



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 **17th 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)**