

# **Role and Relevance of Rajya Sabha in Indian Polity**

**Dr. Yogendra Narain**  
Editor



**RAJYA SABHA SECRETARIAT  
NEW DELHI**



# **Role and Relevance of Rajya Sabha in Indian Polity**

**Proceedings of the  
Seminar organised on the occasion of the 200th Session  
of Rajya Sabha on 14 December 2003  
in Parliament House Annexe, New Delhi**

**Editor  
Dr. Yogendra Narain  
Secretary-General  
Rajya Sabha**



**RAJYA SABHA SECRETARIAT  
NEW DELHI**

© 2004 BY RAJYA SABHA SECRETARIAT, NEW DELHI  
<http://parliamentofindia.nic.in>  
<http://rajyasabha.nic.in>  
E-mail: [rsrlib@sansad.nic.in](mailto:rsrlib@sansad.nic.in)

Price : Rs. 75.00

Published by the Secretary-General, Rajya Sabha and  
printed by Akashdeep Printers, 20, Ansari Road, Darya Ganj,  
New Delhi-110002

## CONTENTS

	PAGES
PREFACE	i-iii
<i>Understanding the Importance of Rajya Sabha</i>	Dr. Yogendra Narain Secretary-General, Rajya Sabha ..... 1-3
<i>Redefining the role of Rajya Sabha</i>	Shri Bhairon Singh Shekhawat Vice-President of India and Chairman, Rajya Sabha ..... 5-8
<i>Legacy of the Presiding Officers of Parliament</i>	Prof. Madhu Dandavate Former Union Minister of Finance and Minister of Railways ..... 10-16
<i>Upholding the federal ethos of Indian polity</i>	Dr. L.M. Singhvi Eminent Jurist and former Member of Parliament (Rajya Sabha) ..... 18-29
<i>Rajya Sabha – a 'Chamber of Ideas'</i>	Shri Harish Khare Associate Editor, The Hindu ..... 32-35
<i>Generating the spirit of national togetherness</i>	Shri Ranganath Misra Former Chief Justice of India and Member of Parliament (Rajya Sabha) ..... 37-38
<i>Standing the test of time</i>	Shri P. Shiv Shanker Former Union Minister and Member of Parliament ..... 40-42
<i>Strengthening Rajya Sabha as a federal Chamber of Parliament</i>	Shri Kuldip Nayar Veteran Journalist and former Member of Parliament (Rajya Sabha) ..... 44-48



<i>Enriching the nation by useful deliberations</i>	Shrimati V.S. Rama Devi Former Governor, Himachal Pradesh and Karnataka and former Secretary-General, Rajya Sabha .....	50-54
<i>Representing the federal character of the Indian Constitution</i>	Shri Era Sezhiyan Former Member of Parliament .....	56-57
<i>Retaining the vision of the Founding Fathers of the Constitution</i>	Shri R.C. Tripathi Former Secretary-General, Rajya Sabha .....	59-61
<i>Importance of Second Chamber in a federal and democratic polity</i>	Prof. Noorjahan Bava (Retd.) Department of Political Science, University of Delhi .....	63-68
<i>The two Houses : Playing a complementary and supplementary role in Indian polity</i>	Shri G.C. Malhotra Secretary-General, Lok Sabha .....	70-72
<i>Towards a more interactive democracy</i>	Dr. (Shrimati) Najma Heptulla Former Deputy Chairperson, Rajya Sabha .....	74-80
<i>Preserving the democratic ethos and spirit of the nation</i>	Dr. P.L. Sanjeev Reddy Director, Indian Institute of Public Administration .....	82-83
Write-ups on Seminar received from the students .....		85-122
Letters of appreciation received from a Member and students .....		123-127
Media coverage of Seminar .....		129-136

## PREFACE

The Winter Session of Parliament of the year 2003 was the 200<sup>th</sup> Session of Rajya Sabha, a landmark in our parliamentary democracy. To celebrate this historic occasion, various activities and programmes were organized. A Sub-Committee of the General Purposes Committee of Rajya Sabha was set up by the hon'ble Chairman, Rajya Sabha on 18 October 2003 to coordinate and supervise celebrations to commemorate the 200<sup>th</sup> Session of Rajya Sabha, with Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha as convener and Shri Pranab Mukherjee, the then Member of Rajya Sabha and currently the Minister of Defence, Shri Lalu Prasad Yadav, the then Member of Rajya Sabha and now the Minister of Railways, Dr. P. C. Alexander, Shri Nilotpal Basu, Shri Rama Shanker Kaushik, Shri Satish Pradhan, Dr. Alladi P. Rajkumar, Shri Muktar Abbas Naqvi and Shri S. Viduthalai Virumbi as Members of the Committee. The Sub-Committee in its first meeting held on 6 November 2003 *inter-alia* decided to organize a Seminar on the theme 'Role and Relevance of Rajya Sabha in Indian Polity'. The Committee felt that apart from academicians, renowned parliamentarians, elderly statesmen, journalists, eminent jurists, former Secretaries-General should also be invited to speak in the Seminar. The Sub-Committee endorsed the proposal of Shri Nilotpal Basu that students from some Universities and prominent technological institutes may be invited to witness the proceedings of the Seminar, which it was felt, would help them to know and understand the role played by Parliament in the constitutional scheme. Possibly for the first time in our parliamentary history, a decision was taken to invite the students to attend a Seminar organized to discuss one of the important institutions of our parliamentary democracy.

In pursuance of the decision taken by the Sub-Committee of the General Purposes Committee, a Seminar on the theme 'Role and Relevance of Rajya Sabha in Indian Polity' was organized by the Rajya Sabha Secretariat in collaboration with the Indian Institute of Public Administration (IIPA), New Delhi on 14 December 2003 in the Main Committee Room, Parliament House Annexe. The Seminar was inaugurated by the Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat. Eminent speakers from different walks of life, namely Professor Madhu Dandavate, Dr. L. M. Singhvi, Shri Harish Khare, Shri Ranganath Misra, Shri P. Shiv Shanker, Shri Kuldeep Nayyar, Shrimati V. S. Rama Devi, Shri Era Sezhiyan, Shri R. C. Tripathi and Prof. (Smt.) Noorjahan Bava addressed the Seminar. The other invitees to the Seminar were Shri G. C. Malhotra, Secretary-General, Lok Sabha and Dr. P. L. Sanjeev Reddy, Director, Indian Institute of Public Administration, who spoke on the occasion. On the occasion four books brought out by the Rajya



Sabha Secretariat, namely 'Socio-Economic Profile of Members of Rajya Sabha (1952-2002); 'Humour in the House: A glimpse into the enlivening moods of Rajya Sabha'; 'Women Members of Rajya Sabha'; and 'Private Members' Legislation' were released by the Vice-President of India and Chairman, Rajya Sabha and the then Deputy Chairperson, Rajya Sabha.

As a unique gesture, five students each from the Central Universities, Indian Institutes of Technology (IITs), Indian Institutes of Management (IIMs) and the Indian Institute of Mass Communication (IIMC), New Delhi were invited to witness the proceedings of the Seminar. Showing an overwhelming response, a total of 83 students from 18 Universities/Institutes had come to attend the Seminar. The Universities/Institutes represented at the Seminar were Aligarh Muslim University; Babasaheb Bhimrao Ambedkar University, Lucknow; Banaras Hindu University, Varanasi; Jamia Millia Islamia, New Delhi; Jawaharlal Nehru University, New Delhi; Pondicherry University; University of Delhi; University of Hyderabad; Visva Bharati, Santiniketan; Indian Institutes of Technology located at Mumbai, Delhi, Guwahati, Kanpur, Kharagpur, Chennai and Roorkee; and Indian Institutes of Management, Indore and Lucknow. Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha, while referring to the celebrations of the 200<sup>th</sup> Session at the conclusion of the Session on 23 December 2003, said in the House: "I think, the most important event which, I feel, of the 200<sup>th</sup> Session celebrations was the Seminar which we organized and the Secretariat had worked very hard for it — because that Seminar had significance... It is a very good effort towards creating an understanding among the youth and trying to make them feel a part of our democratic process."

In her valedictory remarks, Dr. (Smt.) Najma Heptulla, while thanking the students for attending the Seminar, requested them to write about their experiences of the Seminar. She also said that the Rajya Sabha would give awards for the three best write-ups. In response to our request in this regard, we received write-ups from students of Babasaheb Bhimrao Ambedkar University, Lucknow; Jawaharlal Nehru University, New Delhi; Banaras Hindu University, Varanasi; Indian Institute of Technology, Bombay; Indian Institute of Technology, Kanpur; and Indian Institute of Technology, Delhi. The two write-ups adjudged as the first and second were received from a student each of Jawaharlal Nehru University, New Delhi and the Indian Institute of Technology, Bombay, respectively. They have been given prizes for their write-ups by the Rajya Sabha Secretariat. All the write-ups received from the students have been edited and included in this volume. As the Seminar received good coverage in the print media, all the press clippings on the Seminar and letters of appreciation received from a member and students have also been included in the Annexure.

The speeches delivered by the speakers during the Seminar have been included in this volume. The text of the speeches were sent to the speakers for vetting, corrections, etc. The texts of the speeches which were not received from some of the Speakers were edited along with the vetted speeches received from other speakers and suitable headings have been given to these speeches. I place on record my appreciation for the assistance rendered to me by the officers belonging to the Research and Library Service particularly Shri S.N. Sahu, the then Director, Rajya Sabha Secretariat, Shri N. K. Singh, Director, Shri S. D. Nautiyal, Joint Director, Ms. Rosey Sailo, Assistant Director in bringing out the volume. I hope that the publication would be of lasting value to the readers and general public and to those who are interested in the functioning of parliamentary democracy.

New Delhi  
November 2004

**DR. YOGENDRA NARAIN**  
*Secretary-General*  
Rajya Sabha

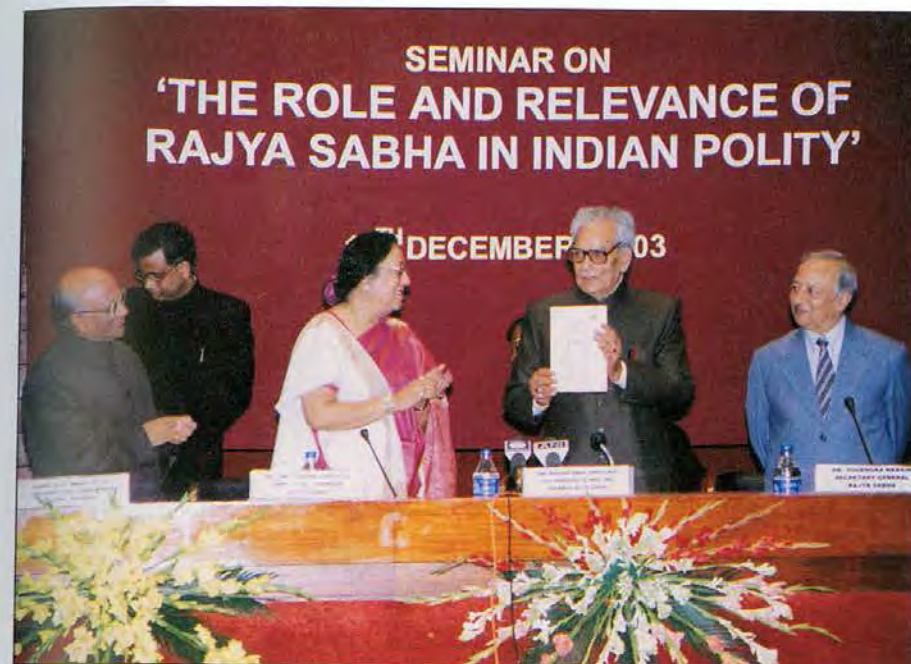




Shri Bhairon Singh Shekhawat, Vice-President of India and Chairman, Rajya Sabha lighting the ceremonial lamp in the Seminar on the theme *Role and Relevance of Rajya Sabha in Indian Polity*



Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha, lighting the ceremonial lamp in the Seminar on the theme *Role and Relevance of Rajya Sabha in Indian Polity*



Shri Bhairon Singh Shekhawat, Vice-President of India and Chairman, Rajya Sabha releasing a book titled *Humour in the House - A glimpse into the enlivening moods of Rajya Sabha*. The then Deputy Chairperson, Rajya Sabha Dr. (Smt.) Najma Heptulla, Secretary-General, Rajya Sabha, Dr. Yogendra Narain and Secretary-General, Lok Sabha, Shri G. C. Malhotra are also present on the dais



Shri Bhairon Singh Shekhawat, Vice-President of India and Chairman, Rajya Sabha releasing a book titled *Socio-economic Profile of Members of Rajya Sabha (1952-2002)*

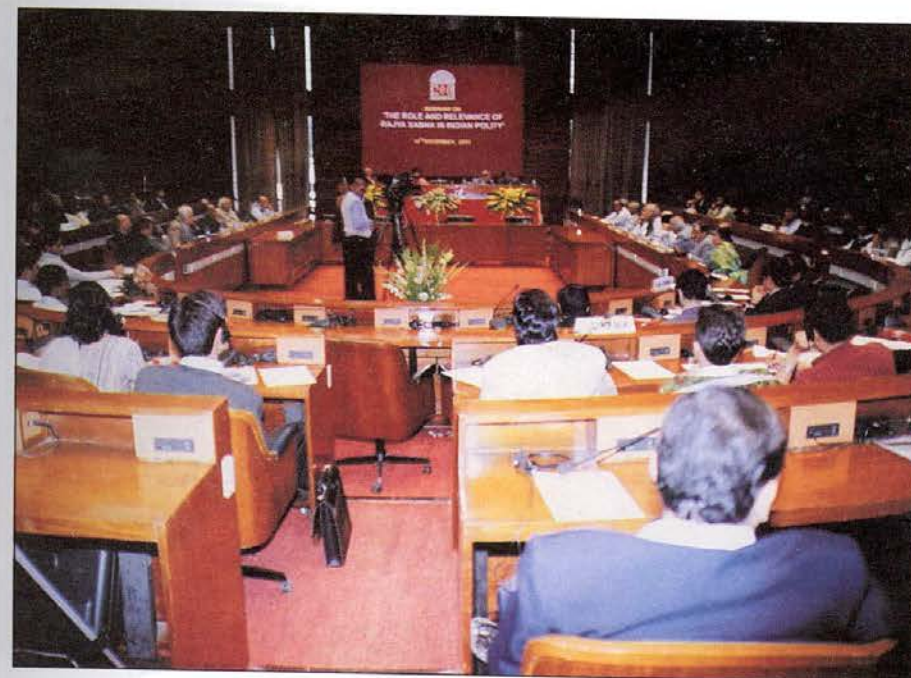




Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha releasing books titled *Women Members of Rajya Sabha and Private Members' Legislation*. On the dais (R to L) Dr. Yogendra Narain, Secretary-General, Rajya Sabha, Shri Bhairon Singh Shekhawat, Vice-President of India and Chairman, Rajya Sabha and Shri G.C. Malhotra, Secretary-General, Lok Sabha are also seen



View of the Seminar



View of the Seminar



Students at the Seminar





Students at the Seminar



Students attending the Seminar



Students attending the Seminar





Dr. Yogendra Narain, Secretary-General, Rajya Sabha delivering a Welcome Address in the Seminar on the theme *Role and Relevance of Rajya Sabha in Indian Polity*. Seen on the dais, on his right are Shri Bhairon Singh Shekhawat, Vice-President of India and Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha and Shri G. C. Malhotra, Secretary-General, Lok Sabha

*"The aim of the Seminar is two-fold — awareness creation and self-education; awareness among those who see Parliament from the prism of the outside world and who are going to be the leaders of tomorrow — the youths, and self-education for those who live in the world of parliamentary life and would like to learn from the experience of those who have preceded them in this vocation."*

—Dr. Yogendra Narain

## UNDERSTANDING THE IMPORTANCE OF RAJYA SABHA\*

Hon'ble Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawatji; hon'ble Deputy Chairperson, Rajya Sabha, Dr. (Smt.) Najma Heptulla; Secretary-General, Lok Sabha, Shri G.C. Malhotra; Director of the Indian Institute of Public Administration, Dr. Sanjeev Reddyji, distinguished speakers, Members of Parliament, dear students from Central Universities, the Indian Institutes of Technology (IITs), the Indian Institutes of Management (IIMs), media personalities of the electronic and print media, officers of both the Rajya Sabha and the Lok Sabha Secretariats, ladies and gentlemen.

It is my proud privilege to extend a warm and hearty welcome to all of you to this Seminar on the 'Role and Relevance of Rajya Sabha in Indian Polity' being jointly organised by the Rajya Sabha Secretariat and the Indian Institute of Public Administration to commemorate the 200<sup>th</sup> Session of Rajya Sabha.

The scheme of bicameralism, i.e., the two Houses of Parliament was first incorporated in the Constitution of India Bill, 1895. Later in 1927, the Swaraj Constitution proposed by the Committee headed by Motilal Nehru advocated a legislature with two Chambers for independent India. Rooted thus in the traditions, reared and nurtured during our fight for freedom, the Council of States, popularly known as Rajya Sabha, has emerged as a shining example of a Second Chamber with a splendid record of performance and innovation which is now looked upon with admiration by the rest of the world.

**The scheme of bicameralism, i.e. the two Houses of Parliament was first incorporated in the Constitution of India Bill, 1895. Later in 1927, the Swaraj Constitution proposed by the Committee headed by Motilal Nehru advocated a legislature with two Chambers for independent India.**

To understand the importance of Rajya Sabha, to comprehend its evolution more critically and appreciate the challenges confronted by it, this Seminar

\* Text of the Welcome Address delivered by Dr. Yogendra Narain, Secretary-General, Rajya Sabha



has been organised on the historic occasion of the 200<sup>th</sup> Session of Rajya Sabha. Renowned and outstanding personalities from different walks of life have been invited to express their valuable ideas.

The aim of the Seminar is two-fold - awareness creation and self-education; awareness among those who see Parliament from the prism of the outside world and who are going to be the leaders of tomorrow - the youths, and self-education for those who live in the world of parliamentary life and would like to learn from the experience of those who have preceded them in this vocation.

Let me warmly welcome the outstanding and renowned speakers, Prof. Madhu Dandavate, Shri Era Sezhiyan, Shri P. Shiv Shanker, Shrimati V. S. Rama Devi, Dr. L.M. Singhvi, Shri Ranganath Misra, Shri Kuldip Nayar, Shri Harish Khare, Shri R.C. Tripathi and Prof. (Smt.) Noorjahan Bava who have excelled in their respective fields and are acknowledged for their rich ideas and contributions.

It is also, indeed, a great privilege to have with us eminent parliamentarians who, in spite of their heavy load of work relating to the current session of Parliament, have found time to attend this Seminar. I also cordially welcome them.

Hon'ble Chairman, Sir, and distinguished speakers, let me inform you that, possibly for the first time in the history of our Parliament, a decision was taken to invite students of the Central Universities, IITs and IIMs to attend a Seminar organised by a particular House of Parliament to discuss one of the important institutions of parliamentary democracy. It was thought that the discussions of a Seminar of this importance must be shared by students of our country on whose shoulders the future of our country rests and who must understand the functioning of Parliament in proper perspective. We requested all the Central Universities, IITs and IIMs to send five students each. In response to our request, we have now a total of 83 students with us. Central Universities such as the Jawaharlal Nehru University (JNU), Banaras Hindu University (BHU), Jamia Millia Islamia, New Delhi, University of Hyderabad, Pondicherry University, Aligarh Muslim University, Babasaheb Bhimarao Ambedkar University, Lucknow, Visva Bharati, Santiniketan and University of Delhi have sent 41 students.

I have great pleasure in announcing that we also have with us 33 students from the IITs of Roorkee, Madras, Delhi, Bombay, Guwahati, Kanpur and Kharagpur.

Besides, it is our privilege to have with us today 9 students from the Indian Institutes of Management located in Indore and Lucknow. To all these bright students from such prestigious educational technological institutions, I extend a very warm and special welcome.

I also welcome in our midst officers of the Lok Sabha and the Rajya Sabha Secretariats, members of media, staff of the Central Public Works Department, Horticulture Department and others whose contributions in organising this Seminar are valuable.

I am sure that deliberations of this Seminar are going to be educative, informative and instructive to all of us





Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat delivering the inaugural address in the Seminar. Seen on the dais on his left are Dr. Yogendra Narain, Secretary-General, Rajya Sabha, Dr. P. L. Sanjeev Reddy, Director, Indian Institute of Public Administration and on his right Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha, Shri G. C. Malhotra, Secretary-General, Lok Sabha

*"Performance and functioning of Parliament are under watch and scrutiny of public as well as the media. As House of Elders, and as Council of States, Rajya Sabha will have to give lead and set high standards for other elected bodies including State Legislatures and Zila Parishads to emulate. That would also enthuse and inspire the younger generation and secure their participation in improving public governance and nation building."*

- Shri Bhairon Singh Shekhawat

## REDEFINING THE ROLE OF RAJYA SABHA\*

Hon'ble Deputy Chairperson, Rajya Sabha, Secretary-General, Rajya Sabha, Secretary-General, Lok Sabha, Director, IIPA, Dr. Manmohan Singhji, Members of Parliament and distinguished gathering. I welcome you all. My greetings to the distinguished speakers and the participants. I offer my thanks to the Deputy Chairperson for organising this Seminar on a very appropriate subject. When Rajya Sabha is in its 200<sup>th</sup> Session, and has been functioning for over half a century, it is indeed very useful to review the 'role' and 'relevance' of Rajya Sabha in the present and developing context.

Our Constitution provided bicameral legislature at the Centre and assigned a unique role to Rajya Sabha. It is the permanent House of the Parliament of India which is the Union of States. This House provides representation to the States and is, therefore, very appropriately called the Council of States.

What role for Rajya Sabha did the makers of our Constitution envisage? The first Chairman, Dr. S. Radhakrishnan, very lucidly defined this when the Rajya Sabha had its first Session on May 13, 1952. He had observed, and I quote:

There is a general impression that this House cannot make or unmake governments and, therefore, it is a superfluous body. But, there are functions, which a revising Chamber can fulfil fruitfully. Parliament is not only a legislative but also a deliberative body. So far as its deliberative functions are concerned, it will be open to us to make very valuable contributions, and it will depend on our work whether we justify this two Chamber system, which is now an integral part of our Constitution. So, it is a test to which we are submitted. We are for the first time starting under the parliamentary system, with a second Chamber in the Centre and we should try to do everything in our power to justify to the public of this country that a second Chamber is essential to prevent hasty legislation. Unquote.

