

Legislature and Executive: Emerging Challenges

Introduction

Modern Parliamentary System of Government envisages administrative accountability to Parliament which means a general political control over government. Parliamentary control involves the detailed examination of government activities which may cover both preliminary interventions, *i.e.*, before a policy is adopted and *ex post facto* supervision after the policy has been implemented.

Parliaments derive their power to control executive from the Constitution or, as in the case of the United Kingdom, from long established custom, usage and convention. This power of Parliament has now been fairly evolved and established although when parliamentary system was in a nascent stage such power was not in vogue, for instance in the United Kingdom, Parliament did not have such power and had to gradually establish it through control over taxation and expenditure over a period spanning centuries.

The form of parliamentary control over the executive varies from country to country depending upon the type of Constitution it has adopted. In United States of America, parliamentary control over the executive is significantly different from a country like India where the Cabinet is responsible to Parliament. In the former case the ministers do not have to justify their policies before Parliament, they cannot be called to explain on the floor of the House nor can they be

dismissed by a vote of Parliament. But in a model like India where ministers are responsible to Parliament, their continued existence is dependent upon the vote of Parliament. The parliamentary control in latter case is direct and specific.

The Question of relationship between the executive and the Legislature has been engaging the attention of political thinkers and constitutional theorists alike in Britain as also elsewhere. For instance, there has been much talk of the diminishing role of Parliament and the increased power of the executive in the British political system. Critics have sometimes examined current trends and have tried to suggest concrete remedies; they have frequently looked back to an alleged 'Golden age' when balance between Legislature and executive was better mentioned. Others have reached the pessimistic conclusion that little can be done to alter the situation. There are two broad views about the functions of parliament *vis-a-vis* the executive. The first refers to parliamentary sovereignty, ministerial responsibility, the Parliamentary surveillance. The second refers to the responsibility of the government, the danger of political interference which civil servants, the importance of debate rather than control.

Anthony staddon argues that a further way of understanding accountability is by distinguishing between "Vertical" and "Horizontal" accountability. Vertical accountability is where government is held to account by citizens through elections. Horizontal accountability consists of counterbalancing State

institutions like parliament, independent judiciary and other constitutional watchdogs.

Staddon further suggests that parliaments vary between those with strong, modest or little policy-making power or active, reactive and minimal Legislatures. Most of the Commonwealth Legislatures are considered reactive in nature. Norton argues that the capacity of Legislatures to constrain government is determined by its external environment i.e. variables like cultural, constitutional and political factors. It may be difficult to distinguish between external and internal variables but it is a useful method to assess the parliamentary system in the context of government accountability. In the present paper internal variables like procedural rights of legislators, Committee system, party and regional groups are discussed especially in Indian context to assess the strength of government accountability.

Within the ambit of this paper it is not possible to describe the different systems of parliamentary control over the executive in various countries or to compare one system with another. This paper endeavors to bring about emerging challenges to the concept of parliamentary control over the executive with specific reference to India. The narration is based on empirical examination.

The Indian system, represent a real fusion of the highest executive and legislative authorities. In terms of the Constitution, as also in actual practice, the relationship between the executive and the Legislature is one that is most intimate and ideally does not admit of

any antagonism or dichotomy. The two are not visualized as competing centre of powers but as inseparable partners or copartners in the business of government.

Constitutionally and in practice Parliament or State Legislatures and Government of India or State Governments are linked with each other by a whole network of relationships in the conduct of public affairs. Under article 75 (3) of the Constitution of India, the council of ministers of the union government is collectively responsible to the Lok Sabha, likewise under article 164 (2) the council of ministers of a State government is collectively responsible to Legislative Assembly of the State.

