

Women in Indian Parliamentary Committees (A Study Of How Justice Prevails In Democratic Parliament)

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ABSTRACT

Parliament is an important institution in the democratic set up. It not only makes laws to govern the country but also balance/curtail the powers of the executive as it has the authority to do so through various mechanisms known to parliament. Since Parliament is overburdened with huge workload and functions for very short duration, say in India for three sessions or 100 days hardly a year, it is not easy to undertake each and every task itself with minute details. Also some work vary in nature and demand utmost special skills/expertise which may not be rendered by all parliamentarians. These functions require special attention and deep deliberations, mere hundred days are not enough to do justice for such tasks. For that purpose it is necessary to have some agency to which these functions may be entrusted to thorough and systematic analysis. Committees are those agencies which perform these tasks carefully.

The Committees constitute expert and knowledgeable persons. Country have no dearth of such persons, however after observing the constitution of our Parliamentary committees, we are made to believe that women are neither expert nor capable to be part of such core groups. Presence of women in the Indian Parliament is awfully low, worst is the situation when they are elected but are given peripheral jobs. Luckily India did not saw movements like suffragette. Both men and women got the right to vote same time unlike many other advanced countries. But their voting right failed to break the hegemonic character imbibed in the social fabric of patriarchal system where women are prevented to enter the male domains. Parliamentary committees are the living example of such gender based discrimination.

The paper is divided into three parts: first part contains the framework used and present scenario, second part deals "WHY" of the scenario while the third is a concluding part.

1. Frame work used

Resolution adopted unanimously by the 135th IPU Assembly, Geneva, 27 October 2016 "The freedom of women to participate in political processes fully, safely and without interference: Building partnerships between men and women to achieve this objective"

The achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences.¹

Democracy is founded on the primacy of the law and the exercise of human rights. In a democratic State, no one is above the law and all are equal before the law.²

Individual participation in democratic processes and public life at all levels must be regulated fairly and impartially and must avoid any discrimination, as well as the risk of intimidation by State and non-State actors.³

Recognizing that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against

women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.⁴

2. Introduction

The parliamentary committees consist of Members of Parliament and they work like mini-parliaments.

In committee, the matter is deliberated at length, views are expressed freely, the matter is considered in depth, in a business-like manner and in a calmer atmosphere. In most of the Committees, public is directly or indirectly associated when memorandum containing suggestions are received. On-the-spot studies are conducted and oral evidence is taken which helps the Committees in arriving at the conclusions.⁵ Also the Committees have the power to exercise control and influence the administration/Executive. These committees enjoys the confidence of the houses.

3. Need of parliamentary committees

How important are the parliamentary committees that can be assessed from the fact that in its Fifth Report presented to the House on August 19, 1992 and adopted on August 20, 1992, the Committee on Rules recommended the setting up of three Parliamentary Committees in Rajya Sabha, namely, (i) on Human Resource Development (ii) on Industry and (iii) on

Labour with the object of enlarging and qualitatively enhancing the association of the Members of Parliament with key sectors of national reconstruction so as to maximise utilisation of the rich experience and expertise of Members from both Houses.⁶

4. Types of parliamentary committees

- Based on Purpose and duration they are Adhoc Committees and Standing Committees.

Adhoc Committees are appointed for specific task. Once the task is over and report is submitted they ceased to act. These committees include the members nominated by the speaker of lok sabha or chairman of rajya sabha for their house. In case of joint committee members are nominated from both the houses respectively, by the speaker of lok sabha and rajya sabha chairman. The Select and Joint Committees on Bills are considered the main committees under this category.⁷

Adhoc committees are formed when motion is moved by one house and supported by the other.

Standing Committees are appointed usually for one year. They are constituted from time to time according to the provisions of an Act of Parliament or Rules of Procedure and Conduct of Business. Both the Rajya Sabha and Lok Sabha have standing committees of their own.

The members are nominated by the speaker if the committee belongs to lok sabha. Chairman of rajya sabha

nominates the member from the rajya sabha if the committee belongs to rajya sabha.

- Based on the composition the committees are Select Committees and Joint Committees.

Select Committees belong to particular house where as the **joint committees** have the membership from both the houses, nominated/ selected by their respective heads.

5. Presence of women in parliamentary committees

There are only 66 women of the total membership of lok sabha (as on 13-02-2019). Though women are an important part of the society but it is an irony that despite being constituting half of the population they are represented awfully low both in the Parliament as well as in its committees. All the parties makes big promises, as big as they are about the ill presence of women in legislature but in actual practice nothing has been done practically satisfactory by any party to enhance their presence either in legislature or its appointed committees. Women are seldom seen in the committees and watching women heading the committees is like watching a blue moon in the sky. Several questions arises in the mind as -

- Does their awfully low presence an indication of their incapability?
- Do the women lack potential of holding important positions?
- Would it be a mistake of entrusting important work?