During the span of last fifty years, Rajya Sabha has performed this expected role with distinction and success; its performance has surely strengthened the

\* Text of the Inaugural Address delivered by Shri Bhairon Singh Shekhawat, Vice-President of India and Chairman, Rajya Sabha



roots of democracy. There has been substantial and significant contribution by hon'ble members in the form of reasoned and dignified debates which also highlighted political consciousness. Pages after pages of Rajya Sabha debates show how the concerns of the people's welfare and development, with a futuristic outlook, guided deliberations in the House. As an illustration, it would be relevant to recall that the issue of deforestation and displacement of tribals from the forest lands was raised by a member as early as in the year 1952 itself. Indeed, the deliberations in the House have always been guided by long-term vision for growth and development in the larger interest of the people.

Today, we need to ponder as to how to redefine and reorient the role of Rajya Sabha so as to make its performance more relevant and effective in meeting the present and the future challenges. We have the vision of making India a front-line developed Nation by the year 2020. In this task, we shall have to face in the next two decades challenges of economic growth and public governance. There will be growing pressure to fulfil the aspirations of the people, promote their welfare and undertake speedy development with efficient, hassle-free and corruption-free governance.

**Today, we need to ponder as to how to redefine and reorient the role of Rajya Sabha so as to make its performance more relevant and effective in meeting the present and the future challenges. We have the vision of making India a front-line developed Nation by the year 2020. In this task, we shall have to face in the next two decades challenges of economic growth and public governance.**

The key issue is : how shall we prepare to face these challenges? Poverty alleviation, population stabilisation, electoral reforms, speedy justice, national security are such areas which need fast track action based on consensus.

**Poverty alleviation, population stabilisation, electoral reforms, speedy justice, national security are such areas which need fast track action based on consensus. It is essential to evolve an approach of action in respect of such important national issues based on consensus not only amongst political parties but also between the Centre and the States. Through serious discussion, deliberations and constructive debates, Rajya Sabha should be making positive and specific recommendations on new strategies and programmes for appropriate legislative and executive follow-up actions.**

It is essential to evolve an approach of action in respect of such important national issues based on consensus not only amongst political parties but also between the Centre and the States. Through serious discussion,

deliberations and constructive debates, Rajya Sabha should be making positive and specific recommendations on new strategies and programmes for appropriate legislative and executive follow-up actions. I have no doubt these recommendations are bound to receive due consideration by the concerned authorities.

Rajya Sabha has also to be sensitive and concerned with the aspirations of the States. In the present political scenario, Rajya Sabha has a special role to

**In the present political scenario, Rajya Sabha has a special role to bring about coherence and congruence in national and state development policies.**

bring about coherence and congruence in national and state development policies. Many programmes and projects of national importance often touch upon the sensitivity of the Centre-

State relations. Inter-State water disputes and National Mission for interlinking of rivers are the typical examples. Rajya Sabha would need to be concerned with such sensitive issues and evolve suitable and appropriate manner of performing its role towards addressing these issues.

Today, there is great public interest in the functioning of our Parliamentary institutions. Performance and functioning of Parliament are under watch and scrutiny of public as well as the media. As House of Elders, and as Council of States, Rajya Sabha will have to give a lead and set high standards for other elected bodies including State Legislatures and *Zila Parishads* to emulate. That would also enthuse and inspire the younger generation and secure their participation in improving public governance and nation building.

Some other aspects relating to functioning of Rajya Sabha also deserve a review. We should have a critical look at the system of functioning of the committees of Rajya Sabha. Can we make their functioning more effective and purposeful? Also, how shall we enthuse our hon'ble Members to be more proactive on key issues of national importance and act as healthy competitors in the endeavour to serve the nation?

Dear students, I am happy to see you here in good number. You, the youth of the country, are going to be the builders of the developed India. You have the responsibility to further strengthen the roots of democracy in our country. You have also the opportunity to make our democracy not only the largest in the world but also a great democracy by building a strong and powerful India. I have an abiding faith in the destiny of our country. I am sanguine that with



commitment, motivation and hard work, you shall definitely build a fully developed India of our dreams.

Friends, today we have very distinguished speakers at this Seminar; they are persons of eminence, with rich and varied experience in public life, journalism, legal profession and academics. I am sure with their deep insight and in-depth understanding of the Indian polity, they would throw valuable light on the topic of today's Seminar.

With these words, I have great pleasure in inaugurating this Seminar. I am sure the deliberations would be enlightening, purposeful and productive. Thank you, *Jai Hind* !



Prof. Madhu Dandavate delivering a speech in the Seminar. Dr. L. M. Singhvi eminent jurist and former M. P. (Rajya Sabha) (L) and Shri Abani Roy, M. P. (Rajya Sabha) (R) are also seen

*"You will realise how very necessary it is, and how very appropriate it is to have two Houses of Parliament. If something goes wrong in one House, the correction can take place in the other House."*

*- Prof. Madhu Dandavate*



## LEGACY OF THE PRESIDING OFFICERS OF PARLIAMENT \*

Hon'ble Dignitaries of Parliament and friends, as I initiate the discussion in this Seminar on the Role and Relevance of Rajya Sabha, my mind goes back to the year 2002 when on the eve of the Republic Day, the then President, Shri K.R. Narayanan and also the former Chairman of Rajya Sabha, made a very moving and touching reference to the 13<sup>th</sup> of December. As I think of the 13<sup>th</sup> of December, my mind is filled with a sense of pride and a sense of agony as well.

**As I think of the 13<sup>th</sup> of December, my mind is filled with a sense of pride and a sense of agony as well. Sense of pride because in 1946, on this very historic day, the 13<sup>th</sup> of December, late Pt. Jawaharlal Nehru, while moving the Objectives Resolution in the Constituent Assembly, made a commitment on behalf of the nation to the social objectives, freedom, democracy and secularism. That was the day of nation's commitment. Again, some years back, a threat was posed on the 13<sup>th</sup> of December to the Parliament House and to its legacy, its heritage, by communalists and terrorists who tried to attack this very temple of democracy.**

Sense of pride because in 1946, on this very historic day, the 13<sup>th</sup> of December, late Pt. Jawaharlal Nehru, while moving the Objectives Resolution

**...let us not forget that Lok Sabha and Rajya Sabha were the twin products of the original Central Legislative Assembly over which a veteran like Vithalbhai Patel presided and created certain traditions both for the present Rajya Sabha as well as Lok Sabha. The spectacular work that he did was that he insisted on the separation of legislature, executive and judiciary. With a clear objective, remember, that too in the British days, he stressed that if the legislature is to function in an unfettered manner, executive of the government should not be able to pressurise the legislative cadre and thereby destroy the sanctity as well as freedom of the legislature.**

in the Constituent Assembly, made a commitment on behalf of the nation to the social objectives, freedom, democracy and secularism. That was the day of nation's commitment. Again some years back, a threat was posed on the 13<sup>th</sup> of December to the Parliament

House and to its legacy, its heritage, by communalists and terrorists who tried to attack this very temple of democracy. Some of those who were in charge of security of Parliament House died. They became martyrs. When I remember this, I am reminded of the famous War Memorial at Kohima on which the inscription is, "When you go back home, tell them and say, for their tomorrow we gave our today." So, with this homage to those who tried to defend the security of our Parliament, I would move on to the subject of the Seminar. Though the subject is the relevance of Rajya Sabha, let us not forget that Lok Sabha and Rajya Sabha were the twin products of the original Central Legislative Assembly over which a veteran like Vithalbhai Patel presided and created certain traditions both for the present Rajya Sabha as well as Lok Sabha. The spectacular work that he did was that he insisted on the separation of legislature, executive and judiciary. With a clear objective, remember, that too in the British days, he stressed that if the legislature is to function in an unfettered manner, executive of the government should not be able to pressurise the legislative cadre and thereby destroy the sanctity as well as freedom of the legislature.

That was the contribution that Vithalbhai made. Of course, in those days, the Britishers could not accept that structure. But, he declared on the floor of Parliament - then the Central Legislative Assembly, "as the elected President, I announce that Motilal Nehru will move a resolution for such a separation and Lala Lajpat Rai will second the resolution." Strangely enough, that resolution was adopted unanimously and that created the foundation of separation of legislature, executive and judiciary.

Another significant contribution in those days, before Rajya Sabha was born, was in relation to the Public Safety Bill No. 1 and Bill No. 2. In essence, the Bill was there to suppress the liberty of the freedom fighters and civil liberties of the people. The first Bill was put to vote. The voting was 61 for and 61 against the Bill. And, very courageously, Vithalbhai Patel got up and said, "I have unenviable right of a casting vote. I cast my vote against this Bill." The Bill was defeated. And, when the second Bill came, the real acumen of the President of the Central Legislative Assembly was demonstrated. Hardly the discussion on the Bill was started, it was a Bill that gave enabling powers to suppress the civil liberties of the people and urges and aspirations of the freedom fighters, Vithalbhai Patel rose in the House and said, "I was thinking about two parallel developments. While there is a Public Safety Bill on the anvil and you are going to discuss the suppression of freedom and civil liberties, outside we find the Meerut conspiracy case going on in the court, in which patriots and

\* Text of the speech delivered by Prof. Madhu Dandavate, former Union Minister of Finance and Minister of Railways



revolutionaries were on trial. In that case what happens in the judicial forum will also affect the debate in the legislature on the Public Safety Bill. And, I, in my own right, as the President of this institution, I declare that this debate is adjourned *sine die*." The British Government did not like it. Earlier, Bhagat Singh had thrown a bomb in the Parliament. After that incident occurred, a police officer, an Englishman in uniform was occupying a seat in the visitors' gallery. Vithalbhai just looked at the gallery and shouted, "I am the custodian of this House. How does this English police officer occupy the visitors' gallery?" The Home Member, a Britisher got up (he was called Home Member) and said, "Sir, I, as a Home Member, have allowed him. I take the responsibility." At the top of his voice, Vithalbhai gave his ruling, "Hon'ble Home Member, hold your tongue and restrain yourself. Otherwise, I will have to throw you out of the House." He sank in his seat. And the British police officer sitting in the gallery ran away. The galleries were closed for all visitors for sometime and then the code of conduct was evolved regarding visitors. That was the way to set up precedents which also become today the precedent for the guidance of Rajya Sabha as well as Lok Sabha.

There is one more aspect which, to my mind, is extremely important. Very often there is some sort of conflict between the two Houses - Rajya Sabha and Lok Sabha. Here again, was another Speaker who tried to guide the interest of both the Houses. There was an occasion, if I remember correctly when Rajya Sabha had passed the Special Marriage Bill. And, one Member of Lok Sabha, Shri N.C. Chatterjee delivering a speech outside Parliament said, "After all, who has passed this Special Marriage Bill? A pack of urchins!" Next day, a privilege issue was raised in Rajya Sabha against Shri N. C. Chatterjee. At that time, the Secretary of Rajya Sabha communicated all those discussion papers about privilege issue to Shri N. C. Chatterjee. Shri N. C. Chatterjee gave a counter motion against the officials of Rajya Sabha. At 12 o' clock, the Speaker, Mavalankar, got up and said, "I have received a counter privilege motion from a Member of this House, Shri N.C. Chatterjee because he was subjected to the jurisdiction of the other House." The then Prime Minister, Jawaharlal Nehru got up and said, "Sir, that Member of our House has the temerity to call the Rajya Sabha a 'pack of urchins'". The Speaker said, "Mr. Prime Minister, please take your seat. So long as I am the Speaker of this House, I will never allow a Member of my House to be subjected to the jurisdiction of the other House. And Shri N. C. Chatterjee is fully justified in raising the privilege issue. Anyway, I will show a way out." He said, "Let the Presiding Authorities of various States, the Rajya Sabha and the Lok Sabha meet and try to find out if any such exigency occurs, what should be the procedure to be followed." It was

unanimously agreed to. Accordingly, resolutions were passed in Rajya Sabha, Lok Sabha and State Legislatures that :

If any Privilege Motion comes against a Member, who is not the Member of that House, that House should not deal with the Privilege Motion, but pass it on to the Speaker or the Chairman of the concerned House. He should accordingly deal with it.

So, this procedure was evolved and things were settled. I am giving this example to show that the highest in the legislature could not succumb to the pressure of the highest in the executive. After all, Pt. Jawaharlal Nehru was a man of great stature. His word was the final word in politics at that time. But even then the Speaker exerted his authority. He was very keen about the sanctity of the Speaker's Office. He said, "Whether it is the Chairman of the Rajya Sabha, or, whether it is the Speaker of an Assembly, he has his own dignity." Once, inadvertently, Pt. Jawaharlal Nehru sent a note to the then Speaker, Shri Mavalankar, which said, "Sir, I have some urgent work with you. Will you come to my chamber?" Shri Mavalankar on the same note wrote, "According to the accepted conventions of parliamentary life, a Speaker does not go to the chamber of any executive, including that of the Prime Minister. However, if you have any work, you are welcome to my chamber." And, look at the humility of Pt. Jawaharlal Nehru. On the same note, he said, "I give my unqualified apologies to you for the impropriety I have committed. Sir, I am coming to your chamber to discuss the proposition." So, such were the executives and such were the people who were presiding authorities. That is why the dignity of Parliament was maintained. This is the legacy that is to be carried out.

However, if you have any work, you are welcome to my chamber." And, look at the humility of Pt. Jawaharlal Nehru. On the same note, he said, "I give my unqualified apologies to you for the impropriety I have committed. Sir, I am coming to your chamber to discuss the proposition." So, such were the executives and such were the people who were presiding authorities. That is why the dignity of Parliament was maintained. This is the legacy that is to be carried out.



There are other issues. Take 'Budget' for instance. As far as the Budget is concerned, Financial Bills and Money Bills can originate only in Lok Sabha. But they are laid on the Table of Rajya Sabha also. But once I noticed that 182 notifications were issued by the Finance Minister introducing changes in certain customs duties and they were laid on the Table of Lok Sabha. The Finance Minister issued these notifications almost during ten days prior to the Budget. On this subject, I raised a privilege issue in Lok Sabha. Then the Speaker took a very technical view. He said, "There is a Customs Act which gives the permission to the Finance Minister to lay on the Table of the House such notifications to change the customs duties." The matter was raised in Rajya Sabha also. Now you will realise how very necessary it is, and how very appropriate it is to have two Houses of Parliament. If something goes wrong in one House, the correction can take place in the other House. A vigilant Member of Rajya Sabha raised a question of privilege for laying on the Table of Rajya Sabha 182 notifications which proposed certain changes in the customs duty. And look at the remarkable ruling that was given by the Chairman of Rajya Sabha. The Chairman said:

Technically, the Customs Act might be allowing Finance Minister to lay on the Table of the House notifications making changes in the customs duty, but propriety demands that since only one week is left for the Budget to be presented, such an impropriety should not be committed. And I would like to warn that in future such impropriety should be avoided.

So, sometimes, when both the Houses exist, if something is lacking in one House, probably, it can be corrected in the other House. I don't say that Rajya Sabha is the House of correction for Lok Sabha. How can I say that? I have been a Member of Lok Sabha for 25 years. Though I became an elder, I never went to the House of Elders.

Sir, I won't take much time. As far as the budgetary process in both the Houses is concerned, a very powerful instrument is there in the hands of the parliamentarians. And if I remember the financial year right, it was 1989-90. The Finance Minister presented the Budget in Lok Sabha. And, after that it was laid on the Table of Rajya Sabha so that a debate could take place there also. I always go through the Budget papers and I tell my friends, and especially the students, that while reading the Budget, they should have a magnifying glass, and they should try to look for the asterisk marks that are given at the top on certain numbers, the footnotes for which are given at the bottom of the papers. Once I found that in the 1989-90 Budget, the Finance Minister projected a very small revenue deficit. A very small revenue deficit is an index of the

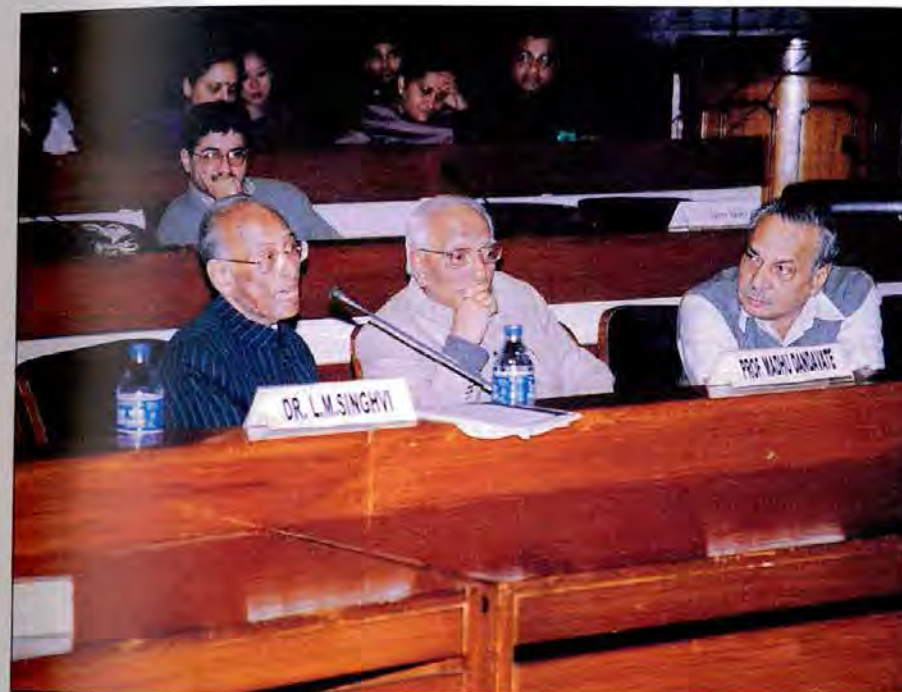
competence of the Finance Minister. That means he had projected a lot of resource mobilisation and checked unnecessary expenditure. So, I went through the asterisk mark at the top of the revenue deficit figure. The footnote at the bottom said that this small revenue deficit had been estimated by transferring Rs. 2,300/- crores from the Capital Account to the Revenue Account. Dr. Manmohan Singhji is sitting here. He knows all these technicalities. From the Oil Coordination Committee Fund, which is a Capital Account, an amount of Rs. 2,300/- crores was wrongly transferred to the Revenue Account. Now, if Rs. 2300/- crores additional amount is available to the Revenue Account, in that case, naturally the revenue deficit will go down. So, I gave a Privilege Motion against the Finance Minister that in manipulating a small revenue deficit, the Finance Minister had misguided the House and therefore it was a breach of privilege on the part of the Finance Minister. And the Speaker of the House, at that time, gave an elaborate ruling. In every paragraph he had criticised the Finance Minister and pointed out that it was wrong to transfer amount from the Capital Account to the Revenue Account and artificially create an impression that revenue deficit was small. This should be avoided in the future. Paragraph after paragraph his ruling criticised the Finance Minister. Many Opposition members were clapping, but I was keeping quiet because I knew that the real crux of the problem will be in the last paragraph. And, in the last paragraph, after criticising the Finance Minister and advising him not to commit any such impropriety in the future, he said, "However, in order to show that the Minister has committed a breach of privilege, two elements are necessary. One is, that he has committed breach of certain procedures, constitutionalities, and secondly, you have to prove that he has done it deliberately. The Speaker observed that I was not able to establish the motivation. Then I said, Sir, if there is an earthquake in any region, I can take a seismometer and fix it to the earthquake area and find out exactly where the epicenter lies, but I had no seismometer which I could fix to the Finance Minister's chest and try to find out what exactly was the inner intention of the Finance Minister. But the comedy came next year. Next year, unfortunately or fortunately, I became the Finance Minister. When we were formulating the Budget, one expert said, "Sir, shall we transfer a part of the Capital Account to the Revenue Account? I said, "you are a wonderful expert. Last time, the Finance Minister actually escaped the Privilege Motion because it could not be proved that it was done deliberately. But now, as a Finance Minister, if I do it, the Speaker would remind me that it was you who had raised that issue; so, you knew that this was a breach of privilege. Knowing that if you commit the same breach this year, you will be committing a breach of privilege.

As far as the independence of the two Houses is concerned, I will end by quoting my experience. Mavalankar had given the ruling that there should be



no interference of one House with another. I myself was the victim. The observations that I had made on the floor of Lok Sabha in one particular case were discussed in one State Legislature. I don't want to name but you can imagine, I leave it to your imagination. When one State Legislature discussed my observations on financial irregularity that I had pointed out in Parliament, all those documents regarding discussion about my observations were sent to the Speaker of Lok Sabha for taking the necessary action. We were almost coming to the end of the tenure of Lok Sabha. Therefore, I got up in Lok Sabha and said, "Sir, for a long time, those matters were pending with you. We are almost coming to the end of Lok Sabha. So, I have only one request that you should give your ruling either before the dissolution of Lok Sabha or before my death, whichever is earlier." He responded promptly and said, "Sir, I don't want you to die. Here and now, I am giving the ruling in your favour. Ours is an independent House and the sanctity and the independence of this House has to be protected." That is how things happened. So many things can be said, but I should not encroach on your time, and I should not take advantage of the fact that there is no bell on the Table.

Once I was pointed out by the presiding authority who happened to be a lady, that everytime I completed one point, I would say, "in the end, I conclude" and continued. Like that, it happened four times. She tried to ring the bell. She said, "Professor Dandavate, everytime I try to ring the bell, you say, "in the end", "in conclusion", and you continue your speech." I said, "Madam, I have been a Professor of Physics and our discipline teaches that when you elaborate any proposition, after every point is completed we should draw the conclusion before we make the next point. That is why I went on." And when I performed that trick, she laughed heartily and I ultimately said, "Madam, under the umbrella of your charming smiles, I will take two minutes more." I was given five minutes more. Thank you.



Dr. L. M. Singhvi delivering a speech in the Seminar. On his left are also seen Prof. Madhu Dandavate and Shri Abani Roy, M.P. (Rajya Sabha)

*"Rajya Sabha has to be seen, first and foremost, as a federal chamber, as a chamber reflecting the federal ethos of Indian polity. It has to be seen as an institution which shares power with the House of the People and imparts a federal flavour and a federal imprimatur to parliamentary deliberations."*

- Dr. L. M. Singhvi



## UPHOLDING THE FEDERAL ETHOS OF INDIAN POLITY\*

Mr. Chairman, Sir, Madam Deputy Chairperson, the distinguished Leader of the Opposition, Dr. Manmohan Singh, Professor Madhu Dandavate, whom I have had the privilege of knowing for four decades, Rama Deviji who has authored the basic text on precedents, principles and interpretation of procedures in Rajya Sabha, the second chamber to which I have the privilege to belong. Mr. Tripathi who was until recently our Secretary General, and who has written a book which is an outstanding contribution to the institutional theme of Rajya Sabha.

