

EFFECTIVENESS OF PARLIAMENTARY STANDING COMMITTEES IN BANGLADESH

BY

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ABSTRACT

The term 'Parliament' is usually associated with the British system of parliamentary government which has influenced the development of representative assemblies in many parts of the world. In pre-revolutionary France the word '*Parlement*' was applied to courts of justice which were not representative bodies at all. The word itself is derived from the Latin '*parliamentum*' and the French word '*parler*' and originally meant a talk. Parliaments are the central institutions of many systems of government. The modern parliamentary politics in this subcontinent commenced during the British colonial regime. Bangladesh has an experience of the parliamentary politics of hundred and fifty years.

Parliamentary accountability is the core of good governance in a democratic polity. It is the responsibility of the elected representatives to keep vigil on the activities of the government to ensure whether it is responsive to the needs of the citizens, answerable for tax payers' money and addresses the real concerns of the electorate. Transparency and openness are essential for sensitizing the citizens and also making the government more accountable. Parliamentary Committees are effective tools for ensuring proper functioning of Government machinery. In many democratic countries, some of the powerful committees like Public Accounts Committee (PAC), Finance Committee are chaired by the opposition on the basis of their proportionate share in the Parliament in order to strengthen the oversight function of the Legislature. But in Bangladesh, this system is not practiced at all. Rather ruling party members in most cases occupy the chairs. This reinforces the supremacy of the executive branch. In this context, strengthening of Parliamentary standing committees is necessary not only to improve legislation, but also to make it an effective and enforceable instrument to cater to public needs and grievances and to curb the excessive power exercised by the government.

ABBREVIATIONS

ATDP	Agro-based Industries & Technology Development Project
BAC	Business Advisory Committee
BADC	Bangladesh Agricultural Development Centre
BARI	Bangladesh Agriculture Research Institute
BCS	Bangladesh Civil Service
BRRI	Bangladesh Rice Research Institute
C & AG	Comptroller and Auditor General
EC	Estimates Committee
ERD	Economic Relations Division
GDP	Gross Domestic Product
GOB	Government of Bangladesh
HBFC	House Building Finance Corporation
HC	House Committee
HYV	High Yielding Variety
ICT	Information and Communication Technology
IPS	Institute of Parliamentary Studies
LC	Library Committee
MP	Member of Parliament
NARS	National Agriculture Research System
NBR	National Board of Revenue
NCDP	North Western Crop Diversification Project
PAC	Public Accounts Committee
PC	Petition Committee
PARC	Public Administration Reforms Commission
PRSP	Poverty Reduction Strategy Paper
RC	Committee on Rules of Procedure
R & D	Research and Development
SCMs	Standing Committee on Ministries
SCMA	Standing Committee on Ministry of Agriculture
SCMF	Standing Committee on Ministry of Finance
SEC	Securities Exchange Commission
T O & E	Table of Organogram and Equipment
UK	United Kingdom
USA	United States of America

CHAPTER ONE

INTRODUCTION

Background

Parliament in common/legal parlance is the group of people who are elected to make and change the laws of a country. The term 'Parliament' is usually associated with the British system of parliamentary government that has influenced the development of representative assemblies in many parts of the world. The word itself is derived from the Latin '*parliamentum*' and the French word '*parler*' and originally meant a talk. The oldest Parliament of the world is the Icelandic Althing established in 930 AD. The first English Parliament was formed during the reign of King Henry III. Modern Parliament although conceived in ancient times, seems to be infinitely adaptable and their numbers have increased rapidly and developed many forms in modern times. (www.answers.com/topic/parley)

In the parliamentary form of government, Parliament derives its authority directly from the consent of the people expressed through periodic elections. In this system, the Executive not only emanates from Parliament but is also accountable to it for all its acts of omission and commission. This accountability is based on the principle that since Parliament represents the will of the people, it should be able to oversee and keep the Executive under control and constant surveillance.

Parliaments have now emerged as a multi-functional institution. The role of Parliaments around the globe has been transformed radically over the years. It performs three important functions such as law-making, representation, and oversight. These are all necessary to promote and sustain democracy and good governance. Legislatures play a significant role in formulating development strategies, authorizing the use of resources to prioritize socio-

economic issues and creating an enabling environment for civil society and private sector to play their respective roles in promoting growth and in ensuring the accountability and transparency of the governing institutions. Democratically elected legislatures represent a broad range of interests and areas and are more accessible to the people. They provide a venue for the articulation of public complaints and demands.

Oversight powers and functions of an effective Parliament include the power to remove the executive, changing the policies of the executive and better monitoring and supervision of the activities of the government, obtaining required information from the executive, and control over the budget. Parliamentary committees are units within the legislative branch that allow parliamentarians to review policy issues and bills more rigorously than is possible by the entire Parliament. Their roles depend upon the governing system of the country.

Effectiveness of the committee system depends upon the following factors:

- The extent of expertise of the committee in a given policy area though stable membership.
- The ability of the committee to represent diversity and reconcile differences to identify concrete recommendations.
- The significance of the area at responsibility of the committee.
- The degree of other legislators and the people to influence the legislative outcomes of the committee. (Cheema, 2005)

Problem Identification

Parliament was introduced in South Asia by the British rulers. During colonial regime, the role of the Parliament was confined to law making only. It played very insignificant role in the administration of the sub-continent. Bangladesh emerged as a new independent and

sovereign state on 16 December, 1971. Since its independence, Bangladesh traversed a long way – from populist democracy to elected authoritarianism, to military dictatorship and finally to parliamentary democracy – to develop a political system. The military regimes of one and a half decade with a brief interval of a civilian government of ten months forced democracy and democratic institutions to degenerate in Bangladesh. The 1990 mass movement replaced the military regime and paved the way for conducting a free and fair parliamentary election' under a neutral and nonpartisan care-taker government.

In a Parliamentary form of government, Parliament is supposed to be the focal point of all activities. In practice, it has played the role of silent spectator to the ruling party's irregularities, whims and suppression of the opposition in Bangladesh. Successive governments have used the Parliament as a rubberstamp, reducing it to just a formality without any real worth. This was possible because there was no regular machinery in the Parliament to oversee the executive. Occasionally, the grievances of the members of the Parliament are articulated in the meetings of the Parliamentary party. This is not a formal channel. Throughout the world, the most effective means of parliamentary control are the standing committees in the Parliament. Unfortunately, the Rules of Procedure in Parliament as framed in article 75 of the Constitution of the Peoples Republic of Bangladesh established only two standing committees namely, Public Accounts Committee and committee of privileges for overseeing the financial activities of the government. The Committee system for all Ministries was first introduced in 1991. Since re-introduction of parliamentary democracy in 1991, there was consensus among all the political parties to share members in each committee according to their numerical strength of a party in the House. As a result, the committees are dominated by the ruling party. The committees could have been more effective if the opposition was given a share of chairmanship of the committees. In

addition, limited access to information, lack of consistency between discussion and decision making, lack of co-ordination and non-cooperation between different political parties, conflict of interest between the ruling party and opposition member, non-existence of parliamentary culture are major obstacles in the smooth functioning of the committee system.

The specific objectives are:

- To review relevant literature available on this area and identifying the issues.
- To carry out an in-depth analysis of the activities of the Standing committees on Finance and Agricultural Ministry of the Seventh and Eighth Parliaments.
- To identify the problems facing these committees in discharging their assigned tasks in particular.
- To identify measures to make these committees more effective and accountable.

Methodology

An exploratory research was conducted to have a better comprehension of the problems of the Standing Committees on Ministries in general and to have an in-depth analysis of the Standing committees on the Ministry of Finance and Agriculture of the 7th and 8th Parliament in particular. Several methods that have been used in writing the dissertation include:

Review of existing studies on Parliamentary standing committees.

- Analysis of the proceedings of the Committees, Reports and Journals on Parliament and Committees.
- Open discussion with the committee officials and staffs.

Special importance was, however, given on review of the proceedings of the committees to collect information on a number of variables including number of committee meetings held

during a certain period of time, the nature of attendance of members, issues regarding policy, legal and implementation discussed in different committee meetings and the decisions taken, the nature of progress with the implementation of those decisions.

Organization of study

The dissertation is organized into six chapters. Introductory chapter concentrates on the background, objectives and research methodology. The second chapter reviews existing literature on the area. Chapter three presents the main features of parliamentary standing committees in Bangladesh, administrative arrangements for the functioning of standing committees and compares them with similar committees in developing countries. Chapter four presents two case studies on the working of the standing committees on the Ministry of Finance and Agriculture. Chapter five identifies a number of factors responsible for hindering smooth functioning of the Standing committees on ministries. Chapter six summarizes the main findings and recommendations of this report.

