

## PARLIAMENTARY PROCEDURE

As a part of the executive machinery, you are required to deal with lots of Parliament matters – ranging from Parliament Questions, the most common, to attending to requirements of various Parliamentary Committees, Government assurances in Parliament etc. As a civil servant, any work relating to Parliament is required to be done with priority and importance. Parliamentary work should be given utmost priority and should be disposed off on an urgent basis. In this Chapter, we will learn about the procedure of Parliament starting from Parliamentary terms to actual disposal of Parliament work.

There are some important resources from which every dealing officer can learn about the disposal of work relating to Parliament. These are: -

- (a) Departmental Instructions on Parliament Procedure issued by Department from time to time to highlight internal channels for disposal of Parliamentary work;
- (b) Manual of Parliament Procedure, issued by Ministry of Parliamentary Affairs, which contains comprehensive instructions about disposal of Parliament related work in a Ministry/Department;
- (c) Rules of Procedure and Conduct of Business in Lok Sabha, Directions by Speaker, Lok Sabha and Rules of Procedure and Conduct of Business in Rajya Sabha and Directions by Chairman, Rajya Sabha help in conducting the business of the Houses for disposal of work;
- (d) You may inculcate the habit of watching Lok Sabha and Rajya Sabha TV which shows live proceedings of the Houses besides many other educational programmes relating to Parliament procedure.

### **A few Parliamentary Terms**

**1. PARLIAMENT** of India consists of the President and two Houses - the Rajya Sabha (Council of States) and the Lok Sabha (House of the People). They are also known as Upper House and Lower House. Though the President is a constituent part of Parliament, he neither sits nor participate in the deliberations of the Houses. Rajya Sabha consists of not more than 250 members. It consists of 12 members nominated by the President and 238 members elected by the elected members of State Legislative Assemblies and of the Union Territories for a term of six years. One third of its members retire every second year, elections held and the vacancies filled up. Hence it is called a permanent House. The maximum

strength envisaged for the Lok Sabha was 545 including two members (Anglo-Indians) nominated by the President. Two seats were reserved in the Lok Sabha for members of the Anglo-Indian community from 1952 to 2020. These two members were nominated by the President of India on the advice of the Government of India. In January 2020, the Anglo-Indian reserved seats in Lok Sabha and State Legislatures of India were abolished through the 104<sup>th</sup> Constitutional Amendment Act, 2019.

**2. SUMMONING OF THE HOUSE:** From time to time, Constitution of India provides that the President summons each House of Parliament to meet so that the gap between the last sitting of a session and the first sitting of the next session not exceed six months. This is to ensure that both Houses should meet before completion of every six months.

**3. SITTINGS OF THE HOUSE:** Assembling of the members of a House presided over by the Speaker/Chairman to transact the business allotted for a day during the session period is termed as a "sitting". Timings of sittings of the House ordinarily are as under :-

Sl. no.	Details	Rajya Sabha	Lok Sabha
(a)	Normal working hours	1100 hrs. to 1800 hrs.	1100 hrs.to1800 hrs.
(b)	Lunch hours	1300 hrs. to 1430 hrs.	1300 hrs. to 1400 hrs

There have been many occasions when the House decided to dispense with the lunch break and even sat during late hours to transact urgent business.

**4. SESSSION:** It is a series of sittings of the House over a period during which certain pre-determined business is transacted. There are normally 3 sessions, namely, Budget Session (Feb-May), Monsoon Session (Jul-Aug) and Winter Session(Nov-Dec), in a year.

**5. QUORUM:** It is the minimum number of MPs whose presence is necessary to constitute the sitting of the House/Committee. The quorum to constitute a sitting of Lok Sabha and Rajya Sabha is 1/10th of the total membership of each House. Presence of five members are necessary to constitute the sitting of a Parliamentary Committee. The existence of quorum is ascertained at the beginning of the sitting each day before the Speaker/Chairman takes over the Chair. If it is found that there is no quorum, the quorum bell is rung and the Chariman/Speaker resumes his seat only after there is a quorum in the House. This procedure is followed whenever the House reassembles after the lunch break or after any adjournment.

During the rest of the sitting of the day, the question of quorum is usually not raised by any member. But even if a single member raises it any time, proceedings have to be interrupted and quorum bell rung. Proceedings can then be resumed only after there is quorum in the House.

**6. ADJOURNMENT:** It means postponement of a sitting of the House. The postponement can be for any duration of time- ten minutes, fifteen minutes, half an hour, one hour for rest of the day etc. as announced by the Speaker/Chairman of Lok Sabha/Rajya Sabha. 'Adjourn sine-die' is postponement of sitting of the House without fixing any definite date fixed for the next sitting. The power to adjourn a sitting of the House vests in the Presiding Officers. He may also call a sitting of the House before the day/ hour to which it had been adjourned or at any time after the House has been adjourned sine-die. Adjournment has no effect on the business pending before the House. On the last day of a session, the Presiding Officer would adjourn the House sine die after transaction of its business.

**7. PROROGATION:** It is termination of a session of the House(s) by an order of the President. A sitting of the House after prorogation can be held only when the President summons the House afresh. All the pending business before the House except the following lapses on prorogation:

- (a) Bills pending before either House or before Select/Joint Committee of the House(s).
- (b) Any business pending before a Committee of the House (Rule 284 of the LS Rules and Rule 226 of the RS Rules).
- (c) Notice of intention to move for leave to introduce a Bill.
- (d) A motion, resolution or an amendment which has been moved and is pending before the House.