If we were to fix a meter on the chest of my distinguished friend, Professor Madhu Dandavate, who has just spoken, I think, we would find indicators of vast experience, profound patriotism and a strong sense of ethics and parliamentary tradition. I applaud him as a repository of many memorable moments in

**Mr. Chairman, Sir, we have gathered today to celebrate the Golden Jubilee of Rajya Sabha and pay our tribute to fifty years of what has been a remarkable discourse of the nation. It is ultimately in this history that we find the accumulated wisdom of our parliamentary life and the vignettes of our collective triumphs and lapses in the dialectics and dynamics of democratic institutional evolution.**

**'The Second Chamber' necessarily carries a connotation of secondariness. I have myself been a Member of both the Houses. I submit that there is nothing secondary in the bicameralism of India.**

our parliamentary history although I preceded him in Parliament. He was a vigilant Member, an excellent Minister and a wonderful human being with an impeccable track record in public life. He reminds me of the function and duty of vigilance we all owe as Members of either House and vociferous recourse to the forum of Parliament in discharge of that duty. As an

\* Text of the speech delivered by Dr. L.M. Singhvi, eminent jurist and former Member of Parliament

be a decent self imposed rule of restraint and propriety. Mr. Chairman, Sir, we have gathered today to celebrate the Golden Jubilee of Rajya Sabha and pay our tribute to fifty years of what has been a remarkable discourse of the nation. It is ultimately in this history that we find the accumulated wisdom of our parliamentary life and the vignettes of our collective triumphs and lapses in the dialectics and dynamics of democratic institutional evolution.

If I may say so, the media nomenclature of the Lower House and the Upper House and the nomenclature of the House of Elders and of the First House for Lok Sabha and the Second House for Rajya Sabha are indeed so misleading that our first Prime Minister had to dispel and repudiate the nomenclature as being misconceived and misplaced. 'The Second Chamber' necessarily carries a connotation of secondariness. I have myself been a Member of both the Houses. I submit that there is nothing secondary in the bicameralism of India. Nor is it correct to call Rajya Sabha as the House of Elders because the average age of the membership of the two Houses may well be found to be quite similar or proximate on a specific computation.

Mr. Chairman, Sir, my historical perspective informs me that the idea of bicameralism came into operation in India as far back as 1921 in our country. The reforms initiated by the British Government did envisage and did put in

**...the idea of bicameralism came into operation in India as far back as 1921 in our country. The reforms initiated by the British Government did envisage and did put in place a Second Chamber as far back as the reforms of 1919. They were implemented in 1921.**

place a Second Chamber as far back as the reforms of 1919. They were implemented in 1921. I would, however prefer to trace the birth chart pedigree of our Rajya Sabha to the year 1952 under our Constitution and not to the previous Houses which were conceptually, structurally and functionally quite different and have to be contextualised in their own setting of time and place differently. We adopted in the Constitution the nomenclature "Council of States." I prefer Pandit Motilal Nehru's nomenclature. He called it the Senate. We would do well to adopt and popularise the nomenclature Senate which would be better understood throughout the world. Mr. Chairman, Council of States is not quite as elegant an expression as the expression, "Senate". There may, of course, be two or more views on the subject.

In academic discussions and in Parliament we are bound to go to the pros and cons of issues. We often adopt the approach of explaining both sides and



say, "on the one hand this is so and on the other hand that is so". I should recount an American anecdote on that approach. The anecdote has it that President Truman was so exasperated when he found all his advisors and experts talking to him in that language of "on the one hand and on the other hand." According to the invented anecdote, he decided to engage an expert who had only one hand. When the newly appointed economist also began in the same way - on the one hand, it is like this, and on the other hand, it is like that. The President Truman was outraged and said to him, "My dear fellow, I appointed you because you do not have two hands and you are still talking about 'one hand and the other hand!' The economist replied, "Mr. President, I am talking of your two hands."

Mr. Chairman, I suggest you may consider the possibility of popularising the expression **Senate** for Rajya Sabha and to give it sanction in common parlance after considering all the points of view.

The institutional debate about why we should have a second chamber is not altogether irrelevant although the issue has receded into the back of beyond because Rajya Sabha has proved itself as an institution and federal bicameralism has come to stay even as we celebrate our Golden Jubilee.

It is important for us, as Dr. Radhakrishnan had said in his speech on the 16<sup>th</sup> May, 1952, that we have to justify the confidence which led to an institutional investment in hope and expectation in creating the Rajya Sabha. Mr. Chairman, Rajya Sabha deserves a national vote of confidence and justification.

**It is important for us, as Dr. Radhakrishnan had said in his speech on the 16<sup>th</sup> May, 1952, that we have to justify the confidence which led to an institutional investment in hope and expectation in creating the Rajya Sabha. Mr. Chairman, Rajya Sabha deserves a national vote of confidence and justification.**

Mr. Chairman, the role and relevance are always inextricably intertwined as indeed they are in case of Rajya Sabha. It is on the perception and performance of the 'Role' that the balance sheet of the 'Relevance' is necessarily drawn. The role has to be understood and has to be revisited in order to understand the utility and the contextuality of Rajya Sabha. Mr. Chairman, I recall your distinguished predecessor and my good friend, Shri Krishan Kant whose Foreword to Mr. Tripathi's book would be an ideal concept paper for the discourse on the role and relevance of Rajya Sabha. He quoted one of the

Constitution-makers after the French Revolution when this question of the Second Chamber came up. It was said in France long ago, "if the Second Chamber disagrees with the first chamber, it is mischievous, and if it concurs with the first chamber, it is redundant and superfluous". I need hardly inform you that the Senate is an important organ of the contemporary French constitutional system. Many of my friends in the French Senate testify to its importance and crucial relevance even though France does not have a federal system of government. It is possible to take the quip of the old French argument further. The argument in the Indian context may be stated thus: if the second chamber, or the Rajya Sabha for that matter, cannot undo what the Lok Sabha does and if it cannot bring down a Government, it is superfluous in the political perspective. I think that is a very limited and obviously atrophied view of politics and political structures. It is not so much in the actual bringing down of governments or in sustaining the governments that Parliament performs its most crucial and constant role as a vibrant contributor and a livewire interlocutor in the discourse of the nation. It is to that discourse of the nation in the larger and more meaningful sense that I think the Rajya Sabha does and can hope to make a significant contribution.

When Mr. Ayyangar, a very distinguished intellectual civil servant and statesman was called upon to speak in the Constituent Assembly on this subject, he said with clarity and greater sagacity that there was general consensus that we needed bicameralism, and the two Houses. He also said that what we would expect the other House, the Upper House, to do is to give discourse of the nation the benefit of a dignified debate. I can only say that we have been trying to do exactly that. Perhaps we need to try harder.

Mr. Chairman, you have given a very generous certificate for all these years of our parliamentary life. Having been returned to the Third Lok Sabha more than four decades ago and having come to

**I am not sure that we can say with our hands on our hearts and with a clear conscience that we are giving the discourse of the nation the full measure of the benefit and the advantage of that dignity of national discourse or debate to which a reference was made when our Constitution was being written. I think we ought to reflect on that phrase "Dignified debate" as a touchstone... The question is when and whether and how and with what sincerity and efficacy we will reflect on this issue and really embark purposefully on becoming a role model of parliamentary debate with all the cuts and thrusts and stings and arrows of democratic life but with greater wit and wisdom, greater calm, poise and equanimity.**



the Rajya Sabha a few years ago, I think we need to compare not only the two Houses, but also the two periods of time. No institution is permanently the same. As a Greek philosopher wisely said, "you cannot bathe in the same flow of the river twice." I am not sure that we can say with our hands on our hearts and with a clear conscience that we are giving the discourse of the nation the full measure of the benefit and the advantage of that dignity of national discourse or debate to which a reference was made when our Constitution was being written. I think we ought to reflect on that phrase "Dignified debate" as a touchstone. Mr. Chairman, Sir, I am conscious as a social scientist that Rajya Sabha cannot be and ought not to be hermetically sealed to keep out the dust and the din of the real world and the rough and tumble of democratic republican discourse of *Bharat*, that is India. The question is when and whether and how and with what sincerity and efficacy we will reflect on this issue and really embark purposefully on becoming a role model of parliamentary debate with all the cuts and thrusts and stings and arrows of democratic life but with greater wit and wisdom, greater calm, poise and equanimity.

Mr. Chairman, Sir, it is important that the Rajya Sabha should strive and strive hard to become a kind of a role model for legislative deliberations not by way of rumpus and pandemonium as the insignia of democratic politics but by means of serious, informed, dignified and civilized debate. Can we set an example? The quality and substance of debate and the calibre of the inputs are crucial.

I believe, Mr. Chairman, that the index of a good working parliamentary democracy is the collective discipline, institutional solidarity and civilizational ethos. The first and foremost principle is respect for the Chair and respect for each other. Sir, there is a very beautiful expression in *Shrimad Bhagawad Gita*, which I would like to refer to, and those two words are words which, I think, we need to remember. Those are "*Parasparam Bhawayantah*" — reciprocating, cherishing and accommodating each other. With a sense of that mutuality and reciprocity alone we can achieve our goals of meaningful and dignified debate. How can we bring about that climate of mutuality, reciprocity and accommodation? Why has Rajya Sabha become so pronouncedly, sharply and decisively partisan? Why must some of the members resort to the well of the House or denigrate the Chair or other members of the House. Maybe some fundamental thinking is necessary. I wrote

**I believe, that the index of a good working parliamentary democracy is the collective discipline, institutional solidarity and civilizational ethos.**

**We must also reconsider the criteria for the selection of candidates for Rajya Sabha. The criteria and the process has to be made more merit oriented.**

of candidates for Rajya Sabha. The criteria and the process has to be made more merit oriented.

Sir, unless we know our role, unless we perceive our role clearly, we cannot perform it in an optimal manner. To understand or redefine the role of the Second Chamber is to begin to put in place the possibility of performing that role in an institutional perspective. I submit, Sir, that one important role expectation was outlined by Mr. Ayyangar in the Constituent Assembly. Rajya Sabha's role perception and role expectation was also delineated by our first Vice-President and Chairman, Dr. S. Radhakrishnan when the Rajya Sabha began its career. I think, a careful review of the role perception and an assessment of the role performance is overdue. The assessment of the role performance has to be made not with reference to how often Rajya Sabha was able to stop the Lok Sabha in its tracks or how often Rajya Sabha asserted the political role and authority given to it by the Constitution. The assessment should be broadly qualitative and institutional. We should count not the years during which Rajya Sabha has functioned but recount what Rajya Sabha has, as an institution, put into those years. What is important is not how much but how we have fared and performed.

I ought to point out that Rajya Sabha is the one and the only institution in the entire constitutional system of India which is indissoluble except with its own consent. Rajya Sabha cannot be dissolved except by its own consent and that federalism is a basic feature of the Constitution. It has to sign its own death warrant before it can be forced into oblivion. It exists by means of a constitutional mandate and not because of any sufferance. Lok Sabha can be dissolved by the Prime Minister going to the President and asking for its dissolution. Rajya Sabha cannot be dissolved by the President or the Prime Minister or the Cabinet or the Lok Sabha on their own. The hallmark of Rajya Sabha is the principle of continuity as a perpetual House, as a continuous institution in our parliamentary framework.

**Lok Sabha can be dissolved by the Prime Minister going to the President and asking for its dissolution. Rajya Sabha cannot be dissolved by the President or the Prime Minister or the Cabinet or the Lok Sabha on their own. The hallmark of Rajya Sabha is the principle of continuity as a perpetual House, as a continuous institution in our parliamentary framework.**



the Lok Sabha on their own. The hallmark of Rajya Sabha is the principle of continuity as a perpetual House, as a continuous institution in our parliamentary framework. Lok Sabha can be dissolved. It may no longer be in existence at any given point of time and yet at that point of time the Rajya Sabha remains in place. I say this because Rajya Sabha was considered a fully democratic, republican and federal institution, not as an institution as a Council of Princes and the House of Lords. It was conceived as the Senate in our federal framework. I am free to admit that to a certain extent there were underpinnings of elitism when Mr. Ayyangar said, "We expect dignified debate in the Rajya Sabha" but that is the ditism of functional quality and not of aristocratic birth or oligarchic configuration. I should also, in truth and fairness point out, on the other hand, that Mahatma Gandhi was not enamoured of a Second Chamber or of bicameralism. In fact, he was critical of the idea for the simple reason that he felt that a poor country like India could not afford it. He said so at considerable length. But apart from that opposition, we must remember that the way in which in the architecture of our Constitution Rajya Sabha was conceived, it was envisioned as the House of federal bicameralism and not a simple bicameral device. Mr. Chairman, it would interest you to know that the two very distinguished Rajasthanis who were both Chief Ministers of Rajasthan, also participated in the debate in the Constituent Assembly and made a contribution. My own mentor from Jodhpur, Shri Jai Narayan Vyas and Pandit Hiralal Shastri from Jaipur pointed out that the Princely States had to be accommodated in the federal scheme and the federal system of India had to be evolved.

As we speak on the role of Second Chambers, we must not think of that role merely as a revising Chamber. That role was referred to by our first Chairman, Dr. S. Radhakrishnan. Revisions have been few and far between historically; although potentially, there is always the possibility of revisions as a result of second sober thought. The important point is that Rajya Sabha represents the federal ethos of India. The federal ethos of India has unfolded itself over the years after the Constitution was made. There were very strong centralising tendencies in the Constitution but then came a period when the States and their rights came to the fore. Linguistic States had to be conceded and the idea of small States had to be accepted despite political misgivings, apprehensions and reservations. We have the Report by the distinguished former Supreme Court Judge, Justice R.S. Sarkaria. Justice Sarkaria gave a Report which described and probed the federal scene in extenso, but did not address the question of the role of Rajya Sabha.

I am of the view that Rajya Sabha has to be seen, first and foremost, as a

federal Chamber, as a Chamber reflecting the federal ethos of Indian polity. It has to be seen as an institution which shares power with the House of the People and imparts a federal flavour and a federal imprimatur to parliamentary deliberations. Rajya Sabha has, in our system, the authority to discuss and delay legislation, not to clog or undo it unreasonably. It has the power to secure, what is called, a second sober thought. Somebody said in Germany quite facetiously and jocularly that Gods had decided that they must deliberate first in a state of drunkenness, and then in a state of sobriety. Rajya Sabha does not obviously have the monopoly of sobriety. Nor does it possess a veto. I think, in fairness, we must say that the House of the People to which I was elected 41 years ago, and the House to which I have the honour to belong, now under your chairmanship, both have striven as best as they could in the stresses and strains and the trials and tribulations of our polity to uphold the democratic ethos and adhere to democratic values in their legislative deliberations. It is important that when Rajya Sabha declined to put its seal of approval on ending the Privy Purses, the debate was dominated by populism. Those were the days when Second House was referred to with derision in the same way as Hume who had said, "If the other House agrees with the House of Commons, it is superfluous and if it disagrees with the House of Commons, it has to be disregarded."

Reforms are taking place, Mr. Chairman, all over the world in the functioning, in the role perception and the role performance of parliamentary systems. Parliamentary system, as it evolved in the 17<sup>th</sup> and 18<sup>th</sup> centuries in Britain, was not the last word in human wisdom, though that seems to have been the assumption when

we were framing our Constitution. We must understand that the parliamentary system in Britain itself has undergone an enormous change. There are also new and strident stirrings of federal claims in that country. There is what

may be called an embryonic equivalent of Parliament in Scotland and in Wales, but those institutions reflect primarily a certain respect for regional diversities and principles of decentralization. I would also like to emphasize that diversities of languages in a country like India, diversities of cultures, diversities of perceptions and diversities of interests call for an institutional structure reflecting

**I would also like to emphasize that diversities of languages in a country like India, diversities of cultures, diversities of perceptions and diversities of interests call for an institutional structure reflecting pluralism which is best embodied in federal equations. Those diversities can be best accommodated in the grand inquest of the nation through Rajya Sabha.**



pluralism which is best embodied in federal equations. Those diversities can be best accommodated in the grand inquest of the nation through Rajya Sabha.

**Rajya Sabha is unique in complementing and supplementing the Lok Sabha and on broadening and deepening the national discourse. There is a notable measure of synergy between the two Houses and no objective observer can miss that synergy in Indian parliamentary bicameralism.**

and supplementing the Lok Sabha and on broadening and deepening the national discourse. There is a notable measure of synergy between the two Houses and no objective observer can miss that synergy in Indian parliamentary bicameralism.

Sir, may I point out that when Shri B.N. Rau presented his proposals and the blueprint, he had a much larger functional plan for the Indian Senate. That did not materialize. We were differently constituted as we were. If we study the composition of the two Houses, we will find that there is not much of a difference in the Houses. Both Houses in our Republic are very much alike in one sense or the other. If you go to the composition of the two Houses, apart from the electoral modality envisaged in the constitution of the two Houses, we are as much in the Rajya Sabha, a House of the People, as the Lok Sabha is the House of the People for we are a democratic Republic. But, we have to understand that within Rajya Sabha also, some are quite like the Lok Sabha. Perhaps it cannot be otherwise. We have to apply a soul searching critique on the role and relevance of Rajya Sabha. Should we continue to be cast in the image of the other House? Should we not consider taking up issues in a manner and style which the Lok Sabha is unable to do? That is a fundamental issue which I think we ought to raise ourselves.

Sir, my esteemed friend, the distinguished Leader of the Opposition in Rajya Sabha is present here, many distinguished former and present Members

Rajya Sabha has, of course, become over the years very much more like the Lok Sabha. It has, in many ways, become very much more party political. But the Rajya Sabha is unique in complementing

**...it is important for us to make a list of those very vital, important, and fundamental concerns of the nation so that the Rajya Sabha can play its role wherever we find neglect and inattention, where we wish to make the discourse of the nation more meaningful.**

of Parliament are also present here, and we must consider whether there are not many issues which are going totally unattended, unheeded and neglected by default because the two Houses have little or no time at their disposal. The scarcity of parliamentary time is perennial problem around the world. There

**...bicameralism was not invented in West as is often assumed. I have shown, in some of my writings, that Vedic Sabha and the Vedic Samiti represent the principles of bicameralism. The popular principle was ingrained in the Sabha of Vedic conception, and, the more specialised conception of wise and thoughtful deliberation was reflected in what was called the Vedic Samiti.**

are many issues, which we are unable to discuss in this or that parliamentary forum of the country. There is, for instance, the Inter State Council. How does it meet, and how often does it sort out the federal issues or does it? There was, for instance, for a long time, a very vital institution for the unity and integrity of our nation, the National

Integration Council. Unfortunately, it has become a dead letter. Unlamented and unsung, it went into the oblivion. Those are the concerns which must be addressed in Parliament, and, I submit, it is important for us to make a list of those very vital, important, and fundamental concerns of the nation so that the Rajya Sabha can play its role wherever we find neglect and inattention, where we wish to make the discourse of the nation more meaningful.

Of course, Rajya Sabha is not the House of Elders as such, but the description does speak of us as the House of Elders. In that, there is hope for those of us who are elderly by virtue of age. There are younger compatriots at the threshold and many within the House who often bring a great deal of energy and vigour, but Mr. Chairman, parliamentary vigour lies more in wisdom. In the realm of learning and wisdom, Rajya Sabha may find its forte but then the shackles of party politics must be loosened. The problem is that learning and wisdom bereft of institutional power can play no role in a society where experience, wisdom and age are often put at a discount in the rat race in which restraint and dignity are at a heavy discount and the high decibel of lung power or the derisive insinuations lacking in restraint are at a premium. It has been said in the ancient sacred literature of India that "There is no Sabha where you do not have elders and those who do not have sense of Dharma and do not know what is right are not elders." In that sense, and not mainly by the reference point of age, Rajya Sabha should reinvent itself as the House of Elders.



Allow me to add that bicameralism was not invented in West as is often assumed. I have shown, in some of my writings, that *Vedic Sabha* and the *Vedic Samiti* represent the principles of bicameralism. The popular principle was ingrained in the Sabha of Vedic conception, and, the more specialised conception of wise and thoughtful deliberation was reflected in what was called the *Vedic Samiti*. We should try to work out a new strategy, a new functional

...let us remember that we are governed more by subordinate legislation than by legislation enacted by Parliament and that subordinate legislation is seldom or rarely visited upon by Parliament. There are complaints of mal-administration. There are problems of public grievances. There is a woeful lack of feedback and neglect in implementation. Those matters must be taken on board by Rajya Sabha. A new strategy, a new and added role for Rajya Sabha, a more vital role in the neglected areas, would pay rich and substantial dividends in terms of maximising legislative efficiency and augmenting the performance capabilities of our parliamentary system.

strategy for the Rajya Sabha, especially in terms of attending to roles and concerns which are not being addressed, which have been neglected over the years, and, for which Lok Sabha has no time. Let us aspire and strive to be the House of Wisdom and federal understanding. Writing about 37 or 38 years ago, I had said this precisely that greater emphasis on the functional principle would make Rajya Sabha a more effective Second Chamber, not only functionally in the sense of composition but in the pluralistic perspective of the State and society in India. A greater emphasis on the federal principle would give the Rajya Sabha a more marked identity of its own. Special functional strategy to enable the Rajya Sabha to scrutinise and supervise subordinate legislation and a modal to deal with public grievances would add another dimension. In that connection, let us remember that we are governed more by subordinate legislation than by legislation enacted by Parliament and that subordinate legislation is seldom or rarely visited upon by Parliament. There are complaints of mal-administration. There are problems of public grievances. There is a woeful lack of feedback and neglect in implementation. Those matters must be taken on board by Rajya Sabha. A new strategy, a new and added role for Rajya Sabha, a more vital role in the neglected areas, would pay rich and substantial dividends in terms of maximising legislative efficiency and augmenting the performance capabilities of our parliamentary system.

Mr. Chairman, Sir, I conclude with our gratitude to you and to the Deputy Chairperson for having taken this initiative, for having organised this short

It is true that we should be proud of our institutions; it is true that we must reinforce them; but it is also true that we must rectify and reform where there are omissions or lapses and where there is something to be done to strengthen them or to make them function at an optimum level.

duration of reflection so that we may face truth in all its dimensions about our institutions. It is true that we should be proud of our institutions; it is true that we must reinforce them; but it is also true that we must rectify and reform where there are omissions or lapses and where there is something to be done to strengthen them or to make them function at an optimum level. Thank you, Sir.





Students with Dr. Manmohan Singh, the then Leader of the Opposition, Rajya Sabha and now the Prime Minister of India during tea-break



Students with Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha during the tea-break



Shri Harish Khare delivering a speech in the Seminar

*"...Rajya Sabha, in its very first Session, established its reputation as a 'Chamber of Ideas', and, perhaps, it could establish that reputation because it could attract individuals with ideals and idealism. That remains a recipe, in my view, of continued relevance of Rajya Sabha."*

*- Shri Harish Khare*



## RAJYA SABHA – A ‘CHAMBER OF IDEAS’

Thank you, Madam Deputy Chairperson. Since I am not a Member of either of the Houses, I will try to abide by your ruling. Let me begin with an apology and with a plea for indulgence. Madam, I was only four-and-a-half years old when the first session of Rajya Sabha was held. So, I was not “Present at its Creation”, if I may borrow the famous expression. But I tried to atone for that and, by way of atonement, what I did to prepare for this seminar was to read the proceedings of the first session. The historian in me was impressed, rather overwhelmed, by the range of subjects and concerns that were raised by Members in the very first session. And the political scientist in me was in awe as well as in dismay as to how many of those issues remained un-addressed even after so many decades.