CHAPTER TWO

LITERATURE REVIEW

Parliament as one of the institutions of government performs very important functions in governance. It acts as an avenue for the citizens to have their voice heard in the management of national affairs through their elected representatives. The oversight role of the parliament revolves around its committees to keep the executive accountable for its activities. As a consequence, effective functioning of Parliamentary Standing Committees has figured prominently in the emerging democracies. This issue is widely recognized and discussed in various seminars, symposiums and workshops. The parliamentary committees are recent innovations in the cabinet form of government. It was assumed that the Cabinet itself would exercise control over the Executive on behalf of the Parliament. The Parliamentary committees were considered to be superfluous in parliamentary form of government. On the other hand, standing committees of the Legislature were considered to be vital in USA which was governed by Presidential form of government. In the US system, the Congress is separate from the Executive. The entire Congress cannot effectively scrutinize the day to day activities of the Executive. The Congress therefore, found it convenient to set up small committees and subcommittees to review the functions of various departments.

Of late, the Parliaments in the Cabinet system of government discovered that their role is shrinking while the role of the Executive is expanding, the formation of standing committees was felt to be necessary in Parliamentary forms of governments. Such standing committees were on the British Parliament. Of late, most of the developing countries with Parliamentary form of government also discovered the merits of committee system.

This chapter aims at reviewing the literature on Parliamentary committees in developing countries with special reference to Bangladesh. It will not review the literature on committee

system in Presidential form of government. Some relevant works that would enrich the scope and utility of this study are reviewed below:

John D. Lees and Malcolm Shaw

John D Lees and Malcolm Shaw published in 1919 a major study entitled "Committees in Legislatures. The study provides in detail comparative analysis of the committee systems of some developed countries like USA, UK, Australia, Canada, Japan Germany and India. Review of this book enabled to have acquaintance with various mechanisms under which the standing committees operate in those countries and a clear notion of how they perform effectively.

Abul Hashem

The study entitled **The Parliament Secretariat: Public Administration at the Service of the House** done by Mr. Abul Hashem provides elaborate information on the administrative arrangements of the Parliamentary committee. It does not provide empirical data regarding mechanisms of making the SCMs effective.

G Shabbir Cheema

G.Shabbir Cheema, Principal Adviser on Governance, Division for Public Administration and Development Management, United Nations is the author of the renowned work "**Building Democratic Institutions**". Chapter four deals with strengthening parliamentary process with special focus on the oversight functions of the legislative. His work is basically a survey of the procedures. He could not study the effectiveness of the Parliamentary standing committees. It only gives an overview of the practices.

Jalal Firoj

Mr. Jalal is a renowned researcher in the realms of Parliamentary democracy, good governance, and institutionalization of politics. Consisting of eleven chapters, his work **How Parliament Works- Bangladesh experience** is confined within the limits of the committee systems prevalent in Bangladesh, its composition, importance, limitations and salient features. The study does not provide means to evolve mechanisms to strengthen the role of the parliamentary standing committees.

Nizam Ahmed

The study “Parliament and Public Spending in Bangladesh: Limits of Control” by Nizam Ahmed and published by Institute of Parliamentary Studies briefly touches upon committee scrutiny and limits of Parliamentary control in Bangladesh. Though the significance of parliamentary oversight is by and large recognized, it indeed remains one of the neglected areas of academic enquiry. This study tries to compare the nature of activism of four Parliaments and identifies the constraints that impede the activities of committee system. The author in this study however concentrates on the process, not on the results.

The recommendations of Public Administration Reforms Committee (PARC) on strengthening the parliamentary standing committees in Bangladesh are pertinent to this area of study. In addition, a mine of information related to this issue was reviewed from some reliable websites, reports, magazines and journals.

Role of the Eighth National Assembly (Parliament), 2001-2006

This is a publication of Transparency International. It reviews the performance of Eighth National Assembly in the areas of establishing accountability, law-making and scrutinizing the budget. There is a chapter in the study devoted to examination of the role of the standing committees. The report shows that the standing committees of the Parliament held on 13.2% required meeting during 2000-2006.

Parliament Watch 2005

This report examines the working of Parliament in Bangladesh in 2005. It also contains a chapter on the performance of the standing committees. It shows that the meetings of most of standing committees were irregular and the issues of corruption were hardly discussed. This study discusses the shortcomings of standing committees but it did not provide prescriptions for overcoming these weaknesses.

An analysis of the available literature shows that they deal with the importance and inadequacies of standing committees. However, most of these studies are theoretical and do not examine the data on these committees in-depth. The best way to examine the effectiveness of standing committees in the Parliament is to undertake case studies of individual committees. This study is therefore, based on case studies of two parliamentary standing committees in Bangladesh.

CHAPTER THREE

MAIN FEATURES OF PARLIAMENTARY STANDING COMMITTEES IN BANGLADESH

This chapter is divided into four sections. The first section describes the legal framework of parliamentary committee system in Bangladesh. The second section reviews the administrative arrangements for the functioning of standing committees. The third section compares Parliamentary Committee systems of different countries. The final section examines the policy implications of the analysis of previous three sections. Generally speaking, the term committee refers to small groups of legislators who are assigned, on either a temporary or a permanent basis, to examine matters more closely than could the full chamber. According to Paul Silk's *How Parliament Works* the very name 'committee' indicates that a task or function has been 'committed' or given to that body". Parliamentary standing committees are effective tools for upholding accountability and transparency of Government function. They are integral to modern legislature. In fact, one can hardly find a legislature that does not have a committee system of one kind or another. Bangladesh *Jatiyo Sangsad* (Parliament) is also not an exception. It is usually considered that a Parliament possessing effective committee system is more vibrant and successful. So the renowned Political scientist Morris-Jones rightly said "a legislature may be known by the Committees it keeps". Parliamentary Standing Committees provide several benefits for the internal organization of a legislature. They are as follows:

- Members are allowed to discuss issues informally and to develop relationships with colleagues from other parties through the committee meetings. They provide forums for compromise and agreement.

- Committee members and support staffs provide continuity, stability, chronological knowledge and can develop expertise on certain matters.
- Committees can hold public meetings to disseminate information to the media and public and to gain feedback for legislative decisions.
- Civil society leaders and experts can present their views through hearings of the Committee. Committee hearings also serve as the forum to make the government answerable.
- Committees provide an opportunity for members of opposition parties to ventilate their thoughts and to express their opinion in a friendly and ambient atmosphere.
- As a multi-functional institution, it becomes difficult for the Parliament to oversee the activities of the executive meticulously. Issues requiring detailed scrutiny and expert consideration are referred to the Committees by Parliament.
- Committees act as an avenue for the citizens to have their voice heard in the management of national affairs through their elected representatives.

Normally when an issue is debated in the House, the backbenchers get little opportunity to participate. On the other hand, committee enables all the members irrespective of their party affiliations to participate in the discussion.

LEGAL FRAMEWORK OF PARLIAMENTARY COMMITTEE SYSTEM IN BANGLADESH

Constitution

The Committee system in Bangladesh derives its authority from the Constitution of the People's Republic of Bangladesh and Rules of Procedures of Parliament. The Constitution makes it binding for the Parliament to set up a Public Accounts Committee (PAC), and a Committee on Privileges and empowers it to constitute as many standing committees it considers necessary.

Rules of Procedure

The Rules of Procedure is a substantive Act, made by the Parliament under the provision of Article 75 of the Constitution. They explain the manner according to which the business of the Parliament is to be conducted. Rules of Procedure also specify the actual number of committees to be set up and regulate functional details, delineate their formal scope of operation and terms of reference. Rules 187 to 266 of the Rules of Procedure lay down special provisions pertaining to the organization and working of committees. They also specify the composition of different committees and prescribe other important matters regarding the way decisions are to be taken; the procedures to be followed to convene meetings of a committee. A committee can regulate its sittings and the way it conducts its business. It can obtain cooperation and advice from any expert in its field. A committee may appoint as many subcommittees as it considers necessary. Each sub-committee has the power of the main committee.

A committee has the power to send for persons, papers and records. No document submitted to a committee can be withdrawn or altered without its knowledge. No member can be appointed to a committee who has a personal, pecuniary or direct interest in any matter which may be considered by it. Nor can a member be appointed to a committee if he or she is not willing to serve on it.

Structure of committees

The Rules of Procedure provide for three categories of committees:

- a) Select Committees
- b) Special Committees
- c) Standing Committees

While a Select committee is specifically established to examine a bill referred to it and report to the Parliament, the scope of a Select committee can be much wider. Its compositions and functions are specified in the motion for its appointment. Tenure of a Select or Special committee ends with the submission of its final report to Parliament based on the terms of its reference. (Haque, 1999).

Standing Committees are relatively new. Some standing committees for instance the House Committee providing personal services to members are as old as the Parliament itself. The SCMs were first established by the Second Parliament in 1980. Some other standing committees, such as the Public Undertakings Committee (PUC), the Estimates Committee (EC) and Committee on Government Assurance were first established after the Liberation in 1971. Four of the standing committees are nominated by the Speaker, while the rest are appointed by the House.