**8. DISSOLUTION:** It means the end of life of the Lok Sabha. Rajya Sabha being a permanent body is never dissolved. Dissolution of Lok Sabha takes place under the following circumstances: -

- (a) On expiry of the term of 5 years; or
- (b) On expiry of the extended term during a proclamation of emergency or;
- (c) By exercise of the President's power under Art. 85 (2) of the Constitution of India.

The power to dissolve the Lok Sabha is vested in the President. All business pending before the Lok Sabha and before the Parliamentary Committees lapses with the dissolution except the following:

- a. Bills originated in the Rajya Sabha which have not been passed by the Lok Sabha but which are still pending before the Rajya Sabha;
  - b. Assurances given by the Ministers on the floor of the House which are yet to be implemented.
- 9. TABLE OF THE HOUSE:** The Table below the Presiding Officer's podium and in front of the table of the Secretary General of the House, but excluding the semi – circle table of the Reporters is called the Table of the House.



**10. WELL OF THE HOUSE:** It is the “U” shaped area between Table of the House and the first row of the Ministers / Members. It being the lowest portion of the House, the press has coined the term “well of the House”.

**11. LAYING OF PAPERS ON THE TABLE:** Authenticated copy of the papers to be laid on the Table are treated as laid. It does not imply that the Minister is required to hand over the paper physically at the Table. Once a document/Report/Paper is laid on the table of the House it becomes a public property and can be made available to MPs/Press/Media etc. When the Presiding Officer call the names of Minister/Chairman of Committee or MP whose name is listed he/she state that “I....., is laying ..... paper/report on the Table of the House”.

**12. MINISTER:** Means a member of the Council of Ministers.

**13. PRIVATE MEMBER:** Any member of Lok Sabha or Rajya Sabha who is not a Member of the Council of Ministers is called a Private Member.

**14. LEADER OF THE HOUSE:** Prime Minister is the Leader of the House in Lok Sabha, if she is a member of the House. otherwise a Minister (Minister of Parliamentary Affairs) nominated by PM who is a Member of Lok Sabha will be the Leader of the House in Lok Sabha. In Rajya Sabha, PM will be Leader of the House, if he is a member of the House and if not, leader is appointed by the P.M. from amongst the Members of his Cabinet. The leader of the House is responsible for arrangement of the Govt. business in the House. Leader of the largest party in Opposition shall be Leader of the Opposition of the House. However, such a recognition is given by the Speaker, Lok Sabha provided the largest party in opposition have minimum 55 MP in the House.

**15. PARLIAMENTARY QUESTIONS:** Parliamentary Question is a technique of parliamentary surveillance over administration in a parliamentary democracy. Accountability of the Council of Ministers is ensured through parliamentary questions. Real test of the Ministers is done through searching supplementary questions during the Question Hour. Members have a right to ask questions to the Ministers for all their acts of omission and commission. A Minister who is not well prepared may be in difficulty within no time when he/she faces the volley of supplementary questions which comes from various nooks and corners of the Houses. Question Hour being the first hour of Lok Sabha, i.e. from 11.00 am to 12.00 noon, attendance of members will be maximum and the press gallery to cover the proceedings will be full. In Rajya Sabha, Question Hour is from 12.00 noon to 13.00 hrs. Immediately before commencement of Question Hour in Lok Sabha, oath or affirmation by new members (if any) and obituary reference (s) (if any) are taken up. A Parliament question is one of the devices available to a Member of Parliament to seek information from the Govt.

**16. Questions are of four types, namely:** (a) Starred Question: It has to be answered orally by the Minister on the floor of the House. Answers to such Questions will be followed by supplementary questions. Starred question are distinguished by an asterisk (\*) mark and is printed on green paper in Lok Sabha. Twenty starred questions are listed on a day. Hardly four or five questions will get time to be answered by the Minister on a day.

**(b) Unstarred Question:** A written answer is to be given to an unstarred question. No supplementary question can be asked against an unstarred question

as only written answers will be given against such questions. Not more than 230 questions are printed on the unstarred list per day. However, a maximum of 25 questions pertaining to States under President's Rule can be added to the above list. Unstarred questions are printed on white paper in Lok Sabha. All admitted starred question which don't find a place in starred list of questions, may be considered for unstarred questions.

**(c) Short Notice Question:** A question which relates to a matter of urgent public importance and which can be asked with a notice shorter than ten days against the normal notice of fifteen days (for Starred and Unstarred Questions), is called Short Notice Question. Such questions are admitted to be answered orally at a short notice, are subject to the concurrence of the concerned Minister. If the Minister does not accept the Short Notice Question, it may be put as a regular Starred Question at the earliest opportunity.

**(d) Question to Private Member:** Another type of question is the questions raised by the member to the Private Member. The question should relate to the subject matter of a Bill, Resolution or other matter connected with the business of the House for which the Private Member is responsible. However, no short notice questions can be addressed to a Private Member.

**17. PARLIAMENTARY COMMITTEES:** Parliamentary Committee are appointed/elected by the members of Lok Sabha / Rajya Sabha or nominated by Speaker, Lok Sabha or Chairman, Rajya Sabha. It reports to the House/Presiding Officer. It works under the directions of the Presiding Officer of the House concerned. It is serviced by the Lok Sabha/Rajya Sabha Sectt., as the case may be.