**The historian in me was impressed, rather overwhelmed, by the range of subjects and concerns that were raised by Members in the very first session. And the political scientist in me was in awe as well as in dismay as to how many of those issues remained un-addressed even after so many decades.**

Madam, permit me to share with this august gathering a flavour of the quality of debate and concerns in the First Session that was in 1952. “I am looking forward to the day when water facility will be provided to my countrymen by a Government whose record of service is absolutely so low for the last seven years. If that water facility is given to my countrymen, this famine will never rear its ugly head. The fundamental need of humanity is water, and that is not available to many of us. That is a fundamental problem to which any civilized Government must pay its attention.” The Member was one Mr. H. D. Rajah of the State of Madras, and the day was the 19 May 1952. He was participating in the debate on the Motion of Thanks on the President’s Address. The water problem, as we all know, remains very much with us. Indeed, the experts are predicting water wars.

Madam, let us listen to another Member, Janab Mohd. Ismail Saheb, also from the State of Madras. While participating in the same debate, he said, “In

the Madras State, there are several places where poor people have to wait for hours and hours to get a pot of water from some lorry that brings water to them. They have to wait for several hours during day as well as night, leaving their other work, with the result they lose the means of their livelihood. That is the position existing in several parts of the country still. What is it that the Government proposes to do in this connection?” The situation in Tamil Nadu remains even today equally depressing.

Again, so fundamental an issue as water, was raised in the very First Session. Madam, as a Member, Mr. P.V. Narayanan, who too was from Madras, had this to say: “Then, what about the natural resources, particularly, in Andhra Desa? Take the rivers that flow through that part of the country; the Krishna, the Godavari, the Tungabhadra. The water resources were not properly utilized, and about 90 per cent of water is running waste. If these resources are properly harnessed, and if all the potential natural wealth of our country is properly exploited, I think, our country will become a granary in Asia.” Madam, this is remarkable. Only three days ago, I was participating in a seminar on Water Management, and the session was devoted to Inter-linking of Rivers, and we had this very idea floated in 1952.

Let me move on to another day - two days later - and let us listen to another distinguished Member in the First Session, raising another significant issue. The Member was Pandit Hriday Nath Kunzru. The date was the 21<sup>st</sup> May, 1952. He too was participating in the debate on the Motion of Thanks on the President’s Address. He said: “The next point I should like to deal with is with regard to Election Commission. The Election Commission should not be treated as it were a part of the Executive machinery of the Government. It should be treated in such a way as not to think that it is a political subsidiary of the Government. How have the Government acted in filling up the vacancy caused on the post of the Chief Election Commissioner? The Secretary of the Law Ministry has been appointed to officiate as the Chief Election Commissioner. Could anything show more clearly the position which the Election Commission occupies in the opinion of the Government? The officiating appointment that has been made shows clearly to my mind that the Government thinks that the Election Commission is a part of, and indeed, subordinate to the Law Ministry. The Constitution requires that the Election Commission has to consult the President or the Prime Minister in regard to decisions in certain matters, in practice, we allow him to exercise maximum of independence in his decisions. We know that there has been dissatisfaction with the Election Commission even in connection with the elections. It was, therefore, all the more incumbent

\* Text of the speech delivered by Shri Harish Khare, Associate Editor, *The Hindu*



on the part of the Government to have fulfilled the vacancy in such a way as to remove all causes of public dissatisfaction."

Madam, I may not be wrong in asserting that Mr. Kunzru's indictment remained valid for almost 40 years and things changed only when a gentleman named Mr. T.N. Seshan became the Chief Election Commissioner and began flexing his institutional muscles. Madam, I have a long paper but I do not want to cite the whole lot of things. I only want to read out two very small quotations which I found very, very pertinent. Mr. K. Sunder Narayanan is giving us a flavour of the beginning of corruption and the decline of moral values—he was participating in the debate on the Motion of Thanks on the President's Address and he is indicting the Congressmen. I quote:

They have given these lands to their own relatives also. In some cases, I can say, the Provincial Congress Committee members had their share. The wastelands which belong to the Government and which are to be given to poor people are given to these Congressmen in the name of political sufferers.

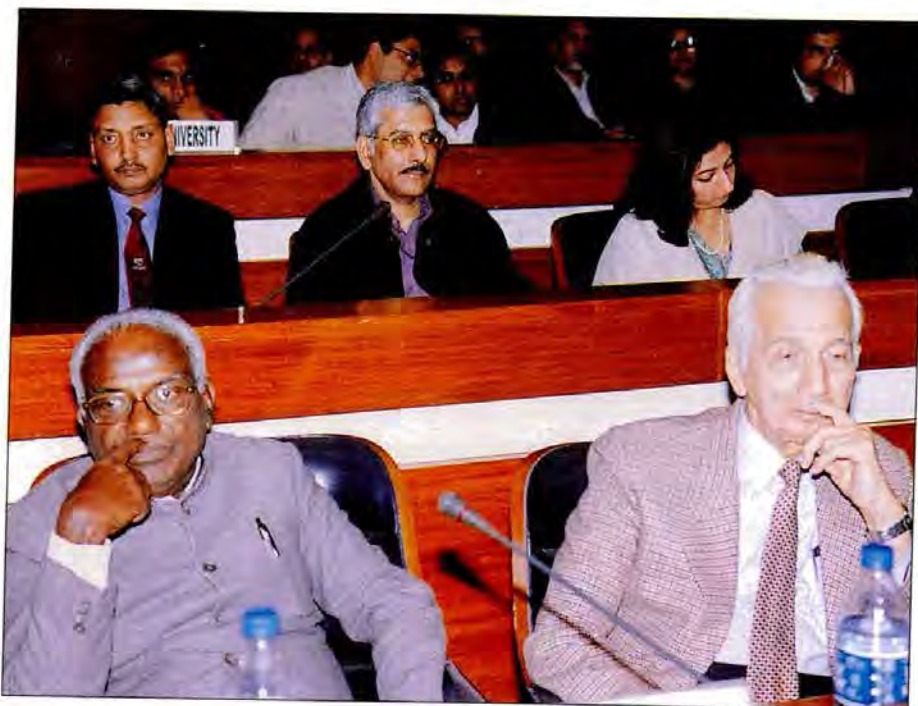
I presume, Madam, that that was the beginning of corruption or, at least, the beginning of the rot. I will finish it by referring to one more observation which was made by Dr. C.D. Deshmukh. I quote it because it was an issue which was raised 50 years ago and which remains unresolved today also. He said, and I quote:

Finally, may I say something about ourselves, the legislators? We are some 700 here, and there are thousands elsewhere in the States. We are swarmed and surrounded by privileges. I have been sitting here for two months in comfort. We misbehave and abuse, and do things of that kind and then claim privileges! We may remind ourselves a little of our duties also.

This was stated, Madam, as I said, 50 years ago. Only a few months back, I think, last month itself, we were reminded, in a very rude and arrogant manner, how the privileges of the legislators were asserted, and an attempt was made to muscle the voice of the media. My own paper, *The Hindu*, was involved. So, I do not want to dwell too much on it. It will look like a partisan cause. I do not want to go on, but I hope some other distinguished Members or speakers will touch upon it.

The point that I am trying to make, Madam, is that as I read those debates, from cover to cover, it was the quality of concerns that was brought up for a debate. Topics like ecology, cleansing of rivers, population problems, insensitivity of the bureaucracy, railway zones, traditional sources of water, how do we conserve them, and all that. As I reflect back, after reading those pages, some 800 pages, it seems to me that Rajya Sabha, in its very first Session, established its reputation as a "Chamber of Ideas", and, perhaps, it could establish that reputation because it could attract individuals with ideals and idealism. That remains a recipe, in my view, of continued relevance of Rajya Sabha. But I will be amiss in saying that, of late, the men of ideas are being replaced by men of loyalties, who own their loyalty to individual leaders, not to ideas and intellectual concerns. We find, increasingly, it is becoming a House of loyalists and those who change loyalties, those who demand loyalties and those who render loyalties are getting shallower and shoddier. Thank you.





Shri Ranganath Misra in the Seminar. On his right is Shri P. Shiv Shanker. Also seen in the background are officers of Rajya Sabha Secretariat

*"Rajya Sabha in these 51 years has behaved very well and it has helped us to generate a spirit of national togetherness. If that is borne in mind, probably, the Rajya Sabha should be given its own due and recognition."*

- Shri Ranganath Misra

## GENERATING A SPIRIT OF NATIONAL TOGETHERNESS\*

Madam Deputy Chairperson and friends, I come with a judicial background and I recollect a little of my own experience. Two senior lawyers, one from Delhi and the other from Bombay, had come to argue a matter before a small High Court where I was the presiding Judge. The stake was very heavy. For the Orissa High Court, probably, it was the largest sum of money involved in the litigation. During lunch-time the two senior lawyers were given food on the same table. They talked and laughed at each other. At 2 o'clock, when the Court was to resume, a senior person with some political background came to me and said, "My client does not want him to argue further because they are talking and not fighting". These two senior lawyers were talking and had reciprocated during lunch break. So, he said, "No, not this lawyer. You must engage somebody else to argue".

When I came to Parliament, I thought that the position would be very different. But I found in some aspects the same situation was there. A little later, when I got used to things, I found that there was some sense of tolerance and mutual respect. Members of Parliament are respectful to the judiciary, probably, in a better way than the judiciary is respectful to the Members of Parliament. That gave me a sense of dissatisfaction.

**Members of Parliament are respectful to the judiciary, probably, in a better way than the judiciary is respectful to the Members of Parliament.**

What occurred to me is who labelled the Rajya Sabha as the Second Chamber? Rajya Sabha has its own independent status. It is a permanent body, as you have been told, and its term is six years which is one year more than that of the other House; and it has a special position in the Constitution on account of some special provisions made therein. In certain situations, Rajya Sabha can act and take over the problem and answer it. Therefore, it is a Chamber of the Parliament. But who made it the Second Chamber is the question. If you go back to the American Second Chamber, the Senate, it is more powerful, certainly

\* Text of the speech delivered by Shri Ranganath Misra, former Chief Justice of India and Member of Parliament (Rajya Sabha)



more than the House of Representatives. It exercises certain vital powers which, if wrongly exercised, may create a stalemate. There have been such occasions of stalemate in the recent past. Therefore, to say that the Rajya Sabha is the Second Chamber is not enough. This is one Chamber of the Parliament which has two Chambers or Houses. Like the special powers exercised by the Rajya Sabha in certain fields, the House of the People, i.e., Lok Sabha exercises certain powers in money matters. Therefore, the Rajya Sabha is, probably, a better Chamber in that sense and it should be taken as one Chamber and not the Second Chamber. Rajya Sabha in these 51 years has behaved very well and it has helped us to generate a spirit of national togetherness. If that is borne in mind, probably, the Rajya Sabha should be given its own due and recognition.

One more suggestion and I will finish. The question that I pose is, we have reduced the age of voting from 21 to 18 years. Political consensus is supposed to grow and to be generated in the youngsters who are meant to take over in due course. It is their

country. It is everybody's country. Life is short. These youngsters should really be enthused into participating in the political system. They should be in a position not only to know as people from outside as to what is being done, but they should be given training facilities so that they get groomed to take over at the appropriate time. If that is done,

we may get better class of people to get into politics and probably they would be in a better position to administer the country. With these suggestions, I thank everyone, particularly the Deputy Chairperson and the hon'ble Chairman, that they have organised such a function. This helps in vitalising the system and gives us new thoughts which help the level to go up. Thank you.

We have reduced the age of voting from 21 to 18 years. Political consensus is supposed to grow and to be generated in the youngsters who are meant to take over in due course. It is their country. It is everybody's country... These youngsters should really be enthused into participating in the political system... If that is done, we may get better class of people to get into politics and probably they would be in a better position to administer the country.



Shri P. Shiv Shanker delivering a speech in the Seminar. Shri Palden Tsering Gyamtso, M.P. (Rajya Sabha) is also seen on his right

*"Notwithstanding the pitfalls that we have faced from time to time, Rajya Sabha has undoubtedly played an important role in social engineering and has, so far, acquitted well as a debating House... As a Chamber, it worked for the unity and integrity of the nation. It stood the test of time and, therefore, its relevance."*

- Shri P. Shiv Shanker



## STANDING THE TEST OF TIME\*

Madam Deputy Chairperson, Secretary-General, Rajya Sabha, Secretary-General, Lok Sabha, distinguished guests, ladies and gentlemen. Analysing the subject, I consider that the subject proper would mean the role played by Rajya Sabha, the role being played by Rajya Sabha and the role to be played by Rajya Sabha. It is in this background that the relevance of Rajya Sabha has to be considered in the Indian polity. As has already been said, Madam, Deputy Chairperson, India under the Constitution is a Union of States. Rajya Sabha is called the Council of States. So far as the purpose of Rajya Sabha is concerned, it is to sieve the matters that come before the House, whether through Lok Sabha or initiated in the Rajya Sabha. A proper discussion should take place. It is not the House of Elders in an etymological sense as it is attributed sometimes. It is the mature discussion that is expected of this House, whether the Bills originate in Rajya Sabha or they originate in Lok Sabha.

So far as the purpose of Rajya Sabha is concerned, it is to sieve the matters that come before the House, whether through Lok Sabha or initiated in the Rajya Sabha. A proper discussion should take place. It is not the House of Elders in an etymological sense as it is attributed sometimes. It is the mature discussion that is expected of this House, whether the Bills originate in Rajya Sabha or they originate in Lok Sabha. It is true that it cannot make or unmake Governments, as Dr. Radhakrishnan said in May, 1952. I would not like to go into the role that has been played because my previous speakers, particularly Prof. Madhu Dandavate and Dr. Singhvi, have spoken on the role that has been played by Rajya Sabha and Lok Sabha. My predecessors have gone *in extenso* into that issue. I would not like to go into that. I would like to say something on the issue of the role that is being played and the role to be played by Rajya Sabha so that its relevance could be considered in the Indian polity.

I would not like to take much time. But I would certainly refer to one aspect. By virtue of the 95<sup>th</sup> Amendment of the Constitution that has been brought in, the Rajya Sabha's relevance in my view has been diluted. Firstly,

\* Text of the speech delivered by Shri P. Shiv Shanker, former Union Minister and Member of Parliament

the idea of the Constitution-makers was that the States should be represented in this House so that their grievances could be put forth, and their representatives place properly the views of what happened in their respective States, apart from the legislative aspects that they had to take care of. By trying to dilute the domiciliary concept that a person could belong to any State, what happens, in my view, is: Are we not diluting the concept adumbrated in articles 249 and 312 of the Constitution? Under article 249, Rajya Sabha, by two-thirds majority, can pass a Bill on a subject which is in the State List; this may be relevant for one year only but it can still be extended. Don't we think we are diluting that effect of article 249 as also of article 312 of the Constitution? The All-India Services for the Union and the States can be created only if a resolution is passed in Rajya Sabha. Rajya Sabha has been given a primacy for this purpose. What happens is that if you are trying to equate it with Lok Sabha by trying to bring in persons from outside the State, to me, it appears that we are diluting the effect of these articles of the Constitution. I, for one, feel that at the time of the debate on the 95<sup>th</sup> Amendment of the Constitution, these aspects were not even considered. It is unfortunate that both the Houses should not consider these aspects and then come to the conclusion merely because it suited us. Apart from that, the basic aspect of secrecy of voting has been violated by saying, "You openly vote." Yes; corruption goes on. But then, is this the way to correct corruption? This is a matter which has to be considered. Therefore, I feel that in diluting the effect of Rajya Sabha, an approach has been sought to be taken whereby the relevance of Rajya Sabha is minimised. The Constitution-makers have thought of all the aspects, and after taking into account all the aspects, they brought in this institution so that there is a mature discussion on diverse subjects. It is true that the main function of Parliament is to legislate, while the control of the executive and the ventilation of grievances of the people follow as a *sine qua non*. To me, it appears that we have not been serious in the recent selections and appointments to Rajya Sabha and have created a situation where the purpose of Rajya Sabha is sought to be defeated. The mature discussion that should take place by the people with some background has been totally made a *non-est*, which is not a fair approach in my view.

In fact, the importance of Rajya Sabha could be visualised in the background of constitutional amendments. When it comes to the question of constitutional amendments, both Houses have to pass amendments by two-thirds majority. There is no possibility of a joint sitting of the two Houses in the concept of the constitutional amendments. That is where the checks and balances were sought to be maintained by the Constitution-makers when they



thought of the working of Rajya Sabha itself. In spite of the pitfalls that had been taking place in the working of Rajya Sabha and in spite of the possibility of the pitfalls that were likely to take place because of the manner

In fact, the importance of Rajya Sabha could be visualised in the background of constitutional amendments. When it comes to the question of constitutional amendments, both Houses have to pass amendments by two-thirds majority. There is no possibility of a joint sitting of the two Houses in the concept of the constitutional amendments. That is where the checks and balances were sought to be maintained by the Constitution-makers when they thought of the working of Rajya Sabha itself.

of selections that the various political parties have been making, one has to realise that in a pluralistic society like ours where there are divisions of religions - we are people with 196 religions - while in the majority community, there are thousands of castes and sub-castes and people have become highly conscious of the communities and castes. You have different regions, languages, ways of dressing, ways of eating and above all, tremendous illiteracy and the poverty that we have. It was thought absolutely necessary that an institution like Rajya Sabha should be set up for the purpose of proper discussions of the

It was thought absolutely necessary that an institution like Rajya Sabha should be set up for the purpose of proper discussions of the diversified sections of the society, their hopes and aspirations, the socio-political, economic justice that we have promised to the people of India.

diversified sections of the society, their hopes and aspirations, the socio-political, economic justice that we have promised to the people of India; equality before law and equality of opportunity and so on. All these matters had to be discussed with considerable seriousness so that in the larger interests of the society, benefits follow. But my own view is that, notwithstanding the pitfalls that we have faced from time to time, Rajya Sabha has undoubtedly played an important role in social engineering and has, so far, acquitted well as a debating House, notwithstanding the selections and appointments of which I have already made a reference. As a Chamber, it worked for the unity and integrity of the nation. It stood the test of time and, therefore, its relevance. Thank you.



Shri Kuldip Nayyar speaking in the Seminar

*"The worst thing which is happening today is that the Parliament Sessions do not appear in the Press at all. Maybe, two paragraphs somewhere, may be the news about some disturbances somewhere; but otherwise, Parliament is claiming less and less space in the print media."*

- Shri Kuldip Nayar



## STRENGTHENING RAJYA SABHA AS A FEDERAL CHAMBER OF PARLIAMENT\*

Hon'ble Chairperson, friends and students, I shall take the argument of Mr. Shiv Shanker further. In fact, I had that thing very much on my mind. I wonder, if what Parliament has done, does not violate the basic structure of the Constitution. If you go back to the two Houses, the Council of States and the House of the People, will this really be a Council of States after this amendment? This is a point which, at least, I am going to challenge in the Supreme Court. Let us see what comes after that.

Now, making the study like this, I selected membership of the Rajya Sabha for half-a-century, *i.e.*, from 1952 to 2002. It reveals interesting trends and that is the point I am trying to prove. The study shows that five per cent of the elected Rajya Sabha Members do not belong to the States that they have been elected from. Now, of course, this percentage goes up in 1989. Since 1990s, it was nearly one out of every ten elected Members who do not belong to the States they have been elected from. So far it is 10 per cent. Now, the Government, as they are, or, at least, the political parties, are doing it as they want it. I

**There are Parliamentary Standing Committees like the Committee on External Affairs, the Committee on Finance, etc. I think, these Committees go through the Bills very carefully. I have seen that the draft Bills which are sent to them, ultimately emerge in a different shape altogether.**

**The study shows that five per cent of the elected Rajya Sabha Members do not belong to the States that they have been elected from... Since 1990s, it was nearly one out of every ten elected Members who do not belong to the States they have been elected from.**

remember, some of us did try to raise the point which was raised by Shri Shiv Shankerji. Since both the main political parties had decided somewhere, for reasons best known to them, for some political jobbery and whatever else may be, they did not listen and it was just passed. But, this question of domicile, I

think, is a very important thing. At least, I am studying it, and I am going to challenge it in the Supreme Court. For that, I shall also take the help of Singhvi, Shiv Shankerji and Shri Dandavateji before I do that.

Another point which really makes our role very important, *i.e.*, as Rajya Sabha Member, is this, "This Second Chamber is only an instrument by which we delay action which might be hastily conceived, and we also give an opportunity, perhaps, to seasoned people who may not be in the thickest of the political fray" ...This is what Gopalaswami Ayyangar said. At that time, the Parliamentary Standing Committees were not there. Now, there are Parliamentary Standing Committees like the Committee on External Affairs, the Committee on Finance, etc. I think, these Committees go through the Bills very carefully. I have seen that the draft Bills which are sent to them, ultimately emerge in a different shape altogether. So, we do incorporate a lot of things. This aspect of Rajya Sabha, in fact, is not existing in the House now. If at all it is existing, it is very little. Maybe, the best thing would be that these Parliamentary Standing Committees should also be made open to the Press because after all, every word of it is written or recorded, and then it is placed on the Table of the House. It is a question of just a few months. Why should we not open the Standing Committees to the Press? If the Committees are made open to the Press, then the working of Committees would become much more interesting; people would start taking interest in it. The worst thing which is happening today is that the Parliament Sessions do not appear in the Press at all. Maybe, two paragraphs somewhere, may be the news about some disturbances somewhere; but otherwise, Parliament is claiming less and less space in the print media. Once we tried to find out as to why it is happening. I remember, we got some Editors together, and when we asked this question to them, they said, "The issues raised in Parliament are so dull that they don't attract attention. The speeches that are made are not of that quality." That was not true. What happens is this. The quality speeches are not made because those Members do not get enough time to make their speeches. This is another strange kind of a thing. The time for discussion on a Bill is divided among the

**...the best thing would be that these Parliamentary Standing Committees should also be made open to the Press because after all, every word of it is written or recorded, and then it is placed on the Table of the House... If the Committees are made open to the Press, then the working of Committees would become much more interesting; people would start taking interest in it.**

\* Text of the speech delivered by Shri Kulip Nayar, Veteran journalist and former Member of Parliament (Rajya Sabha)



main political parties. For eight hours, nine hours, they go on saying the same thing. When the turn of the Members belonging to other parties come, they are told that they have got two minutes. If there are fifteen names in that category and the time allotted is half-an-hour, then what would you do? I think, the Chairman and the Deputy Chairman should select people from other fields and let them contribute if they can contribute in some big way. After all, there are so many Members who come from various arena of life and they could contribute something much better.

