

COMMITTEE ON PETITIONS

Introduction

The Committee on Petitions of Lok Sabha is one of the oldest Committees of the House, which was first constituted on 20 February, 1924 by the President of the Central Legislative Assembly. The first Petition was presented to the Central Legislative Assembly on 14 September, 1922. The first Report of the Committee was presented to the Assembly by the Deputy President on the 19th February, 1925, on certain Petitions relating to the Indian Penal Code (Amendment) Bill (popularly known as the Age of Consent Bill). The Committee was known by the name of "Committee on Public Petitions" till 1933, i.e. when name of the Committee was changed to the "Committee on Petitions".

2. The Committee is constituted by the Speaker under Rule 306 of the Rules of Procedure and Conduct of Business in Lok Sabha. The scope and functions of the Committee are envisaged in Rule 307 of the Rules of Procedure and Conduct of Business in Lok Sabha and Direction 95 of the Directions by the Speaker, Lok Sabha under which the Committee examine all the Petitions and Representations received by the Committee.

Scope and Functions of the Committee

3. The functions of the Committee are:

- (i) to examine every Petition referred to it, and if the Petition complies with the rules, the Committee may direct that the petition may be circulated in *extenso* or in summary form; where however circulation of the Petition has not been directed by the Committee, the Speaker may at any time direct that the Petition be circulated;
- (ii) to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit;
- (iii) to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future;

4. In terms of Direction 95 of the Directions by the Speaker, the Committee is also empowered to consider representations, letters and telegrams from various individuals, associations, etc. which are otherwise not covered by the rules relating to Petitions, and give directions for their disposal.

However, representations which fall in the following categories are not considered by the Committee but are filed on receipt in the Secretariat:

- (i) anonymous letter or letters on which names and/ or addresses of senders are not given or are illegible; and
- (ii) endorsement copies of letters addressed to authorities other than the Speaker or the House unless there is a specific request on such a copy praying for redress of the grievance.

5. In respect of matters not covered by Rule 307 and Direction 95, the functioning of the Committee is governed by the general rules relating to Parliamentary Committees (viz. Rules 253 to 286 of the Rules of Procedure and Conduct of Business in Lok Sabha). These Rules are further supplemented by Directions issued by the Speaker in exercise of the powers conferred on the Speaker under Rule 389 and other Rules of the above-mentioned Rules of Procedure and Conduct of Business in Lok Sabha.

Petitions

6. Every Petition, before presentation to the House, is examined by the Secretariat in order to see that it conforms to the provisions of the Rules of Procedure. In case it is considered necessary to ascertain the facts from the Ministry concerned in order to determine the admissibility of the petition, a reference may be made to the Ministry and facts gathered as per Direction 40 (2) of the Directions by the Speaker. Every petition, after presentation to the House by a Member, stands referred to the Committee on Petitions (Rule 169).

7. The subject matter of a Petition may deal with any one of the following items:

- (i) a Bill published in the Gazette or which has been introduced in the House (Government or Private Member's Bill); or
- (ii) any matter connected with the business pending before the House; or
- (iii) any matter of general public interest [Rule 160].

8. However, Petitions on the following matters are not admissible:

- (i) matters which fall within the cognizance of a Court of Law having jurisdiction in any part of India or a Court of Enquiry or a Statutory Tribunal or Authority or a quasi-judicial Body or a Commission;
- (iii) matters which should ordinarily be raised in a State Legislature;
- (iv) matters which can be raised on a substantive motion or resolution;
- (v) matters for which a remedy is available under the law including rules, regulations, bye-laws made by the Government of India or an Authority to whom power to make such rules, regulations etc. is delegated;
- (vi) those dealing with any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 110 of the Constitution or involving expenditure from the Consolidated Fund of India, unless recommended by the President;
- (vii) matters relating to personal or individual grievances. [Rules 160 (iii) (a) to (d) and 160A & Direction 40 (1)] ; and
- (vii) matters seeking amendments of the Constitution.

Representations

9. The Committee also considers representations, letters and telegrams from various individuals, associations, etc., which are not covered by the rules relating to Petitions and gives directions for their disposal as per procedure adopted by the Committee.

Procedure regarding disposal of Petitions/representations by the Committee

10. In the case of petitions on matters of general public interest, the comments of the Ministries/Departments concerned are called and placed before the Committee for consideration. The Committee may, if so considered necessary, hear the Petitioner and/ or the representatives of the Ministry/Department concerned on the matter. Thereafter, the Secretariat prepares draft of the Report on the basis of the conclusions and recommendations of the Committee. After approval by the Chairperson, the draft Report is then circulated to the Members of the Committee and considered at a sitting. The Committee adopts the same with or without modifications embodying the decisions of the majority of the members present and voting. The decisions of the Committee are generally unanimous and there are no minutes of dissent to the Report. [Direction 68 (3)]

11. If any Ministry or Department is not in a position to implement or feels any difficulty in giving effect to a recommendation made by the Committee, the Ministry informs the Lok Sabha Secretariat of its views in the matter and these are placed before the Committee. The Committee after considering the views of the Ministry in the matter may, if they think fit, present a further Report to the House.

12. Representations ventilating apparently genuine grievances are entertained and placed before the Committee along with the facts obtained thereon from the Ministry/Department concerned for consideration. Further action in respect of them is taken in the light of the decision of the Committee as in the case of Petitions.

Work done by the Committee during 16th Lok Sabha

13.

No. of sittings held	No. of Reports Presented	No. of Petitions received/reported.	No. of representations received.	Study Tours undertaken.
56	68	Out of 21 Petitions received, 5 Petitions were found admissible & were presented to the House.	A total number of 13901 Representations were received. Out of which 378 number of Representations were referred to the respective Ministries/Departments for furnishing their comments and 68 of them were reported to the House.	8