As per provisions of the Constitutions of India, Govt. cannot draw or spent money out of the Consolidated Fund of India without the approval of Parliament. Parliament alone has the control of the public purse. The parliamentary control over public expenditure is not limited only to the voting of money required by Govt. for carrying out the expenditure of the country but also extends to ensuring that the expenditure is incurred in a prudent manner on plans and programmes approved by Parliament and the targets are achieved.

With a view to have an effective control over public expenditure, three Financial Committees viz., Public Accounts Committee, Estimates Committee and Committee on Public Undertakings have been set up by Lok Sabha. Public Accounts Committee keep an unremitting vigil over expenditure and performance

of the Government. It brings to light inefficiencies, waste and indiscretion in the implementation of programmes approved Parliament. Committee on Public Undertakings examines the working of Public Undertakings. Functions of Estimates Committee are to examine such of the estimates as may seem fit to the Committee or are specifically referred to it by the House or the Speaker and to report what economies, improvements in organisation, efficiency or administrative reforms that may be effected in the Ministries/Departments of the Central Government or statutory or other Government Bodies under their control, consistent with the Policy underlying the estimates.

PAC and COPU being Joint Committees of the two Houses, the election ensures one representation of almost all parties and groups in Parliament more or less in proportion of their strength in the House. Non party character is the hallmark of the Parliamentary Committees and its meetings are held in camera. The power privilege and immunities of the Committees and their members are same as those of the House.

The Committee can call for any papers, persons or records. But Ministers are not called to appear before the Committee. Even evidence of private organisations can be taken by the Committee. All witnesses appearing before Parliamentary Committees are protected by Privilege of the House in respect of any statement made by them during their evidence before the Committee. The Committee can also undertake study visits to understand/examine the ground realities. The Ministry/Department is required to submit action taken on the recommendations contained in the Report of the Committee within six months from the presentation of the Report in Parliament.

While appearing before a Parliamentary Committee, Govt. Officers should observe proper etiquette and decorum. They should always address their submissions before the Committee in a courteous and polite language. The following types of behaviour of a witness before a Parliamentary Committee would constitute a breach of privilege or contempt of the Committee: -

- (i) Refusal to answer questions;
- (ii) Prevarication or wilfully giving false evidence or suppressing truth or misleading the Committee;
- (iii) Trifling with the Committee and returning insulting answers; and
- (iv) Destroying or damaging a material document relating to the Committee.

**18. Zero Hour:** In Lok Sabha, immediately after Question Hour i.e. at 12.00 hours, members used to stand up and raise matters of urgent public importance agitating their minds. There is no mention of the term 'Zero Hours' in the Rules of Procedure and Conduct of Business in Lok Sabha. The media has coined the term 'Zero Hour' because it is the time before the clock strike one o'clock. Since long back it has been regularised and now the members can give notice for (Zero Hour) matters of urgent public importance on the previous evening of the day when the notice is proposed to be raised in the House. Twenty members who get priority in the ballot of notices will get opportunity to raise their matter in the House. Out of twenty, Speaker selects five notices to be allowed to raise at 12.00 noon. Rest of 15 members are given chance to raise their matters before adjournment of the House on that day. The notices raised in the House are forwarded to the Ministries concerned by the Lok Sabha Sectt. in Rajya Sabha zero hour or special mention notices are taken up at 11.00 hrs.

**19. OFFICIAL REFERENCE BOOKS :** Some of the official reference books in handling Parliamentary work of the Ministries / Departments are as under :

- (a) Rules of Procedure and Conduct of Business in Lok Sabha.
- (b) Rules of Procedure and Conduct of Business in Rajya Sabha.
- (c) Directions by the Speaker.
- (d) A memorandum on the preparation and passing of Bills issued by the Ministry of Law.
- (e) Manual for handling parliamentary work in the Ministries (Ministry of Parliamentary Affairs).

## **SYNOPTIC NOTE ON PARLIAMENTARY QUESTIONS**

### **1 WHAT IS A " PARLIAMENTARY QUESTION"?**

"Question" is one of the devices available to Members of Parliament to ensure accountability of the Govt.

### **2 WHAT ARE THE OBJECTIVES OF A PARLIAMENTARY QUESTION?**

- (a) To elicit information on matters of public importance.
- (b) To make the Govt. accountable for all its acts of omission and commission to the Parliament and through the Parliament to the People.
- (c) To ventilate public grievances.