Many shocks came to me in Rajya Sabha, but I must quote at least one. I always thought, and probably it is true, as Singhviji said that Rajya Sabha is a permanent House of Parliament. That means, Parliament is sitting permanently. What happened before the Kargil War, the Lok Sabha had been dissolved. I approached the Deputy Chairperson and said, "Look here, Rajya Sabha is there, please convene it because it means so much to this nation." She didn't reply. I wrote to the Prime Minister. The Prime Minister referred to some committee and they came to me later with a reply saying, "Look, Rajya Sabha is never convened once the Lok Sabha is dissolved." But this is not true. Once I remember that the Government wanted to extend the President's rule in Tamil Nadu. They had to do it somewhere and they convened Rajya Sabha and got an approval. That means, whenever the Government wants, something would be done and it is always there. The way they treated Rajya Sabha, I thought, it was very unfair. Anyway, I wrote to the Prime Minister and now I got a reply to that.

Another thing, which I think Rajya Sabha did very well, is a thing I would tell you. It has not been really noticed well. There is a lot of disturbance that happens in the House and there is no business transacted. I took up this case and said, "No work, no pay." I must give credit to Mr. R.C. Tripathi who was the then Secretary-General. He went round and he and the Secretariat gave a ruling saying, "If there is no business, as the Secretariat would tell, you can voluntarily not withdraw that pay. It is up to a particular Member not to withdraw if he doesn't want to." Thrice I didn't withdraw and the pay was cut. But it is surprising to note why it is not done in other cases. When there is no business done, why it is not being adhered to? Even today, I think, there would be some ways of stopping such kind of things.

Shri Khare said about the privileges. I was one of the persons who was associated with this work. We had demonstration also. Now, five judge committee is going to be appointed. My feeling is, the five judges would not be

able to do it because in the JMM case, there was a five judge bench. So, there will have to be a seven judge bench to overrule that. That was my impression. But this is a good opportunity. I think, I, as a pressman, can say that the privileges must be codified. Just like there should be a code of ethics for journalists, I would also say, definitely, that privileges should be codified in both the legislatures as well as Parliament. I also know that it would not happen. But, I think, it is worth trying.

In the Constituent Assembly, it was only during the debate on the composition and powers of Rajya Sabha, that a few Members made specific reference to the fact that the House would represent the States of the Indian Union. That means, even at that time, what was emphasised was in line with the pleading of K.T. Shah. He pleaded for incorporating the principle of equality among the States, while distributing the Rajya Sabha seats. I think, it is very necessary to strengthen our federal structure. It is very necessary for the homogeneity and unity of the country. I think, we should consider this. I don't want to run down the Hindi-speaking States. But is it fair that only the Members

**When we won the Independence, we said, this country is going to be pluralistic. Those were the ethos of our Independence Movement. Today, ladies and gentlemen, and our students whom I am appealing to, let us get back those kind of values, let us get back those ethos and for that if you have to stand up and fight, let us do that.**

from Bihar, U.P., Rajasthan and Madhya Pradesh should dominate Rajya Sabha? At that time, Loknath Mishra was among the more assertive and took the stand that since the Council of States is going to represent the States, it is but fair to the

State units that these units should be dealt with as units and every unit is equally represented. I think this is the time that we should think of that. I would also like to read the opinion of Dr. Ambedkar. Nobody has quoted Ambedkar. I thought it fit to quote him. He opined that the Upper House represents the States. Now, when I was nominated to Rajya Sabha I thought that it provided an opportunity for the State point of view to be ventilated at the Central level. But I am sorry to say that my experience of six years, if worth anything — I am not writing a book, but anyway, whatever it is — is that it is the sameness. What you find in the Lok Sabha comes in the Rajya Sabha. In fact, so many times people tell me, Nayyar Saheb, today this House will be disturbed. I said, why, how do you know? They said, we have decided to disturb that House, so this House must also be disturbed. What is the difference then if that is the case? As I mentioned just now, Dr. Ambedkar said that as the 'Upper House



represents the States', its resolution would be tantamount to the authority given by the States. Save for these few specific references, the Constituent Assembly appeared to view the Rajya Sabha as a mere Second Chamber, with a peripheral role to the large federal design. Can Rajya Sabha be converted into something like that? And somehow a House which will really reflect the federal structure of this country, that means giving more powers to the States. As I see India of tomorrow I fear very much some dangers to the unity of my country. I am fearing because I do not find that kind of a commitment to the federal viewpoint. I do not find that kind of a commitment to the basic values of this country. The country was won, and I can say that I was a witness to that era; the Independence was won for certain values and for certain purposes. There was a political party at that time wanting to divide the country. It divided the country and vitiated the atmosphere. It was the Muslim League. But when we won the Independence, we said, this country is going to be pluralistic. Those were the ethos of our Independence Movement. Today, ladies and gentlemen, and our students whom I am appealing to, let us get back those kind of values, let us get back those ethos and for that if you have to stand up and fight, let us do that. Thank you very much.



Shrimati V. S. Rama Devi delivering a speech in the Seminar

*"...when it comes to important measures and when they (Members of Rajya Sabha) feel that it would affect the oppressed classes or depressed classes, they would rise to the occasion... So, I must say that the elders have not only heads, but they have hearts also. So, with head and heart when they rule, the nation naturally would flourish and it would advance."*

- Shrimati V. S. Rama Devi



## ENRICHING THE NATION BY USEFUL DELIBERATIONS\*

Madam Deputy Chairperson, Secretary-General, Rajya Sabha, Secretary-General, Lok Sabha, Shri Sanjeev Reddy, Director, IIPA, learned speakers, Members of Parliament, and ex. Members of Parliament - present can be taken away but ex cannot be taken away and the young brains who have assembled here.

Madam, if you permit me, I would like to compare the evolution of Rajya Sabha with the saga of women. I am not saying this because I am a woman. The issue whether there should be Rajya Sabha or not or whether it is essential at all was discussed in the Constituent Assembly and even prior to that thoroughly. Ultimately, the members agreed, "Okay. It will allow it to come into existence". Thus, it escaped being aborted as female foetus has to escape being aborted.

After two years, attempts at infanticide started. Three Constitutional Amendment Bills were sought to be introduced in Lok Sabha for abolishing Rajya Sabha. They did not want it to live and grow. On and off resolutions were being moved for its abolition. But nothing untoward happened. Being a robust body, it survived. In 1977, Kesavananda Bharati's case came to the rescue of the existence of Rajya Sabha. And then, the Committee on Private Members' Bills and Resolutions in Lok Sabha ruled that it cannot be done away with because it is the basic feature of the Constitution. Thus, whatever it may be, now, the Rajya Sabha stays. Shri Ranganath Misra and Shri Shiv Shanker were in judiciary. They should be thanked for that as the judiciary came to the rescue of Rajya Sabha. The previous speakers have covered all the points. They are all very learned persons. So, I don't like to repeat all those points. There is not much time even. But, I have something to say on article 356. Shri Shiv Shankerji mentioned about articles 249, 312 and other matters. Madam, article 356 is there in the Constitution. How can anyone say, when Lok Sabha is dissolved, Rajya Sabha cannot be convened? It has to be convened.

\* Text of the speech delivered by Shrimati V.S. Rama Devi, former Governor of Himachal Pradesh and Karnataka and former Secretary-General, Rajya Sabha

The provision is there in the Constitution itself. Rajya Sabha, being a continuing body, when there is dissolution of Lok Sabha and during that time there is President's rule in a State, how could the President's rule in that State continue? Unless Rajya Sabha convenes, meets and then passes the resolution, President's rule cannot continue. As Nayyar Saheb said, it had been done so in the case of Tamil Nadu and Nagaland. Not only that, article 352, which deals with Emergency, financial or any other emergency, provides that when Lok Sabha is dissolved, Rajya Sabha is the only body which has to come to the rescue. This is the constitutional provision.

However, Rajya Sabha was allowed to come into existence, but with some sort of a rider. You delay the matters; you delay the legislation which is supposedly done hastily by the lower House. But delay only that much, don't go beyond that. Who is going to regulate this? It is Rajya Sabha which is supposed to deliberate on many issues, not only on Bills. As Mr. Khareji and others have been mentioning. There are national issues - the issues which would affect the entire nation have to be discussed. They have to discuss the Calling Attentions and resolutions and so on. It is a deliberative body. It will deliberate, discuss at length and then it will come to certain conclusions. Let the entire nation listen to them and come to certain conclusions. Let the Government also wake up to the wisdom of Rajya Sabha. So, this is what Rajya Sabha is supposed to be doing. This is the role of Rajya Sabha. So, it is most relevant. I don't know why the topic 'Role and Relevance of Rajya Sabha' is still being treated as debatable one. I think Singhvi Saheb was mentioning about Mahatma Gandhi, that he was not very much in favour of having a Second Chamber. But, actually, in 1917, while demanding freedom for India, he said, "What then would our Parliament do if we have one.

...Rajya Sabha has proved its worth. It has passed many legislations on many important issues like women's problems, marriage, divorce, succession, equal remuneration for equal work, abolition of bonded labour and so on.

When we have it, we will have a right to commit blunders and to correct them. In the early stages, we are bound to make blunders. He who has no right to err can never go forward... The history of the Commons is the history of blunders. The freedom to err and the power to correct errors is one definition of Swaraj. That is independence." So, who would correct? Suppose if the Lok Sabha does some error - to err is human - in the moment of passion, passed some legislation. Then, who is going to correct? That correction would be made by



the other House, because Lok Sabha cannot correct that immediately, once it is passed. Again, an amendment Bill would have to come. It would take a lot of time. In the meantime, Rajya Sabha can correct it. This is what Mahatma Gandhi felt at that time; may be, later on he might have changed his mind after seeing the poverty, to cut down on expenses by having one House. But, in any case, Rajya

**... the continuity of Rajya Sabha is a great boon to the Indian polity. That is how I feel. You may say that because you worked in Rajya Sabha, you are partial. No, even if I had worked in Lok Sabha, I would have said the same thing, because it is out of conviction that I am saying so.**

Sabha has proved its worth. It has passed many legislations on many important issues like women's problems, marriage, divorce, succession, equal remuneration for equal work, abolition of bonded labour and so on. Technically, where there are financial measures, the Bills are to be introduced in Lok Sabha. Where there are no financial measures, the Bills are being introduced in Rajya Sabha. And, they are safe also in Rajya Sabha. If you introduce them in Rajya Sabha, they remain. But if you introduce them in Lok Sabha, they fall with the dissolution of Lok Sabha. Every time they will have to be re-introduced. When I was in the Law Ministry, Shiv Shankerji would vouchsafe, I used to tell the Minister concerned, "Sir, there are no financial measures involved in it. Why don't you introduce it in Rajya Sabha? It would remain there." So, the continuity of Rajya Sabha is a great boon to the Indian polity. That is how I feel. You may say that because you worked in Rajya Sabha, you are partial. No, even if I had worked in Lok Sabha, I would have said the same thing, because it is out of conviction that I am saying so. I have been watching Parliament working right from 1964, sitting in the Official Gallery. In those days, as a matter of fact, when Bills were before Parliament, they were discussed thoroughly. There used to be the first reading, the second reading and, then, the third reading. They used to consider a Bill step by step. But, now, of course, they are being passed in a jiffy.

I want to share with you one incident in a lighter vein. In Rajya Sabha, being elders, they have a method even in their approach to protest. After protesting for a week, one day the Leader of the Opposition told me that they were going to obstruct for fifteen minutes in the morning. "He said, The Chairman may not adjourn the House for fifteen minutes. Thereafter, he may do whatever he pleases." So, there is a method in their protest. But when it comes to important measures and when they (Members of Rajya Sabha) feel that it would affect the oppressed classes or depressed classes, they would rise to the occasion. I very well remember that the Opposition had not allowed the House to function

continuously for 7-10 days with regard to some allegations against the then Minister of Communications. The Protection for Disabled Persons Act had been passed in Lok Sabha some time back. It was pending in Rajya Sabha. Rajya Sabha had to come to a close on that day. All the physically challenged children came and sat in the Public Gallery. They were very worried whether the Bill would be passed or not. They came to me and said, "Didi, please help us. Please see that it is passed." I said, "It is not in my hands. I will bring your request to the Chairman's notice." The Chairman said, "I too can't do anything. You talk to the Leader of the Opposition." The Leader of the Opposition was Shri Sikander Bakht. I said, "Sir, they will all pray for you. They are all sitting there in the Public Gallery. Kindly, see to it that it is taken up." He said, "Yes, I will certainly try to see that the Bill is passed, but on one condition. The Minister should not make a statement. The Minister should not give a speech or anything, then, we will help in passing it within two minutes." I said, "Sir, whatever it might be, please help those unfortunate persons." Then, we realised that the concerned Minister, Shri Sitaram Kesriji was not there. He was near the washroom. We sent a Sentry and he came and said, "No; no, they are not going to allow me to do anything. Anyhow, I will read the statement. Then the Chairman suggested that the statement be treated as read and the Bill may be moved for consideration. It was passed. The persons sitting in the Gallery could not make out what had happened. They thought that the Bill had not been passed and they were in tears. All of them came down and lamented, "Didi, Didi, our Bill is not passed, what will be our fate? It might never come before the Parliament." I reassured them and gave the happy news to them by saying that the Bill had been passed. Why I am narrating this is to show that the elders rose to the occasion when they saw that the Bill was meant for the disabled persons. So, I must say that the elders have not only heads, but they have hearts also. So, with head and heart when they rule, the nation naturally would flourish and it would advance.

I don't want to go on and on. At the end, I want to show my scholastic knowledge, or, at least, pretend to have one. I have brought certain quotations, but I will not read all of them for want of time. I would like to read only one. "The true function of the Second Chamber is to interpose delay, and no more in the passing of the Bill into law, as may be needed, to enable the opinion of the nation to be adequately experienced upon it" – Bryce Conference. Watching the Rajya Sabha proceedings in various capacities for over three decades, I can vouchsafe for it that Rajya Sabha has delivered the goods eminently to suit the observation of the Bryce Conference. Even if we concede that Rajya Sabha is



only a delaying Chamber, its usefulness is enormous. As a matter of fact, our Second Chamber is not a secondary chamber. It has many achievements to its credit. It enriches Bills by its well thought out amendments. Even in financial matters, it makes useful suggestions for consideration of Lok Sabha. The nation and the people are enriched by its deliberations. On certain occasions it proved its efficacy when it voted down two important Constitution Amendment Bills in the first instance. I don't want to take much of your time. Thank you very much for giving me the opportunity to speak before this august gathering.

As a matter of fact, our Second Chamber is not a secondary chamber. It has many achievements to its credit. It enriches Bills by its well thought out amendments. Even in financial matters, it makes useful suggestions for consideration of Lok Sabha. The nation and the people are enriched by its deliberations.



Shri Era Sezhiyan speaking in the Seminar. On his right Shrimati V.S. Rama Devi and on his left, Shri R.C. Tripathi and Prof. (Smt.) Noorjahan Bava are seen. Some students are also seen in the background

*"We all have got eyes, but very few have got vision. Therefore, the Members of Parliament should have a vision so that the role and relevance of Rajya Sabha, especially the role and relevance of Parliament itself can be fully realised."*

- Shri Era Sezhiyan



## REPRESENTING THE FEDERAL CHARACTER OF THE INDIAN CONSTITUTION\*

Hon'ble Deputy Chairperson of Rajya Sabha, and friends, I deem it a great honour to be invited to participate in this Seminar. Just now, my friend, Mrs. Rama Devi has disclosed how she was able to approach the Chair during her tenure and make the House able to help the disabled. But, often times, we found that the House itself had become disabled to help even those able in many ways. And, Sir, it was mentioned in the introductory speech that I have been Member of Lok Sabha for three terms and of Rajya Sabha for one term. I should say, in all fairness that I enjoyed more my term in Rajya Sabha because more time was available there. And the Chairman, and others were more generous in giving time to me. I want to pay a tribute to the hon'ble Deputy Chairperson of Rajya Sabha. I had been in the Opposition consistently excepting for the short-term of Shri Morarji Desai's Government. And, at that time, even in allotting space, you put me in the Left, that is the Opposition side, but all of us take the one generous view. And even there, when I was in Lok Sabha in 1973, I think, Bibhuti Misra moved a Private Member's Resolution saying that Rajya Sabha should be abolished by the Constitutional amendment. It was a resolution only. Then the motive he attributed for his resolution was that Rajya Sabha was expensive, it was delaying, it was unrepresentative because of indirect election. But, to the fairness of Lok Sabha Members, out of the ten Members, only one supported that resolution and all others, irrespective of their party and region, said that Rajya Sabha should remain. I fully appreciate and also support what Mr. Shiv Shanker said. He said that the very basic concept of Rajya Sabha is the Council of States. It represents the federal character of the Indian Constitution. I think the same question was also raised in the United States when they were writing their Constitution. Then they said, "We are not taking the pattern of the House of Commons and the House of Lords. The House of Lords is only by hereditary; therefore, we are not taking it that way."

**I have been Member of Lok Sabha for three terms and of Rajya Sabha for one term. I should say, in all fairness that I enjoyed more my term in Rajya Sabha because more time was available there. And the Chairman, and others were more generous in giving time to me.**

\* Text of the speech delivered by Shri Era Sezhiyan, former Member of Parliament

James Madison, who was the father of the United States' Constitution, said :

The House of Representatives will derive its power from the people of America. So, that is national. The Senate on the other hand will derive its power from the States as political and co-equal societies, then, it is federal and not national.

I think their Constitution combines both the national and the federal character. In the Indian Constitution, I should say, Rajya Sabha represents the States. Previously, even in the British regime we had the Council of State. This is the Council of States, not one State, but all the States, that is why I support what he said that equal representation should have been given, as it has been done in the case of the U.S. Senate. And, when I came to the Rajya Sabha, as I said, there was more cooperation from the official side and even on many occasions they consulted us. And, as I said, impartiality still continues. The other day, I read in the Press when the hon'ble Deputy Chairperson was in the Chair, a Member of the Congress, a very able Member of the Congress, a senior Member, raised one question. She said that she did not allow that to be said, but that Member insisted. Apart from the party affiliations and party partialities, she said, "I am adjourning the House. I am not accepting what you say." I appreciate that. Even though the House was not so chivalrous, — it pays its tribute to you — the age of chivalry is not gone. So, in that way, it was done. One unfortunate thing in the Indian Constitution is that when they insist on the bicameral system at the national level, the same thing should be provided for the States. Out of the 28 States, only five States are having the bicameral legislatures. I think, we should have made it constitutional; that it is a permanent feature, it should have been done. If the bicameral system is good for the Centre, it should be made good for the States also. And I appreciate what you said about articles 249 and 312, that it becomes meaningless once you say that it can be overridden. I don't accept the other things, like hurried legislation or so. Nowadays, it is not so. As you rightly said that there are three readings for every Bill. It goes to the Committee. It can go even for public opinion. So many things can be said, not in that way, but, this Chamber is meant specially to look at the federal character of the Indian Constitution. I feel that way. I appreciate what the Chairman in his opening speech said that we should have a vision. I think it is correctly said that the role that has been taken is the role that should be taken. The Government is there not to see the various things that had been done, but it should do what it ought to do. But, in many cases, it has not been done. We all have got eyes, but very few have got vision. Therefore, the Members of Parliament should have a vision so that the role and relevance of Rajya Sabha, especially the role and relevance of Parliament itself can be fully realised. The way in which we are going, a stage may come when people may lose all faith in this institution, in the democracy itself. They may throw everything out. Therefore, to save democracy in India, it is very necessary to do it. Of course, democracy is not the end. It is only the means to the freedom of the individuals, and the freedom of the individuals constitutes the freedom of the States also. The individuals should be protected by the Constitution. Thank you.





Shri R. C. Tripathi, former Secretary-General, Rajya Sabha speaking in the Seminar. Some students are also seen in the background

*"Whatever happens in the House is one aspect, but there is other aspect of the Parliament which takes place behind the scenes which is in the Committees, which is in the formulation of resolutions, debates, framing of questions, etc. All these aspects are reflected and sent to the Secretariat which may come up for discussion in the House or may not but they help in deliberation and identification of issues."*

- Shri R. C. Tripathi

## RETAINING THE VISION OF THE FOUNDING FATHERS OF THE CONSTITUTION\*

Hon'ble Deputy Chairperson, Secretary-General, Rajya Sabha, Secretary-General, Lok Sabha, Dr. Reddy, Director, IIPA, eminent speakers and young students.

Almost all major points relating to Rajya Sabha have been covered by now. That is an advantage or disadvantage of coming at the end. And, no internal secrets of the House can be divulged because my predecessor has already been singled out by hon'ble Deputy Chairperson for leaking such secrets out. But it is true that a major part of the Parliament work happens behind the scenes also. Whatever happens in the House is one aspect, but there is other aspect of the Parliament which takes place behind the scenes which is in the Committees, which is in the formulation of resolutions, debates, framing of questions, etc. All these aspects are reflected and sent to the Secretariat which may come up for discussion in the House or may not but they help in deliberation and identification of issues.

Rajya Sabha and its federal character has been identified; legislative, constitutional, deliberative aspects have been pointed out. I would like to emphasize that the vision, the discipline, the dignity, the decorum, with which the first Chairman of this House identified Rajya Sabha, perhaps, need to be reconsidered more at this stage now and more so when electronic media is there. Dr. S. Radhakrishnan, some time in 1958-59, recalled on a Monday, saying, that the preceding Friday, the House had been adjourned for want of quorum; you are hon'ble Members of Rajya Sabha and should maintain the dignity and uphold the distinction and prestige of this House.

**This House deliberates on long-term policies. When in March 2000, some 60 Presidents of the second House met in France, they said that senators are the roots of the future. The members of the second House deliberate for the future, plan for the future, while the other House is basically related with the day-to-day functioning of governance.**

\* Text of the speech delivered by Shri R.C. Tripathi, former Secretary-General, Rajya Sabha



Sometimes, public opinions can be dominating the air and members may be carried away by such public opinion. Some issues can override, perhaps, the long-time vision. But that was not the purpose when Rajya Sabha was created. As was mentioned in the morning by Dr. Singhvi, it is the House of Elders, न सा समा यत्र न सन्ति वृद्धा, etc. This House deliberates on long-term policies. When in March 2000, some 60 Presidents of the second House met in France, they said that senators are the roots of the future. The members of the second House deliberate for the future, plan for the future, while the other House is basically related with the day-to-day functioning of governance. The two Houses may be having equal powers, but they are not identical, and they should not try to behave as identical Houses. The exigencies of the two Houses are different. And, therefore, the second House, though we call it 'second' should not be taken as secondary. The Upper House, which is for deliberative purpose, should devote itself for the long-range aspect. The Constituent Assembly debated whether we should have a second House or not, but ultimately, came to the conclusion that we need a second House. We are not like the Senate of the U.S.A., but we are also not like the House of Lords of England. It is not a copy of the Westminster to that extent.

