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## **Association of Secretaries General of Parliaments**

### **CONTRIBUTION**

by

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To the General Debate on

**“The Relevance of Parliamentary Committees to law making”**

**Madrid Session**  
**November 2021**

## **The Chair of the ASGP**

The Chair of the General Debate Program

Moderator Jose Pedro Montero

Fellow Secretaries General of Parliament

Media Persons.

### **Ladies and Gentlemen.**

1. First of all, I thank you very much for providing me an opportunity to share my thoughts on the theme of the General Debate.
2. We may have similar views that the "Parliamentary Committees are considered as the Mini Parliament". This statement is relevant to law making and oversight functions. **Focusing on Law Making**, Bill tables in the Plenary, but the clause by cause discussion that generally takes place in the Committee\'. The Plenary of the Parliament has large number of Members of Parliament where all aspects of Bill may not be possible to discuss in details. The Plenary is very formal and formalities of law making can be held there.
3. The Second Reading of a Bill that demands thorough discussion is only possible in the Committees. The Committees of the Parliament can take due time to consult public, stake holders, government authorities for the discussions on the provisions and various aspects of the laws being made.
4. Amendments on the Bill that are proposed by the Members of Parliament can be discussed and debated in details in the Committees.

### **Let me Share the Nepalese Experience**

1. The Federal Parliament of Nepal is Bicameral- The House of Representatives, is the Lower House and the National Assembly is the Upper House.
2. Both Houses have their own Committees for the purpose of law making and oversight functions. Therefore, Parliamentary Committees are considered very important part of the law making process in Nepal.
3. The Bill first introduce in the Plenary of any Houses except Money Bill. The Money Bill first introduces in the Lower House. Other Bills can be tabled in either Houses that we can say the First Reading of the Bill which is more formal legislative process. The Theoretical debate of a Bill is also held in the Plenary. After theoretical debate, Members of the Parliament can register their Amendments.

4. The Proposed Bill and the Amendment Proposals are referred to the relevant Subject Committees for the Clause by Clause discussions which is the important Stage of the 2<sup>nd</sup> Reading of a Bill.
5. The Parliamentary Committees have the right to make necessary Amendments on the Bill either introduced by the Minister/Government or by the Private Members.
6. Parliamentary Committees can call and consult Stake Holders, Experts and Technical Persons to submit evidence, remarks and comments on the Proposed Law in the Committee stage. The meetings of the Committees are more open to media and citizens while debating draft laws.
7. The Committees can call the Ministers and Government Officials time and again to defend and clarify the provisions of the Bills.
8. The Committees have right to hold public consultations and hearing on the Bill to collect stake holder's or citizens opinion based on the Issues. They have right to field visit if requires for the public consultation.
9. The Committees submit their Amendments Report on the Bill in the Plenary and Amendments made by the Committees are generally accepted and passed by the Plenary of the Both Houses.
10. **The Parliamentary Committees** in our Parliament yet to have impact in implementing laws. The responsibility of implementing laws is passed by the Parliament is classically considered the task of the Government and its Agencies. The concept of Post-Legislative Scrutiny have just been introduced in the Parliament of Nepal. The Legislation Management Committee of the Upper House have incorporated this concept in its Rules. However, the functions of Post Legislative Scrutiny yet to be done widely.

**Based on an observation**, the Parliament should make a mandatory provision that all Bills tabled in the Parliament need to be debated in the Committees. It is also require to enable the Parliamentary Committees to review any kind of Bills and make the necessary amendments through providing technical expertise from the Secretariat.

**In addition**, the Parliamentary Committees have to have mandate to make the Post-Legislative Scrutiny that may be an effective tool in implementing laws passed by the Parliament itself in its letter and spirit.

**Finally**, I am confident that this articulative General Debate on the theme would be succeeded in taking pragmatic resolutions for highlighting the relevance of the Parliamentary Committees in both the Making and Implementing Laws made by the Parliament more effectively in the days to come.

**Thank You very much for your attention.**