bill or not, the decision of the Speaker on the matter is final. If Lok Sabha rejects a Money Bill, the government has to resign.

- **Constitution Amendment Bills:** A Constitution Amendment Bill may be introduced in either House. It is required to be passed by more than 50% of the total membership of each House and at least two-thirds of the members present and voting. Certain Bills (such as those amending the list of subjects in the Union / State / Concurrent List) also have to be ratified by at least 50% of the state legislatures. For example, the 2016 Constitution Amendment Bill introducing GST was ratified by more than 50% of the states.
- **Ordinances:** The Constitution permits the President to promulgate an Ordinance when: (i) Parliament is not in session, and (ii) immediate action is required. These Ordinances have the effect of law. However, Ordinances are required to be approved by Parliament within six weeks of the commencement of the next session of Parliament, otherwise they lapse. In the 16th Lok Sabha, 55 Ordinances were issued on various subjects including land acquisition and demonetisation.
- At the time of introduction of the Bill replacing the Ordinance, a member may table a resolution disapproving the introduction of the Ordinance. If a resolution disapproving the Ordinance is passed by both Houses, the Ordinance lapses.

In a new Lok Sabha, fresh Bills may be introduced in either House. Further, Bills introduced in Rajya Sabha in the previous Lok Sabha, carry on to the next Parliament.

Subordinate Legislation

- Most laws provide for Rules and Regulations to be framed and notified by the government and other authorities after a Bill is passed. These are known as subordinate legislation and include Rules, Regulations, Orders, Schemes, and Bye-laws. The Committee on Subordinate Legislation scrutinises and reports on the Rules and Regulations framed.
- After the Rules have been tabled, MPs may move a motion seeking an annulment or modification of the Rules. If the motion is adopted in one House, it is transmitted to the other House for approval. If

both Houses amend or repeal the Rules, they will be modified accordingly.

Private Member Bills

Private Member Bills are Bills that can be introduced in Parliament by MPs who are not Ministers. In the Lok Sabha, the last two and a half hours of sitting on every alternate Friday are allotted for discussing and passing of Private Members' Bills. A one-month notice has to be given by an MP to introduce a Private Member Bill. The list of Private Member Bills to be taken up for consideration and passing during a Parliament Session is determined by ballot.

Private Member Bills are used by MPs to highlight gaps in government Bills, draw attention to matters of national concern, and to represent public opinion in the House. The process for the passage of a Private Member Bill is similar to that of a government Bill.

FINANCIAL OVERSIGHT

Introduction

All expenditure of the government can only be made with prior sanction of Parliament. This is done through the presentation of the Union Budget every year. For example, the Budget for 2018-19 was Rs 24 lakh crore.

This section provides an overview of the budget documents, the process of passage of the Union Budget, and the various ways in which MPs can participate in the discussion on the budget.