Therefore, I would like to say that when it comes to the question of public opinion, the Upper House should deliberate and consider the long-range perspective; what the Constituent Assembly was thinking about? What is the relevance of articles 249 or 312 or 356? Perhaps, it may be worthwhile to quote here Edmund Burke who said to the public, "your representative owes to you, not his industry only but also his judgement, and he betrays, instead of serving you, if he sacrifices it to your opinion." The last line of the verse that were quoted by Dr. Singhvi in the forenoon says, "सत्यं न तद्यच्छलमभ्युपैति", which means, that is not the truth, which has an element of deceit.

The Upper House is meant for correction. I agree that in the last 51 years, the Upper House may not have been able to deliver all that which it was expected to deliver. But legislations were passed on Hindu Law, dowry, child labour, bonded labour, control of tobacco, and there are so many other aspects. If we see the list of Calling Attention Motions that have been discussed and debated by it, even though the House doesn't have the power to make or unmake the Government, it is clear that the House has the power to put ideas into the minds of people, into the minds of public at large, and that is the basic purpose.

We should not follow, perhaps, an easy path. "कष्टेन लिखितम् शास्त्रम्, यत्नेन परिपालयेत्।" which means the treatises (शास्त्र) have been written arduously and

**"कष्टेन लिखितम् शास्त्रम्, यत्नेन परिपालयेत्।" which means the treatises (शास्त्र) have been written arduously and these should be maintained with effort and care. The Constituent Assembly debated the entire thing, and we have to maintain it. With great effort, with lot of effort and hard work, the Constitution came into being in 1950, and we should not find easy solutions to resolve an immediate problem.**

these should be maintained with effort and care. The Constituent Assembly debated the entire thing, and we have to maintain it. With great effort, with lot of effort and hard work, the Constitution came into being in 1950, and we should not find easy solutions to resolve an immediate problem.

Perhaps, accommodation is necessary, but accommodation at any cost may sacrifice long-range interests of the country. Relevance of Rajya Sabha comes later. It should not sacrifice values.

I would like to mention at this stage that Rajya Sabha was the first, in March 1997, to come up with the question of having an Ethics Committee. Rajya Sabha was the first to point out that for the Member of Parliament Local Area Development Scheme (MPLADS), the fund that is being given to the Members of Parliament for local area development, there should be a committee to monitor. Of course, the committee followed also in Lok Sabha. So, Rajya Sabha has been a pioneer in many aspects, social aspects, building aspects. The vision should be retained and that is the relevance which I would like to say of Rajya Sabha. It should not try to follow what happened in U.K. or America in the last century. Before I end, let me narrate an anecdote. A Senator came across the Clergyman, Dr. Edward Hale and asked Dr. Hale, "Are you praying for the Senators?" The Clergyman replied, "Sir, I am seeing the Senators and praying for the country." Thank you.





Prof. (Smt.) Noorjahan Bava speaking in the Seminar. Also seen in the background are the students attending the Seminar

*"There may be aberrations here and there, nevertheless the virtues behind the establishment of Rajya Sabha have been achieved, are being achieved, and will continue to be achieved in future."*

- Prof. (Smt.) Noorjahan Bava

## IMPORTANCE OF SECOND CHAMBER IN A FEDERAL AND DEMOCRATIC POLITY\*

Hon'ble Deputy Chairperson of Rajya Sabha, Secretaries-General of Rajya Sabha and Lok Sabha, Director, Indian Institute of Public Administration, Dr. P.L. Sanjeev Reddy, distinguished speakers and students who are present here and who are dear to me! I am an academic and for an academic nothing gives greater pleasure than to see the faces of students whom I never expected here. I am thankful to the organizers to have given me an opportunity to be here.

As the Secretary-General has pointed out, there are two purposes behind this Seminar, namely creation of awareness and self-education. We, academics, are interested in both and the members of the Government like parliamentarians are interested in translating this concept into action. So, this Seminar is a meeting ground for both theory and practice. Madam, in the characteristic of an academic, I shall start with a theoretical framework. So far, nine out of ten speakers dealt with their rich and valuable experiences of membership of Parliament, in general and of Rajya Sabha, in particular. But we, teachers, always start first with theoretical framework, ideas, concepts and notions. So, I do the same. Here, I would like to place this important theme of today's Seminar in the broad context of **Federalism, Democracy and Development**. There is a connecting thread between these three key concepts of governance and development through the subtle thread of what is called bicameral legislature, or, simply the theory of bicameralism. Now, let me quickly give you an account of the essence or the rationale, the philosophy of bicameralism if you want to call it that way. Bicameralism, as it was pointed out earlier, means a law-making body, a legislature having two Houses or Chambers. Of these, one Chamber has to be the House of the People like our Lok Sabha, and the other Chamber has to be a Second Chamber or the Chamber which represents varied interests, diverse interests of States or of people or of culture or of diversity of the country.

\* Text of the speech delivered by Prof. (Smt.) Noorjahan Bava (Retd.), Department of Political Science, University of Delhi.



Bicameralism is an essential principle of federalism. We cannot have a federal polity without a bicameral legislature. Why? Because federal Government means double Government, to start with. It is decentralised governance with at least a minimum of two tiers of Government – one at the federal level and the other at the level of the constituent States which come together to form a federation.

A federation means a strong Union of States or provinces or units. So, the powers of the Government have to be distributed and divided between the two tiers of Government and this is done by the Constitution which is the fundamental law of the land. So, the federal governance is always provided by a written and rigid

**Bicameralism is an essential principle of federalism. We cannot have a federal polity without a bicameral legislature. Why? Because federal Government means double Government, to start with. It is decentralised governance with at least a minimum of two tiers of Government – one at the federal level and the other at the level of the constituent States which come together to form a federation.**

**The federal governance is always provided by a written and rigid Constitution as it was done by the founding fathers of our own Constitution... They realised very well at that time itself that Independent India is a multi-cultural, multi-lingual and multi-racial society and therefore, it cannot be a unitary State like British India.**

Constitution as it was done by the founding fathers of our own Constitution. Look at the wisdom of the founding fathers of our Constitution! They realised very well at that time itself that Independent India is a multi-cultural, multi-lingual and multi-racial society and therefore, it cannot be a unitary State like British India. The Britishers had a unitary State. That was split up into States and along with the Indian Princely States, they were brought into the Indian Union. Our framers chose very carefully the term 'Union'. They simply did not say, "India is a federation of States." The term 'Union' means it is a strong union. It means that no

separation, no secessionism is possible or permitted for any constituent unit of this country, that is, for any State. If that is so, you have to give representation to all the States which are the constituent units of the federation and that is why the Second Chamber is a practical necessity. One just cannot operate a federal polity without a Second Chamber, where all the States are and should be represented.

Secondly, federalism means a political contrivance for protection of the States' rights and interests with the maintenance of national unity and power. So, here, through the federal mechanism we seek to combine and achieve, on

the one hand, federal unity, integration and power, and on the other, what is called the identity, powers and rights of the States. Hence, if the States have to remain and their rights protected within a federal polity, which Chamber will look into their interests? It is the Second Chamber. That is why we took the idea, the notion of Senate from the American Constitution and the notion of Union came not from the American Constitution but from elsewhere.

Next, it is very important for a democratic polity to have a Second Chamber. Rajya Sabha plays a key role in Indian democratic polity. The reason behind the

requirement that a Member of the Second Chamber shall have a higher age qualification is that he/she will be more mature. He will be more prone to be pro-active. He will not be passionate and emotional. Unlike in the Lower House, he will not be swayed or overcome by emotions and passions during discussion on the issues already discussed in the Lower House or not discussed therein. Unlike the Members of the Lower House, the Members of the Upper

**The reason behind the requirement that a member of the Second Chamber shall have a higher age qualification is that he/she will be more mature. He will be more prone to be pro-active. He will not be passionate and emotional. Unlike in the Lower House, he will not be swayed or overcome by emotions and passions during discussion on the issues already discussed in the Lower House or not discussed therein. Unlike the Members of the Lower House, the Members of the Upper House will behave in a better way in the sense that they will address the issues before the House in a disinterested manner. And they will contribute to the development of the country and the people by preventing hasty and ill-considered legislation. That was the expectation, aspiration behind the creation of the Second Chamber.**

House will behave in a better way in the sense that they will address the issues before the House in a disinterested manner. And they will contribute to the development of the country and the people by preventing hasty and ill-considered legislation. That was the expectation, aspiration behind the creation of the Second Chamber.

Last but not least, a Second Chamber is very essential for the development of a country. India is no doubt an ancient society, but we became a modern nation only after Independence in 1947. So, development became a priority in the agenda of governance as well as our road to progress. And, if we have to develop the country, decentralisation or federalism or sharing of power by the federal Government with the State Governments, by the State Governments



with the Governments at the local level, that is, at the municipal and *Panchayati Raj* level (the village, block and district level) is very essential. That is the reason why we passed the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments and created the third tier of the Government at the grass-root level. Now, Indian polity is a three-tier system. We have the Governments at all these three levels - national, State and local. To develop India, we - the sovereign people have to participate not only in governance, not only in elections to the Parliament or State legislatures or local bodies, but also in the process of planned development and social change as well. For this, Parliament and other institutions of Government will have to facilitate, to channel peoples' participation in development.

Now, from theory, I come to the practice. I have no experience of Parliament, but as a shrewd observer and as an active citizen, I have been observing the debates/discussions of Rajya Sabha and Lok Sabha. And my evaluation is that, on the whole, Rajya Sabha has acquitted very well. Rajya

**On the whole, Rajya Sabha has acquitted very well. Rajya Sabha has established its position as a very useful Second Chamber of Indian democracy... Rajya Sabha has by its sheer hard work and excellent performance has proved its worth. We have realised the philosophy behind the bicameral legislature many times, and Rajya Sabha has not been overtaken by emotions except sometimes.**

Sabha has by its sheer hard work and excellent performance has proved its worth. We have realised the philosophy behind the bicameral legislature many times, and Rajya Sabha has not been overtaken by emotions except sometimes. Of course, pandemonium goes on very often in Lok Sabha, but it is less, I can say, in Rajya Sabha. I won't admit that it is the duty of the Presiding Officers - the Vice-President of India, or the Deputy Chairman, only to maintain the decorum of the House. Members have to equally cooperate without which they cannot maintain the dignity or the rights of the House.

So, the Members of Rajya Sabha have done a good job and performed well. There may be aberrations here and there, nevertheless the virtues behind the establishment of Rajya Sabha have been achieved, are being achieved, and will continue to be achieved in future. So, the role of Rajya Sabha is very

relevant. We are not going to abolish it. That is the reason why Rajya Sabha has been given extraordinary powers. In fact, I should say that both the Houses are equal except in two respects. In financial matters, all the Money Bills must originate in Lok Sabha. Rajya Sabha has been given only 14 days to delay such Bills. It can give its recommendations, but it is up to Lok Sabha either to accept the recommendations, or to reject them but Rajya Sabha has the power to give suggestions.

True, Rajya Sabha is not equal in power to the American Senate in the case of Money Bills. The American Senate is more powerful than the House of Representatives because it can do anything with Money Bills except changing the title of the Money Bills, and it can even mutilate them beyond recognition. So, it is more powerful than the House of Representatives. But our founding fathers did not want a rival to the House of the People. They wanted Rajya Sabha to share the powers with the Lower House, which represents the people of this country. Rajya Sabha represents the interests of the States and the diversity of the country. Therefore, it has to go by the will of the people, which is represented in Lok Sabha. After all, India is a sovereign democratic republic. The people are supreme and sovereign, and the will of the people is heard in Lok Sabha. Therefore, the Government is collectively responsible to Lok Sabha and not Rajya Sabha. This does not mean the demeaning of Rajya Sabha. As has been pointed out, Rajya Sabha has been given special powers, and in all the other respects, it is discharging a meaningful and equal role in legislation, in performing constitutional duties, and in amendment of the Constitution. Without Rajya Sabha performing its role, can Lok Sabha alone remove the President or the Vice-President? Impossible. Or, can it remove a Judge of the High Court or the Supreme Court, or the Comptroller and Auditor-General of India? No. You see how difficult is the impeachment process? The Lower House can be often overcome, as I said repeatedly, by emotions. It can pass a resolution by two-thirds majority and also by total majority to remove the President but by itself it cannot impeach the President. For the Constitution provides that one of the Houses has to prefer the charge - any House either the Lower House or the Upper House - against the President for violation of the Constitution, and the other House must investigate, and if the investigation sustains it, then only the President can be removed. Similarly, there is another procedure for the removal of the

**Rajya Sabha has been given special powers, and in all the other respects, it is discharging a meaningful and equal role in legislation, in performing constitutional duties, and in amendment of the Constitution.**



Vice-President. What I am emphasizing here is that the founding fathers of the Constitution have very thoughtfully, very wisely created the bicameral system of Parliament at the Centre after having first decided upon a quasi-federal polity for India.

Federalism alone can suit the interests of this country. We cannot become a centralised unitary state. Although the residuary powers have been vested in the Centre and not the States, over the last 50-53 years, more decentralisation has taken place, and more should take place if Indian democracy is to blossom into a meaningful and mature democracy. Thank you.



Shri G. C. Malhotra, Secretary-General, Lok Sabha speaking in the Seminar.  
Dr. (Smt.) Najma Heptulla looks on

*"The experience of 55 years of Rajya Sabha and Lok Sabha ... shows that there has been a complementary and supplementary effort in the governance of the country and in keeping the executive accountable."*

- Shri G. C. Malhotra



## THE TWO HOUSES : PLAYING A COMPLEMENTARY AND SUPPLEMENTARY ROLE IN INDIAN POLITY\*

Thank you very much, Madam. I am grateful to you for giving me this opportunity to speak before this very distinguished gathering. We have, since morning, listened to very distinguished and eminent parliamentarians, journalists, academics and parliamentary officials. The course of discussion has been very highly educative. We have been exposed to their very rich and accumulated wisdom, their memory and their own experiences.

Now, my first comment is on the topic. The topic is about the role and relevance of Rajya Sabha. When we talk about relevance, it appears as if there is a question mark about its relevance. But, the experience of 55 years of Rajya Sabha and Lok Sabha - as you said, we have been working, the two Houses have been working together - shows that there has been a complementary and supplementary effort in the governance of the country and in keeping the executive accountable. So, there should not be a question mark on the relevance of Rajya Sabha. The subject could rather be the role of Lok Sabha and Rajya Sabha.

Professor Dandavate started with the history of the independence of the legislature and the legislature secretariats. This independence of the Secretariat is common to both Lok Sabha and Rajya Sabha. The Parliament, as we know, is constituted of the President, Lok Sabha and Rajya Sabha and the functions of Lok Sabha and Rajya Sabha have been complementary and supplementary to each other. While the Members of Lok Sabha are directly elected by the people, the Members of Rajya Sabha are, in fact, elected indirectly; they are microcosm of 28 States and 2 Union territories, elected by the elected representatives of the States. Therefore, people's representation is common to both the Houses.

The two Houses began their first sitting on the 13<sup>th</sup> May, 1952. They have met equal number of days all these years. We are, of course, celebrating the 200<sup>th</sup> Session of Rajya Sabha, but Lok Sabha as well, has completed this much period. The functions are common, the deliberations and the devices by which

the Members of Lok Sabha and Rajya Sabha conduct business, are also common. Time, of course, is not common. We have three sessions per year, and we have an average of 54 minutes per member per year in Lok Sabha.

This is for 545 members. The time availability is same for Rajya Sabha, but the average time available to its members comes to something about 110 or 115 minutes, and that is precisely the reason that the Members of Rajya Sabha are at a comparative advantage over the Members of Lok Sabha. The Members of Lok Sabha, who are directly elected by the people and directly accountable to the people, have comparatively less time for communication with their electorate as compared to the Members of Rajya Sabha. This is what Shri Era Sezhiyan has also mentioned. The legislation, of course, is common. A Bill can be introduced in either House. If it is introduced in Rajya Sabha, then Lok Sabha becomes the second Chamber. Therefore, there should be no grievance that Rajya Sabha is only known as the Second Chamber. Whenever a Bill is initiated, or a discussion is initiated in one Chamber and is passed, the Bill has to go to and pass through the Second Chamber and that could either be Lok Sabha or Rajya Sabha. The role and relevance of Rajya Sabha, as has been

**We have an average of 54 minutes per member per year in Lok Sabha. This is for 545 members. The time availability is same for Rajya Sabha, but the average time available to its members comes to something about 110 or 115 minutes, and that is precisely the reason that the Members of Rajya Sabha are at a comparative advantage over the Members of Lok Sabha.**

**A Bill can be introduced in either House. If it is introduced in Rajya Sabha, then Lok Sabha becomes the second Chamber. Therefore, there should be no grievance that Rajya Sabha is only known as the Second Chamber.**

mentioned right since morning and experienced through 55 years of democracy, has come to stay. A Bill has to be passed by both the Houses of Parliament. If there is any disagreement, then it has to be passed by both the Houses sitting together. There were three instances when there was disagreement. These were: the Dowry Prohibition Bill, 1959, the Banking Service Commission (Repeal) Bill, 1977, and the Prevention of Terrorism Bill, 2002. These were passed by both the Houses again. No House can supersede the powers of the other House.

Whenever we speak about constitutional requirements and provisions regarding financial matters, and in matters of accountability, of course, there is

\* Text of the speech delivered by Shri G.C. Malhotra, Secretary-General, Lok Sabha



provision that some powers are vested in Lok Sabha and certain other powers are vested in Rajya Sabha. For example, legislation on State matters. Unless Rajya Sabha agrees, Lok Sabha cannot do anything in the matter of legislation on State matters. Similar is the case with regard to the creation of All-India Services. Only a resolution passed by Rajya Sabha can lead to the creation of All-India Services. There are certain powers which are common to both the Houses. For example, privileges are common. The fund available under the Member of Parliament Local Area Development (MPLAD) Scheme is equal for Members of both the Houses. There are, of course, some powers vested in one House and some other powers vested in the other House, but these have to be supplementary and complementary. The other day, the Deputy Chairman

was saying about the financial powers of the Lower House.

Of all the Finance Ministers, six of them were from the Upper House. Three Prime Ministers have come from the Upper House and Ministers, of course, can come from

either House. Therefore, apart from this, I would like to add, Madam, that we try to divide membership on the committees. The representation in the parliamentary delegations abroad is 1:2. Now, 245 Members of Rajya Sabha and 545 Members of Lok Sabha are just not exactly 1:2. The ratio is weighed in favour of Rajya Sabha. Another thing is, Rajya Sabha has advantage in almost every aspect. Rajya Sabha is known as 'Upper' against 'Lower' Lok Sabha. Rajya Sabha is known as the House of Elders, of more mature people. The Presiding Officer of Rajya Sabha is number two in the protocol, and many of them have had the honour of becoming number one in the country. The Deputy Chairman, of course, Madam, has the status of a Cabinet Minister. A Deputy Presiding Officer does not normally enjoy this status, but she is enjoying it by the dint of her own merit and being the President of the Inter-Parliamentary Union (IPU). Then comes the tenure. It would be of interest to know for the students that Lok Sabha Speakership has been maximum for ten years and, Madam has the honour of being the Presiding Officer for 17 years.

When I see before me my distinguished colleagues from Rajya Sabha, who have had the honour of becoming Governors, Madam, Shrimati Rama Devi is there, and Shri Sudarshan Agarwal is there and some times, I feel there is a need to have a topic on upgrading the Lok Sabha, and that could certainly be considered. Madam, I will request you to organize a seminar on that subject. With these words, Madam, I thank you very much for giving me this opportunity.

**Rajya Sabha is known as the House of Elders, of more mature people. The Presiding Officer of Rajya Sabha is number two in the protocol, and many of them have had the honour of becoming number one in the country.**



Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha delivering Valedictory Remarks in the Seminar

*"When we are sick, we always say that we should seek a second opinion of a doctor. When we are legislating, which is going to affect the entire nation, it is necessary that there should be a second opinion. There should be a better thinking and our deliberations definitely do that."*

- Dr. (Smt.) Najma Heptulla



## TOWARDS A MORE INTERACTIVE DEMOCRACY\*

Thank you very much Mr. Malhotra. I knew that you are going to make a very, very good speech. Not only that you will give us some compliments, a lot of compliments, but your feelings also. So, I can just comment on what is being said just adding a few experiences of mine. Of course, Dr. Madhu Dandavate has his own experience, Dr. L.M. Singhvi, Mr. P. Shiv Shanker, our present Members of Rajya Sabha, Mr. Ranganath Misraji, the Secretaries-General of Rajya Sabha, our nominated Member, Mr. Kuldip Nayarji, you are all here, and of course, the journalist view-point. I do not take Mr. Kuldip Nayar's opinion as an opinion of a journalist because he is guilty of being the Member of Rajya Sabha, whether in the coveted capacity as a nominated Member by the President, yet we have one person representing the journalist community, and as we say, the journalists always look down upon us. I am talking literally, because if you students go to the House, you will see that the Press Galleries are above us. So, they have to look down upon us, and we all the time, look up to them. But I hope they do not look down upon us, and we do not give them an opportunity to do that. I am very happy that we got this idea of celebration of the 200<sup>th</sup> Session of Rajya Sabha to invite you young people. Now, we have nine Universities represented over here. They are: Banaras Hindu University, Jawaharlal Nehru University, Jamia Millia Islamia, University of Hyderabad, University of Pondicherry, Aligarh Muslim University, Babasaheb Bhimrao Ambedkar University, Lucknow, Visva Bharati, Santiniketan and University of Delhi and nine institutes are represented over here: the Indian Institute of Technology, Madras, the Indian Institute of Technology, Delhi, the Indian Institute of Technology, Bombay, the Indian Institute of Technology, Guwahati, the Indian Institute of Technology, Kanpur, the Indian Institute of Technology, Kharagpur, the Indian Institute of Technology, Roorkee, the Indian Institute of Management, Indore and the Indian Institute of Management, Lucknow. We have you here today, and this idea came to us and the Committee was given this job to plan out the programme.