Parliament does not govern, and is not intended to govern. A strong executive government, tempered and controlled by constant, vigilant and a representative criticism is the ideal at which institutions aim. The Constitution of India amply fulfils this ideal. Parliament and State Legislatures in India take a number of opportunities to discuss, question, criticize and debate government policy and conduct of administration. Legislation provides an opportunity for Parliament discussing the executive's programme as many policies of the executive need laws for effective implementation. Taxation and appropriations are not authorized without parliamentary law. Discussions on the annual budget, demands for grants, etc. provide a useful opportunity to the members of Parliament to review and criticize the policies and working of each department. However, it is experienced that the control of Legislature over executive is not as effective in its working as it is

envisaged under various constitutions. Lord Hailsham describes the British system as follows: "To a great and greater degree Parliament is becoming the House of Commons, the House of Commons is becoming the government majority and the government majority is a rubberstamp for government".

In the modern set up it is often felt that more than Parliament controlling the Executive, it is the other way round. The council of ministers may be termed as a high powered executive committee of Parliament entrusted with honourous duty of conducting the executive affairs of government. Primarily its relationship with Legislature determines the whole course of parliamentary control over executive.

The moot question is as to what extent, in practice, the executive is accountable to Legislature and how effective is the control of Parliament over the government. The experience shows that this control is diminishing over last few years especially in developing democracies. The complexities of social transition in a developing country adversely affect the control of Legislature over Government. The rise of regional forces weakens the authority of Legislature instead of strengthening it. A political dispensation having regional flavor has its own political compulsions which determine their government's attitude in the Parliament.

The governments with absolute majority, at times, take the Legislature for granted. For effective supervision of the executive by Parliament it is necessary that complete and proper information about the activities of the government is given to the Members of

the Legislature. The function of administration lies in disseminating information regarding governmental activities. Here the discretion vests in the government and if the government is not sensitive towards the authority and role of the Parliament, it will have a negative impact on the legislative control of administration. The control of Legislature over the executive may be defined in following terms for convenience;

- General Control over the policies and actions of the executive
- Financial Control
- Legislative Control
- Control over Cabinet and administration.

GENERAL CONTROL OVER THE POLICIES AND ACTIONS OF THE EXECUTIVE

There are various devices through which legislators may seek information from the government or give suggestions for better governance.

Questions

The first hour of every sitting in Indian Parliament and State Legislatures in India is devoted to the asking and answering of questions. Although the question is asked to seek information but behind it may be the suggestion that things have gone wrong or administration has been remiss or there has been delay or that the administrative action has not been consistent with the approved policy. Answers to questions reveal as to how each department is functioning and its level of

efficiency. This is one of the effective devices in which concurrent and continuous parliamentary scrutiny over the administration is conducted.

Under the Rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Assembly a Question must relate to a matter for which the government is responsible. The Questions are classified as follows;

- a) Short notice Question,
- b) Starred Question,
- c) Unstarred Question.

A Short Notice Question may be asked about a matter of urgent public importance. Not less than twenty clear days notice of starred and unstarred questions shall be given in writing by a Member while for a short notice question three clear days notice is required. Supplementary questions are allowed in regard to starred questions and short notice questions, while written reply may be given to a Member for his unstarred questions. Speaker is the sole Judge for admissibility of a question. The Purpose of question shall be to elicit information or a suggestion on a matter of public importance. If we examine the importance of questions in the Parliament and State Legislatures it bears out that the number of questions have greatly increased over the years. The time of one hour and twenty minutes fixed for questions is not enough for the number of questions listed in the day. If supplementary questions are asked about starred questions or short notice questions, only about seven to eight questions are taken up in the House in a day while rest of the questions lapse.

In the Indian context, of late, the question hour is disrupted very often in Parliament as well as in State Legislatures to attract attention on some political issue with a view to draw political mileage in the media. This trend is tempering with the importance of this device of legislative control over executive. The disruptions of question hour are becoming a matter of grave concern among responsible parliamentarians in India. In this age of high voltage media, political parties sitting in opposition disturb the House as soon as it assembles sacrificing the time allotted to question hour. This trend has clearly curtailed the efficacy of the functioning of Parliament in India. A mechanism need to be evolved to check this trend so that accountability through questions and answers in the Legislature remain intact.