Composition of Committees

The nature of composition of different committees varies. However, while the number of members of different standing committees is fixed by the Rules, the House decides on the number of members to be appointed to a select committee or a special committee. Most standing committees have ten members. The exceptions are the Business Advisory Committee (BAC) and Public Accounts Committee (PAC); they have fifteen members each, and the RC and House Committee are composed of twelve members each. The Library Committee has the lowest number of members: eight. No member can be appointed to a committee who has a personal, pecuniary or direct interest in any matter, which may be considered by these committees. Nor can a member be appointed to a committee if (s) he is not willing to serve on it.

The standing committees nominated by the Speaker are:

- i. Business Advisory Committee (BAC)
- ii. House Committee (HC)
- iii. Library Committee (LC)
- iv. Petition Committee (PC)

A Minister cannot sit as Chairperson or as a member of the Committee on Petitions. Among the Standing Committees appointed by the House, there are three committees where a Minister cannot sit either as chairperson or as a member. These are:

- i. Public Accounts Committee (PAC)
- ii. Estimates Committee (EC)
- iii. Public Undertakings Committee (PUC)

A member elected to any of these committees, including the committee on Petitions vacates his/her position in the committee if she/he is appointed a Minister.

The number of members in standing committees varies between eight and fifteen. The Public Accounts Committee has fifteen members while the Public Assurance Committee has eight members. In most committees, there are ten members. It appears that this number is adequate to give representation to members of all parties to standing committees.

Table-1 Some Standing Committees appointed by the House

Serial No	Name of the Committee	Number of members	Chairperson
1.	Privileges	10	Appointed by Parliament
2.	Public Accounts	15	Appointed by Parliament
3.	Public Undertakings	10	Appointed by Parliament
4.	Estimates	10	Appointed by Parliament
5.	Government Assurances	08	Appointed by Parliament
6.	Private Member's Bill and Resolutions	10	Appointed by Parliament
7.	Rules of Procedure	12	Speaker ex-officio
8.	Standing Committees on Ministries (SCMs)	10	Appointed by Parliament

The committee system in Bangladesh has undergone changes over time. Beginning with only 11 committees in 1974, there has been a steady increase in the number, functions and frequency of meetings of these committees. At present, there are 48 Standing Committees of which 37 are on Ministries, 4 on financial matters and 7 on internal matters of the Parliament. The Standing committees on Ministries (SCMs) form the largest group of committees. They essentially perform identical functions pertaining to the respective ministries. Article 76 of the Constitution has vested wide powers on these Standing Committees and their functions have been laid down in Rule 248 of the Rules of Procedure.

Each committee is required to meet once a month and has the following functions to perform:

- To examine draft bills and other legislative functions.
- To review the work related to the Ministry.
- To inquire into any activity or irregularity and serious complaint with respect to the Ministry:
- To examine any bill or other matters referred to it by Parliament; and
- To examine any matter within its jurisdiction.
- Review the enforcement of laws and propose measures for such enforcement. Parliament may by law confer on committees appointed under Article 76 of the Constitution power for
- Enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise;
- Compelling the production of documents.

If a meeting of a Standing committee on Ministry is not held as stipulated in the Rules, the Speaker is authorized to convene a meeting of the committee. (Haque, 1999)

Tenure of Committees

All Committees of the Parliament are usually permanent during the tenure of the Parliament. A committee continues its functions till the dissolution of the Parliament. Because of long tenure; the Parliamentary Committees get ample time to complete their tasks. Members of the committees can attain detailed information on matters concerned with their committees. They can also make significant contribution to the government's decision making process in

the relevant field. Parliament can, however, reconstitute a committee any time. Such reconstitution becomes essential on appointment of a member of a committee as a Minister or to accommodate a member who has been elected in a bye-election. However, the tenure of a special committee or a select committee ends with the performance of its assigned responsibility.

Duties and Powers of Parliamentary Committees

Constitution of the People's Republic of Bangladesh has vested the executive powers of the Republic with the Prime Minister to be exercised by him/her or on his/her authority. Thus it follows that the Parliamentary Committees cannot exercise any executive powers. This is true of all parliamentary systems including that of Britain. However, one must hasten to add the parliamentary committees have not been barred from making any recommendations on matters assigned to the executive branch. On the contrary, the Constitution and the Rules of Procedure have given certain powers to the Standing Committees of each of the Ministries. The Rules 248 state that the functions of a Committee shall be to examine any bill or other matter referred to it by Parliament, to review the works relating to a Ministry which falls within its jurisdiction, to inquire into any activity or irregularity and serious complaint in respect of the Ministry and to examine, if it deems fit, any such other matter as may fall within its jurisdiction and to make recommendations." This provision has constitutional basis in Article 76(2) of the Constitution. The Standing Committees on Ministries (SCM) is a path breaking endeavour of the Parliamentary surveillance over administration. They can review the enforcement of laws and the activities of the ministries or inquire into any activity or irregularity or serious complaints. Thus Standing Committees enjoy authority and can exercise powers of a kind not to be found in other parliamentary systems. Rule 203 of the Rules of Procedure empowers a Committee to summon any records, documents and persons that it may require for investigation. However, the concerned person may raise a question

whether his own presence or production of documents in his possession is relevant to the work of the committee. If controversy of this nature arises, the Speaker is empowered to give final decision. The government may refuse to produce a document on the ground that its disclosure would go against the safety or interest of the State. A parliamentary committee may administer oath to a witness to be examined before it. A member of a committee or any other person cannot make any disclosure of any evidence given by a witness before it is placed in the House. (Haque, 1999)

Report of Parliamentary Committees

The Rules of Procedure provides that the report of a committee has to be presented within a month of the date on which reference to the Committee was made, if the House has not fixed any time for presentation of the report. The Chairman, on behalf of a committee, submits reports before the House under his signature. If the Chairman is not present, any other member of the committee can be nominated to present the report on behalf of the committee. A committee report is considered confidential until it is presented in the House.

There is an unwritten rule or practice in the Parliament in respect of reports of parliamentary committees that they are presented in the House but are not discussed. A report of this kind when presented in the House is considered to have been referred to the concerned ministry for implementation. The report of the Public Accounts Committee is a proper example of this kind. The Public Accounts Committee gives their views on the reports of the Comptroller and Auditor General and places recommendations in Parliament for implementation by the respective ministries. It is the responsibility of a concerned ministry to implement the report of the Public Accounts Committee. This unwritten rule is applicable to most other committees of Parliament as well, including the standing committees on Ministries. Decisions in Committees are largely unanimous. Unanimity and consensus is however limited to committees performing oversight functions only.

ADMINISTRATIVE ARRANGEMENTS FOR THE FUNCTIONS OF THE PARLIAMENTARY COMMITTEES IN BANGLADESH

The Parliament Secretariat in Bangladesh plays a significant role in the committee activities. It has to follow certain rules during the formation of each committee. Chairmen and members of these committees are, nominated by the Speaker or the House according to the Rules of Procedure. Thereafter, gazette notifications are to be made. The members of the committees and other concerned agencies are to be notified. The committee wing of the Parliament Secretariat performs this function.

The Secretary normally attends the committee meetings, which are chaired by the Speaker. The duties of the officers assigned to different committees start with the decisions to call meetings. The Chairman of a committee fixes a date, time and place of the meeting and its agenda. The Secretary of the committee issues notice of the meeting to all the members of the committee and other concerned agencies. The meetings are held in the committee rooms of the Parliament. The committee officials and reporters concerned with recording the proceedings of the meetings have to remain punctual in attending the meetings. Committee officials must ensure that the room is ready for the meeting in all respects. Adequate numbers of chairs, tables and other logistics are to be arranged accordingly. Sometimes attendance of the representatives of the concerned Ministry in the committee meetings is required in the meetings of the Standing Committees on Ministries. In such cases, letters are sent to the Ministry and other agencies asking them to attend the meeting. Committee officers also perform these functions.

References to different rules and regulations are made during the committee meetings. To keep the members well-informed about the relevant rules and regulations, the committee officials require in-depth knowledge of the legal procedures particularly the Rules of Procedure. Another important function of the officers is to maintain records of the minutes of the committee meetings. For this purpose two official reporters of the Parliament Secretariat attend each meeting of the committees. On the basis of the records, the proceedings of the meetings of a Committee are prepared by the Secretary of the Committee and when they are approved by the Chairman of the committee, copies of the decisions are sent to the members. Relevant papers are sent to the concerned Ministry and Government agencies for their action. The Secretariat officials have to prepare reports of the Committees for submission to the House. The Chairman presents the Committee report before the House. Generally discussion on the reports of the Committees is not held. Reports of the Standing Committees are deemed to have been referred to the concerned Ministries for implementation.