Table 1: Membership in the committees of parliament (Lok sabha and Joint Committees as on Feb.18th, 2019).

S.No	Name of the Committee	Total No.since 2014/present	Women Member ship (since 2014)	Women Membership (at present	%age of women membership (Present)
1	Absence of Members from the sitting of the House	30 /15	1 (since 2014	1	6.6
2	Agriculture	107 /20	1(continued for 4 times, till Aug., 2018)	1	5.0
3	Business Advisory Committee	15 /15	1(since 2014	1	6.6
4	Chemicals and Fertilisers	108/ 20	22 (3 continued for 5 terms, one for three terms and one for four terms	4	6.6
5	Coal and Steel	104 /(20	15 (three five times,	3	15
6	Committee on Food Management in Parliament House Complex	20/10	4 (two twice each time)	2	20
7	Committee on Installation of Portraits/Statues of National Leaders	9/9	1 (continued since 2014)	1	11.1
8	Committee on Provision of Computers to Members of Lok Sabha	10/9	-	0	0
9	Committee on Security in Parliament Complex	16/7	1 (continued since 2017)	1	14.2
10	Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha	20 /15	-	0	0
11	Committee on Welfare of Other Backward Classes	81/20	5 (one women thrice	1	05
12	Committee to Inquire into the Improper Conduct of a Member	9/9	2 (since 2016	2	22.2
13	Defence	109/20	15, (three members five times each,	3	14.2
14	Empowerment of Women	100/20	20	20	100
15	Energy	109/21	2 (one women twice)	0	0

16	Estimates	158 /30	14, one member five times, four members twice, one once	4	13.3
17	Ethics	76 /15	5 (one member five times)	1	6.6
18	External Affairs	106/ 20	8 (two five times, one	1	5.0
19	Finance	106/ 21	nil	0	0
20	Food, Consumer Affairs & Public Distribution	103/ 20	10 (two women five times each	2	10
21	General Purpose Committee	37/37	2	2 (Continued Since 2015)	5.4
22	Government Assurances	75 /14	Nil	0	0
23	House Committee	51 /11	4 (just one woman four times	1	9
24	Information Technology	107 /21	6 (one woman four times, one woman twice)	2	9.5
25	Joint Committee on Bill to amend the Citizenship Act, 1955	23 /20	2	2 (Since 2016)	10
26	Joint Committee on Insolvency and Bankruptcy Code, 2015	20	1 (since 2015)	1	05
27	Joint Committee on Office of Profit	11 /10	2	2 (since 2014)	20
28	Joint Committee on Salaries and Allowances of Members of Parliament	40 /9	4 (one for four times)	1	11
29	Joint Committee on the Enforcement of Security Interest and Recovery of Debts Laws and Miscellaneous Provisions (Amendment) Bill,2016	22/20	1	1 (continues since 2016)	05
30	Joint Committee on the Financial Resolution and Deposit Insurance Bill, 2017	21 /20	Nil.	0	0
31	Joint Committee on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Second Amendment) Bill, 2015	23/20	3	2	05
32	Joint Parliamentary Committee on Maintenance of Heritage Character and Development of Parliament House Complex	6 /6	0	0	0
33	Labour	106 /20	Nil	0	0
34	Library Committee	25 /06	Nil	0	0
35	MPLADS	119/23	Nil	0	0
36	Papers Laid on The Table	43/13	6 (two women three times each	2	15.3
37	Petitions	16 /14	1	0	0
38	Petroleum and Natural Gas	107 /21	17 (three women five times, and one women twice)	3	15
39	Private Members` Bills and Resolutions	59 /13	4 (one women four times	1	7.6
40	Privileges	17/15	1 (continued since 2014	1	6.6
41	Public Accounts	77 /15	3 (one women three times	1	6.6
42	Public Undertakings	74/ 14	Nil	0	0
43	Railway Convention Committee	11 /11	Nil	0	0
44	Railways	108 /21	1	1	4.7
45	Rules Committee	14/14	1 (only one continued	1	7.1
46	Rural Development	107 /20	12 (two members five times, and one member twice)	3	14.2
47	Social Justice and Empowerment	99 /20	16 (two five times,one four times, one twice)	3	14.2
48	Subordinate Legislation	76/15	Nil	0	0
49	Urban Development	108/21	8 (one five times, one thrice)	1	4.7
50	Water Resources	105 /21	15(three five times)	3	14.2
51	Welfare of Scheduled Castes and Scheduled Tribes	103 /20	11 (one five times, one four times, one twice	3	15

Source:http://164.100.47.194/Loksabha/Committee/Search_Membership.aspx?tab=6

The above fifty one (51) committees are either fully representative of the lok sabha or have lok sabha membership in them. Among these there are only four committees where the women membership reaches twenty percent or more which include Committee on Food Management in Parliament House Complex, Committee to Inquire into the Improper Conduct of a Member, Empowerment of women, and Joint Committee on Office of Profit. Counting by the numbers there are only two

women each in the committee of 10 membership. Only the women empowerment committee have 100% women that too seems to be an irony. (Discussed in the 2nd part of the paper). However, there are 14 committees which have no presence at all as shown below. 18 committees consist of only 1 (one) woman each. However there are committees where women are in sizeable numbers, 5 or more but these committees are just 1.9% or 2%.