Westminster model is the best system which provides for such democracies where various social groups have found voices in the House but they are not ready to appreciate the nuances of legislative accountability. Many a times Ministers do not come prepared to answer the questions, the replies of the questions are not received in time or replies are not clear and focused. This negates the objective of question hour. To save the question hour and to make it meaningful is one of the major challenges in growing democracies of Commonwealth World. Even in the Parliament of U.K. the use of parliamentary questions since the mid 1960s has been greatly increasing. The question time in U.K. Parliament has been transformed from a forum for the back benchers to a device of battle between the main parties and the government.

The following statistics of the Legislative Assembly of the State of Uttar Pradesh in India gives a picture about the state of affairs:-

15th Legislative Assembly

(13 May, 2007 -09 March, 2012)

Year	Number of Questions Received	Number of Questions Accepted	Number of Questions which were Answered In the House
2007	5370	3764	1678
2008	6894	5340	1934
2009	6332	2552	1252
2010	7470	5736	2489
2011	6039	4997	1859
Total	32105	22389	9212

16th Legislative Assembly

(08 March, 2012-Continuing)

Year	Number of Questions Received	Number of Questions Accepted	Number of Questions which were Answered In the House
2012	5260	4107	1768
2013	9080	4538	2679
2014	1730	1185	142
Total	16070	9830	4589

The above data shows that for the number of questions slated for the day, the allotted time is not sufficient to meet the demand of the opposition members. This reflects the working and control of

Legislature over executive. There is a need to discuss this issue at length to hold the executive to account.

Committees

Apart from questions there are certain Committees which scrutinize the activities of administration. Some of them are as follows:-

- 1- Committee on Government Assurances
- 2- Committee on Subordinate Legislation
- 3- Committee on Petitions
- 4- Committee on Women and Child welfare
- 5- Committee on Scheduled caste and Scheduled tribes

These Committees exercise general control over actions of the executive. The Assurance committee ensures that assurances given by a minister in the House are given effect to. The working of these Committees depends upon the will of the Government. However they do help in ensuring executive accountability, though there is scope of improvement. The officers of the government need to be more responsive towards the committees.

Motions and Notices

Parliamentary procedures to exercise control over executive may be divided into two categories. In one case member who are interested in the scrutiny of administrative and executive act, express themselves irrespective of their party affiliations. In the other methods the issue is between the opposition and the

government party and thus it assumes a political character. Such motions or matters are raised by the members of the opposition only. Whenever a member is inclined to press a matter to a conclusion and wants to censure the government, he has a potent weapon in the shape of adjournment motion. The rules relating to adjournment motions are strict. The member has to ask for leave to move such motion and it depends on the Speaker to grant or not to grant such leave. The following data of the Legislative Assembly of the State of Uttar Pradesh, India will reveal the exact utility of this procedure towards accountability of the executive.

Motion for Adjournment on a matter of urgent public importance

(Under Rule 56 of Rules of Procedure and Conduct of Business of the U.P. Legislative Assembly)

15th Legislative Assembly

(13 May, 2007-9 March, 2012)

Year	Received Notices	Accepted for discussion	Attention of the Government drawn	Accepted for statement by the Minister
2007 (3 rd Session)	178	--	12	--
2008 (1 st Session)	216	--	19	--
2008 (2 nd Session)	135	1	10	--
2009 (1 st Session)	74	--	6	--
2009 (2 nd Session)	125	--	12	--
2010 (1 st Session)	302	--	59	--
2010 (2 nd Session)	260	--	78	--
2011 (1 st Session)	157	--	26	--
2011 (2 nd Session)	223	--	29	--

16th Legislative Assembly
(8 March, 2012-Continuing)

Year	Received Notices	Accepted for discussion	Attention of the Government drawn	Accepted for statement by the Minister
2012 (1 st Session)	264	--	23	4
2012 (2 nd Session)	91*	--	--	--
2013 (1 st Session)	337	2	59	6
2013 (2 nd Session)	116	3	10	--
2013 (3 rd Session)	30	--	03	--
2014 (1 st Session)	87	--	04	--
2014 (2 nd Session)	260	--	28	--