Some Standing Committees are of the opinion that their decisions have to be implemented by the concerned Ministries. This causes conflict between the Ministry and the Standing Committees. In some other countries like India and England recommendations of the Committees are generally implemented. In India if the Government has reservation about a particular recommendation of a Committee, it informs the Parliament but, if the Committee again passes it, Government has to implement it. The Secretariat Officers assigned to the responsibility of a Standing Committee correspond with the Ministries on behalf of the Committees. The officials are required to take necessary action when records are to be produced in the meeting of the Committees or witnesses are to be produced for examination by the Committees.

Committee Staff

The Parliament Secretariat provides secretarial support to different committees. Each committee chairman is entitled to have a personal assistant who is recruited from outside the Secretariat. Senior officials working for committees do not belong to the Parliament Secretariat. Majority of them are on deputation from the government. Almost all of them belong to BCS (Administration) cadre. The existing workforce of the committee wing is quite small and inadequate; only a few can claim any specialization. Whatever attempts have been made so far to extend the operational capacity of the Parliament Secretariat have remained largely limited. Lack of continuity in the recruitment process is likely to increase the dependence of the Secretariat on staff support from outside. Most committees do not have any major staff supports. Although most Chairmen are provided with offices, they, however, lack other services. Non-availability of staff and other resources, make most committees practically ineffective. Although the Rules allow committees to obtain cooperation and advice from any expert outside, this is not done accordingly. In fact, many of them do not appear to be much aware of the provision in the Rules. (Hashem, 2001)

COMPARISON WITH PARLIAMENTARY COMMITTEE SYSTEMS OF DIFFERENT COUNTRIES

Committees are seen in all types of legislatures: old or new; large or small. They figure prominently in most countries of the world. The number and size of the committees differ from country to country and may not be in proportion to the size of the legislature. The membership of the committees is usually allocated in proportion to each party's representation in the legislature. Most countries limit the number of committees for an individual member. There are, however, exceptions to this rule including India, Hungary,

Argentina and Namibia. In most countries, the committee chairs are chosen from the majority party. In Romania, members from the opposition or minor parties may also chair committees. In Brazil and most other Latin American countries, committee chairs rotate on an equal basis. The role of the committee chairs in the Parliamentary process depends upon the governing system. The US House of Representatives has 435 members and 19 permanent committees. The French National Assembly has 120 members and 11 permanent committees. The Senegal National Assembly has 120 members and 11 permanent committees. (Cheema, 2005)

USA

In the United States, all the legislative powers are vested in a Congress consisting of the Senate and the House of Representatives. The US Congress makes most of its legislative and other decisions in committees and sub-committees. In Congress, all bills are referred to committees before there is any discussion on their principles. The title of the bill indicates which particular standing committee should receive it. Writing in 1885, Woodrow Wilson asserted that "Congressional government is a committee government" and he added that "Congress in its committee rooms is Congress at work." Under the Legislative Reorganization Act of 1946 there are 19 standing committees in the House of Representatives and 15 in the Senate. To make the committee system work effectively, to deal with any non-co-operation by administration, US Congress has evolved a number of measures including issuance of subpoenas, forcing resignation of non-co-operating administration officials. It may amend the bill and recommend that it be passed as amended; (3) It may entirely change the original bill except its title and report a new one in its place; (4) It may report the bill unfavourably and recommend that it need not be passed; (5) It may "pigeon-hole" the bill, that is, to take no action on the bill at all or report it so late in the session that it may not find an opportunity for consideration.

United Kingdom

In the British Parliament, every bill, except a money bill, automatically goes to one of the standing committees after the second reading, unless the House resolves that it should go either to the Committee of the Whole House or to a Select Committee. In the Westminster system, the standing committees are less powerful in the sense that a committee finds out the omissions and commissions of the bill and then submits it to the House which is the final authority. It has followed the principle of separation, assigning the tasks of the scrutiny of bills and the oversight of government activities to different types of committees. In Britain, bills are conventionally referred to standing committees, which are essentially ad-hoc bodies. Their term expires the moment they report on bills to the House. On the other hand, the select committees on different departments are relatively permanent. They are elected for the duration of the whole parliament and are entrusted with examining the expenditure, administration and policy of different government departments. Their report does not include deliberation on legislation.

Canada

The Parliament of Canada uses committees for a variety of purposes. Committees consider bills in detail, and may make amendments. Other committees scrutinize various Government agencies and Ministries. The House of Commons has several standing committees, each of which has responsibility for a particular area of government (for example, finance or transport). These committees oversee the relevant government departments, and may hold hearings and collect evidence on governmental operations. Standing committees may also consider and amend bills. Standing committees consist of between sixteen and eighteen members each, and elect their own chairmen. The House may also create *ad hoc* committees

to study matters other than bills. Such committees are known as special committees. Each such body, like a legislative committee, may consist of no more than fifteen members. Other committees include joint committees, which include both members of the House of Commons and senators; such committees may hold hearings and oversee government, but do not revise legislation.

Sweden

Sweden has a Parliamentary system of government. The government is dependent on and accountable to the Riksdag (Parliament). Parliamentary standing committees play a crucial role in performing oversight functions. However, there are many stages involved in the decision-making process. The Government, in the form of a Government bill, introduces most proposals for new business. Members of the Parliament (Riksdag) can influence proposals by submitting a motion in response to a particular Government bill. At the beginning of each Riksdag session, members may also introduce motions on other issues that they want the Riksdag to consider. A committee must deal with all Government bills and private members' motions. Most of the Riksdag's work takes place in the sixteen committees, which are appointed for each electoral period and which consist of seventeen members representing the party groups in the Riksdag. Each committee has a particular sphere of responsibility. The committees comprise 17 members. The political composition of the committees depends on the election result. Each committee has its own secretariat with a staff of between 5 and 10 non-political officials. The committees' preparation of an item of business results in a report, which is supported by the majority of members of the committee, and which contains recommendations as to how the Riksdag should decide in the matter. In most cases the Riksdag follows committees' recommendations. Committee meetings are held behind closed doors but sometimes public hearings are held with external experts and officials.

Australia

The Parliament of Australia is a bi-cameral legislature consisting of the Senate and the House of Representative. The Senate has a highly developed committee system. The Senators devote much of their time on committee work. The standing committees meet both in the Parliamentary precinct and off-site in case of necessity. Standing Committees are established in order to hold the government accountable and to better inform the House on matters of public interest. The appointing House determines membership to these committees and the appointments are made for the life of the Parliament. The committees have the same powers, privileges and immunities as the Houses that establish them.

Japan

The National Diet (Parliament) resembles US Congressional committee system along with two sets of similar committees for both chambers. The practice of committee scrutiny on each bill has made the committee system the centre of parliamentary activities. Normally the committee membership is distributed among the parliamentary parties, according to their numerical strength in the respective houses of the Diet. Of the standing committees corresponding to the jurisdictions of the ministries, the budget committees, the audit committee and the rules and administration committee encompass a wide spectrum of governmental activities. At present, there are 21 standing committees in the House of Representatives and 18 in the House of Councilors. The number of committee members has been within the range of 20-25 and 10-14 respectively. The Speaker plays a key role in the selection of committee chairs considering party strength in each standing committee. At the committee stage, the bills are scrutinized through a process of interpellation, debate, investigation, witnesses and public hearing. Committee deliberations are usually open and the proceedings are available in the Diet library.

Germany

The German Parliament (Bundestag) takes a decision on the number of committees to be constituted, and on their composition at the beginning of each electoral term. Of the 23 committees constituted at the beginning of the electoral term, 12 are chaired by the parliamentary groups of the governing majority and 11 by those making up the opposition. The members of each committee are appointed by the parliamentary groups and can be removed or replaced at any time by them. In addition to the permanent committees, special committees may also be established to deal, for instance, with particularly complex bills. The permanent committees also have the possibility of setting up sub-committees. Under the Rules of Procedure, the role of the committees is to prepare decisions by the plenary; they are not empowered to take final decisions on bills and other items. Rather, their task is to deliberate on items referred to them by the plenary and then to submit to the plenary a recommendation for a decision. The committees do not have a right to introduce legislation in the plenary. However, they are empowered to deal on their own initiative with all matters falling within their limit. Under a procedure introduced in 1995, committees may also hold their final deliberations on a bill in public. The Budget Committee considers the annual federal budget, and has the right to scrutinize, and to be heard on, all bills which will have an impact on public revenue and expenditure.

India

Parliamentary work is transacted not in the House alone. A great deal of is done in the committees as well. Parliamentary committees are, in fact, mini legislatures. There are at present 12 Standing Committees, members of which are nominated by the Chairman of Rajya Sabha. There are 17 Department-related Parliamentary Standing Committees each of which has 45 members – 30 from Lok Sabha and 15 from Rajya Sabha. Out of these 17 Department-related Parliamentary Standing Committees, 6 function under the direction and control of the

Chairman of Rajya Sabha. In fact all these legislatures have developed definite ways of performing their functions of representation, legislation and overseeing activities of the government by evolving rules, procedures and norms to ensure accountability and responsiveness to the people.

