



## Strengthening Parliamentary Oversight in India

**For Prelims:** [Question Hour](#), [Standing Committees](#), [Constituent Assembly](#), [Article 75](#), [No-confidence Motion](#)

**For Mains:** Parliamentary Oversight in India, Post-Legislative Scrutiny in India, India's Governance Model

[Source:TH](#)

### Why in News?

India's push for '**Maximum Governance**' must be matched by '**Maximum Accountability**', prompting renewed focus on strengthening Parliament's role in checking executive power.

- However, tools like [Question Hour](#) and [Standing Committees](#) often underperform, making reforms essential for effective democratic oversight and policy implementation.

### What are the Key Mechanisms of Parliamentary Oversight?

- **Constitutional Foundations:** [Dr. B.R. Ambedkar](#) advocated for a parliamentary form of government due to its in-built mechanism for daily executive accountability through questions, motions, and debates.
  - The [Constituent Assembly](#) debated for 167 days to design a system ensuring [checks and balances](#) within a democratic framework.
- **Constitutional Provisions of Parliamentary Oversight:** [Article 75](#) states that the Council of Ministers is collectively accountable to the Lok Sabha, ensuring executive accountability in a Westminster-style democracy.
  - [Article 108](#) allows the President to call a joint sitting of both Houses to resolve legislative deadlocks.
  - [Article 111](#) grants the President the power to assent, withhold, or return a Bill (except Money Bills) to Parliament for reconsideration. This power serves as a check on legislative actions.
  - [Article 113](#) ensures that the government cannot incur any expenditure unless approved by **Parliament through an Appropriation Bill**.
  - [Article 114](#) governs the authorization of expenditure from the Consolidated Fund.
- **Parliamentary Oversight Mechanisms:**
  - **Question Hour:** **MPs (private members)** question ministers directly on government actions and policies.
  - **Zero Hour:** The Zero Hour is an Indian parliamentary innovation not found in the parliamentary rule book, it allows MPs to raise urgent matters without prior notice.
    - It begins **immediately after Question Hour** and continues until the day's official agenda starts.
  - **Parliamentary Committees:** The Parliamentary committees, empowered by **Article 105** ([Parliamentary privileges](#)) and [Article 118](#) of the Constitution (deals with the rules

of procedure for the Houses of Parliament), play a vital role in legislative oversight.

- Standing Committees scrutinize Bills, policies, and administrative actions, while the **Public Accounts Committee (PAC)** audits government spending.
- The **Estimates Committee** reviews budget estimates and recommends reforms for efficient resource use.
- **No-confidence motions** and **debates** allow Parliament to hold the government accountable.
- **Successes of Oversight Mechanisms:** The **Standing Committee on Railways** recommended waiving Indian Railways' dividend payments in 2015 to improve financial health, which was implemented in 2016.
  - The **Standing Committee on Transport** influenced the **2017 Motor Vehicles Act** amendments by removing caps on third-party insurance and creating a **National Road Safety Board**.
  - The **Committee on Public Undertakings** addressed delays in NHAI projects by recommending work begin only after acquiring **80% of land and clearances**.
  - The **Estimates Committee** advocated for new **uranium mines** to cut import dependence.
  - The **Public Accounts Committee (PAC)** exposed corruption in the 2010 **Commonwealth Games** and has made an average of **180 recommendations annually** over the past eight years, with around **80% accepted by the government**, reflecting its significant influence on ensuring financial accountability.
- **Judicial Pronouncements:** **S.R. Bommai v. Union of India, 1994**, the Supreme Court (SC) of India reinforced the **principle of collective responsibility (Article 75)** and emphasized that the executive must have the confidence of the legislature.
  - In **State of Kerala vs. K. Ajith and Others (2021)**, the SC held that parliamentary privileges and immunities do not exempt members from adhering to general laws, especially criminal laws that apply to all citizens.
  - In **Manohar Lal Sharma v. Principal Secretary (2014)**, the SC ruled that the allocation of coal blocks between 1993 and 2010 was arbitrary and illegal, violating **Article 14** of the Constitution.
    - The decision was based on findings from the **Comptroller and Auditor-General of India** and PAC.

## What are the Key Gaps in Parliamentary Oversight?

- **Erosion of Question Hour's Effectiveness:** Question Hour, intended to ensure daily executive accountability, is often disrupted by protests and adjournments.
  - In the **17<sup>th</sup> Lok Sabha (2019-24)**, it operated only **60% of the time in Lok Sabha and 52% in Rajya Sabha**.
  - Even when it functions, MPs tend to raise isolated or superficial queries instead of engaging in coordinated scrutiny of complex policies.
- **Underutilisation of Parliamentary Committees:** Department-related Standing Committees (DRSCs) generate detailed reports, but these are rarely discussed on the House floor.
  - Despite robust evaluations, committee findings have limited influence on lawmaking and executive action.
  - The **temporary and rotating nature of committees** inhibits members from developing subject-matter expertise and continuity.
- **Lack of Post-Legislative Scrutiny:** There is no institutionalised mechanism to evaluate the implementation and impact of laws once they are enacted.
  - Without follow-up review, it is unclear whether legislation achieves its intended outcomes.
  - Unlike countries such as the UK, **India does not mandate periodic departmental reviews of major laws**.
- **Limited Accessibility and Public Engagement:** Committee reports and findings are often not accessible to the general public in user-friendly formats.
  - Lack of translations, visual aids, or simplified explanations restricts public awareness and civic engagement with legislative oversight.
- **Missed Opportunities in Technology Adoption:** Parliament has not adequately leveraged Artificial Intelligence, data analytics, or digital tools to enhance scrutiny.

- Without modern tools, MPs face difficulties in identifying irregularities or patterns in government performance.

## What Reforms are Needed to Strengthen Parliamentary Oversight?

- **Institutionalise Post-Legislative Scrutiny:** Adopting models like the UK, where government departments submit reviews of major laws every three to five years for parliamentary scrutiny, would help ensure laws deliver on their promises.
  - Establish sub-committees under DRSCs to review the impact and compliance of laws 3–5 years after enactment.
- **Adopt Technology for Smarter Oversight:** Use AI tools and data analytics to help MPs examine budget documents, **Comptroller and Auditor-General of India (CAG)** reports, and ministry performance more effectively.
  - Build searchable databases for legislative tracking, **budget comparisons**, and law implementation status.
- **Build MP Capacity:** Under **PRIDE (Parliamentary Research and Training Institute for Democracies)** create a Parliamentary Research Service (PRS)-style institutional unit within Parliament. Offer structured orientation for newly elected MPs and ongoing issue-based briefings.
  - Create a **Parliamentary Fellows Programme** offering each MP access to trained legislative researchers.
- **Promote Transparency:** Use the Bhashini platform to translate committee reports into regional languages and create multilingual visual explainers.
  - Launch public dashboards to track committee recommendations, ministerial responses, and government compliance for greater accountability.

## Conclusion

Parliamentary oversight is crucial for democratic accountability. Empowering Parliament with post-legislative review, technology, and support ensures effective law implementation and strengthens executive accountability without weakening it.

### **Drishti Mains Question:**

Discuss the provisions that ensure parliamentary oversight in India. How can these be strengthened for better governance?

## UPSC Civil Services Examination, Previous Year Questions (PYQ)

### **Mains**

**Q.** The 'Powers, Privileges and Immunities of Parliament and its Members' as envisaged in Article 105 of the Constitution leave room for a large number of un-codified and un-enumerated privileges to continue. Assess the reasons for the absence of legal codification of the 'parliamentary privileges'. How can this problem be addressed? **(2014)**