

Competitive Exams: Bills & Committees

Ordinary Bills

- All the Bills other than Financial Bills. Money Bills and the Constitutional Amendment Bills are Ordinary Bills.
- Such Bills can be introduced in either House of the Parliament (in Lok Sabha or the Rajya Sabha) without the recommendation of the President, except those Bills under Article 3 (i.e.. Bills related to reorganisation of the territory of a State).

Readings

These Bills are passed by a simple majority by both the Houses. Both the Houses enjoy equal jurisdiction over such Bills and in case of a deadlock due to any reason, the tie is resolved by a joint sitting. The President has the right to return such Bills for reconsideration to the Parliament once.

Each House has laid down a procedure for the passage of a Bill. According to the procedure of the House, a Bill has to pass through three stages commonly known as Readings.

- **First Reading:** The Bill is introduced in the House. At this stage, no discussion takes place.
- **Second Reading:** This is the consideration stage when the Bill is discussed clause by clause.
- **Third Reading:** During this stage, a brief general discussion of the Bill takes place and the Bill is finally passed. When the Bill is passed by one House, it is sent to the other House for its consideration.

Money Bills

Money Bill is defined in Art. 110 of the Constitution. As per the Article, any Bill dealing with all or any of the matters enumerated from (a) to (g) of the same Article shall be a Money Bill. These are:

1. imposition, abolition, remission, alteration or regulation of any tax.
2. regulation of the borrowings of money or giving of guarantee by the Government of India.
3. Custody of the Consolidated or Contingency Fund of India, payment into or withdrawal of money from any such fund.
4. Appropriation of money out of the Consolidated Fund of India (CFI).
5. Declaring any expenditure as 'Charged' on the CFI.

6. Receipt or issue of money from the CFI and audit of the accounts of the Union or the States.
7. Any matter incidental to any of the matter specified in the sub-clauses (a) to (f).
8. If there arises any question over the validity of the Money Bill, the decision of the Speaker of the Lok Sabha is final. The Speaker duly certifies the Bill as Money Bill because this Bill passes through special procedures (Art. 109) 7
9. A Money Bill can only originate in the Lok Sabha after the recommendation of the President.
10. After being passed by the Lok Sabha, the Money Bill passes on to the Rajya Sabha which has four options:
 - a. Pass the Bill in the original form
 - b. Reject the Bill
 - c. Take no action for 14 days
 - d. Send the Bill with suggestive amendments to the Lok Sabha.

If the case is either (b) or (c), the Bill shall be automatically deemed to have been passed by the Rajya Sabha. In case of (d), the Lok Sabha has sole authority to accept or reject one or all of the recommendation (s) and in this case also the Bill shall be deemed as passed with or without recommendations.

11. There is no provision for a joint-sitting of the Parliament to pass a Money Bills
12. After the Money Bill is passed by the Lok Sabha and the Rajya Sabha, it is presented to the President who unlike in the case of other Bills, has no right to withhold it (Art. 111).
13. The 'Appropriation Bill' and the 'Annual Financial Bill' are Money Bills.

Financial Bills

As regards the procedure for its passage, a Financial Bill is as good as an Ordinary Bill except that a Financial Bill cannot be

Introduced without the President's recommendation, and it can only be introduced in the Lok Sabha. Thus a Financial Bill is passed according to the ordinary procedure provided for passing of an Ordinary Bill.

Any Bill dealing with revenue or expenditure, but not certifies as MoneyBill by the Speakers as Financial Bill. These Financial Bills are of two classes-

1. A Bill containing any of the matters specified in Art. 110, but not exclusively dealing with those matters. For example, a Bill containing taxation clause, but not solely dealing with

taxation. This is called the Financial Bill of First Class.

2. An Ordinary Bill contains provisions involving expenditure from the Consolidated Fund of India. This is called the Financial Bill of Second Class.

Constitutional Amendment Bills

- Art. 368 deals with the power of the Parliament to amend the Constitution, and the procedure thereof.
- A Bill for this can be introduced in either House (the Lok Sabha or the Rajya Sabha) of the Parliament and there is no need of the

The Budget

- According to Article 112, the President shall in respect of every financial year, cause to be laid before both the Houses of the Parliament, an annual financial statement commonly known as the Budget.
- This statement gives out the estimated income and expenditure for that year. The estimated expenditure is shown separately under two heads the sums charged upon the Consolidated Fund of India and the sums required to meet other expenditure out of the Consolidated Fund of India.
- The Budget provides an opportunity to review and explain financial and economic policies and programs of the Government.
- After introduction of the Budget, the Lok Sabha discusses the proposed expenditures (Demands for Grants) of various Ministries and Departments, and approve it one by one.
- All the expenditures approved through various Demands for Grants and expenses charged on the Consolidated Fund of India are then presented in the form of a single Bill called the 'Appropriation Bill'
- The proposal for taxation to raise revenue are separately presented in the form of a 'Financial Bill' Both these Bills are Money Bills and are passed accordingly.

Parliamentary Control over Financial System

- In financial matters, the Parliament has effective control over the Executive.
- The Annual Budget is presented to the Parliament and is passed by it.
- The Appropriation and the Financial Bills are also passed by the Parliament.
- Unless the Appropriation Bill is passed, no money can be withdrawn by the Government from the Consolidated Fund of India.