### 3 WHAT ARE THE TYPES OF QUESTIONS?

	Points of difference	Starred Question	Unstarred Questions	Short Notice Questions	Question to Private Members
a	Nature of reply	Oral answers given to both the question and supplementaries	Written answers given. No provision for supplementary questions.	Oral answer for original Question. Oral answers given for supplementaries	Oral answers for main question and also supplementaries
b	Notice period (in no. of days)	15 days	15 days	10 days	15 days
c	Maximum number of questions asked in a day	20 + Questions Transferred / postponed	230 + Max. 25 regarding States under President's Rule	One	one
d	Time	During Question Hour	During Question Hour	Immediately after Question Hour	Immediately after question hour
e	Days	As allotted to the Department (Fixed days)	As allotted to the Department (Fixed days)	Any day of the week.	Any day of the week
f	Colour of the paper used i) Lok Sabha ii) Rajya Sabha	Green Pink	White Yellow	Pink White	Yellow
g	Special features	-	-	Urgent matter of public importance. Prior-consent of the Minister is required.	Subject should relate to private member's Bill/ Resolutions

### 4 ADMISSIBILITY OF QUESTIONS

Members of Parliament have a right to ask questions. However, the right is governed by certain guidelines for its admissibility. The following types of questions are not admitted:

- (a) Questions referring to the character or conduct of any person except in official or public capacity.
- (b) Questions seeking expressions of opinion to an abstract legal question or a hypothetical proposition.
- (c) Questions to which information is available in accessible documents or in ordinary works of reference.

- (d) Questions which are in substance repetitions of those answered previously.
- (e) Questions the subject-matter of which is pending before any court of law or before a Parliamentary Committee.
- (f) Questions making discourteous reference to foreign countries with which India has friendly relations.
- (g) Questions seeking information, which is secret in nature, e.g. regarding Cabinet discussions or advice given to the President. etc.
- (h) Questions to pursue a matter already under correspondence between the Member and the Minister or the Ministry.

## **5 ACTION IN THE DEPARTMENT**

Parliament Questions have to be handled with top priority and urgency. As soon as a Parliamentary Question is received:

(a) Check whether the Question pertains to your Department or not in accordance with the Government of India (Allocation of Business) Rules, 1961.

If “No”, Desk Officer/Branch Officer to ring up the counterpart in the Department to which the question belongs, for transfer of the question. If the request is accepted, then the accepting Department has to send an acceptance communication to Lok Sabha/Rajya Sabha Secretariat same day. In the meantime, the Question should be sent immediately to the officer concerned, under intimation to the Lok Sabha/Rajya Sabha Secretariat. On the other hand, if the request is not agreed to, the matter will be resolved at the level of the Senior Officers without delay or noting. If ultimately, the Department concerned declines to accept the transfer, or the communication accepting the transfer is not received by the Lok/Rajya Sabha Secretariat, the Question may be answered under compulsion but thereafter, the issue be pursued with the Deptt. concerned to accept future questions on the subject.

(b) Check whether the Question pertains to your Section/Desk. The transfer, if necessary, is to be settled at the level of the Section Officer/Desk Officer/Branch Officer failing which the assistance of the O&M officer will be sought to resolve the matter, without delay or noting.

(c) (i) Examine the admissibility of the Question with reference to Rule 41 of Rules of Procedure & Conduct of Business in Lok Sabha & Rules 47 of Rule of Procedure & Conduct of Business in Rajya Sabha.

(ii) If required by the RS/LS Secretariat relevant “FACTS OF THE CASE” may be communicated to the LS/RS Secretariat for deciding the admissibility of the

question within 48 hrs. While communicating the facts of a case to the LS/RS Sectt., information of confidential nature will be marked as such and the RS/LS Sectt. advised that the information should not be disclosed to the Member giving notice thereof.

(iii) Collect information/materials to frame a draft reply and also "NOTE FOR SUPPLEMENTARIES" (where necessary).

(d) Devise a Proforma to collect the information.

(e) Information to be sought will be limited to what is not available, or to make available the information up-to-date.

(f) Only those concerned should be asked to furnish the relevant information.

(g) Tabulation or compilation of information collected to frame answer or to prepare a note for supplementary will be started immediately without waiting for the replies from all.

## **6 DRAFTING**

(a) prepare a tentative draft reply (and a draft note for supplementary in case of Starred/ Short Notice Question) immediately on receipt of the provisionally admitted list of questions.

(b) Review the drafts on receipt on the printed list of admitted questions and, if necessary, revise the reply so that it conforms to the admitted form (version) of the question.

(c) In preparing the draft reply, re-produce the parts of the questions and set out their replies in parallel columns against each part.

(d) If Starred Question, indicate the position of the question in the printed list on the top right hand corner of the File.

(e) Be as precise, unambiguous and complete as possible while drafting a reply. Avoid evasive expressions.

(f) As far as possible answer each part of the question separately.

(g) As far as possible avoid an interim reply that "information is being collected and will be placed on the Table of House" which tantamount to an assurance.

(h) Place a copy of the document whether published under the authority of the Govt., or otherwise in the Parliament Library when a reply to question refers to information available in a document.

(i) If a question is on the printed list, it has to be answered even though the reply may be that it would not be in the public interest to give the information asked for.

(j) When the question is in Hindi, the reply will be in Hindi and it will be treated as the authentic version. The English version will be treated as its translation.

- (k) Add “Note for Supplementary” for use of the Minister to all the draft replies to Starred Questions and Short Notice Questions. It should be comprehensive, but brief. It should cover the likely supplementary questions with reference to the nature of the question and the context in which the Member raised it.
- (l) If inadvertently, an answer to a question contains any inaccuracy, it may be corrected after following the procedure prescribed by the Ministry of Parliamentary Affairs.