\* Valedictory remarks by Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha

The Inter-Parliamentary Union, represents 145 Parliaments of the world, and the parliamentary system is equal to the United Nations. Though the United Nations' Charter says: "We, the people..." but I, as the President of the IPU, on the floor of the United Nations, has said that you are the representatives of

**If we see the history, the cream of the society - the intellectuals used to go to the Parliament. They were there to rule us; they were there to formulate the policies for the future of India; they were the people with wisdom and understanding; they were intellectuals who had never cut down their roots with the grass-roots problems of this country.**

only the Governments and as such you can only say: "We, the Government." But as the elected representatives of the people, the Inter-Parliamentary Union can rightfully say as they represent, both the ruling party and the opposition, as in the parliamentary language,

we call it the majority view-point and the minority view-point. So, we in the IPU, can easily say, or can rightly say, we are a democracy, we are the representatives of the people and we, the people. We have seen abroad also, in many Parliaments and in many countries, the apathy of the youth, the apathy of the young people towards politics. I was 12 years old when Rajya Sabha was established, and seven years old when we got independence. If we see the history, the cream of the society - the intellectuals used to go to the Parliament. They were there to rule us; they were there to formulate the policies for the

future of India; they were the people with wisdom and understanding; they were intellectuals who had never cut down their roots with the grass-roots problems of this country. If I name people, Pandit Jawaharlal Nehru, Mahatma Gandhi, Maulana Abul Kalam Azad, they were the people who led the freedom struggle of this country. While the members of Lok Sabha are elected with universal suffrage, Rajya

Sabha, with a different electoral college, represents our federal structure. And you people who have come from the best universities, colleges and institutions of our country, I feel it is high time that we should find out what you would

**You people who have come from the best universities, colleges and institutions of our country, I feel it is high time that we should find out what you would like us to be? Why the cream of the society, the intellectuals, the young people do not come forward to join politics? Why you shun it and why there is an apathy? Apart from apathy, I feel there is cynicism. What is wrong with us? Have we not done our duties properly? Or, do you expect something else from us? That was the basic idea for inviting you people over here and letting you to listen to the most eminent people...**



like us to be? Why the cream of the society, the intellectuals, the young people do not come forward to join politics? Why you shun it and why there is an apathy? Apart from apathy, I feel there is cynicism. What is wrong with us? Have we not done our duties properly? Or, do you expect something else from us? That was the basic idea for inviting you people over here and letting you to listen to the most eminent people who could be sparing their time to come and speak to us. There are many other Members of Parliament. Shri Virumbi is sitting with us. He is one of the very active Members of Parliament from Tamil Nadu; Shri Reddy who has been awarded for attending more than 100 Sessions, and others from the Left Front and other parties. Now, the main thing that we should try to get from you is what you want? I would have been extremely happy if you could interact with us, we have got 83 students, intelligent students, coming here with expectations and hope. But, however, there is lack of time. This is the first time that we have taken such a venture, and I am very, very happy that it is being successful. I have been sitting here and listening to. There has never been such an enjoyable day for me as this one, listening to different opinions and experiences. Though we apologise that we could not hear you, but we can, later on, have some such occasions where you could speak. I would suggest that, as we have got 18 institutions represented over here, if every institution sends us, after attending this Conference, what was their opinion of this meeting and what you expect us to do now and in future? How you would like our Parliament to function? How you would like our elected representatives to behave? We would be very happy. We feel that it should be an ongoing process. Democracy is not stagnant. Democracy is moving. It goes on. It changes as we change.

Both the Houses of Parliament are complementary and supplementary, as the Secretary-General of Lok Sabha has very clearly stated. We work together. We understand each other. The Second Chamber, whatever you call it, the Upper House or the Lower House, acts as a check and balance, if there is a massive majority in the Lok Sabha. Twice, I remember, in my time, when there was a massive majority in the Lok Sabha, the Government could not bulldoze the legislations because they did not have the requisite majority in the Upper House. So, the Bills had to be reconsidered. On two occasions, two very important legislations were defeated in the Rajya Sabha, one was the Privy Purses Bill, and the other was the Panchayati Raj Bill in 1989 for want of two votes. The first one was defeated for want of one vote. Recently, in the case of the POTA, we had to have a Joint Session of the Parliament to pass the Bill and make it a legislation. At least, on three occasions, I have seen how Rajya Sabha kept a check and gave a second opinion. When we are sick, we always say that

we should seek a second opinion of a doctor. When we are legislating, which is going to affect the entire nation, it is necessary that there should be a second opinion. There should be a better thinking and our deliberations definitely do that. The Vice-President said, "It is not only a representative House, but also a deliberating House." We deliberate over there. A democracy, as I describe it, is not only of the people, by the people and for the people, but also interactive. A democracy has to be interactive. A democracy has to be inclusive. So, to make our democracy interactive, we have invited you, as you are the future of our nation. We should interact with you. We should be inclusive and should include everybody.

The age limit for entering the Rajya Sabha is higher. However, in the House of Elders, there are very young people also. I will be too happy if some young people are nominated or elected by various political parties so that we have a mixture of the young and the old.

**A democracy has to be interactive. A democracy has to be inclusive. So, to make our democracy interactive, we have invited you, as you are the future of our nation.**

But, in a lighter vein, I would like to tell you two things of which I am reminded. In the American Senate and in the American House of Representatives, the same committee was nomenclatured differently, the Foreign Affairs Committee and the Foreign Relations Committee. In the American Senate, it is known as the Foreign Affairs Committee and in the Lower House, that is, the House of Representatives, it is known as the Foreign Relations Committee. When somebody asked why there were two different nomenclatures for the same job, a Member of Parliament of America told me, "When we are in the Lower House, we can have relations. But when we go to the Upper House, we are older and we can only have affairs. Nothing more than that". These are the things. But two very important things have come in my life time. Prof. Madhu Dandavate was giving his experience about the authority of the Chair. That is the most important thing. As Shri Mavalankar, the first Speaker of Lok Sabha had said, "In a parliamentary democracy, Speaker is the only dictator because what the Speaker says has to be followed by everybody." Whether it is followed or not followed, that is a debatable question. But he is the only person whose opinion has to be followed because he gives his opinion after a lot of deliberations. I, with my experience of 16 years in the Chair, have seen many, many good times, better times than difficult periods. I am sure you must be reading newspapers. These are all our political hazards which we have to live with. So there is no complaint about it. But the main thing is that sometimes such occasions do arise. As Prof. Madhu Dandavate said about privileges, whether the privilege of a Member can be



raised in the other House or not. We have definite rules for it. There were two very difficult situations I had to deal with, apart from others. The one was when we were discussing the Report of the Joint Parliamentary Committee on Securities Scam. Shri Jethmalani, an eminent jurist and lawyer, who is still a Member of the House, was speaking, and who, by his own admittance, was the lawyer for Harshad Mehta, the main accused. At that time, Shrimati Rama Devi was the Secretary-General. He wanted to speak on the Report of the Joint Parliament Committee. It was a very tense moment when some Members from the Congress Party were very agitated. At that time, Shri S.S. Ahluwalia was in the Congress Party and now he is in the BJP and Shri S. Jaipal Reddy, who is now in the Congress Party, was in the Opposition. Some Members said that Shri Jethmalani cannot speak. Both the Houses were debating the issue. There was a lot of fighting, acrimony and anger. Some Members were saying that Shri Jethmalani cannot speak and some others were saying he could speak because he was a Member of the House. They said that they wanted my ruling. I did not want to hurt the feelings of Shri Jethmalani. My job is not to hurt. My job is to run the House as a referee. I thought for a minute. There was no time even to go to my room and see some books. Just it came to my mind that I have to give a ruling. So I said, "Mr. Jethmalani, you are an eminent and very respected Member of this august body. You are by your own admittance a lawyer for Harshad Mehta, the main accused in the securities scam. I feel that propriety demands that voluntarily you should not speak." He sat down. He did not speak. But he wrote half a page article in the *Times of India*. Then he wrote a letter to the then Chairman of Rajya Sabha, Shri K.R. Narayanan that he should withdraw the ruling given by me. Shri Narayanan called me. I went to him. I said, "Sir, uptill now, there have never been any instance that the ruling of the Vice-Chairman or the Deputy Chairman was withdrawn by the Chair. When you are not in the precincts of Parliament, all the authority which is vested in you is vested in me because I am in the Chair." That is what the Constitution says. I said, "You cannot withdraw my ruling officially or constitutionally. But I have no objection. You can withdraw whatever you like. I will not object to it." I asked, "Sir, what will you withdraw? Will you withdraw that Shri Jethmalani is an eminent lawyer and he is a Member of this august body? Will you withdraw that Harshad Mehta is not the main accused in this case? Will you withdraw that Shri Jethmalani should keep propriety of the House and voluntarily he should not speak? What are you going to withdraw out of it? What does Shri Jethmalani want you to withdraw?" Shri Narayanan said, "Nothing, I cannot withdraw anything. You have not said anything." Whatever I wanted to say, I said that in a way which did not hurt anybody.

There was another very, very interesting incident, which dealt with our Constitution. I am no lawyer, but these 24 years in the Rajya Sabha, and 16 of these in the Chair, have given me so much insight, the common basic knowledge

of understanding about what a law should be and how a law is understood. Now, there was a case of Shri Pranab Mukherjee coming back from Marakkesh after signing the WTO Agreement, and he wanted to speak on the subject. Now, you the people, who have come for the Seminar from various universities and institutions, I am sure, would have been given the book on Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha). As per that, there are various devices under which a Member can raise an issue; a Special Mention or a Short Duration Discussion, or a Motion. Now, any discussion, which is not under a Motion, doesn't need voting. But any discussion, which comes under a formal Motion, has to be voted either for or against. It has to be carried or defeated. Now, talking about that incident, Shri Jaipal Reddy was the most aggressive Member at that time in the Opposition; he and other Members were arguing the case either for or against it. They couldn't come to any conclusion. And, they said, "You give a ruling." I said, "Okay, I will give the ruling." And, I said: "As per our Constitution, any agreement or a treaty signed by the Government abroad or in India does not have to be ratified in our Parliament." In many other Parliaments of the world, these treaties have to be ratified. But we do not have to ratify it. I said, "If you don't have the authority constitutionally to ratify a treaty, you have no right to reject it. So, the Constitution does not allow me to permit you to discuss this particular matter of signing the Marakkesh Agreement on the WTO under that provision. You can discuss it under any other provision without voting." Then, Shri Mukherjee, who is a senior Member and the longest sitting Member of the Rajya Sabha, sent me a chit saying, - he was the Commerce Minister at that time - "This ruling will become historic because many times such a discussion would come up." And the Members asked me on both the cases to show it in the Rules of Procedure or in the book by Kaul and Shakhder. I said, "What are those books? They are the rulings of the various Presiding Officers given at various times in different situations." I don't know whether any such situation as that of Harshad Mehta's case, which involved millions of rupees, would be taken up in Parliament or that of treaties? But these rulings are very historic.

I had one more difficult task as the Presiding Officer and that was passing a reprimand to a Member, Shri K.K. Tiwari, and that was the worst moment of my life. He said something about the Vice-President. There are privileges; the matter is raised that the privileges had to be codified. I am against it. The moment you codify, we become more powerful. Once it is ambiguous, at least, the Chairman of the Privileges Committee will not precipitate things. We always take a very soft course. Once they are codified, either Parliament or the Legislature will have an authority saying, "We have this privilege." So, we thought of this and said, "Let us not codify them." I preside over the Committee of Privileges. That remark was against the then Chairman of Rajya Sabha, Shri Shanker Dayal Sharma. Some words were said against him which made



him cry in the House, and the matter was sent to me. I said from the Chair that I had the privilege, or the capacity or the capability to decide on the privileges of Members of Parliament as the Deputy Chairperson, but I didn't think I was competent enough to decide on the privileges of the Chairman, who is the Vice-President of the country, and therefore, I would convert the entire Rajya Sabha into the Privileges Committee. And for the first time, the entire Rajya Sabha was converted into the Committee of Privileges, and it decided on whatever reprimand was to be given so that the blame did not come on any individual that he was biased or unjust. And that is the most difficult job for any Presiding Officer. But we have tried and we have done our best.

I am very happy that you are all here. And I hope, and all of us know, that our Parliament will survive, that our Parliament will not only survive but it will thrive, provided we get people like you, who are more interested in the affairs of our nation. We have nominated Members in Rajya Sabha, who are very eminent people, those who cannot get elected, because they can become eminent either in their own fields or they can become eminent in politics. These two things do not go together. So, we have 12 nominated Members in Rajya Sabha. Shri Kuldeep Nayar was one of them. We have Shri Bimal Jalan, who is an economist, as a nominated Member of Rajya Sabha. Dr. K. Kasturirangan, a great scientist, is a Member of Rajya Sabha. The great sitar maestro, Pt. Ravi Shankar, was a Member. Now, you do not expect Pt. Ravi Shankar to be a great sitar maestro and also a great politician at the same time. It cannot be. Ms. Lata Mangeshkar is a Member at present. Mr. M. F. Hussain, the great painter, was a Member. We had Dr. Salim Ali, the renowned ornithologist as the Member of Rajya Sabha. I remember him coming and asking me whether he could bring his binoculars in Rajya Sabha; I had asked him, "Dr. Salim Ali, what are you going to look at because there is nothing worth looking at in Rajya Sabha; it is only worth listening to in Rajya Sabha." Then, Shri R.K. Narayan, who wrote the *Malgudi Days*, was a Member. Those were the Members who really contributed greatly to the working of Rajya Sabha. This is the privilege we have.

With these words, I thank you once again for coming over here and listening to us. Now, we will like you to write to us about your experiences of this Seminar and we will give awards for the three best write-ups. Of course, we will write to you formally about this. We will also have many more such occasions.

Thank you, Sirs, for all of you sparing your time and coming here.

**I hope, and all of us know, that our Parliament will survive, that our Parliament will not only survive but it will thrive, provided we get people like you, who are more interested in the affairs of our nation.**



Dr. P. L. Sanjeev Reddy, Director, Indian Institute of Public Administration (IIPA), speaking in the Seminar

*"Rajya Sabha through its mature deliberations has been keeping up the democratic ethos and spirit, and keeping the democracy alive and vibrant. You are also making the participatory democracy interactive and inclusive, as it was, and functionally efficient, responsive, equitable and fulfilling."*

- Dr. P. L. Sanjeev Reddy



## PRESERVING THE DEMOCRATIC ETHOS AND SPIRIT OF THE NATION\*

Respected Madam Chairperson, Secretary-General, Rajya Sabha, Dr. Yogendra Narain, Secretary-General, Lok Sabha, Malhotraji, distinguished Members of Rajya Sabha, the distinguished galaxy of speakers, members of the academic community, students, invitees, media representatives and friends:

At the close of this very scintillating Seminar on the "Role and Relevance of Rajya Sabha in Indian Polity", I am happy to share with you that it is a pleasure and privilege for the Indian Institute of Public Administration (IIPA) to have been asked to co-sponsor such a stimulating and value-adding Seminar.

This august assembly is aware of the fact that the IIPA was set up in 1954 as an autonomous organisation under the Chairmanship of Pt. Jawaharlal Nehru, the first Prime Minister of India to promote and provide for a holistic study of public administration. The spectrum of its activities includes training, teaching, research, consultancy and advocacy pertaining to the executive, its functioning and its interface with judiciary, civil society and the interplay of all the instruments of governance. We believe in ensuring good governance and harmonious functioning of all the wings of the Government.

The IIPA has 61 local and regional branches spread all over the country and through them we disseminate knowledge, attitudes and practices towards promotion of democratic ethos and values, and ventilate the concerns, articulate the hopes which are relevant to pragmatic, progressive and pro-active legislations, policy packages, and translate the ideals and aspirations of people enshrined in the Constitution through the Preamble, Fundamental Rights and the Directive Principles of State Policy.

We, at this juncture, wish to assure you that we can take up action research, customer training for the new members and demand-driven consultancy assignments for making a difference and suggest any systematic and procedural improvements to get the best value for the time spent in Rajya Sabha and, enrich the deliberations, contribute handsomely to the robustness

\* Text of the speech delivered by Dr. P.L. Sanjeev Reddy, Director, Indian Institute of Public Administration, New Delhi

of policies and their implementation at the grassroots level. We partner with various centres of learning, universities and draw heavily on the accumulated knowledge, cumulative experience and wisdom of seasoned parliamentarians like all of you, and eminent think-tanks, intellectuals, theoreticians, practitioners of administration to make policies people-friendly, pro-poor, pro-woman and pro-nature.

The IIPA can play a very complementary and supportive role in carrying forward the excellent work that the Rajya Sabha has been turning out all these years. We take the opportunity to thank the hon'ble Vice-President of India, who happens to be the Chairman of Rajya Sabha, Dr. Najma Heptulla, Deputy Chairperson, Dr. Yogendra Narain, Shri Malhotraji and all the distinguished speakers who have made interesting and insightful speeches and having thrown huge light on the key role and increasing relevance of the Second Chamber, namely Rajya Sabha in the Indian context.

Rajya Sabha through its mature deliberations has been keeping up the democratic ethos and spirit, and keeping the democracy alive and vibrant. You are also making the participatory democracy interactive and inclusive, as it was, and functionally efficient, responsive, equitable and fulfilling. Our thanks go to the staff of the Rajya Sabha Secretariat, the media and the 83 students who are attending this enormously educative Seminar. I request the Rajya Sabha to kindly pioneer in holding such stimulating Seminars so that the process of parliamentary democracy becomes rich in content, true and transparent in action. Rajya Sabha has a role cut-out to safeguard and strengthen democracy, promote social equity, catalyse accountable governance for the onward march of our great country to have a true tryst with destiny. The role and relevance of Rajya Sabha are what the members make of it. The whole nation and its people respectfully expect the members to live up to the great faith and confidence reposed in this great institution as a springboard of matured discussion and to help India to emerge as a true sentinel of democracy. We thank you all for having given us the opportunity to be associated. It will be our pleasure to continue our partnership and work towards the common mission and shared values.

Thank you very much.





Group photograph of student participants with Dr. (Smt.) Najma Heptulla, the then Deputy Chairperson, Rajya Sabha, Dr. Yogendra Narain, Secretary-General, Rajya Sabha, Shri Abani Roy, M. P., Rajya Sabha, Shri R.C. Tripathi, former Secretary-General, Rajya Sabha, Prof. (Smt.) Noorjahan Bava and Officers of Rajya Sabha Secretariat

---

---

## WRITE-UPS ON THE SEMINAR RECEIVED FROM STUDENTS

---

---



## SORRY STATE OF PLAY !\*

---

*Democracy refers to more than the exercise of citizens voting rights in election or even the right to free speech. It derives from the empowerment of the people, not as abstract legal citizens but as concrete and active agents capable of pursuing their interests.*

*- Ayesha Jalal*

The conception behind inviting the students from the prestigious institutions of the country to the Seminar on 'Role and Relevance of Rajya Sabha in the Indian Polity' inaugurated as a part of the celebrations of 200<sup>th</sup> session of Rajya Sabha is greatly applauded. This shows that our leaders felt the necessity of active participation of youth in the political sphere.

An assortment of distinguished speakers from the field of politics, bureaucracy, media, law and academics reflected a medley of perceptions and opinions. It provided a moment of retrospection for the politicians, an opportunity to scrutinise for the journalists and the jurist. An academician concentrated on the theoretical framework, while the members and veterans of Parliament relied on their valuable experiences. Civil servants who watched the functioning of the democracy closely made a discreet examination.

But, the underlying concerns of all the speakers were the same. Their speeches exposed their apprehensions and dissatisfaction over the degrading performance of the legislature.

An analysis of their explicit concerns leaves some questions unanswered: who actually has to be blamed for the declining quality of governance? When the players in the government are genuinely anxious of the eroding political system, then where does the problem lie? Does selfishness and lack of integrity embrace many, that they override the interests of few responsible legislators?

At the end of the event, hon'ble Deputy Chairman of Rajya Sabha divulged her anxieties and questioned the apathy of students towards politics. A scientist-

---

\* Ms. S. Manohari Velamati, M. Phil. South Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi



turned-politician pleaded the young citizens not to alienate themselves from the responsibility of upholding the nation.

Indifference on the part of youngsters towards the politics shouldn't indicate irresponsibility to the nation's problems. What triggers the young minds is the apathy of the rulers to the challenges confronting the nation.

The purpose behind creating the legislative structure for India is said to be for providing a democratic forum. When the representatives whom we choose do not serve as a channel for pursuing our interests, then how can we pretend to be taking democratic decisions? Poverty and deprivation are afflicting millions across the country. Still, we claim ourselves to be democratic! Doctors (rulers) meant for curing the illness of the society are aggravating the disease. Corruption and nepotism prevails everywhere and public money nourishes their bank accounts. Even the ugly deeds caught in the camera go unpunished. As per the saying, money is a bottomless sea, in which honour, conscience and truth may be drowned. As long as the offenders are set free, as long as the justice is buried and denied, the polity of the country has to suffer criticism and cynicism.

Parliament is considered as the temple of democracy. Legislations produced here undergo systematic procedure as per the constitution. Policies originating here influences millions of lives and also relations with the foreign countries. When the output is of such paramount significance, the proceedings are presumed to be carried in earnest and intellectual tone. But, the legislatures appear to be plagued with ubiquitous nature of the members. Extensive debate and discussion are essential for framing a rational policy. In fact, arguments and counter arguments are required for examining the pros and cons of an issue. An ordinary citizen exercises enthusiasm to watch such processes of policy determination.

I considered it a great privilege when I was given the opportunity to hear the proceedings in Rajya Sabha, some six and half years back. My zeal and fervour soon subsided and died with the House getting adjourned within ten minutes over a trivial argument as to whose issue to be initially discussed. This implies lack of commitment and seriousness on the part of elected bodies. Insubstantial discussions, moral and ethical erosion are pestering the institution.

Politics is not seen as an avenue for representing public interests. It is regarded as a dirty game in which only the players with money power and

muscle power can sustain to further their selfish interests. The rules of the game has been changed and the continuation of this sorry state of play will ultimately result in demonocracy and not democracy.

Like the king, like the people. Nation's prosperity or declination is determined by the quality of governance. When the government is fragile and unaccountable, country becomes more vulnerable to social, political and economic ailments. The dignity of the legislature, which is getting eroded need to be revitalised. The Vice-President and Chairman of Rajya Sabha, Shri Bhairon Singh Shekawat, emphasised the necessity for redefining the role of Rajya Sabha to make it more relevant. This need is felt to effectively tackle the present and the future challenges. Indeed, bicameralism was introduced in our constitution after careful analysis that the Second House would check the hasty decisions of the Lower House. Mrs. V.S. Rama Devi's narration of an example in her experience as the former Secretary-General of Rajya Sabha projects the chances of some bills getting passed even without the realization of all the members present in the House. The Upper House should set an example to other central and state legislative bodies by exercising high values and sobriety in its deliberations. Rajya Sabha, which upholds the concept of federalism should truly represent the varied concerns of the state units. Shri Kuldip Nayar's observation in the Seminar, of rising percentage of elected members who do not belong to the states they are elected from, weakens and misrepresents federation.

The rot in the power needs to be checked by making the rulers more accountable. Members indulging in mis-governance and mal-governance should be punished then and there, which will subsequently enhance the public confidence. Only when the nation prospers, the citizens as a whole flourish. Individual accumulation of wealth and power only leads to greed and ultimate vanity.

Signs of death and decay of democratic culture in the political parties became visible since the 1970s. With the awakening of electorate in the country, the political parties started searching for new means of mobilization. Then, came the caste factor. Caste, which is the basis of social stratification, has acquired a new political function. Political parties diluted their ideologies to incorporate this factor. To gain arithmetic victory in the elections, political parties are using this stratification in playing politics. There is constant need for the political parties to divide people on communal lines, deviating from their agendas of welfarism and development. People are becoming more



conscious of their communal identity, which is proving to be regressive to the modernization process. Strengthening of identity, which is taking place, is challenging the secular fabric of the nation. Unity in diversity, which India was proud of, is getting challenged. Political parties, which claim their roots in secularism, are attacking the very principle to sustain.

