



POLITY  
- Part 6

## Financial Committees

- There are three financial Committees:
  1. Public Accounts Committee
  2. Estimates Committee
  3. Committee on Public Undertakings
- Public Accounts Committee  
This committee was set up first in 1921 under the provisions of Government of India Act of 1919
- At present , it consists of 22 members 15 from Lok Sabha and 7 from the Rajya Sabha.
- The members are elected by the Parliament every year from amongst its members according to the principle of proportional representation by means of the single transferable vote.

## Public Accounts Committee

- Thus all parties get due representation in it.
- The term of office of the members is one year.
- A minister can not be elected in the committee.
- The Chairman of the committee is appointed from amongst the members by the Speaker. By convention the Chairman is from Opposition
- The function of the committee is to examine the annual audit reports of the Comptroller and Auditor General of India (CAG)
- The CAG submits three audit reports to the President
  1. Audit report on appropriation accounts
  2. Audit report on finance accounts
  3. Report on Public Undertakings

## Public Accounts Committee

- Examine Public Expenditure
- Appropriation and Finance Accounts
- Accounts of state corporations, manufacturing projects
- Examine the accounts of autonomous and semi-autonomous bodies whose audit was done by CAG
- Examine the money spent on any service during a financial year in excess of the amount granted by the Lok Sabha for that purpose
- Committee has evolved as a powerful force in the control of public expenditure. PAC conform to the highest traditions of a parliamentary democracy

## Estimate Committee

- The First Estimate Committee was constituted in 1950 on the recommendation of John Mathai, the then Finance Minister
- Originally it had 25 members by in 1956 its membership was raised to 30. All the 30 members are from Lok Sabha
- These members are elected every year from amongst its own members ,according to the principles of proportional representation by means of single transferable vote. Thus all parties get due representation in the committee.
- Minister can not be elected
- The Chairman is appointed by the Speaker of the House, he is from Ruling Party

## Estimate Committee

- The function of the committee is to examine the estimates included in the budget and suggest 'economies' in public expenditure. Hence, it has been described as a 'continuous economy committee.'
- They suggest economies and improvements in organisation, efficiency and administrative reform, suggest alternative policies in order to bring efficiency and economy in the administration
- They do not exercise its functions in relation to Public Undertakings as they have been allotted to PAC.
- The committee examine the budget estimates only after they have been voted by the Parliament, and not before that. They do post-mortem.

## Committee on Public Undertakings

- This committee was created in 1964 on the recommendation of the Krishna Menon Committee.
- Originally it had 15 members 10 from Lok Sabha and 5 from the Rajya Sabha. In 1974 it was increased to 22 as 15 Lok Sabha and 7 Rajya Sabha members.
- Elections same as of PAC. Minister can not be a member. The chairman is appointed by the Speaker from amongst the members, drawn from Lok Sabha.
- They examine the reports and accounts of public undertakings, examine CAGs reports on PSU, examine whether the affairs of the public undertakings are being managed in accordance with sound business principles and prudent commercial practices.

## Committee on Public Undertakings

- The committee cannot take up the examination of more than 10-12 PSUs in a year
- Its work is in nature of post mortem
- It not to examine matters of day-to-day administration
- It does not look into technical matters as they are not technical experts
- It's recommendations are advisory and not binding on the ministries.



## Departmental Standing Committees

- On the recommendation of the Rules Committee of the Lok Sabha, 17 Departmentally-Related Standing Committees were set up in the Parliament in 1993. In 2004, seven more such committees were set up, thus increasing their number from 17 to 24.
- The main objective of the standing committee is to secure more accountability of the Executive (i.e. the Council of Ministers) to the Parliament in debating the budget more effectively.
- Each standing committee consists of 31 members 21 from Lok Sabha and 10 from Rajya Sabha. Lok Sabha members are nominated by Speaker and Rajya Sabha member are nominated by the Chairman from amongst its members.

## Departmental Standing Committees

- A minister is not eligible
- The term of office of each standing committee is one year from date of its constitution.
- Out of the 24 standing committees 8 work under Rajya Sabha and 16 under Lok Sabha.
- The Standing Committee consider the demands for grants of the concerned ministries departments before they are discussed and voted in the Lok Sabha. Its report should not suggest anything of the nature of cut motions
- They look at the annual reports of the ministries

## Departmental standing Committees

- They should not consider the matters of day-to-day administration of concerned ministries
- They should not generally consider the matters which are considered by other parliamentary Committees.
- The recommendations of these committees are advisory in nature and hence are not binding on the Parliament.
- After general discussion on the budget in the Houses is over, the Houses shall adjourned for a fixed period
- The committees shall consider the demands for grants of the concerned ministries during the aforesaid period
- The Committees will prepare their report
- The demands will be considered by the House

## Committee on Petitions

- This committee examines petitions on bills and on matters of general public importance.
- It also entertains representations from individuals and associations on matters pertaining to Union subjects
- The Lok Sabha committee consists of 15 members, while the Rajya Sabha committee consists of 10 members.