- It also exercises control over financial matters through the Public Accounts Committee and the Estimates Committee.
- The Public Accounts Committee considers the Appropriation accounts.
- It also considers the report of the Comptroller and Auditor General. The report is submitted to the House.
- The Estimates Committee examines such estimates (presented to the Lok Sabha) Of the Budget as may seem fit to the Committee, suggests economy in the expenditure and other steps for increasing efficiency, finds out whether the money is well laid out and also suggests the form in which the estimates should be presented to the Parliament.

Parliamentary Committees

- The Legislature has to perform complex and enormous quantity of work.
- Due to the paucity of time in the Legislature, the initial work is mostly done by the Committees, appointed or elected for specific purposes.
- These Committees essentially belong to the Lok Sabha and function under the Speaker to whom they submit their reports.
- These Parliamentary Committees are classified as-the Standing Committees and the Ad-hoc Committees. While the former are permanent in nature, the latter are constituted for specific purposes and they cease to exist after completion of the specific work.
- Most important Committees, with their strength in brackets, are as follows: Business and Advisory Committee (15), Estimates Committee (30), Committee on Public Accounts (22), Committee on Petitions (15), Committee on the Welfare of the Schedule Castes and Scheduled Tribes (30).
- Members of the Rajya Sabha are also given representation, usually about one-third, except in the Estimates Committee.
- Members of the Committees are generally elected or nominated for a term of not more than one year. As far as possible, all the parties in the Parliament are represented in these Committees in proportion to their strength in the Parliament so that they become a microcosm of the whole House of the Parliament.
- The Chairperson of all the Committees of Parliament are appointed by the Speaker, except that of the Joint Committee on Salaries and Allowances of the Members of the Parliament, who is elected by the Committee itself.
- Wherever the Speaker is a member of a Committee he is the ex-officio Chairman of that (those) Committee (s).

- The Chairman of the Committee on Public Accounts is appointed by the Speaker from amongst the Members of the Lok Sabha. And is generally an Opposition member.

Details of Some of the Important Committees

Committee on Estimates

This Committee consists of 30 members wholly derived from the Lok Sabha. All the parties in the Parliament are given proportionate representation in this Committee. The Chairman is appointed by the Speaker from amongst its members. A Minister is not liable to be elected to the Committee and if its member is appointed a Minister, he ceases to be a member of the Committee. The term of the office is for not more than one year. The functions of the Committee are:

- to report on the efficiency of the policy underlying the estimates
- to examine whether the money is well laid out whosoever the policy implied in the estimates
- to suggest the form in which the estimates are to be presented in the Parliament.
- The Committee works well within the limits of the policy approved by the Parliament, but it may suggest a change if it thinks so.

Committee on Public Accounts

The twenty-two member Committee is elected through a single transferable vote, 15 from the Lok Sabha and 7 from the Rajya Sabha. Externally, the Committee belongs to the Lok Sabha and its Chairman appointed by the Speaker and is from the Lok Sabha. A Minister is not eligible for election to the Committee and when its member is given the portfolio of a Ministry, he ceases to be a member of that Committee. The term of the office, is one year. The functions of the Committee include:

1. to examine the accounts showing the appropriation granted by the Parliament to meet the expenditure of the Government of India.
2. to examine the Annual Finance Accounts of the government of India and other accounts laid before the House.
3. to examine the reports of the Comptroller and Auditor General (CAG) of India on revenue receipts.

Committee on Public Undertakings

This Committee consists of 15 members of the Lok Sabha and 7 associated members of the Rajya Sabha, elected by means of a single transferable vote in both the Houses. The Chairman of the Committee is appointed from amongst the members of the Lok Sabha by the Speaker. A Minister is not eligible to be elected as a member of the Committee. The functions of the Committee are-

1. to examine the reports and the Accounts of the undertakings specified in the Fourth Schedule of the Rules of Procedure and Conduct of Business of the Lok Sabha and also the report of the CAG, if any.
2. to examine the efficiency and autonomy of the Public Undertakings.
3. to examine other specific subjects or matters referred to it by the House or the Speaker.

Committee on Welfare of the Scheduled Castes and Scheduled Tribes

This Committee consists of 20 members from the Lok Sabha and 10 members from the Rajya Sabha. The members are elected by means of a single transferable vote through the principle of proportional representation. The Chairman is one of the members of the Committee and is appointed by the Speaker. A Minister is not eligible to become member of the Committee. The functions include:

1. To consider the reports submitted by the Commissioner for the Schedule Castes and the Scheduled Tribes.
2. To examine the representation of the Scheduled Castes and the Scheduled Tribes in services of the Central Government Departments, Central Public Undertakings, Nationalised Banks, and so on:
3. To review, the working of the welfare programs of the Central Government for the Scheduled Castes and the Scheduled Tribes and to examine such other matters referred to it by the House or the Speaker. May examine implementation of the welfare programme for the SCs and the STs, provided the funds for this, made available partly or wholly by the Central Government.

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Discussions & Questions

Sir please tell the syllabus for IAS exam (- tu...@ on 20-Aug-2016)

1 Answer

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- Examrace on 28-Aug-2016