Parliamentary Committees, Vigilance Commissions & Judiciary's Role in Accountability

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Parliamentary Committees

- Mandate and Purpose
  - Examine government policies, expenditure, and functioning outside the full Parliament debates.
  - Provide detailed scrutiny that is not feasible during plenary sessions.
  - Act as a vital oversight mechanism to ensure transparency and accountability in governance.
  - Facilitate informed legislative decision-making by analyzing bills and government actions.
- Types and Roles
  - Public Accounts Committee (PAC): scrutinizes reports of the Comptroller and Auditor General (CAG) to ensure proper use of public funds.
  - Estimates Committee: examines the efficiency and economy of government spending and suggests improvements.
  - Committee on Public Undertakings: monitors the performance and functioning of Public Sector Undertakings (PSUs).
  - Departmentally Related Standing Committees (DRSCs): examine bills, demand for grants, and policies related to specific ministries or departments.
- Achievements and Examples
  - India:
    - PAC exposed the 2G Spectrum scam in 2011, highlighting misuse of resources.
    - DRSCs influenced major legislative reforms such as the Goods and Services Tax (GST) and Insolvency and Bankruptcy Code debates.
  - Global:
    - UK Select Committees rigorously question ministers on policy failures and government performance.
    - US Congressional Oversight Committees wield significant power to scrutinize executive actions and ensure accountability.
- Issues and Challenges
  - Lack of binding power means recommendations are often ignored by the executive.
  - Political partisanship undermines the objectivity and effectiveness of committees.
  - Absence of expert research staff limits the depth and quality of analysis compared to Western democracies.
- ARC-II Recommendations
  - Enhance research support by providing professional staff to committees.
  - Make committee reports time-bound and publicly accessible to increase transparency and impact.

Vigilance Commissions (CVC, State Vigilance Commissions)

- Mandate and Functions
  - Central Vigilance Commission (CVC), established in 1964 and given statutory status in 2003, is the apex vigilance body supervising vigilance activities in ministries, PSUs, and banks.
  - State Vigilance Commissions operate under Lokayuktas in many states to monitor corruption and maladministration at the state level.
  - Aim to detect, prevent, and investigate corruption and ensure integrity in public administration.
- Achievements and Global Benchmarks
  - India:
    - Annual vigilance reports expose scams in PSU banks and other government bodies.
    - Supervises vigilance in over 400 central organizations, enhancing oversight.
  - Global:
    - Hong Kong's Independent Commission Against Corruption (ICAC) established in 1974 is a global benchmark for effective corruption control.
    - Singapore's Corrupt Practices Investigation Bureau (CPIB) is known for swift and independent anti-corruption action.
- Issues and Limitations
  - CVC lacks suo motu investigative powers, limiting proactive action against corruption.
  - Excessive reliance on the Central Bureau of Investigation (CBI), often criticized as a "caged parrot" due to political influence.
  - Political interference reduces the credibility and independence of vigilance bodies.
- Case Law and Judicial Interventions
  - Vineet Narain v. Union of India (1997): Supreme Court insulated the CBI from political interference and made the CVC its supervisory authority.
- ARC-II Recommendations
  - Merge existing vigilance bodies into a powerful, independent Integrity Commission with constitutional status.
  - Ensure appointments to vigilance bodies are independent and insulated from government influence.

Judiciary's Role in Accountability

- Mandate and Constitutional Role
  - Acts as the guardian of the Constitution, ensuring that the executive and legislature act within constitutional limits.
  - Provides judicial review to uphold the rule of law and protect fundamental rights.
  - Plays a critical role in enforcing accountability through judicial activism and oversight.
- Achievements and Landmark Judgments
  - Judicial Activism:
    - Kesavananda Bharati (1973): Established the basic structure doctrine limiting Parliament's amending power.
    - Vineet Narain (1997): Judicial monitoring of CBI investigations in the Hawala case to curb political interference.
    - Electoral Bonds case (2024): Upheld the voter's right to know, enhancing transparency in political funding.
  - Judicial Oversight of Welfare:
    - PUCL v. Union of India (2003): Recognized Right to Food and monitored Public Distribution System (PDS) implementation.
    - MC Mehta series: Enforced environmental accountability through public interest litigation.
- Issues and Criticisms
  - Judicial overreach: Courts often accused of policy-making, blurring separation of powers.
  - Huge pendency of cases weakens timely delivery of justice and accountability.
  - Lack of transparency in judicial appointments due to collegium system opacity.
- ARC-II Recommendations
  - Judiciary should exercise restraint to avoid substituting the roles of the executive and legislature.
  - Strengthen grievance redressal tribunals to reduce the burden on higher courts and improve efficiency.

Way Forward (Visionary Reforms)

- Parliamentary Committees
  - Make referral of all major Bills to committees mandatory for detailed scrutiny.
  - Provide professional research staff similar to the PRS model to enhance quality of analysis.
  - Publish committee reports in citizen-friendly summaries to increase public engagement and transparency.
- Vigilance Commissions
  - Transform the CVC into a Constitutional Integrity Commission with greater powers and independence.
  - Grant suo motu investigative powers to enable proactive anti-corruption action.
  - Strengthen state vigilance commissions by creating a uniform framework across states.
- Judiciary
  - Institutionalize judicial impact assessments to evaluate the consequences of judicial decisions on governance.
  - Reform the collegium system to increase transparency, possibly through the NJAC 2.0 debate.
  - Leverage technology such as e-courts and AI-assisted tools to reduce case pendency and improve efficiency.

Current Affairs (2024–25)

- Parliamentary Committees
  - PAC is actively examining Defence Ministry procurement processes in 2024 to ensure transparency and accountability.
- Vigilance Commissions
  - CVC Report 2024 highlights a rise in PSU fraud cases but notes slow disciplinary action against offenders.
- Judiciary
  - Supreme Court's 2024 electoral bonds judgment has boosted democratic transparency by upholding the right of voters to know political funding sources.
- Global Developments
  - UK Parliament's 2024 report criticized the Prime Minister for misleading the Covid inquiry, reflecting parliamentary oversight.
  - European Union strengthened the Ombudsman's powers in 2024 to enhance institutional accountability.

Data and Indices

- Central Information Commission (CIC) backlog stands at approximately 50,000 appeals in 2024, indicating delays in transparency enforcement.
- CVC supervised over 4,000 vigilance cases in 2023, showing active vigilance efforts.
- India ranks 93 out of 180 countries in Transparency International's Corruption Perceptions Index 2024, indicating moderate corruption challenges.
- Only about 15% of Bills were referred to parliamentary committees in the 17th Lok Sabha, a decline from 60% in the 15th Lok Sabha, reflecting reduced committee engagement.

UPSC Previous Year Questions (PYQs) Linked

- 2014: Discussed the reduced role of CAG in accountability due to recent practices.
- 2019: Emphasized parliamentary committees as vital organs of accountability in governance.
- 2021: Focused on the role of Lokpal, CVC, and CBI in ensuring transparency and accountability.
- 2023: Debated whether judicial activism and judicial overreach dilute or strengthen accountability.

Conclusion

- Accountability is strongest when the legislature, vigilance bodies, and judiciary act in harmony—committees scrutinize, vigilance detects, and judiciary enforces.
- As noted by ARC-II, without these checks, governance risks degenerating into arbitrary rule.
- India's journey towards 2047 requires stronger, independent, and citizen-facing accountability institutions to make democracy a lived reality rather than a mere formality.