POLICY IMPLICATIONS ✓

From the above analysis, the role of the parliamentary standing committees may be examined from three points of view:

1. Legislative oversight
2. Financial oversight
3. Oversight of the Executive

They are summarized below:

Legislative oversight

There are three major types of committees in respect of legislative oversight. In the UK Parliamentary model, committees are formed for the purpose of reviewing particular bills or groups of bills and these are disbanded when that work is completed. In the US presidential model, committees can prevent bills from proceeding, make substantive amendments and often initiate legislation. In the **French** hybrid model, there are permanent, standing committees in the National Assembly, but they can only make technical amendments. They cannot prevent bills from coming to a vote by the full Assembly because each piece of legislation must be reported back to the full chamber within a given period of time.

The committees of the Parliament of Bangladesh have resemblance to the French. They are permanent, but they can make only technical amendment. There is nothing in the law that

restricts the role of the committees and technical committees. In reality, the members are afraid of annoying the party leadership of making major changes in law. Article 70 of the Constitution lays down that a member will lose his seat if he votes against the decisions of the party.

Financial oversight

The financial powers of the Parliament are restricted by both the Constitution and the Rules of Procedure. Article 82 lays down that "No Money Bill or any Bill which involves expenditure from public moneys shall be introduced into Parliament except on the recommendation of the President." The Money Bill is defined in Article 81(1) as "a bill containing only provisions dealing with all or any of the following matters.

- (a) The imposition, regulation alteration, remission or repeal of any tax:
- (b) The borrowing of money or the giving of any guarantee by the Government, or the amendment of any law relating to the financial obligations of the Government:
- (c) The custody of the Consolidated Fund, the payment of money into, of the issue or appropriation of moneys from, that Fund:
- (d) The imposition of a charge upon the Consolidated Fund or the alteration or abolition of any such charge:
- (e) The receipt of moneys on account of the Consolidated Fund or the Public Account of the Republic, or the custody of issue of such moneys, or the audit of the accounts of the Government:
- (f) Any subordinate matter incidental to any of the matter specified in the foregoing subclasses.

CHAPTER FOUR

CASE STUDIES ON FUNCTIONING OF PARLIAMENTARY STANDING COMMITTEES OF THE MINISTRY OF FINANCE AND AGRICULTURE

There are forty six standing committees in the Seventh Parliament. The effectiveness of the standing committees varies from ministry to ministry. The best way to assess the effectiveness of standing committees is to undertake case studies on their functioning. In this chapter, the findings of two case studies on standing committee will be presented. Two standing committees chosen for detailed analysis in this chapter are the Standing Committee on the Ministry of Finance and the Standing Committee on the Ministry of Agriculture. The reason for the selection of these standing committees is as follows: First, the Ministry of Finance plays a pivotal role in allocation and mobilization of resources. It also supervises and manages the financial institutions. Thus the standing committee on the Ministry of Finance can play a crucial role in parliamentary oversight. Secondly, agriculture is one of the most sensitive sectors in Bangladesh. Agriculture is the largest employer and much of the poor of the country are dependent on agriculture sector. This is why, the standing committee on the Ministry of Agriculture has been chosen for special examination.

Role of the Standing committee of the Ministry of Finance.

The importance of public finance in the national economy can hardly be overemphasized. The public sector of Bangladesh plays a pivotal role in the economic activities and development process. In a developing country like Bangladesh, the need for greater transparency and accountability in regulating the financial sector has been one of the key problems, as issues of public sector efficiency, effectiveness and accountability are particularly important for ensuring the long-term viability of our fragile economy. Proper

functioning of Standing Committee on the Ministry of Finance (SCMF) can ensure the financial accountability of the government. The SCMF discusses and reviews the works concerned with the Ministry of Finance. It can enquire into any activity or irregularity and serious complaints in relation to the Ministry of Finance, which is responsible for shaping up the economy, mobilizing resources and ensuring an efficient and dynamic financial sector.

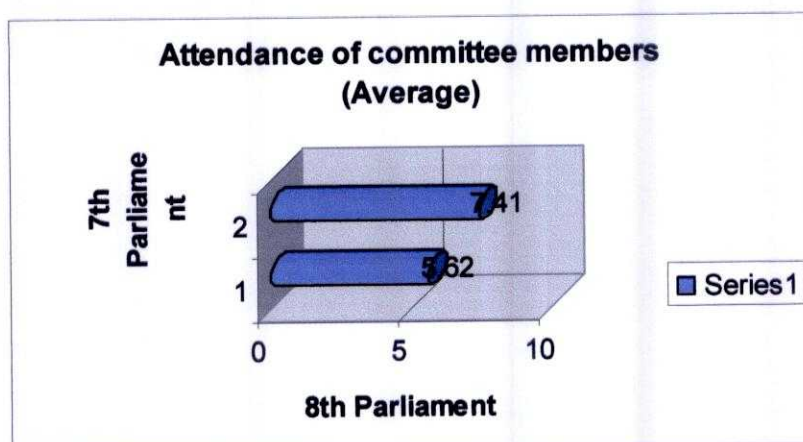
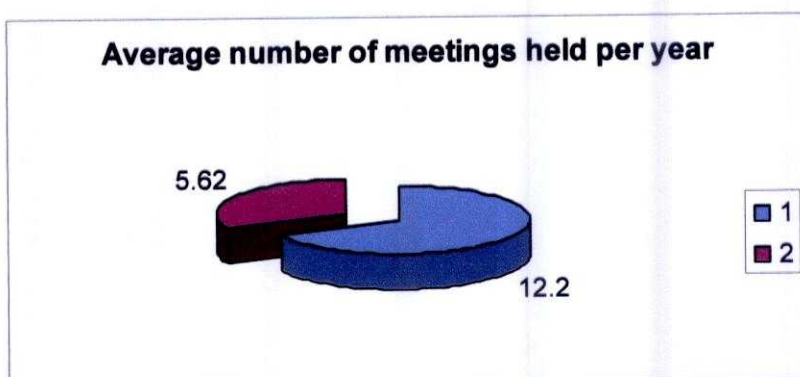
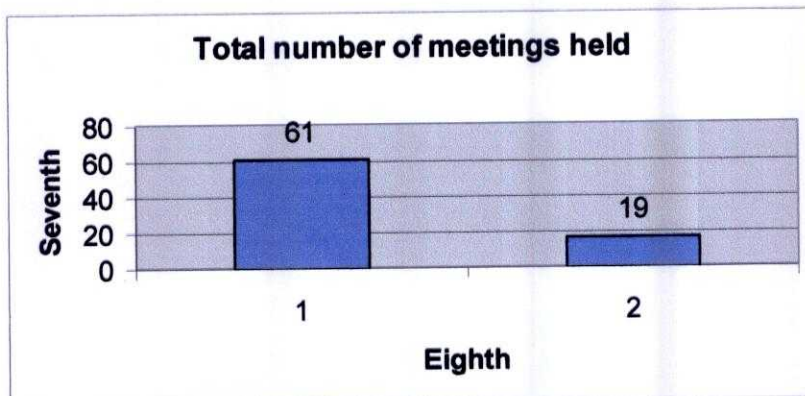
The Working of Committees

There are several ways of measuring the activities of a parliamentary committee. Some of the important variables are the frequency at which committee meetings are held, the regularity of members' attendance, the number of reports prepared over a particular period of time, the number of hours spent on deliberation, the scope for agenda setting by members, the nature of issues raised and discussed and the quality of decisions reached.' (Ahmed, 2001)

Table-2 presents a summary of the main activities undertaken by the standing committee of the Ministry of Finance.