The above mentioned statistics reveal that very few adjournment motions were granted leave. This shows that the trend is towards not encouraging such motions. There are various reasons for such trend. If leave is granted to an adjournment motion it will entail voting in the House and if the motion is carried it may result in embarrassment for the government. Although the attention of the government was drawn in many cases to look into the matter but a detailed discussion is not allowed which will highlight the short comings of governance. This is not about the government headed by a particular political party rather it has become a practice in regimes of successive governments in most of the State Legislatures. This practice has resulted in dilution of the efficacy of the procedure of adjournment motions towards the accountability of executive. There appears a need to devise a means to strengthen this procedure so that it may hold the executive to account in matters of urgent public importance.

There are other procedures for **calling attention** of a minister to a matter of urgent public importance. This procedure is enumerated under Rule 51 of the Rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Assembly. Following account reveals that this procedure has been utilized meaningfully by the members to ensure executive accountability.

Calling attention to matter of urgent public importance

(Under Rule 51 of Rules of Procedure and Conduct of Business of the U.P. Legislative Assembly)

15th Legislative Assembly

(13 May, 2007-9 March, 2012)

Year	Received Notices	Attention of the Government drawn	Accepted for statement by the Minister	Rejected
2007 (3 rd Session)	248	88	36	124
2008 (1 st Session)	600	120	114	366
2008 (2 nd Session)	211	98	22	91
2009 (1 st Session)	313	93	44	176
2009 (2 nd Session)	169	84	15	70
2010 (1 st Session)	595	148	73	374
2010 (2 nd Session)	334	155	20	159
2011 (1 st Session)	251	91	40	120
2011 (2 nd Session)	331	146	45	140

16th Legislative Assembly
(8 March, 2012-Continuing)

Year	Received Notices	Attention of the Government drawn	Accepted for statement by the Minister	Rejected
2012 (1 st Session)	976	132	186	658
2012 (2 nd Session)	249	113	30	106
2013 (1 st Session)	1201	261	184	756
2013 (2 nd Session)	301	134	19	148
2013 (3 rd Session)	71	71	--	00
2014 (1 st Session)	291	134	16	141
2014 (2 nd Session)	852	82	102	668

The above statistics reveals that this procedure has been used effectively. Likewise notices may be given by the members for discussion on matters of urgent public importance. Under Rule 52, the Speaker decides their admissibility. Although no formal motion is required for voting in this case but this has also been proved useful method to exercise legislative control over executive.

FINANCIAL CONTROL

The second but the most important scrutiny by Parliament concerns finances. After the government has submitted the budget and Parliament has voted the taxes and expenditure, the government has to conform to the last detail to the parliamentary sanctions. Administration comes under close scrutiny of Parliament when the budget is under discussion. Each ministry, department, office and sub-office is on trial. Although,

in case of Parliament two months and in case of the State legislature of the state of Uttar Pradesh about one month is devoted to these discussions it is not adequate. So Legislatures conduct further scrutiny through specialized committees which are as follows:-

- A- Public Account Committee
- B- Committee of Public Undertakings
- C- Committee of Estimates

These committees are vested with adequate powers to complete and detailed examination for accounts. Through these committees the administration comes in direct contact with Parliament. The officers of the government have to satisfy the committee that the amounts voted by Parliament are being or have been spent on the purposes for which they were sanctioned. They also have to satisfy the committees that all laws and rules governing the administrative and financial activities of the departments have been complied with.

Experiences of the Parliaments in all parts of the world have shown that the solution lies in the development of an integrated system of parliamentary committees with adequate power to scrutinize the working of the various departments of government on a continuing basis. In the same manner committee system has become an integral part of Indian parliamentary system to pinpoint cases of mal-administration in the implementation of policies and programmes of the government and help to expose wastes, extravagances, expenditure and acts of omission and commission of the various departments of government and thus rein in and check the bureaucracy.