## **SYNOPTIC NOTE ON PARLIAMENTARY COMMITTEES**

### **1. WHAT IS PARLIAMENTARY COMMITTEE?**

#### **1.1 A Parliamentary Committee:**

- 1.1.1.1 is either appointed / elected by the House or nominated by the Presiding Officer;
- 1.1.1.2 works under the directions of the Presiding Officer;
- 1.1.1.3 Presents its report to the House or to the Presiding Officer;
- 1.1.1.4 The Lok Sabha/Rajya Sabha Secretariat provides the Secretarial assistance to it; and
- 1.1.1.5 As far as possible, different parties and groups are represented on a Committee in proportion to their respective strength in the House. Therefore, a Committee is a microcosm or extension of the whole House.

### **2. WHAT IS THE NEED FOR A PARLIAMENTARY COMMITTEE?**

The work done by the Parliament in modern times is varied in nature. It is also considerable in volume. The time at its disposal is limited. Therefore, it cannot give close consideration to all the legislative and other matters that come up before it. Hence, a good deal of its business is transacted in Committees of the House.

Committees work in a non-party spirit and do their job in an atmosphere of complete cordiality and work for the real object. Meetings are held in camera. Members having expertise or knowledge on the subject are nominated/appointed elected to the respective Committees so that they will be able to contribute.

### **3. TYPES OF PARLIAMENTARY COMMITTEES**

There are 55 Parliamentary Committees. Parliamentary Committees are of two kinds: **Ad-hoc Committees** and the **Standing Committees**

- 3.1 **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 Select Committees and Joint Select Committees on Bills, appointed to examine Bills clause by clause, are examples of Ad-hoc Committees. Select Committee members belong to one House only and in Joint Committee, members are drawn from both the Houses.
- 3.2 Financial Committees are the most important standing Committees of Parliament. They are Committee on Public Accounts, Committee on Estimates and Committee on Public Undertakings. These Committees are serviced by the Lok Sabha Secretariat and its Chairmen are appointed by Speaker, Lok Sabha. Its term is one year. Public Accounts Committee is known as the mother of Parliamentary Committees. It was first constituted in 1924. By convention, since 1967, its Chairman is appointed from the largest party in Opposition in Lok Sabha.
- 3.3 Each House of Parliament has Standing Committees like Business Advisory Committee, Committee on Petitions, Committee on Privileges, Committee on Papers laid on the Table, Committee on Private Members Bills and Resolutions etc.
- 3.4 **Standing Committees** of Parliament have been constituted to keep a vigil and surveillance over the Executive. Some of Standing committees of this kind are: Committee on Subordinate Legislation, the Committee on Government Assurances, twenty four Departmentally Related Standing Committees etc.

#### 4. GENERAL

4.1 **CHAIRMAN:** The Chairman of all the Parliamentary Committees are appointed by the Presiding Officer from among the members of the Committee. In case, the Presiding Officer or Deputy Presiding Officer is a Member of a Committee, he will be the ex-officio Chairman of that Committee e.g. Business Advisory Committee, Committee on Private Members Bills & Resolutions in Lok Sabha.

4.2 **QUORUM:** to constitute a sitting of a Committee is one third of the total number of members of the Committee.

4.3 **"IN-CAMERA SITTINGS":** The sitting of all the Parliamentary Committees are held in camera which means that no public or media are allowed to witness the

proceedings. Proceedings of the Parliamentary Committees are not televised. Members of the Committee or anyone who have access to proceedings of the Committee are not permitted to communicate directly or indirectly, to the press or electronic media any information regarding its proceedings etc. before the report has been presented to the House.

4.4 All issues at any sitting of a Committee is determined by a majority of votes of the members present and voting. In the case of an equality of votes on any matter, the Chairman or the person acting as such, shall have a second or a casting vote.

4.5 The Committees may appoint Sub-Committees, take evidence or call for documents, send for persons, papers and records and make special reports to the House.

4.6 The Committees have powers to summon anyone as witness and to examine the files.

4.7 With the dissolution of Lok Sabha, the Parliamentary Committees of that House cease to exist. Term of a Standing Committee is one year.

## 5. FUNCTIONS

5.1 The functions and other details of Financial Committees and Departmentally Related Standing Committees are given below:-

### DETAILS REGARDING FINANCIAL COMMITTEES OF PARLIAMENT

Sl. No.	Name of the Committee	Composition	Term	Function
1	<b>Public Accounts Committee (PAC)</b>	LS – 15 RS – 7 <hr/> Total 22	One Year  (elected)	(a) Examine the appropriation accounts of the Govt. and Reports of the Comptroller and Auditor General to satisfy itself:  (i) that the money disbursed were equally available for and applicable to the service or purpose for which they have been approved;  (ii) that the expenditure conforms to the authority which governs it;  (iii) that every re-appropriation has been made properly.