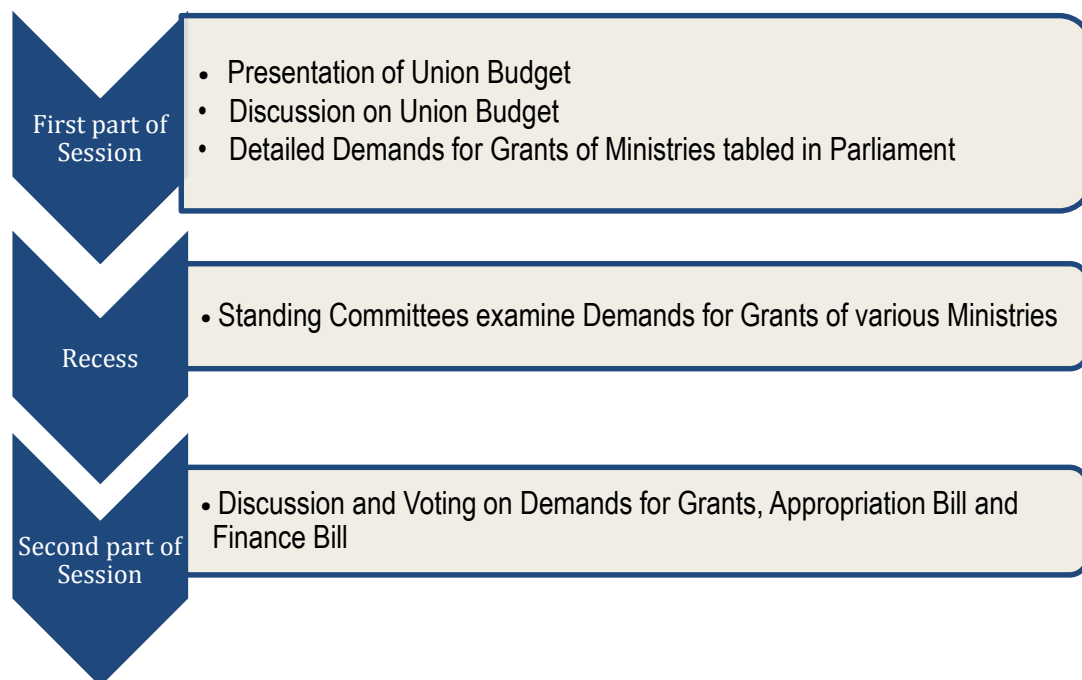
The Union Budget

The Union Budget is presented by the Finance Minister to Parliament each year in February. The timing may vary during an election year. While presenting the budget, the Minister broadly outlines the details of the proposals for the upcoming financial year in relation to taxation, borrowing, and expenditure.

Some important documents that are tabled at the time of presentation of the Union Budget include the following:

- **The Annual Financial Statement:** Summarises the expenditure and receipts of the government.
- **Budget at a Glance:** Brief overview of the budget.
- **Expenditure Budget:** Details the expenditure of various ministries and departments including the Demands for Grants for each ministry.
- **Receipts Budget:** Details the tax and non-tax funding plan for the government.
- **Finance Bill:** Details any changes to the existing tax laws in the country.
- **Medium Term Fiscal Strategy Document:** Sets three-year rolling targets for select fiscal indicators as per the Fiscal Responsibility and Budget Management Act, 2003.

Figure 3: Budget Session of Parliament



Process

After the budget is tabled, a general discussion on the broad budget measures takes place. After the conclusion of the general discussion, the government brings a Vote on Account in advance which permits government expenditure until the final budget has been passed.

At this point, Parliament may go into recess for about three weeks while detailed estimates of ministries' expenditure, called Demands for Grants (DFGs), are examined by the Departmentally Related Standing Committees (see next section on page 33). These committees submit reports on each DFG.

Discussion

After the recess, a discussion takes place on the DFGs of a few selected ministries, followed by a vote. Other DFGs are ‘guillotined’, i.e. they are voted upon together. In 2018, all DFGs were guillotined in this way.

After the DFGs are passed, they are consolidated for passage into an Appropriation Bill. This Bill seeks to withdraw funds from the Consolidated Fund of India for the sanctioned expenditure.

The Finance Bill is also taken up for consideration and passing. This Bill includes all the proposed amendments to the various tax laws.

The Rajya Sabha only has a recommendatory role in passing the Appropriation and Finance Bills as they are Money Bills.

Supplementary Demand for Grants

During the year, if the government needs to spend any money which has not been approved by Parliament, it can introduce Supplementary Demands for Grants, seeking approval. These would also be consolidated into an Appropriation Bill.

For a detailed discussion on the budget process, please see the PRS primer on “[Overseeing Public Funds](#)” published in May 2019.

Cut Motions

During the discussion on DFGs, MPs can move Cut Motions. These are a form of initiating discussion on the DFGs. Cut Motions are of three categories.

- Disapproval of a Policy Cut: Calls for the demand from a ministry to be reduced to Re 1. It represents disapproval of the policy underlying the demand.
- Economy Cut: Calls for the demand from a ministry to be reduced by a specific amount to reduce expenditure.
- Token Cut: Calls for the demand from a ministry to be reduced by Rs 100 to express a specific grievance.

If a cut motion is passed, the government is expected to resign.

PARLIAMENTARY COMMITTEES

Parliamentary Committees

Given the complex nature of Parliamentary work and limited time available during Parliamentary sessions, MPs are unable to scrutinise issues in detail on the floor of the House. Therefore, a major part of Parliament's work is done through Parliamentary Committees. In these Committees, parties are usually allocated seats in proportion to their strength in the House.

Committees take up a range of matters for close examination. They review proposed laws, oversee activities of the government, and scrutinise government expenditure. The reports submitted by Committees allow for informed debate in Parliament, and therefore increase the efficiency and expertise of Parliament. They also provide a forum to build consensus across party lines and enable consultations with independent experts and stakeholders.

Types of Committee

Parliament has a few Standing Committees which are permanent in nature. It may also set up Ad Hoc Committees.

Ad hoc Committees are constituted for a specific purpose. For example, a Joint Committee of the two Houses was set up to examine pricing of telecom licenses and spectrum.