"The Committee on Public Accounts" examines mainly the accounts showing the appropriation of sums granted by the House for expenditure of the government. **"The Committee on Public Undertaking"** examines the reports on account of Public Undertaking and also examines in the context of the autonomy and efficiency of such undertakings. **"The Committee on Estimates"** examines the matters of special interest, which though unconnected with the estimates of any particular department of the government yet, which may arise during the course of governmental business.

The role of Comptroller and Auditor General is very significant about financial control of Legislature over executive. He is an independent authority created under the constitution. He is required to conduct an enquiry independently of all government transactions and to make his report to Parliament/Legislature through the President/Governors. The Public Account Committee examines these reports to find out if there is any misappropriation, financial irregularity or excess of expenditure over to grants has been committed.

The committee system is the most effective way to check the financial discipline of the government. The financial committees of Indian Parliament work very effectively and efficiently. Public Accounts Committee of Parliament, of late, examined the financial irregularities committed in the allotment of telecommunication spectrums. This was popularly known as 2G case. The report of the committee exposed the irregularities committed during the regime of previous government. The report of the committee in 2G

case was one of the issues in the last parliamentary elections in India. The UPA government had to face public ire for this alleged financial irregularity of huge dimension. It was a classic example of executive accountability towards Legislature.

Nevertheless the committee system is not so effective in the State legislatures. Though the Public Accounts Committee is headed by a member belonging to the opposition in State Legislatures like Parliament but the powers and jurisdiction of the State Legislature financial committees are not as wide as those of Parliament. In spite of that the financial control of Legislature over executive is satisfactory.

It has been experienced that the examination by Public Account Committee of audit objections in State Legislatures are delayed and that diminishes the importance and affectivity of such examinations. For instance in the Legislative Assembly of the State of Uttar Pradesh 2267 audit objections are pending for examination. The delay occurs for various reasons which include delayed response from the government due to apathy and carelessness of bureaucracy.

The Public Undertaking Committee is another important committee, which ensure fiscal discipline in various Public Undertakings of the government. The experience is that this committee, although has been working effectively but due to delay in disposal of audit objections the impact of the committee on financial accountability of the government gets delayed in the Legislative Assembly of the State. About 1580 audit objections are pending for consideration of the

committee. This delay in disposal of objections towards financial expenditure weakens financial control over executive. This delay is caused because of the delayed responses from the officers of the government and also because many a times the meetings of the committee do not take place as frequently as required.

By and large financial committees function better and more effectively than other committees and through them Legislature exercise satisfactory control over fiscal discipline of the executive. The major problem in growing democracies is that the members who come from socially backward sections of the society do not understand or appreciate the niceties and nuances of financial matters. Hence, their interest and contribution is not up to the desired level. Clearly the legislators determine the effectiveness and extent of executives' accountability towards Parliament. This is a challenge in growing parliamentary democracies especially in those countries which are witnessing social transition.

In the State of Uttar Pradesh two more committees exercise control over financial aspect of governance. **Committee relating to examination of Audit Reports of the Local Bodies of the State.** The committee examines the matters of Audit Reports of the Local Bodies of the State. It checks whether the Annual Audit Report of the Auditor, Local Funds Account of the State are being laid regularly before the Legislature or not and examine the report. It also examine whether the government grants and loans which are sanctioned by government departments to local bodies and audited by the Auditor, Local Fund Accounts, have been properly utilized by

concerned institutions on the same schemes for which they were sanctioned and that no financial irregularities have occurred in their utilization.

Committee on Panchayati Raj checks whether the technical Annual Reports of the Comptroller General of India and the Chief Account Examination Officer, Cooperative Societies and Panchayats and Annual Report of the State Government are being laid regularly before the Legislature or not and examine the report relating thereto. It also examine whether the Government grants and loans which are sanctioned by Government Departments to Village Panchayat, District Panchayat and Regional Panchayat have been properly utilized by concerned institutions on the same schemes for which they were sanctioned and that no financial irregularities have occurred in their utilization.