				(b) examines various aspects of Govt.'s tax administration (under-assessment, tax-evasion, non-levy of duties, misclassification etc.) and makes recommendations to check the leakage of revenue.
2	<b>Estimates Committee</b>	LS – 30 Total 30	One Year  (elected)	(a) To report what economies economics, improvements in organization, efficiency or administrative reforms, may be effected consistent with the policy underlying the estimates; (b) To suggest alternative policies in order to bring about efficiency and economy in administration; (c) To suggest the form in which estimates shall be presented to Parliament.
3	<b>Committee on Public Undertakings (CPSU)</b>	LS – 15 RS – 7 22	One year  (Elected)	(a) To examine the Reports and Accounts of the Public Undertakings and the Reports of the Comptroller and Auditor General of India thereon; (b) to examine, in the context of the autonomy and efficiency of the Public undertakings whether the affairs of the PSUs are being managed in accordance with the sound business principles and prudent commercial practices. (Matters of major Govt. Policy not examined)

## DEPARTMENTALLY RELATED STANDING COMMITTEES OF PARLIAMENT

### 1.0 SALIENT FEATURES:

- ❑ There are 24 Departmentally related Standing Committees (DRSCs) of Parliament. Out of 24 Committees, 16 DRSCs are serviced by the Lok Sabha Secretariat while 8 by the Rajya Sabha Secretariat. Each DRSC consists of 31 Members, 21 from the Lok Sabha and 10 from Rajya Sabha who are nominated by the respective Presiding Officers.
- ❑ The term of office of the members of the Committees shall not exceed one year.
- ❑ The venue of sittings of the Standing Committees shall be the precincts of Parliament House. However, with the specific permission of the Chairman, Rajya Sabha, or the Speaker, Lok Sabha, the Committee may work in any other place.
- ❑ After deliberations, the Committees shall submit a Report to the House.
- ❑ The Reports of the Committees shall be based on broad consensus. A member of the Committee may give note of dissent on the report of the Committee. The note of dissent shall form part of the report.

- ❑ The general rules applicable to other Parliamentary Committees in Rajya Sabha/Lok Sabha shall apply to the DRSCs.
- ❑ The Committee may avail of the expert opinion or the public opinion to make the Report.
- ❑ The DRSCs shall not generally consider the matters, which are considered by the other Parliamentary Committees.
- ❑ The reports of the DRSCs shall have persuasive value and shall be treated as considered advice given by the Committees.

## **2.0 CONSTITUTION:**

2.1 Each of the Standing Committees shall consist of not more than 31 members. 21 members nominated by the Speaker from Lok Sabha and 10 members nominated by the Chairman, Rajya Sabha, from Rajya Sabha.

2.2 A Minister shall not be nominated as a member of the Committee. If a member after his nomination to the Committee is appointed a Minister, he shall cease to be the member of the Committee from the date of such appointment.

2.3 The Chairman of Committees shall be appointed by the Chairman, Rajya Sabha or by the Speaker, Lok Sabha. The Chairman shall be from amongst the members of the Committee. The composition of the DRSCs may be seen from the website: [rajyasabha.nic.in/loksabha.nic.in](http://rajyasabha.nic.in/loksabha.nic.in).

## **3.0 FUNCTIONS:**

3.1 The functions of each of DRSCs shall be:

3.1.1 to consider the Demands for Grants of the concerned Ministries/Departments and make a report on the same to the House. The report shall not suggest anything of the nature of cut motions;

3.1.2 to examine such Bills pertaining to the concerned Ministries/Departments as are referred to the Committee by the Chairman, Rajya Sabha or the Speaker, Lok Sabha as the case may be, and make report thereon;

3.1.3 to consider annual reports of Ministries/Departments and make reports thereon; and

3.1.4 to consider national basic long term policy documents presented to the Houses, if referred to the Committee by the Chairman, Rajya Sabha or the Speaker, Lok Sabha as the case may be and make report thereon.



3.2 The Standing Committees shall not consider the matters of day to day administration of the Ministries/Departments concerned.

#### **4. PROCEDURE RELATING TO DEMANDS FOR GRANTS**

4.1 The DRSCs shall follow the following procedures in their consideration of the Demands for Grants and making a report on them to the House.

- 4.1.1 After the general discussion on the Budget in the Houses is over, the Houses shall be adjourned for a fixed period;
- 4.1.2 The Committees shall consider the Demands for Grants of the concerned Ministries during the aforesaid period;
- 4.1.3 The Committees shall make their report within the period and shall not ask for more time;
- 4.1.4 The Demands for Grants shall be considered by the House in the light of the reports of the DRSCs; and
- 4.1.5 there shall be a separate report on the Demands for Grants of each Ministry.

#### **5. PROCEDURES RELATING TO BILLS**

5.1 The DRSCs shall follow the following procedures in examining the Bills and making report thereon:

- 5.1.1 The Committee shall consider the general principles and clauses of the Bills referred to them and make report thereon;
- 5.1.2 The Committee shall consider only such Bills introduced in either of the Houses as are referred to them by the Chairman, Rajya Sabha or the Speaker Lok Sabha, as the case may be; and
- 5.1.3 The Committee shall make report on the Bills in the given time.

**[REFERENCE:** Amended Rule 33IC-33IN of the Rules of Procedure and Conduct of Business in Lok Sabha.]

#### **ASSURANCES**

Various assurances, or undertaking given by the Hon'ble Ministers on the floor of the House to do something constitute Government Assurances. It could also be a direction to (the Minister) do something by the Presiding Officers. In Secretariat, we need to be meticulous in timely fulfilment of the Assurance (within

three months) or to initiate process of taking extension. The whole business of Assurance is monitored through a software called **Online Assurance Monitoring System (OAMS)**.

## **1.0 WHAT IS AN ASSURANCE?**

1.1 If a Minister gives a promise or an undertaking during the course of reply to a question or a discussion which involves further action on the part of Government in reporting back to the House, such a promise or an undertaking is called an "Assurance". A Standard List of expressions, which normally constitute an assurance, is at Annex – I & II of this note.

