Strengthening parliamentary oversight in India

> Mains Syllabus : GS II - Parliament and State legislatures—structure, functioning, conduct of business, powers & privileges and issues arising out of these.

Why in the News?

Opposition leaders have written to Prime Minister seeking a special session of Parliament to discuss the April 22 terror attack in Pahalgam.

What are the significances of parliamentary oversight?

- **Upholding democracy** - Constituent assembly adopted parliamentary from of government to ensure a democratic form of responsible government.
- **Ensuring executive Accountability** - Parliamentary oversight is a fundamental mechanism for holding the executive branch accountable for its actions.
- For example, Public Accounts Committee (PAC) exposed critical delays, opaque appointments, and corrupt practices during the Commonwealth Games in 2010.
- **Checks and balances** – Parliament's role as a check on the executive, helps in maintaining the balance of power.
- **Promoting transparency** - It provides a transparent platform for scrutinizing government operations, which enhances public confidence in governance
- **Improving governance efficiency** - By monitoring government spending and policy outcomes, parliamentary oversight helps ensure that public resources are used efficiently and government programs achieve their intended results.
- For example , The Standing Committee on Railways recommended waiving dividend payments by Indian Railways in 2015 to improve its financial health, which was implemented in 2016.
- **Scrutinizing bills** – Bills can be sent to parliamentary committees for detailed evaluations and prevent hasty implementation and provide more inputs in enhancing the bill.
- For example, The Standing Committee on Transport influenced the Motor Vehicles Bill amendments in 2017, removing caps on third-party insurance and establishing a National Road Safety Board.
- **Budgetary oversight** - Parliament controls government finances through appropriation of grants and post-budgetary scrutiny by committees like the Public Accounts Committee, ensuring funds are used as intended.
- **Upholds rule of law** - It protects citizens' rights by investigating and addressing abuses of power, arbitrary or illegal conduct by government officials and public agencies.

What are the parliamentary oversight mechanisms?

- Over decades, Parliament has developed an array of mechanisms to fulfil this mandate — some formal, some by convention.
- **Question hour** - Legislators ask questions to ministers to scrutinize government functioning and policies.
- **Zero hour, calling attention motion, adjournment motion** - To raise urgent public issues and demand government explanations.
- **No-confidence and censure motions** - Formal means to express dissatisfaction with the government and hold it accountable.
- No confidence motion is a powerful tool that empowers the parliament to remove the executive.
- **Parliamentary committees** – Public accounts committee and Department-related Standing Committees (DRSC), meet regularly and systematically evaluate the working of government , it's policy decisions and provide valuable suggestions.
- For example, Committee on Public Undertakings addressing delays in National Highways Authority of India (NHAI)-managed highway projects, recommending that projects commence only after acquiring 80% of land and necessary clearances.
- Similarly, the Estimates Committee advised increasing domestic uranium production by opening new mines, reducing dependency on imports.
- On average, the PAC has made 180 recommendations every year in the past eight years, out of which 80% were accepted by the government.
- **Ad Hoc committees** - Formed for specific purposes and dissolved after completing their tasks, such as inquiry committees or joint committees on particular bills or issues.
- These tools form the framework of accountability of executive to parliament.

What are the challenges in ensuring parliamentary oversight?

- Despite its strong framework, parliamentary oversight often falls short.
- **Disruption in parliamentary functioning** - Question Hour, intended as a daily spotlight on government accountability, is frequently disrupted by protests, leading to adjournments where important issues remain unaddressed.

  During the 17th Lok Sabha (2019-24), Question Hour functioned for 60% of its scheduled time in the Lok Sabha and 52% in Rajya Sabha, significantly reducing its effectiveness.

- **Ineffective scrutiny** - Even when question hour operates, individual MPs tend to focus on isolated queries rather than a systematic scrutiny of complex, cross-ministerial problems.
- **Inadequate diversity of parliamentary committees** - Despite their mandate for detailed scrutiny, committee consultations tend to engage a relatively small group of stakeholders, raising concerns about diversity and the breadth of input.
- **Lack of expertise support to parliament members** - MPs in India often operate without specialised staff or professional research support, making it harder to

scrutinise complex policies or spending data.
- Faced with massive volumes of budget documents, audit reports, and policy reviews, they are at a disadvantage.
- Moreover, their inherently temporary structure limits the ability of members to develop both expertise and institutional standing.
- **Not discussing parliamentary reports** - The evaluations of policies and schemes by the parliamentary committee, their reports are often not taken up for discussion on the floor.
- **Lack of post legislative scrutiny** - India lacks a formal process to track whether laws are achieving their intended impact.

What lies ahead?

- Strengthening the role of Parliament in scrutinising executive action is essential in not just making laws but also ensuring their effective implementation and accountability.
- To make oversight truly effective, Parliament could adopt targeted reforms, beginning with robust post-legislative scrutiny.
- The gap in post legislative scrutiny can be addressed by creating subcommittees under each Standing Committee or a specialised body to review implementation.
- For example , in The United Kingdom , government departments submit reviews of major laws within three to five years, which are then examined by parliamentary committees — enabling timely course correction and ensuring that laws deliver on their promises.
- To strengthen and institutionalise committee work , the oversight findings can be made accessible through translations in local languages, visual explainers, or short videos.
- Select DRSC reports can be brought to the floor for debate, followed by a mandatory response from the Minister concerned.
- This would ensure that committee work informs parliamentary discourse and enhances executive accountability.
- Committees can also be strengthened with dedicated research and technical support, thus moving beyond mere administrative assistance.
- Technology offers a powerful opportunity to modernise and strengthen parliamentary oversight.
- By leveraging Artificial Intelligence and data analytics, Parliament can help members swiftly flag irregularities, track policy trends, and frame sharper, evidence-based questions.
- Strengthening legislative oversight means honouring the mandate citizens have given their representatives; to make sure the machinery of government stays transparent, accountable, and truly “of the people, by the people, and for the people.

Reference

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