LEGISLATIVE CONTROL

Control of parliament over executive through the process of legislation is the mainstay of the system of parliamentary democracy. The policies and programmes which require legislation have to be discussed in the House. The opposition has an occasion to expose weaknesses of a Bill for legislation while discussing and debating the same. However it has been experienced for last about a decade especially in State legislatures in India that the participation in and level of debates about proposed legislations have gone down. The reason for this trend appears to be the pressure of constituencies on members for local problems relating to infrastructure and civic amenities. Another cause for lack of interest in discussing Bills of legislations is that public

representatives coming from socio-economically backward regions and sections do not understand the technicality of proposed legislation. This stage comes in growing democracies where socio-economic development process is in a flux. Hopefully it will change with the experience of legislators. But minimal debate on proposed legislations adversely affect the governmental accountability.

CONTROL OVER CABINET AND ADMINISTRATION

The most important constitutional right with which members of Parliament are vested is to move a No-Confidence Motion in the Council of Ministers. This is the central point of legislative control over executive. Article 164(2) of the Constitution of India provides that the 'Council of Ministers' shall be 'collectively' responsible to the Legislative Assembly of the State. The concept of responsibility here is that of political responsibility. Indian Supreme Court has categorically laid down that the majority of the government shall be tested on the floor of the House. There were instances where Governors of States dismissed the governments based on their own subjective satisfaction and without resorting to the floor test. These practices of the Governors came under severe criticism from all quarters and were also challenged in the court of law. Now the position is more or less settled that in case of any doubt about the majority of the government, floor of the House is the only place to clear such doubt.

MEDIA

Although the role of media is not recognised in any formal scheme of the term "Control over Executive", but it constitutes an important element when question of administrative accountability to Parliament is under consideration. In modern times press plays an important role in parliamentary life. It is with the help of the press that Parliament is able to control executive effectively. The press is sometimes called 'Extension of Parliament'. The press unearth the administrative lapses, scandals and shortcomings and grievances. Most of the material for parliamentary questions, legislations and debates comes through the press. The press keeps the public aware about what happens in Parliament. The media maintains an important link between the public, parliament and the administration.

Since the media and press play an important role in determining the inter-relation between the Legislature and the executive, it is very important that media plays this role in fair manner. It is seen that various important media houses are influenced by certain pressure groups in their publications or telecasts in Electronic media are guided to serve specific aims and objectives of these pressure groups. The parliamentarians need to guard themselves of such media reports. Mushroom growth of various Media Houses and Groups, be it, Press or Electronic Media, has adversely affected the sanctity of media reports due to their association with certain pressure groups. The parliamentarians are gullible to the expressions of media and in turn this affects the debates of Parliament. The parliamentarians have to have a

discerning eye for examining the media reports before they are made the basis of issues which are raised in the Legislature by them.

CHALLENGES

If the government which runs executive does not take a broader view, the control of Legislature over the executive becomes lax. If a political issue is raised by the opposition benches and it does not show the political view of the ruling party, it is not necessary that they will agree with the suggestions made by the opposition and thereupon the control becomes lax. Various governments determine their stand on the issue raised by the opposition in keeping with their own political interest and priorities instead of taking the larger public interest into account. The problem arises because no political party heading the government would work against its own political interests and would naturally behave in Legislature in such a fashion which furthers its political interests. The system of parliamentary democracy in Indian context does not offer a meaningful solution where safeguarding their political interests the ruling parties may still accommodate opposition so that Legislature may continue to have effective control over the executive.

In the composite culture of India the rise of small/regional parties has undoubtedly changed the very nature of electoral politics in India. They play a major role in formation of government and key decisions. Very often major decisions of governments are stalled by such

partners and governments have often had to even reverse their decisions to pacify one or other partner. Coalition partners use their role as leverage for their specific interests. In such cases as the survival of the government depends on the partners, independents and others, government ends up avoiding request for meaningful debate in the house on matters of public interest. Legislative control over acts and omissions of the government is diluted. Houses are adjourned sine die and government continues to go ahead with schemes and policies which, if properly scrutinised by the legislators may not have been allowed to be implemented in the same manner.