Variables	Seventh	Eighth (as of June, 2006)
Meeting		
Total number of meetings held	61	19
Average number of meetings held per year	12.2	5.62
Attendance of committee members (Average)	5.62 %	7.41 %
Sub committees		
Number of sub committees formed	02	No sub committees were formed
Number of reports prepared by Sub committee.	Nil	Nil
Report of the committee		
Number of reports prepared by Committee	01	02
Number of reports submitted to the House	01	02
Status of implementation of decisions		
Total number of decisions made	223	69
Number of recommendations implemented	Nil	Nil
Number of recommendations under implementation	Nil	Nil
Number of recommendations rejected by government	Nil	Nil

The following figures show variables such as total number of meetings held, average number of meetings held per year and attendance of committee members (average)



It is observed (**Appendix-1**) that SCMF of both Parliaments have scrutinized the activities of several organizations, especially different Nationalized Commercial Banks (NCBs) such as Sonali, Rupali, Agrani, Krishi, Shilpa, and Foreign Banks like HSBC and other financial institutions like the National Board of Revenue (NBR), the Economic Relations Division (ERD) and the Stock Exchange Commission (SEC). It has explored a number of issues, such as the nature of functions performed by different organizations, the nature of problems encountered by them and the measures taken so far to overcome them. Discussion on PRSP, financial reforms, creation and appointment of Tax Ombudsman and review on distribution of loans in the Small and Medium Enterprises (SMEs) also took place in the SCMF meetings. However, while the Committee has discussed the difficulty of raising revenue in more than one meeting, there has not been any specific reference to the importance of exercising control over public expenditure. In fact, expenditure control is one of the important functions of the Ministry of Finance. The SCMF of both the Parliaments have apparently overlooked it. Discussion on issues like Exchange rates, Inflation, reserve positions, remittances which are important indicators of National economy did not come up in any of the committee meetings. Although the issues of corruption and mismanagement of resources by different organizations have been discussed in different meetings, no concrete step has yet been taken to probe into these lapses. The SCMF however, has very often discussed the scope and limits of the alternative ways of recovering loans from the defaulters.

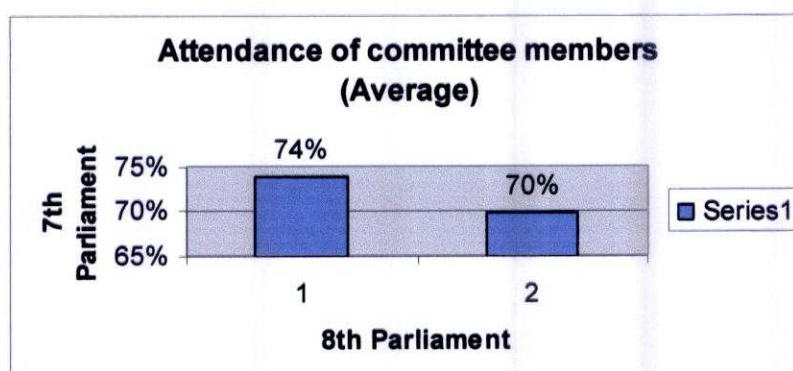
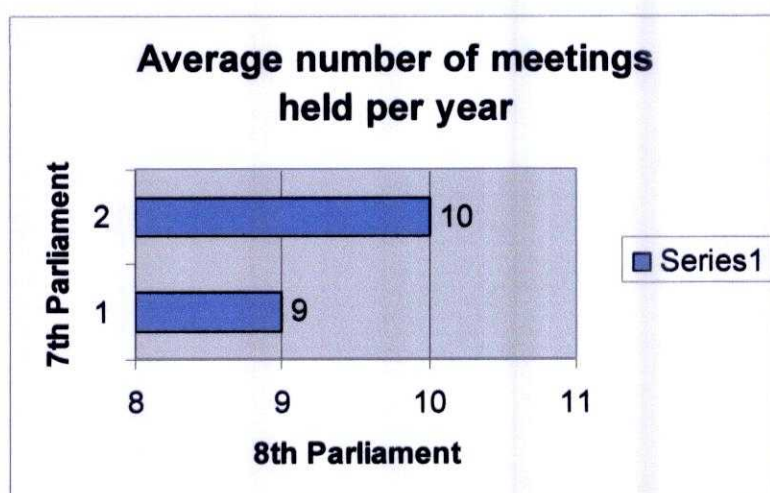
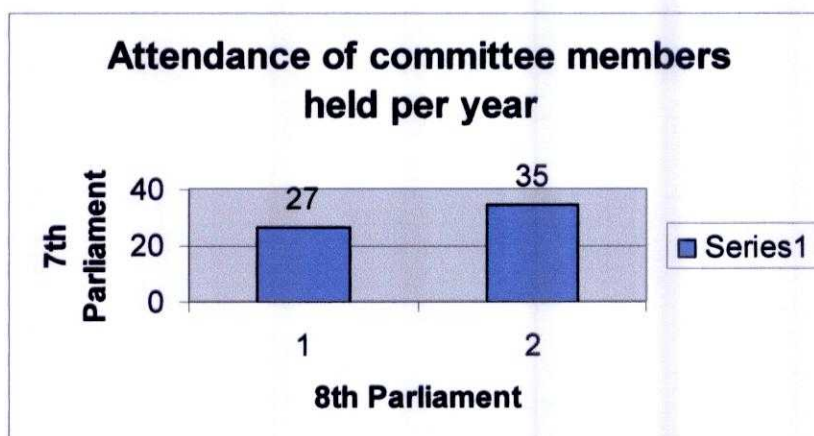
Role of the Standing committee of the Ministry of Agriculture.

The economy of Bangladesh is primarily dependent on agriculture accounts for 31.6 percent of total GDP in 1997-98 at constant (1984-85) prices. This sector comprises crops, forests, fisheries and livestock. Of the agricultural GDP, the crop sub-sector contributes 71 per cent, forest 10 per cent, fisheries 10 percent and livestock 9 per cent. The sector generates 63.2% percent of total national employment, of which crop sectors share is nearly 55%. The performance of agriculture sector this sector has an overwhelming impact on major macroeconomic objectives like employment generation, poverty reduction, human resources development and food security. The SCMA discusses and reviews the works related to ministry of agriculture. This committee enquires into any irregularities or complaints regarding the concerned ministry.

Table-3 presents data on the main activities undertaken by the Standing Committee on the Ministry of Agriculture.

Variables	Seventh	Eighth
Meetings		
Total number of meetings held	27	35
Average number of meetings held per year	09	10
Attendance of committee members (Average)	74 %	70 %
Sub Committee		
Number of sub committees formed	06	03
Number of reports prepared by Sub committee.	02	01
Report of the committee		
Number of reports prepared by Committee	No reports were prepared by the Committee	No reports were prepared by the Committee
Number of reports submitted to the House	N/A	N/A
Total number of decisions made	113	197
Status of implementation of decisions		
Number of recommendations implemented	Nil	Nil
Number of recommendations under implementation	Nil	Nil
Number of recommendations rejected by government	Nil	Nil

The following charts show variables like total number of meetings held, average number of meetings held per year and attendance of committee members (average)



SCMA held 27 meetings in the Seventh Parliament. Six subcommittees were formed. On the other hand, SCMA held 35 meetings in the Eighth Parliament. Three subcommittees were formed. On an average, 09 meetings were held per year in the Seventh Parliament. Ten meetings were held per year in the Eighth Parliament. Sub committee-2 and 3 of the SCMA submitted two reports in the House in the Seventh Parliament where as Subcommittee-1 of the Eighth Parliament submitted only one report. Average attendance of the committee members was 74% in the Seventh Parliament while it was 70% in the Eighth Parliament. SCMA of both Parliaments failed to prepare and submit any reports to the House. A total number of 113 decisions were made in the meetings of SCMA of the Seventh Parliament while the number of decisions made in the Eighth Parliament was 197. No recommendations whatsoever were implemented in both Parliaments, which clearly indicates the ineffectiveness of the committee activities. Standing Committee on Ministry of Agriculture (SCMA) of both the Parliaments concentrated more on the activities of Bangladesh Agriculture Research Council, problems and solutions of Dinajpur Barendra Project, improving education on Agriculture, setting up Wheat and Fruit Institute, impediments in preserving and distributing seeds and its solutions, the feasibility of transforming Dinajpur Wheat Research centre into a full fledged institute, formulation of Agriculture policy and its implementation. Discussion on the functions of Agriculture Extension Department and on the improvement of the Agriculture sector, review on publication of various irregularities of BARC, Discussion on the activities of BRRI and BINA, ensuring equitable dues to farmers for producing rice /paddy in increasing rate, Agriculture Ministry's opinion on food procurement and equitable dues of agriculture produce, Submission of summary by Directorate of Agriculture Extension on Agro based education, crop insurance, Human Resource Development, Horticulture, Floriculture, Modernization of Utility service of Krishi

Bank. In addition, Bangabandhu Sheikh Mujibur Rahman Agriculture Bill, 1998 was proposed and submitted to the House after proper scrutiny.

It is observed that the SCMA (**Appendix-2**) has focused more on the activities of various agencies under Ministry of Agriculture. The committee gave little importance on implementing the agricultural policies and improving the income generation and living conditions of the poor and marginal farmers. The committee did not discuss about agricultural interventions for increasing the productivity of rice as the main crop and also diversifying production systems appropriate to the natural ecology.

The committee could not define the major impediment that is the lack of technological breakthrough in either HYV or hybrid seeds. Crop rotation and replenishment of micro nutrients which are essential for restoring fertility were also over looked.