Table 2 : Representation of women in the committees as on Feb. 15th, 2019)

S.No.	Women membership in Committees	Number of Committees	Percentage of committees
1	0	14	27.4
2	1	18	35
3	2	09	17.6
4	3	07	13.7
5	4	02	3.9
6	5 and more	1	1.9
	Total	51*	100

Source: Parliament of India, As on 14 November, 2018

Table shows the number of women in committees are inversely proportional to the numbers of committees. (Except in one case) As the presence of women is increasing in the committees the numbers of such committees are decreasing.

Unfortunately the law is silent on the matter of women’s presence in the legislature or gender based reservation.

6. Why 100% women in committee on women empowerment

Is it not an irony that Committee of empowerment of women has all women members only? Does that indicate-

- Men are not concerned with the women’s issues?
- Discourse on women’s issues does not need men’s intervention?
- Men are not responsible to women?
- Their (men’s) other engagements are more important and prioritized than women’s issues?
- Men think that women can resolve their issues more efficiently and confidently? If it is so why the women are denied entry into the high profile committees and other areas or atleast their entry is curtailed to the maximum possible extent. At this point of time (while writing this paper) 14 (fourteen) committees do not have woman at all.

It is a gross flaw that committees such as MPLAD, Labour, Public accounts, Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok sabha, Energy etc have no woman?

Finance, Heritage, Labour, MPLADS and Public undertaking are some of the crucial committees where women need to raise their issues concerning the development, improved working conditions, or budgetting but unfortunately there is no woman present. Though no one can deny the un-

told truth that women are more development oriented and less destructive.

7. One chairperson, many committees

India has the system in place where the speaker of Lok Sabha or chairman of Rajya Sabha heads many committee. It means the person is the chairperson/chairman by virtue of her/his position and not by virtue of their merit. In present case it is a coincidence only that we have a woman as speaker of Lok sabha, therefore, heading five committees at a time. But certainly it is not the matter of thumping the desk or the back of the government that a single woman is heading five committees. Going into details, of the 51 committees belongs to lok sabha, (taking these five committees apart where the Speaker of lok sabha is the chairperson) there are mere three (3) committees where the women are heading the team and also the number of such committees increases from 14 to 18 where no woman is included in the committee. It is a clear indicator that government undermines the potential of women. Though the convention on Political rights of women in 1952, article III says “women shall be entitled to hold public offices and exercise all public functions established by national law, on equal terms with men, without any discrimination.”⁸

It was adopted, “Transforming our world: the 2030 Agenda for Sustainable Development” as “We resolve, between now and 2030, to end poverty and hunger everywhere; to combat inequalities within and among countries; to build peaceful, just and inclusive societies; to protect human rights and promote gender equality and the empowerment of women and girls;...⁹”

Making woman equal partner in the developmental work requires inclusive participation. No doubt UNO is working very hard day and night to make it a reality but what we as an individual nation doing for our women? All the good works starts from home. If the government pay serious attention towards gender equality and entrust them more responsible

and high profile duties no matter how hard would it be her day but would definitely prove women's capabilities.

It was included in the new agenda as "Realizing gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Goals and targets. The achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights and opportunities. Women and girls must enjoy equal access to quality, education, economic resources and political participation as well as equal opportunities with men for employment, leadership and decision-making at all levels..."¹⁰.

International Covenant resolved "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant"¹¹.

8. Conclusion

No country can fly on one wing, infact both wings also require balance to fly high. Men and women need to be

groomed and strengthened. This needs zero discrimination. Though women have the right to be a part in the decision making process that affects them but actually they are not made part to it or rarely provide inclusion. Even if they are part to it, many times they are unaware of the mainstream activities of the political parties they are part of as it is a male dominated area. Committees are also the parliamentary endeavour to exercise control over administration.

Gandhiji was instrumental for arousing political consciousness in the poor, illiterate women and making them take part in the freedom movement as . " the male dominated political parties are interested only in the female vote-bank. They are not interested to promote female membership in the party beyond a certain limit so that men could hold maximum number of important positions... The poor women are not much aware of the mainstream activities of their respective parties at all. When the election comes they vote for the party's symbol and the matter ends there. Policy decision pertaining to societal issues are mainly taken without them. Their perspective is not included as a result their demands are not met either at all or to sheer negligence"¹².

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