1.2 All directions by the Presiding Officer involving action on the part of Ministers are also complied with as Assurances.

### **2.0.1 THE PROCEDURE**

2.0.2 All assurances given by the Ministers are extracted by the Ministry of Parliamentary Affairs (MPA) from the relevant proceedings / debates of the House and communicated to the Ministry/Department concerned normally within 10 days of the date on which they are given. If the administrative Department has any objection to treating such an item as an assurance or finds that it would not be in the public interest to fulfill it, it will write to the to the Rajya Sabha Secretariat or the Lok Sabha Secretariat within a week of the receipt of such communication for getting it deleted from the list of assurances. Such action will require approval of the Minister concerned.

2.0.3 At the same time, the Departments will also keep track of the assurances given by their Ministers while replying to questions or otherwise on the floor of the House and initiate action for their implementation in anticipation of receipt of a formal communication from the MPA. An Assurance will, however, be treated as such only after receipt of a formal communication from MPA.

### **3.0 TIME LIMIT**

3.1 An assurance is required to be fulfilled within a maximum period of 3 months from the date of assurance. If there are any genuine and practical difficulties in fulfilling the assurance within this period, the Ministry may, with the approval of the Minister, make a reference to the Rajya Sabha Secretariat or the Lok Sabha Secretariat giving specific reasons for the delay and the probable time required so that the Committee on Government Assurances (CoGA) may be apprised of the position and requested for the extension of time.

3.2 The extension can be granted by the CoGA. All requests for extension should reach the Secretariat concerned 7 days before the expiry of the stipulated period of 3 months or the expiry of any extension already sought.

#### **4.0 REGISTER OF ASSURANCES**

4.1 A register is to be maintained in the Parliament Unit/Section of the Ministry concerned, to monitor the implementation of the various assurances given by the Ministry. Similarly, another register is to be maintained in each Section/Desk in the Ministry to monitor fulfilment of assurances. It is maintained to ensure that extension(s) is/ are sought in time without any delay. It is maintained separately for Lok Sabha and Rajya Sabha, entries therein being made session-wise. The register of assurances maintained by the Section/Desk will be as in Annex-III & IV.

4.2 The Section Officer/Desk Officer should:

- (a) scrutinize the registers once in a week;
- (b) ensure that necessary follow-up action is taken to fulfil the assurance without any delay; and
- (c) submit the register to the branch officer every fortnight if the House concerned is in session and once in a month otherwise, drawing his special attention to the assurances which are not likely to be implemented within a period of 3 months.

#### **5.0 FULFILMENT OF AN ASSURANCE**

5.1 Every effort should be made to fulfill the assurance within the prescribed time. In case, only part of the information is available and collection of the remaining information involves considerable time, the available information should be supplied to the MPA within the stipulated time. Efforts for expeditious collection of the remaining information for complete implementation of the assurance at the earliest should be continued.

5.2 Information to be supplied in partial or complete fulfillment of an assurance should be approved by the Minister concerned. The Implementation Report should be in the format as at Annex-III & IV. The Report should be sent to the MPA who would arrange to lay it on the Table of the House.

#### **6.0 NUMBER OF COPIES**

6.1 If the assurance has to be given to a Member, 15 copies each in English and Hindi of the Implementation Report should be sent to the MPA. For each additional Member, one extra copy has to be added. Once copy each in Hindi and

English will be duly authenticated by the officer forwarding the implementation report.

## **7.0 COMMITTEE ON GOVERNMENT ASSURANCES**

7.1 Each House of Parliament has a Committee on Government Assurances nominated by the Presiding Officer. While the Committee of Rajya Sabha has 10 members Committee on Govt. Assurances in Lok Sabha has 15 members. Functions of the Committees are (a) to scrutinize the assurances so given by the Ministers on the floor of the House and (b) to report to the House, the extent to which such assurances have been implemented and, where implemented, whether such implementation has taken place within the minimum time necessary for the purpose. **It has a quorum of five members, which more than the usual quorum of 1/3<sup>rd</sup> with reference to other Parliamentary Committees.** Tenure of Committee on Govt. Assurance in Lok Sabha is not exceeding one year and in Rajya Sabha is till reconstituted. Ministry of Parliamentary Affairs compiles the assurances and makes it categorisation into 'A' 'B' & 'C'.

**Category 'A'** consists of assurances relating to subjects fall directly under the Central Government and Central Government alone is responsible for its implementation.

**Category 'B'** assurances relating to subjects fall under both Union and State Governments and both the Governments are responsible for its implementation.

**Category 'C'** assurances related to Central Government Programmes which have to be implemented through State Governments e.g. Mahatma Gandhi National Rural Employment Guarantee Scheme. Prachan Mantri Gram Sadak Yojana etc.

## **8.0 EFFECT OF DISSOLUTION OF THE HOUSE**

8.1 The assurances given by Ministers on the floor of the House which are pending implementation by the Government and of which a report has been made by the Committee on Government Assurances are **deemed not to lapse** on dissolution of the House.

Following Annexures relating to assurances further elucidate the procedure involved in the Parliament for different purposes:-

- (a) Standard list of expressions which constitute an Assurance in Rajya Sabha.
- (b) Standard list of expressions constituting Assurances in Lok Sabha.

(c) Register of Assurances given in Parliament.