From the above study, it is evident that the output of the standing committees of the Ministry of Finance and Agriculture were not satisfying at all. Parliamentary standing committees are supposed to play significant role in performing legislative, financial and executive oversight functions of the executive. Unfortunately, these standing committees did not examine the activities from this perspective. Frequency of committee meetings was rather low. Attendance of the members of the committees of two successive Parliaments also showed a dismal look. Reports of the above-mentioned standing committees were not submitted in time. They were not analytical and precise. Standardized format for writing reports were not properly followed. The reports were merely compilation of the proceedings of the standing committees. Moreover, recommendations were not implemented by the concerned ministries. Therefore, the committees of both the Parliaments remained virtually ineffective.

- ❑ Parliament Secretariat lacks adequate logistic support. It does not have sufficient modern ICT facilities, necessary infrastructure and adequate permanent committee staff to carry out its assigned tasks efficiently and effectively.
- ❑ Lack of appropriate and balanced TV broadcasting of the proceedings of the committee meetings is one of the obstacles to the effective functioning of the committees. The Standing committees lack visibility in the media though the main functions of the committees are to inform and expose important issues to the public.
- ❑ Discontinuity in the activities of the standing committees hampers smooth functioning. Due to lack of proper co-ordination, skilled manpower and IT facilities, some of the important documents, files and proceedings of committee meetings of the previous Parliament cannot be properly maintained and preserved. Often they are misplaced. In addition, change in the office rooms of the Chairmen of different standing committee takes place with the changes of the government. When the rooms are shifted, many documents are likely to get lost unless they are properly preserved by the officials.
- ❑ As the Parliamentary committees cannot maintain chronology in performing their functions, there is a dearth of expert Parliamentarians. Due to lack of experience, chairmen and members cannot properly inquire into the irregularities and mismanagement of the government activities and give necessary directives.
- ❑ Committee officials are overburdened with committee activities. At present, the committee wing of the Parliament comprises 15 sections. Each section is headed by a committee officer who is assigned to the task of providing secretarial support to more than one committee. For instance, committee officer of the committee section-3 has to work for three important Standing committees like the Ministry of Agriculture,

Environment & Forest and Fisheries & Livestock. Committee section-4 on the other hand is in charge of 4 Standing committees namely Finance, Textiles & Jute, Planning and Industry. This really affects their performance.

- ❑ There is no provision in the existing Rules requiring SCMs, to report on a regular basis, preferably once a year, on their activities and/or on the findings of inquiries into the lapses of the ministries. It is therefore strongly felt that there is a need to change the Rules requiring the government to respond to committee reports within a time frame.
- ❑ The Estimates Committee (EC) has virtually remained inactive amongst the financial committees. Although different parliaments have set up the EC, none has yet produced any report. There are often over lapping in the activities of PUC and EC which arouses confusion. At present, there is no single instance of incorporating budget discussion as an agenda in any of the meetings of SCMs.
- ❑ At present, there is no proper guideline on what should be the conduct of the civil servants in the Rules of Business.
- ❑ Lack of consistency between the issues discussed in committee meetings and the decisions actually taken limit the effectiveness of committees. Discussion in committee meetings often does not proceed according to the agenda. On the other hand, officials often overburden the members with statistics and data in such a way that it becomes difficult for them to grasp. Members complain that they are frequently supplied with many papers that are unnecessary, while many important documents are being withheld. Some complain that officials send working papers to them very late, usually a day or two before a meeting is scheduled to be held; this

does not allow the members to do any homework before attending committee meetings.

- ❑ MPs often intervene in the individual cases of ministries; rather than concentrating on the system. This hampers the effectiveness of the standing committees.
- ❑ Each Standing committee is required to meet at least once a month under the Rules 246. Available data however reveals that most of the committees seldom satisfy this criterion. In the Eighth Parliament, from 2001 to the 13th session, (up to 16 September, 2004) only four committees have had more than 10 meetings. Among them, the Standing committee for the Ministry of Law has performed best with 31 meetings during the period. Standing committees of four ministries have had five meetings. During January-August 2004, Standing committees on six ministries have had only one meeting and those on eight ministries have had no meetings at all. (Source: Star Magazine, dated 4 March, 2006)
- ❑ Committees are essentially advisory bodies. They lack any formal authority to enforce their recommendations. It is conspicuous that reports produced by different committees in Bangladesh are rarely debated in the House. So the recommendations made in these reports do not have any chance of being implemented.
- ❑ In Bangladesh, Ministers do not regularly attend committee meetings. They also do not take up the matters seriously. In addition, when Ministers are opposed to any issue or policy, committees have nothing to do.
- ❑ There are some other important limitations in Committee scrutiny Committees rarely ask for outside opinion on any bill. The Rules do not specifically bar committees from inviting submission from the public or experts. Committees in general do not explore alternative sources of information. They mostly depend on information

supplied by the Parliament Secretariat or departmental officials. This is an important factor limiting their effectiveness.

- ❑ The reports and recommendations of the SCMs are not always discussed in the Parliament. It is a failure of a committee if it does not submit its report on a matter referred to it within the stipulated time frame, unless the parliament specifically extends the period.
- ❑ The nature of co-operation between the Standing Committees and the Ministries is not always open and helpful. The Ministries dislike any interference of the committees in to the affairs of the ministry. They are also unwilling to share information readily with the MPs. Files are classified as confidential. The non-cooperation of the government and the opaqueness of information often inhibit the oversight function of the Parliament. On the other hand, lack of experience of the Parliamentarians is considered as an impediment to the oversight function.
- ❑ It becomes difficult for the standing committees to smoothly operate their functions due to inadequate skilled paid staff and lack of research capacity to support their work for Parliament. The committee wing has got no secretariat of its own, nor has it any staff and logistic support worth mentioning from the Parliament secretariat. It hampers the proper functioning of the committees.

CHAPTER SIX

Committee system is the appropriate way of ensuring the executive accountability to the legislative. They have the inbuilt advantage of being the smaller bodies with greater time available to them to examine an issue in detail. Though the committee system in the Parliament of Bangladesh has functioned for more than fifteen years, there had been little focus on its effectiveness. From available literature, it is evident that most of the studies are based on theories. There is little reliable data on this issue. The case study was undertaken for this reason.

From the above study, it is apparent that performance of the standing committees of the Ministry of Finance and Agriculture were not up to the mark. Parliamentary standing committees play significant role in performing oversight functions of legislative, financial and oversight functions of the executive. They study reveals that the standing committees did not examine the activities from this standpoint. The activities including frequency of committee meetings, attendance of the members of the committees' exhibit a dismal look. Precise format for writing reports were not followed in time. Recommendations were not implemented by the concerned ministries. Therefore, the committees could not perform their activities well. From these findings, the following recommendations can be made:

SUMMARY OF RECOMMENDATIONS

- I. All parliamentary committees including standing committees on different ministries should be set up within the second session of a new Parliament.
- II. Standing Committees should be composed according to the proportional representation in the Parliament to strengthen the oversight function of the

- legislature. In this regard, they can replicate the model of the Parliament of Japan and Sweden.
- III. Ministers should be regular in attending the meetings and be sincere in implementing the committee recommendations.
 - IV. There must be clear guidelines in the Rules on what would be done with the reports submitted by SCMs.
 - V. Strong links with the civil society should be created through the committee system.
 - VI. A high standard of ethics is a prerequisite for institutionalizing Parliamentary democracy. A parliamentary committee should be formed to codify the conduct of MPs in respect of their financial transactions. Such a committee should include MPs of all the political parties charged with submitting a report to the Parliament.
 - VII. To make the committees effective and vibrant, Parliament Secretariat should provide adequate logistic support; enhance ICT facilities and adequate permanent committee staff.
 - VIII. Print and electronic media should have access to Parliamentary Standing committees. Eighth Parliament prohibited access and media coverage of the Private Television channels limiting surveillance of committee activities. The Parliament should have its own multi-media unit and a committee comprising members from both sides should administer its activities.
 - IX. Implementation of recommendations of parliamentary standing committees should be made mandatory for the ministries. This provision needs to be incorporated in the Rules of Procedure.
 - X. A change in the existing Rules requiring SCMs, to report on a regular basis, preferably once a year, on their activities and/or on the findings of inquiries into the

lapses of the ministries, can help make the committee activity transparent. The House should also pay some attention to the reports of its committees. Governments in most of the established democracies including India now submit 'action taken reports' to parliament, specifying the measures that it takes on different committee recommendations. Unfortunately no such provision exists in Bangladesh. It is therefore strongly felt that there is a need to change the Rules enabling the government to respond to committee reports within stipulated time.