If there is a majority government which can pass its Bills and resolutions the voice of opposition does not find its due place in governance unless the ruling party is willing and ready to incorporate the points of view of opposition. The discretion of treasury benches becomes of paramount importance in governments with absolute majority. There is no mechanism which may compel the majority governments in developing countries to take into account the views of opposition even if such views may not augur well with their own political priorities. Hence there is a need to develop a method and ways whereby majority governments are cajoled and compelled to take into account the opposition view points.

In the Indian context the State Legislatures which are dominated by the regional political forces the control of Legislature does not have an effect over the executive as it is desired to be unless the ruling political party is

conscious towards the public interest at large and is willing to incorporate the views of those groups which are representative of opposition. It is very rare when the provisions of a Bill of proposed legislation are amended or revised because of the suggestions made by the opposition. The discussion over a piece of proposed legislation is one of the most important points of control of Legislature over the executive. The areas where legislation can be made are extensive under the Indian Constitution and consequently the laws which are made, unless debated and discussed at length, may face challenge in the courts of law as they do not satisfy all the sections of society in a true manner. Enactments of laws by a government commanding absolute majority is one of the major areas where the control of Legislature over the executive does not appear to be as effective as is expected, especially in those States of India where socio economic development has not come to the desired level and the electorate is not mature, although present government of socialist party has better democratic traditions and considers opposition demands substantially in the State of Uttar Pradesh, India.

SUGGESTIONS

The very character of the Legislature is being eroded, whether it is because of political interference or because of the members themselves not taking sufficient interest. Time of the House is most often wasted by disturbances caused by members driven by extraneous circumstances. Consistent procedural reforms may need to be pursued to strengthen legislative control over the executive. In the back drop of

the contemporary scenario the proposals should come from the political parties themselves.

- Better time management of the House.
- Curtail the number and length of supplementaries from either side of the House and when the Speaker tries to do this he should get the support of the House in his effort.
- Means should be devised for avoiding evasive answers by Ministers and attaching more responsibility to the Ministers in answering question.
- Fruitful discussion on important Bills and resolutions.
- It should be ensured that the information sought by the committee from any department of the government is given promptly.
- A plan of action has to be drawn to ensure that the recommendations made by a particular committee, whichever it is, be implemented with sincerity by the government.

CONCLUSION

In a Parliamentary form of government, such as we have, the function of Parliament is to legislate, advise, criticise, and ventilate the public grievances; and that of the executive, to govern. A country requires laws for the maintenance of public order, for facilitating economic and social process, and for ensuring a sound and efficient administration. The executive for the most part proposes the legislation necessary for governance after due deliberation and debate and suggesting modifications, whenever necessary. Control over

finance, the power to levy or modify taxes, the voting of supplies and grants and ventilating people's grievance are exclusive prerogatives of parliament. It is through these powers that Parliament enforces the responsibility of the executive to itself and to the people in the ultimate analysis.

Even if the suggestions or the issues made and raised by the opposition in the House are not given effect to, the criticism which takes place in the Legislature makes an impact on the public mind and the credibility of the government is affected. To that extent the control, if not directly but indirectly, is exercised by the Legislature over the executive. The voice of various groups made in the House against the government find expression in the actions of the electorate but that occasion comes only after five years but if this control is continuously exercised, the quality of governance will be elevated.

In light of the complex nature of the work of government and the changing scenario within which Parliaments and Legislatures fulfil their role, it is important to ensure both high levels of expertise and capacity within our institutions.

Although it is not desirable that Parliaments shall interfere in day-to-day working of the executive yet, Parliaments and Legislatures continue to be the central institutions of democracy ensuring transparency and accountability of the government. Hopefully Parliamentary institutions will evolve to higher levels of development and will keep pace with changing patterns.

REFERENCES:

1. The Constitution of India.
2. Rules of Procedure and Conduct of Business of the Uttar Pradesh Legislative Assembly, 1958.
3. Administrative Accountability to Parliament.

*-By S.L.Shakdher,
Former Secretary General,
Lok Sabha,India.*

4. Holding the Executive to Account? The Accountability Function of U.K. Parliament.

-By Anthony Staddon