There are four types of Standing Committees, (i) Departmentally Related Standing Committees, (ii) Financial Committees, (iii) Other Standing Committees, and (iv) Administrative Committees.

Departmentally Related Standing Committees (DRSC): There are 24 DRSCs, each overseeing a set of Ministries. Their primary functions are (i) to examine Bills referred to them, (ii) to scrutinise Demand for Grants, and (iii) to examine issues selected by them. In the course of such examination, DRSCs may interact with government officials, consult key stakeholders, or invite comments from experts.

Examining Bills: Once a Bill has been introduced, it may be referred to the relevant DRSC for detailed scrutiny. After concluding its examination, the DRSC lays its report in Parliament. Based on its

recommendations, the government or any other MP may move amendments to the Bill. The recommendations of the DRSC can also facilitate in-depth discussion in the House.

For example, in 2016, the Standing Committee on Consumer Affairs examined the Consumer Protection Bill, 2015. While examining the Bill, the Committee called 18 witnesses. In its report, the DRSC made several recommendations. Most of these recommendations were accepted. Subsequently, the government withdrew the Bill and introduced a new Bill in 2018 which incorporated the Committee's recommendations.

Examining Demand for Grants: After the Budget is presented, the House adjourns for a recess. During this period, the DRSCs examine the Demand for Grants of all Ministries under its purview. They examine the funds allocated to various schemes and programmes under each Ministry, and also look at the trends of utilisation of these funds. The recommendations of the Committee help MPs in understanding the implications of the allocations, and allow for informed debate.

For example, the Standing Committee on Defence in 2018 noted that the budget for capital acquisitions for the armed forces is inadequate, which has affected the modernisation process of the forces.

Once the report is laid on the table of the House, the concerned Ministry is required to give its response to the recommendations of the DRSC. Based on the replies of the government, the DRSC tables Action Taken Reports in Parliament.

Examination of Issues: Every year, DRSCs select subjects for detailed examination. After the DRSC submits its report to Parliament, the Ministry responds to its recommendations. Subsequently, the DRSC submits an Action Taken Report to the House.

For example, in 2016, the Standing Committee on Power submitted its report on Energy Access in India. Key recommendations of the Committee included: (i) laying out a clear definition of energy access, and (ii) mapping un-electrified villages to ensure their electrification. In its Action Taken Report, the Ministry accepted all the recommendations of the Committee.

In the 16th Lok Sabha, DRSCs examined 41 Bills, 331 Demands for Grants, 197 issues, and published 503 Action Taken Reports.

Financial Committees: There are three types of Financial Committees. These Committees facilitate Parliamentary scrutiny over government expenditure. Similar to DRSCs, Financial Committees may also meet government officials, and consult key stakeholders and experts while examining issues.

Public Accounts Committee (PAC): At the close of the financial year, the Comptroller and Auditor General (CAG) audits the annual accounts of the government. These reports are placed in Parliament. Since it is time-consuming for Parliament to undertake detailed examination of these reports, the PAC has been entrusted with examining CAG reports.

Once the PAC tables its report in the House, the concerned Ministry gives its response to the recommendations of the Committee. Based on its replies, the PAC prepares Action Taken Reports.

For example, in 2017, the PAC examined a CAG performance audit report on the implementation of the Tribal Sub-Plan (TSP). The TSP aims to bridge the gap between the Schedule Tribes (STs) and the general population with respect to all socioeconomic development indicators. Key observations of the Committee included: (i) lack of segregation of funds at the state, district, and block level, which impacted proper utilisation of TSP funds, and (ii) absence of oversight of fund flow from central ministries to states for the development of STs.

Committee on Public Undertakings: Similar to the work of the PAC, the Committee on Public Undertakings examines CAG reports on Public Undertakings. It also examines whether the affairs of Public Undertakings are being run in accordance with sound business principles.

For example, in 2017, the Committee examined the CAG report on the performance of the National Highways Authority of India. Key observations included: (i) massive delays in the completion of projects due to delays in land acquisition and obtaining environmental clearances, (ii) issues in financial performance of NHAI, and (iii) increased in road accidents due to inadequate monitoring of highway maintenance works.

Committee on Estimates: The Committee on Estimates assists with Parliament's scrutiny over government's expenditure and over general policies of administration.

For example, in 2014, the Estimates Committee examined the National Social Assistance Programme. The Programme provides social assistance to individuals below the poverty line. Key observations and recommendations included: (i) the pension amounts payable under the Programme are meagre and need to be indexed to inflation, and (ii) a social audit on the scheme must be conducted every six months.