## Committee on Privileges

- The functions of this committee are semi-judicial in nature. It examines the cases of breach of privileges of the House and its members and recommends appropriate action. The Lok Sabha committee has 15 members while the Rajya Sabha committee has 10 members.

## Ethics Committee

- This committee was constituted in Rajya Sabha in 1997 and in Lok Sabha in 2000.
- It enforces the code of conduct of members of Parliament.
- It examines the cases of misconduct and recommends appropriate action.
- Thus it is engaged in maintaining discipline and decorum in Parliament.

## Committee on Government Assurances

- This committee examines the assurances, promises and undertakings given by ministers from time to time on the floor of the House and reports on the extent to which they have been carried through.
- In the Lok Sabha, it consists of 15 members and in the Rajya Sabha, it consists of 10 members.
- It was constituted in 1953

## Committee on Subordinate Legislation

- This committee examines and reports the House whether the powers to make regulations, rules, sub-rules and bye-laws delegated by the Parliament or conferred by the Constitution to the Executive are being properly exercised by it.
- In both the Houses, the committee consists of 15 members.
- It was constituted in 1953.



## Committee on Papers Laid on the Table

- This committee was constituted in 1975.
- The Lok Sabha Committee has 15 members, while the Rajya Sabha Committee has 10 members.
- It examines all papers laid on the table of the House by ministers to see whether they comply with provisions of the Constitution, or the related Act or Rule.
- It does not examine statutory notifications and orders that fall under the jurisdiction of the Committee on Subordinate Legislation

## Committee on Welfare of SCs and STs

- This committee consists of 30 members . 20 from Lok Sabha and 10 from Rajya Sabha
- Its functions are:-
  - To consider the reports of the National Commission for the SCs and STs
  - To examine all matters relating to the welfare of SCs and STs, like implementation of constitutional and statutory safeguards, working of welfare programmes, etc.

## Committee on Empowerment of Women

- This committee was constituted in 1997
- Consists of 30 members -20 from Lok Sabha and 10 from Rajya Sabha
- It considers the reports of the National Commission for women and examines the measures taken by the Union Government to secure status, dignity and equality for women in all fields

## Joint Committee on Offices of Profit

- It consists of 15 members -10 from Lok Sabha and 5 from Rajya Sabha
- The committee examines the issue of 'office of profit'
- They examine the composition and character of committees and other bodies appointed by the Central, State and Union Territory Governments.
- They recommend whether persons holding these offices should be disqualified from being elected as MP.

## Public Interest Litigation

- PIL was introduced in India in early 1980s
- Justice V R Krishna Iyer and Justice P N Bhagwati were the pioneers of the concept of PIL
- It is undertaken in recognition of the fact that often legal services fail to reach to significant section of the society. The left out groups include poor, minorities and others.
- Under the PIL any public-spirited citizen or a social organization can move the court for the enforcement of the rights of any person or group of persons who themselves unable to approach the court for remedies.
- Thus, in a PIL any member of the public can approach the court for enforcing the rights of other persons and redressal of a common grievance.

## Public Interest Litigation

- The Supreme Court has defined the PIL as ‘a legal action initiated in a court of law for the enforcement of public interest or general interest in which the public or a class of the community have pecuniary interest or some interest by which their legal rights or liabilities are affected.
- In PIL litigation is undertaken for the purpose of redressing public inquiry, enforcing public duty, protecting social, collective, diffused rights and interests or vindicating public interest.  
Vindicate= clear someone of blame or suspicion

## Public Interest Litigation

- The cases falling under the following categories will not be entertained as PIL.
- Landlord-Tenant matters

Service matter and those pertaining to pension and gratuity  
Complaints against Central/State Governments and Local Bodies  
Admission to medical and other educational institution  
Petition for early hearing of cases pending in High Courts and  
Subordinate Courts.

## Public Interest Litigation Principles of PIL

- Can entertain a petition filed by any interested person in the welfare of the people who are in a disadvantaged position and can not knock the doors of the court
- Even a letter can be taken as PIL when the issue of public importance, enforcement of fundamental rights of large number of people are raised
- Whenever injustice is meted out to a large number of people
- The Court in special situations may appoint Commission or other bodies for the purpose of investigating into the allegations and finding out facts.
- The Court will not ordinarily transgress into a policy



## Public Interest Litigation Guidelines for Admitting PIL

- PIL is not a pill or a panacea for all wrongs. It is essentially meant to protect basic human rights of the weak and the disadvantaged
- The court must encourage genuine and bona-fide PIL and effectively discourage and curb the PIL field for extraneous considerations
- The court must verify the credentials of the petitioner before entertaining the PIL
- The court should be fully satisfied regarding the correctness of the contents of petition before entertaining PIL
- The Court can impose costs to curb frivolous petitions

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- WE WILL TRANSFORM YOU

Thank You