**STANDARD LIST OF EXPRESSIONS WHICH CONSTITUTE AN ASSURANCE  
IN RAJYA SABHA**

(As approved by the Committee on Government Assurances of the Rajya Sabha at its listing held on the 24th July, 1972)

1. The matter is under consideration.
2. I shall look into it.
3. Enquiries are being made.
4. I shall inform the Hon'ble Member.
5. This is primarily the concern of State Government but I shall look into it.
6. I shall write to the State Governments.
7. I assure the House all suggestions by Hon'ble Members will be carefully considered.
8. I shall study, the conditions on the spot during my tour.
9. I shall consider the matter.
10. I will consider it.
11. I will suggest to the State Government.
12. We will put the matter in the shape of a resolution.
13. I shall see what can be done about it.
14. I will look into the matter before I can say anything.
15. The suggestion will be taken into consideration.
16. The matter will be considered in the conference to be held on\_\_\_\_\_.
17. The matter is still under examination and if anything required to be done it will certainly be done.
18. The matter will be taken up with the Government of \_\_\_\_\_.
19. I have no information; but I am prepared to look into the matter.
20. Efforts are being made to collect the necessary data.
21. The suggestions made will be borne in mind while framing the rules.
22. If the Hon'ble Member so desires. I can issue further instructions.
23. Copy of the report when finalised, will be placed in the Parliament Library.
24. I shall supply it to the Hon'ble Member.
25. I think it can be done.
26. If the Hon'ble Member's allegation is true, I shall certainly have (the matter gone into).
27. We shall have to find that out.
28. I will draw the attention of the Government who I hope will take adequate steps in this direction.
29. It is a suggestion for action which will be considered.
30. (Discussion of Railway Budget). All the points raised by various Members will be considered and the result will be communicated to each Member.
31. Information is being collected and will be laid on the Table of the Rajya Sabha.
32. I am reviewing the position.
33. Directions by the Chairman, Deputy Chairman or the Vice-Chairman involving

action on the part of Ministers.

34. All specific points on which information is asked for will be furnished to each member.



## ANNEXURE – II

### STANDARD LIST OF EXPRESSIONS CONSTITUTING ASSURANCES IN LOK SABHA

1. The matter is under consideration.
2. I shall look into it.
3. Enquiries are being made.
4. I shall inform the Hon'ble Member.
5. This is primarily the concern of State Governments but I shall look into it.
6. I shall write to the State Government.
7. I assure the House all suggestions by Hon'ble Member will be carefully considered.
8. I shall study the conditions on the spot during my tour.
9. I shall consider the matter.
10. I will consider it.
11. I will suggest to State Governments.
12. We will put the matter in the shape of a resolution.
13. I shall see what can be done about it.
14. I will look into the matter before I can say anything.
15. The suggestion will be taken into consideration.
16. The matter will be considered at the \_\_\_\_\_ conference to be held on \_\_\_\_\_
17. The matter is still under examination and if anything is required to be done, it will certainly be done.
18. The matter will be taken up with the Government of \_\_\_\_\_.
19. I have no information; but I am prepared to look into the matter.
20. Efforts are being made to collect the necessary data.
21. The suggestions made will be borne in mind while framing the rules.
22. If the Hon'ble Member so desires, I can issue further instructions.
23. Copy of the report, when finalised, will be placed in the Library of the House.
24. I shall supply it to Hon'ble Member.
25. I think it can be done.
26. If the Hon'ble Member's allegation is true, I shall certainly have the matter gone into.
27. We shall have to find that out.
28. I will draw the attention of the \_\_\_\_\_ Government who I hope will take adequate steps in the directions.
29. It is a suggestion for action, which will be considered.
30. All the points raised by various Members will be considered and the result will be communicated to each member.
31. Information is being collected and will be laid on the Table of the House.
32. I am reviewing the position.

NOTE : All directions by the Speaker, Deputy Speaker Lok Sabha or the Chairman or Deputy Chairman, Rajya Sabha involving action on the part of Ministers, will be complied with as assurance.

**ANNEXURE – III**

-----Session, 20      of the Lok Sabha

-----Session, 20      of the Rajya Sabha.

Date of fulfillment-----

Ministry of----- Department of-----

-

<b>Question No.</b>	<b>Subject</b>	<b>Promise made</b>	<b>When &amp; how Fulfilled</b>	<b>Remarks</b>
1	2	3	4	5

**ANNEXURE – IV (PARA 4.1)**

**REGISTER OF ASSURANCES GIVEN IN PARLIAMENT**

***(To be maintained by section concerned)***

Lok Sabha/Rajya Sabha Session-----

Section-----

S. N.	File No.	Question No. / discussion date and Name of MP raising the point	Reference	Subject	Promise made	Date of receipt from Parliament Unit	Due date for implementation of the assurance	Sources from which information is required to be collected	Extension sought/granted	No. & date of the communication under which IR/part IR was sent to MPA.	Date on which IR / Part IR laid on the Table of the House	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

Col.3- Show date on which the assurance was given.

Col.4- Show date of Bill, resolution, motion etc. in connection with which assurance was given, and also Ministry of Parliamentary Affairs reference with which it was received.

Col.5- Show specific point on which assurance was given.

Col.13- Show whether request for deletion has been made.

**Abbreviations:**

IR: Implementation Report

MPA: Ministry of Parliamentary Affairs.

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