Other Standing Committees

Parliament also has some other Committees which determine the agenda of Parliament, and examine certain other issues.

The Committee on Subordinate Legislation scrutinises rules and regulations of various Acts. They examine whether the power delegated by Parliament to the government is being properly exercised. After the Committee has submitted its report, the government is required to give its response. Based on this response, the Committee prepares an Action Taken Report on the status of the implementation of its recommendations.

The Committee on Petitions examines petitions referred to it. It reports to the House on specific complaints made in the petition, and may also recommend remedial measures.

The Business Advisory Committee decides the business that would be taken up in the week and allocates time for each debate.

The Committee on Privileges examines all questions involving breach of certain rights, privileges, and immunities enjoyed by MPs.

The Rules Committee determines the Rules of Procedure of the House.

Administrative Committees

Some Committees are concerned with administrative matters. For example, the House Committee allocates houses to MPs and the Committee on Absence examines leave applications of MPs.

Table 2: Standing Committees

Committees	Number of MPs	Duties
Financial Committees		
Public Accounts Committee	15 LS MPs, 7 RS MPs	Scrutinises CAG reports on government departments.
Public Undertakings Committee	15 LS MPs, 7 RS MPs	Examines functioning of public undertakings.
Estimates Committee	30 LS MPs	Examines estimates of Ministries.
Departmentally Related Standing Committees		
24 Ministry/Department wise Committees	21 LS MPs, 10 RS MPs	Examine Bills, Demands for Grants, and subjects related to government departments.
Other Standing Committees		
Business Advisory Committee	15 LS MPs	Recommends time to be allocated for the discussion of Bills and other business.
Committee on Petitions	15 LS MPs	Examines petitions referred to it.
Committee on Private Members' Bills and Resolutions	15 LS MPs	Examines all Private Members' Bills after their introduction.
Committee on Subordinate Legislation	15 LS MPs	Scrutinises Rules, Regulations, Sub-rules, Bye-laws etc.
Committee on Privileges	15 LS MPs	Determines whether a breach of privilege is involved.
Committee on Government Assurances	15 LS MPs	Scrutinises the assurances, promises, and undertakings given by Ministers.
Rules Committee	15 LS MPs	Considers matters of procedure and conduct of business in the House.

Annexure 1: Notice Periods for various procedures

Rule No.	Particulars	Notice requirement/ period	Page no. in this Primer
33	Question Hour	15 days	7
54	Short Notice Questions	Less than 10 days	8
55	Half-an-hour Discussions	3 days in advance	11
57	Adjournment Motions	Before 10 am	12
65	Notice for leave to introduce Private Member Bills	1 month in advance	23
Direction 19 B	Circulation of Bill	2 days in advance	18
72	Opposition of Introduction of Bill	Before 10 am	18
74	Consideration of Bill	2 days in advance	20
74	Refer to Select Committee/ Circulate for opinion	2 days in advance	19
79	Notice of Amendments to Clauses or Schedules	1 day in advance	20
99	Notice for consideration of amendments recommended by Rajya Sabha	2 days in advance	21
116	Bills originating from Rajya Sabha: Consideration of Bill	2 days in advance	20
131	Reconsideration of Bills returned by the President	2 days' notice	21
166	Petitions	MP must intimate the Secretary General in advance	-
170	Resolutions	2 days before the date of ballot	10
177	Amendments to Resolutions	1 day prior to consideration	-

185	Motions	Written notice must be given to the Secretary General in advance	12
193	Short Duration Discussions	Notice must be given to the Secretary General in advance with a justificatory note	12
197	Calling Attention	Before 10 am on day of sitting, will only be valid for that week	10
198	Motion of No-Confidence	Before 10 am	13
212	Cut Motions	1 day in advance	29
223	Privileges	Before 10 am	-
377	Raising a matter under Rule 377	Before 10 am on day of sitting, will only be valid for that week	10

Sources

Directions by the Speaker Lok Sabha, Lok Sabha Secretariat, 8th Edition, 2014.

Manual of Parliamentary Procedures, Ministry of Parliamentary Affairs, 2018.

Parliamentary Procedure, Abstract Series, Lok Sabha.

Lok Sabha Rules of Procedure, Lok Sabha Secretariat, 2014.

M.N. Kaul and S.L. Shakhder, Practice and Procedure of Parliament, Lok Sabha Secretariat, 7th Edition, 2016.

Subhash Kashyap, Parliamentary Procedure, Universal Law Publishing, 2nd Edition, 2006.

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