- XI. The SCMs should attempt to follow up decisions. They must formally hold meetings to assess the status of implementation. The law makers should be encouraged to evolve mechanisms to strengthen role of parliament.
- XII. Parliamentary standing committees should introduce ministry wise budget discussions in the committee meetings of respective ministries. This is widely practiced in the Parliaments of developed countries like Japan and Germany. The Estimates Committee (EC) of the Parliament should be abolished and its functions should be carried out by respective ministries.
- XIII. Success of the Parliamentary Standing Committee largely depends on the cooperation of the government, the development of a mature political culture and on the quality of parliamentarians nominated in the Committee. With the objective of gaining credibility and success of the committee system, Chairmen of some important committees like PUC, PAC, SCMF, and SCMA may be appointed from the members of the opposition parties.
- XIV. It is high time that Parliament introduced a research cell for the committee wing in order to make them more effective and functional.

XV. Committee officials are overburdened with the committee activities. In order to ensure better performance, each committee officer should not deal with more than one Standing committee.

XVI. Committee wing should organize training programmes exclusively for the Chairmen, members and the officials with a view to building expertise among them. This will in turn bring effectiveness and efficiency of committee activities. In this regard; they can follow the training curriculum and module practiced in some developed countries like UK, Germany.

CONCLUSION:

A vibrant Parliament, an independent judiciary and a neutral executive can play a decisive role in making the administration development-oriented and people-centred. Parliamentary Standing Committees are seen today as one of the most effective tools to make Parliament more responsive, member's role more relevant and the democratic process more accountable and transparent. They can foster a strong bipartisan relationship or culture among the members and can create practical solutions to complex problems that a single political party would often fail to produce. There has to be strong political commitment and will to implement the above mentioned recommendations. Otherwise there is little or no hope of achieving effective parliamentary scrutiny. In many democratic countries the chairmanship of these powerful committees goes to the opposition to make them accountable to the parliament. But in Bangladesh, ruling party members occupy the chairs which reveal the supremacy of the Executive over Legislature. If the SCMs can replicate at least some of the above mentioned recommendations, Parliament of Bangladesh will be able to live up to the expectations and this will in turn uphold the spirit of democracy.

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Appendix-1

Major issues discussed in the SCMF committee meetings in the 7th and 8th Parliament.

Seventh Parliament	Eighth Parliament (as of June, 2006)
<p>Discussion on multifarious problems of Sonali Bank and recommendations for their solution.</p> <p>Discussion on the progress of sector wise revenue collection in the 1997-98 fiscal years.</p> <p>Comparison of sector wise revenue collection of last four years.</p> <p>Review on seizure of smuggled goods in 1996-97 and 97-98 fiscal year.</p> <p>Review on the measures to achieve target in the GDP as proclaimed in the Budget and its outcome.</p> <p>Review on Foreign grant and loan in the 1997-98 financial year.</p> <p>Review on the progress of implementation of Annual Development Programme in 1997-98 financial years.</p> <p>Review on progress of sector wise revenue collection of 1997-98 fiscal years.</p> <p>Discussion on multifarious problems of the Garments Industry and recommendations on problem solving.</p>	<p>Discussion on Poverty Reduction Strategy Paper (PRSP)</p> <p>Discussion on the rate of interests in the overall economy and investment.</p> <p>Discussion on Financial reforms.</p> <p>Discussion on the activities of NBR.</p> <p>Discussion on the revenue collection of NBR in the current fiscal years, 2003-04</p> <p>Discussion on Budget of 2004-05 fiscal years.</p> <p>Discussion on the activities of privatized banks.</p>

Review on overall situation of Share market.	Discussion on creation of Tax Ombudsman.
Discussion on various problems of Janata, Agrani, Rupali Bangladesh Krishi, Shilpa Banks and recommendations on their solutions.	Review the activities of SEC.
Discussion on various problems of House Building Finance Corporation (HBFC)	Discussion on the appointment of Tax Ombudsman.
Discussion on problems of Investment Corporation of Bangladesh.	Review on the loan distribution in the Small and Medium Enterprises.
Review on the follow up of the measures taken by Board as per the decisions of previous meetings pertaining to NBR.	
Confirmation of existing problems of Tax administration and recommendations.	
Review on overall economic condition and identifying problems and recommendations.	
Review on problems facing the Banking sector and recommendations.	
Disbursement of loan of HSBC including detailed information of 5 years disbursement and recovery of loans.	
Review on the measures to meet the target of revenue collection.	
Review on progress of the activities of commercial banks.	
Discussion on the existing problems in the capital market.	

Review on the activities of ERD and recommendations.	
Review on the progress of receipt of the Foreign Aid in the 1998-99 financial year.	
Review on implementation of PSI and detailed opinion of NBR in this regard.	
Discussions on various decisions taken by Bangladesh Bank and recommendations.	

In addition, C& AG (Remuneration and Special Right) Bill, 1997,Employment Bank Bill,1998,The International Finance Organization Amendment Bill,1998,The Negotiable Instruments (Amendment) Bill,1999, The Investment Corporation of Bangladesh (Amendment) Bill,2000, The Securities and Exchange(Amendment) Bill, 2000 Depository Bill,1998 were submitted after proper scrutiny. In addition, three bills namely The International Financial Organizations (Amendment) Bill, 2004, The Negotiable Instruments (Amendment) Bill, 2005 were proposed in the House after proper scrutiny.

Appendix-2

Major issues discussed in the SCMA meetings in both Parliaments

Seventh Parliament	Eighth Parliament
Discussion on the activities of Bangladesh Agriculture Research Council.	Discussion on the activities of Agriculture Ministry and its attached departments.
Discussion on the problems and solutions of Dinajpur Barendra Project.	Discussion on the activities of Directorate of Agriculture Extension.
Discussion on improving education on Agriculture	Discussion on the activities of BADC.
Discussion on setting up Wheat and Fruit Institute.	Discussion on the complaint against the Assistant Director of Jute Research Institute.
Discussion on the impediments in preserving and distributing seeds and its solutions.	Presentation of report on giving subsidy to the farmers.
Discussion on the feasibility of transforming Dinajpur Wheat Research centre into an Institute.	Report on the measures taken by the Ministers to stop the marketing of adulterated fertilizers.
Discussion on the formulation of Agriculture policy and its implementation.	Discussion on the seed problems and spread of disease of potato in Munshiganj in an epidemic form.
Discussion on the functions of Agriculture	Discussion on the development of the

<p>Extension Department and on the improvement of the Agriculture sector.</p> <p>Review on the publication of various irregularities of BARC and decision.</p> <p>Discussion on the activities of BRRI and BINA.</p> <p>Discussion on ensuring equitable dues to farmers for producing rice /paddy in increasing rate.</p> <p>Presentation of Agriculture Ministry's opinion on food procurement and equitable dues of agriculture produce.</p> <p>Submission of summary by Directorate of Agriculture Extension on Agro based education, crop insurance, Human Resource Development, Horticulture, Floriculture, Modernization of Utility service of Krishi Bank and decision on it.</p>	<p>scientific examination on adulterated fertilizer.</p> <p>Enquiry report on the leakage of questions for appointment of Block supervisors.</p> <p>Discussion on fertilizer, seed and diesel.</p> <p>Discussion on the supply and distribution of fertilizer and diesel.</p> <p>Review on the subcommittee no-1 on Barendra Multi purpose Project.</p> <p>Discussion on the appointment of dealer of fertilizer.</p> <p>Discussion on measures to overcome the problems facing transfer of Block supervisors.</p> <p>Discussion on the activities and role of the Spices Research Institute in exporting spices in future.</p> <p>Presentation of detailed report on the benefit and prospects of cotton cultivation.</p> <p>Discussion on finalizing the sample survey of 12 unions, 12 upazillas under 6 divisions regarding enlistment of the marginal farmers.</p>
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	<p>Discussion on Agricultural rehabilitation.</p> <p>Discussion on supply and distribution of subsidy, regional seed and fertilizer.</p> <p>Discussion on the draft report of PRSP.</p> <p>Discussion on recommendations for subsidy on diesel.</p> <p>Review on promotion of BARI officials.</p> <p>Discussion on overall activities and TO&E of Agricultural Research Institute.</p> <p>Review on the overall activities and research of Jute Research Institute on increasing demand for jute and jute goods after prohibition of using polythene.</p> <p>Review on audit and accounts of BARI and discussion on the appointment and promotion of their officials.</p> <p>Presentation of research report on the future prospects of jute and increasing the recovery rate of sugarcane.</p> <p>Review on how proposals can be implemented by taking subsidy.</p> <p>Review on the progress of current activities</p>
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	<p>of National Agriculture Research System (NARS)</p> <p>Review and dissemination of specific information on the measures adopted by Agro-based Industries & Technology Development Project (ATDP) & North Western Crop Diversification Project (NCDP)</p> <p>Discussion on the activities of the Dealers and fertilizer distribution system.</p> <p>Review on the success and failure of R&H activities, Audit and Accounts, manpower and other relevant issues of Bangladesh Agriculture Research Institute.</p>
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Besides, Bangabandhu Sheikh Mujibur Rahman Agriculture Bill, 1998 was proposed and submitted to House after proper scrutiny in the seventh parliament.