Mushrooming of small political parties with deficient ideology and opportunistic origin are disruptive to Indian politics. A greater urgency is in the air to control such unwanted growth. Politics should transform into no scoundrel's option. They must be clear mirrors of public interests and opinions.

Concentrated development and regional imbalances will result in disintegration. When the peaceful and democratic expression of public grievances is ignored by the state, it will result in more backwardness and ultimately people resort to violence. Government should respond to such demands by genuinely providing efficient governance. Responsive and citizen friendly governance always wins laurels. Such government is worshipped by the public. It is said that, when a person assumes public office, he has to consider himself as a public property. Otherwise, consistent inconsiderate character of the government will encourage more bickering within the country and can even threaten the unity of the nation.

"The ultimate tragedy is not the brutality of the bad people but the silence of the good people", according to Martin Luther King. As long as the wise hesitate to participate in the government, they have to bear the brunt of rule of the vice. Students, as a responsible community of the nation should actively involve by enriching their knowledge and enhancing awareness of the political developments in the country. Thereby, act as a strong pressure group by stimulating and influencing the government decisions. In fact, apathy on the part of students towards politics is a bad sign. As the future builders of the nation, they have an important role to play in protecting the dignity of the country.

Gandhiji said,

*It is high time that all concerned and patriotic citizens must come together for the good of the common man and give a new direction to Indian history.*

Eminent Jurist, late Nani Phalkiwala cried,

*Today, India lives in a moral vacuum. Bold surgery is needed to treat the diseased heart of the nation which was once great.*

The glory of the country needs to be revived. Helplessness and humiliation prevail at every inch of the Indian soil. Citizens of India lead their lives in frustration and anger. Before that exasperation exacerbates in to a revolution, the rulers of the country have to indulge in immediate introspection.

*Where the mind is without fear and the head is held high;*

*Where knowledge is free;*

*Where words comes out from the depth of truth;*

*Where the clear stream of reason has not lost its way into the dreary desert sand of dead habit;*

*Into that heaven of freedom, my father, let my country awake.*

- Ravindranath Tagore.

- Jai Hind.



## THE TEMPLE OF LEGENDARY VISIONARIES\*

### Preamble

"... if I had charge of adult education, I should begin with opening the minds of the adult pupils to the greatness and vastness of their country", quoted Mahatma Gandhi while talking about Swaraj. For true Swaraj to come into reality it is imperative that the students, on whose shoulders lie the future of the country, understand the elements of governance. In this respect, the initiative taken to involve students from different Universities in the Seminar on 'Role and Relevance of Rajya Sabha in Indian polity' as part of celebrations to commemorate the 200<sup>th</sup> session of Rajya Sabha is a welcome step. Following are some collection of thoughts during participating and witnessing one of the unique moments in my life.

### Role of Rajya Sabha in broader view

Ours is a parliamentary democracy and we have adopted a system of two Houses *i.e.*, bicameralism, in the Parliament. It is worthwhile to debate upon the role of bicameralism in the Indian context, its role and relevance, in light of formation of the Upper House, the Rajya Sabha, in year 1952, two years after our republic year. The emergence of bicameral legislatures has been a significant evolution in the parliamentary democracy, especially for India.

Since the days of struggle for freedom itself, our leaders envisaged the need of effective parliamentary system, which will be formed democratically and will deliver its functions for the common people. Although, the idea of Second Chamber was in existence during British Rule, its lookout remained entirely different in the sense that it was not federal and used as a means sometimes to overrule the decisions taken by the representatives elected directly; and this was possible then because most of its members were government nominated. On the contrary, our freedom fighters always emphasized the need for a 'federal chamber', which portray the unity in a single House, representing members from different regions of the country, thus demonstrating diversity in

India. In their views, a permanent legislative body in office like this will be a true face of democracy, thereupon. Moreover, such an elderly House of genius/ stalwarts will serve to rectify the hasty legislation by the Lower House, if taken.

And hence formed, the permanent House of the Parliament of India, which is the Council of States, constitutes of indirectly elected members. Amongst many nomenclatures such as Second Chamber, Upper House, House of States, Council of States, etc. we have accepted to call precisely as the 'Rajya Sabha' since 1954. This nomenclature itself reveals the status of this House as a unit of the legislative structure to delegate the responsibility of unifying the nation. It did so by representing the States and Union territories and voicing their interests time to time.

One of the principle objectives of setting up of a Second Chamber in our parliamentary system was to provide opportunity for representation to seasoned and eminent personalities from various walks of life and thus facilitate a higher standard of debate during the policy making phase. It is a House comprising of 'elders', 'wise men', 'statesmen', 'seasoned people' and alike synonyms. The Rajya Sabha members with their higher age profile, varied educational qualification and diverse professional experience reflect the changing profile of our nation and are better equipped to discharge their responsibilities effectively and contribute to the all round development of our great nation.

While making a retrospect through the eyes of eminent parliamentarians during the Seminar gathering, we, the students felt that the Rajya Sabha had not merely remained content with its role as a revising chamber but had contended itself in terms of its contribution in various decisions regarding bills and legislative issues. The members of Rajya Sabha served on different Parliamentary Committees of social importance, which has long lasting influence on policymaking. Through their splendid performance, these members have proved that the wealth of knowledge and experience is relevant and vital in governance. The examples cited by the distinguished speakers during the Seminar deliberation clearly brought out the fact that while adopting innovative moves, Rajya Sabha greatly strengthened the basic role of the Parliament in Indian polity. It has also played its role to various acts as a safety valve against any error of judgments and scrutinised any such legislations forwarded by the Lower House, performing its role as a revisory chamber. Apart from contribution in law making, the other important functions, that Rajya Sabha has focused attention

\* Shri Vasant A. Matsagar, PG Nominee (DGSC),  
Indian Institute of Technology Bombay



on, are the matters of public importance, as can be observed from the discussions when Rajya Sabha was in session. These masterpieces of thoughts while affecting the policies of Government and administration, also have provided a forum for airing the public grievances. In such a perspective, it is meaningful to contemplate over the relevance of Rajya Sabha in present socio-political scene.

### Relevance of Rajya Sabha

In our social structure in India, we always seek guidance of elderly persons within and/or outside the family while deciding on matters of vital importance. The example of such elderly governed system is seen at the village level where the panel, Panchayat, constitutes of old persons with lifetime experience; and the judgement of this panel is treated as the last statement within the locality. If seen even at the level of the Indian family, the earning person runs the whole family, executes the family system, however for directives and suggestions related to the family matters rely upon grand parents. When it comes to resolution of family disputes, it is an established fact that whatever judgement the grand parents give is accepted and respected by all, as it is always considered unbiased and honest. In my view, more or less similar role is entrusted upon the Rajya Sabha in Indian democracy reflecting its relevance even in today's world.

Our country is apportioned into different states and territories based upon diversities in language, culture and customs. Rajya Sabha, which is also termed as Council of States, represents the unity of our country. The population-based allocation of seats in Rajya Sabha provides centralised platform for participation from various parts and segments of India. Few Rajya Sabha members are nominated by the President; whereupon those who have specialised expertise in different fields of life, but are away from active politics, receive chance to make policies amenable and relevant to those respective fields. The complexion of Rajya Sabha is basically sort of predetermined, in a sense that only personalities with proven abilities find a place here. The dignity of Rajya Sabha is as such aided by providing opportunities to persons having special knowledge and experience in various fields of activity, who have contributed towards nation-building and socio-economic reconstruction of the society. Many eminent persons from different walks of life have served as members of Rajya Sabha in the past. Among them, we find a galaxy of scholars, educationists, historians, researchers, scientists, artists, poets, litterateurs, jurists, engineers, lawyers, doctors, economists, administrators and social workers of outstanding eminence. Thus, the expertise of those who excelled in

their respective fields but cannot make it to the policymaking gets the best platform therein at Rajya Sabha.

In his excellent discourse during the proceedings of the Seminar Honourable Chairman of Rajya Sabha, Shri Bhairon Singh Shekhawat, illustrated evidently that the people observe, how far the proceedings in the House are relevant for their welfare and accordingly foresee the quality of governance. Thus, effectiveness of proceedings in the House becomes a mirror of functioning of the democracy in general and the government in particular. Since its inception, the functioning of Rajya Sabha has been marked by dignity and the discussions on the floor of Rajya Sabha remained teaching lessons to the administrators. Indeed, the deliberations in the House have always been guided by long-term vision for growth and development in the larger interest of the people. Such reasoned and dignified debates owe to the complexion of this House having specialists with varied professional experience. Rajya Sabha has indeed carved out an important place in the Indian parliamentary set-up through its dignified atmosphere, which has been sustained by the towering personalities of those who adorned the offices of Chairman and Deputy Chairman. Out of ten Presidents that India has had so far, seven of them had earlier served as the Chairman of Rajya Sabha. In addition, the Rajya Sabha members serving as Cabinet Ministers and Ministers of State, headed several important departments in the government like Home Ministry, Finance, etc. on many occasions. Examples of member of Rajya Sabha becoming the Prime Minister of India also clearly bring about the fact that the House has a significant role to play in Indian polity.

As repeatedly remarked by the distinguished speakers, namely Honourable Prof. Madhu Dandavate, Shrimati Rama Devi and others based on the records of past sessions, Rajya Sabha played its crucial role in ensuring the harmony while critically and meticulously reviewing the bills presented on the floor. The House discussed upon these bills and when these discussions are examined through, it is sincerely felt that these debates in Rajya Sabha were beyond the party politics, and lead to the facts/ truths truly in an unbiased manner. Although this may have put the decisions into delay but tremendously helped in pinpointing and sharpening the policies. There were occasions when the bills passed in Lok Sabha were even differed in Rajya Sabha.

The relevance of Rajya Sabha is also clear from the fact that when there had been difference of opinion between the two Houses, Lok Sabha and Rajya Sabha, on certain bills, the common sessions were called upon to resolve these



issues and decisions then were taken through consensus. This is also a testimony of congenial relations and functioning between the two main pillars of Indian democracy. Although Rajya Sabha has limited role to play in the financial matters, it has played a phenomenal role in debating upon the union budgets, which need to be presented before the Rajya Sabha too, along with the Lok Sabha. It is learnt from the talks of eminent parliamentarians here during the Seminar deliberation that in an attempt to evolve an internal self-regulatory mechanism the Ethics Committee was formed in the Rajya Sabha on 4<sup>th</sup> March 1997 to act as an instrument to ensure value-based politics.

It is commented many times that the Rajya Sabha cannot make or unmake the government and hence a superfluous body. Constitutionally, this may be true that the Rajya Sabha has no role to play in formation and dissolution of governments, however, as a deliberative body it definitely has a role to play in the very existence of particular government to remain in power. For instance, the sensitive issues of national or international importance when brought forward on the anvil in Rajya Sabha by its elite members, it also attracts the attention, eventually resulting in a concurrent debate in the Lok Sabha which is concerned with government making and unmaking. The opposition party in Lok Sabha enjoys using the concerns raised in Rajya Sabha against the ruling party.

While discussing the importance and relevance of Rajya Sabha one point is worth paying attention. It was said that influential political personalities who have been rejected by the people in the elections should not find Rajya Sabha as a backdoor entry into the governance. However, there is an other aspect related to it. Although indirectly elected meaning thereby through limited number of electors, these members are also 'elected'. In addition, one of the intent behind setting up of Rajya Sabha, as pointed out earlier, is to facilitate contributions from politically unversed personalities.

Another crucial issue amongst our debators was, whether it is the need of the time to transform from the original concept and ideologies in case of Rajya Sabha. Here, we need to ponder, whether it served the purposes it was intended to, and this was discussed at length during the deliberations and mentioned hitherto. It is distinctively clear that Rajya Sabha has proved its worth since its inception; it has played a significant monitoring, deliberative and parliamentary role. It marked the success of bicameralism in India and established itself as a democratic institution of relevance to the society and our democratic system. With more and more participation received from Rajya Sabha in nation building

through its functionalities, the issue of transformation fades away. In the present political scene, the role of Rajya Sabha becomes more relevant and effective in meeting the existing and future challenges that confront India, such as when there is no single party with majority, rules the House.

Nonetheless, in fact both the Houses of the Parliament, Rajya Sabha and Lok Sabha, the temples of Indian democracy, performed a paramount and leading function in the country deciding major policies and giving a lead to the country. Moreover, it is the success of the policy of bicameralism that we have adopted for our parliamentary democracy and also the success of our democracy itself. Making re-evaluation while meticulously assessing the sessions of both the Houses, will further confirm public belief in our parliamentary democracy in India. It is this tradition and culture of Rajya Sabha that the coming generations have to inculcate in future. Hon'ble Dr. (Smt.) Najma Heptulla in her distinguished talk rightly represented the feelings of esteemed people of this House, who expect that the revered traditions of Rajya Sabha be carried forward so that the momentum of democratic advancement of our country is further brightened up.

### Closing Remarks

At the outset, it can be concluded that with its federal status the Rajya Sabha has remained highly instrumental in policymaking and governance. The Rajya Sabha has made its impression of giving depth and content to the principles of bicameralism in theory and practice. The concept of House of Elders is rooted deeply in our nation's traditional family system of respecting, consulting and obeying the persons of experience and wisdom. And therefore, in the contemporary socio-political scenario as well Rajya Sabha is highly relevant and stands high in its role model.



## AN ENLIGHTENING AND WONDERFUL EXPERIENCE\*

The 200<sup>th</sup> Session of Rajya Sabha was celebrated during the Winter Session in December 2003. Certain programmes and activities were organized to commemorate the occasion. As a corollary to that, a Seminar on the theme "Role and Relevance of Rajya Sabha in Indian Polity" was organized in collaboration with the Indian Institute of Public Administration on 14 December 2003 in the Main Committee Room, Parliament House Annexe. Eminent speakers from different walk of life namely, Prof. Madhu Dandavate, Shri Era Sezhiyan, Shri P. Shiv Shanker, Shrimati V. S. Rama Devi, Shri L. M. Singhvi, Shri Harish Khare, Shri Ranganath Misra, Shri Kuldip Nayar, Shri R C. Tripathi and Prof. (Smt.) Noorjahan Bava spoke in the Seminar. Eighty-six students from the Central Universities, IITs and IIMs were invited to witness the proceedings of the Seminar.

### Introduction

Constitutionally, our Parliament means the two Houses and the President of our Republic. Referred to as the House of Elders, the Rajya Sabha has provided seasoned political leadership to the country. Ever since its first session in May 1952, Rajya Sabha has been an equal partner in strengthening the glorious traditions of our parliamentary democracy. The Second Chamber also acts as a safety valve against any error of judgement in legislative work. Rajya Sabha has the privilege of having distinguished nominees as its members who have enriched the debates in the House with their experience over the last 50 years. The Rajya Sabha has played a critical role in addressing some of the major societal issues concerning especially judiciary, women welfare, healthcare, property, social relationship, etc. These are very well articulated in many of the well-treasured publications of the Rajya Sabha and have had salutary effects on our post-independence society.

### The Seminar

The Seminar started at 10:30 a.m. with the arrival of the hon'ble Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat

\* Sarvashri Kapil Varshney, Amit Bansal, Anshul Agarwal, Rahul Kumar and Aditya Kumar, Indian Institute of Technology, Kanpur

and the Secretary-General, Rajya Sabha, Dr. Yogendra Narain. The lighting of the lamp by the hon'ble Chairman, Rajya Sabha, followed it.

The welcome speech was delivered by Dr. Yogendra Narain. It was really interesting to know how the two House system emerged in India. In 1927, the Swaraj Constitution proposed by the Committee headed by Motilal Nehru advocated a legislature with two Chambers for independent India. The Secretary General explained the idea behind conducting such a Seminar in which renowned and outstanding personalities from different walks of life had been invited to express their valuable ideas. The aim of the Seminar was two-fold: awareness creation and self education. 'Awareness' among those who see Parliament from the prism of the outside world and who are going to be the leaders of tomorrow - the youth; and 'self education' for those who live in the world of parliamentary life and would like to learn from the experiences of those who have preceded them in this vocation. In his own words:

To understand the importance of the Rajya Sabha, to comprehend its evolution more critically and appreciate the challenge confronted by it, this Seminar has been organized on the historic occasion of the 200<sup>th</sup> Session of Rajya Sabha.

He warmly welcomed the outstanding and renowned speakers and the eminent parliamentarians who in spite of their heavy load of work relating to the then ongoing session of Parliament found time to attend the Seminar. He informed that the Central Universities such as JNU, BHU, Jamia Millia Islamia, University of Hyderabad, Pondicherry University, Aligarh Muslim University, Ambedkar University, Lucknow and Viswa Bharti Shantiniketan had sent 41 students. He had great pleasure in announcing that there were 33 students from IITs from Roorkee, Chennai, Delhi, Mumbai, Guwahati, Kanpur and Kharagpur. Also, students from Indian Institutes of Management located in Indore, Ahmedabad and Lucknow were present in the Seminar. He extended a very warm and special welcome to all the students from such prestigious educational and technological institutions.

The speech was followed by release of books by hon'ble Vice President of India and Chairman, Rajya Sabha and the hon'ble Deputy Chairman, Rajya Sabha **Dr. (Smt.) Najma Heptulla**. The titles of the publications were: *Socio-economic Profile of Members of Rajya Sabha (1952-2002)*, *Private Members' Legislation*, *Women Members of Rajya Sabha and Humour in the House - A glimpse into the enlivening moods of Rajya Sabha*. On the request of the students, one copy each of the book *Humour in the House - A glimpse into the enlivening moods of Rajya Sabha* was distributed to the students. Next there was an inaugural address from



**Shri Bhairon Singh Shekhawat.** It was very educative and he appealed to the students to take the responsibility of the nation's growth in the coming years. Here is an excerpt from his speech:

Dear students, I am happy to see you here in good number. You, the youth of the country are going to be the builders of the developed India. You have the responsibility to further strengthen the roots of democracy in our country. You have also the opportunity to make our democracy not only the largest in the world but also a great democracy by building a strong and powerful India. I have an abiding faith in the destiny of our country. I am sanguine that with commitment, motivation and hard work, you shall definitely build a fully developed India of our dreams.

According to him, poverty alleviation, population stabilization, electoral reform, speedy justice, national security were such areas which needed fast track action based on consensus. It was essential to evolve an approach of action in respect of such important national issues based on consensus not only amongst political parties but also between the Centre and the States. He also hoped that through serious discussions, deliberations and constructive debates, Rajya Sabha would make positive and specific recommendations on new strategies and programmes for appropriate legislative and executive follow-up-action. He finished with the hope that the deliberations in the Seminar would be enlightening, purposeful and productive.

After the inaugural speech, the Seminar took off with an interesting and humorous speech by **Prof. Madhu Dandavate**. He had been a freedom fighter and a member of the 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> Lok Sabha. Throughout his speech he cited different anecdotes from his own experience of Indian Parliament. He stressed that in the current form of Indian society the Rajya Sabha is indispensable. Over the years, Rajya Sabha has assumed a more dynamic role in deliberating issues of common concern and bringing legislations of far reaching significance. Then **Dr. L.M. Singhvi**, former High Commissioner to the UK and member of the 3<sup>rd</sup> Lok Sabha took charge of the Seminar and cited specific examples in which the role of Rajya Sabha was critical. He was followed by **Shri Harish Khare**, Associate Editor, *The Hindu*. He started off with the quotation :

Don't frisk him, he is not carrying any weapon, frisk his mind.

He brought to attention the issues like water facilities to the countrymen in view of the prediction by experts that the water conditions will be worse in the

near future. He made a request to the government in regard to the Election Commission of India and the dissatisfaction of the people with the Commission. He finished with the hope that Rajya Sabha would play an important role in these issues as it had done in the past.

**Shri Ranganath Misra**, former Chief Justice of the Supreme Court said that Rajya Sabha as a Second Chamber, has to be seen as an important constituent of the Indian Parliament like the Senate in America. Commenting on the role of Rajya Sabha, he stressed on the fact that Rajya Sabha had helped in generating the feeling of nationality. According to him, the interaction with the students was very useful as it helped in idealizing and scrutinizing the present system. After a short break for tea the Seminar continued with its full flow. **Shri P. Shiv Shanker** discussed the maturity of the Rajya Sabha. He also hit upon certain constitutional amendments. Then **Shri Kuldeep Nayar** took over the proceedings. According to him, the relevance of Rajya Sabha became more significant in view of the fact that it was a permanent house as compared to Lok Sabha which could be dissolved depending on the political situation in the country. Therefore, the discussions in the Rajya Sabha were done with full responsibility even if it did not have executive powers in some matters.

After this dynamic speech, **Shrimati V.S. Rama Devi**, former Secretary-General, Rajya Sabha gave a new turn to the Seminar. She focused on the duties of the Parliament, the resolutions and the discussions that were done in the meetings. She cited examples of issues like The Hindu Marriage and Divorce Bill, 1952; The Child Labour Bill, 1986; The Transplantation of Human Organs Bill, 1994; The Marriage Laws (Amendment) Bill, 1999; etc. which spoke of the comprehensive vision of Rajya Sabha in taking appropriate measures for the welfare of the underprivileged and the needy. She hoped that Rajya Sabha would continue to do the good work. Then **Shri Era Sezhiyan**, member of the 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Lok Sabha and member of Rajya Sabha from 1978-1984, took over and started off with his experiences in Rajya Sabha. He enjoyed his term at Rajya Sabha much more than that in Lok Sabha and it was mainly because the Rajya Sabha is more generous (in a lighter vein). He urged the students to be responsible citizens and finished with the following quote: "Many of us got eyes but very few of us got visions." From here on, civil servant and former Secretary-General, Rajya Sabha, **Shri R. C. Tripathi** set forth some examples to show the important role of the House. It was the Rajya Sabha, which first formed a committee to put a check on the ethical conduct of the members. Last but not the least, **Prof. Noorjahan Bava** of Delhi University praised the Rajya Sabha Secretariat for conducting such a useful Seminar. According to her, the Seminar would definitely create awareness amongst the student community. She then discussed



the importance of the Indian Constitution and commented that Rajya Sabha had indeed done its job as mentioned in the constitution. She congratulated the Deputy Chairperson Rajya Sabha and the members of Rajya Sabha for the commendable work done since its formation.

The next scheduled item was an open house discussion but because of the time limitations, this part was scrapped and the Seminar was formally ended with an educative speech from **Dr. (Smt.) Najma Heptulla**. She shared some of her experiences as the Deputy Chairman of the Rajya Sabha. It was very interesting to hear some of her hard times when she was the presiding officer. She had to make some tough and clever decisions at certain times. She also spoke about the joint meetings of the Rajya Sabha and the Lok Sabha, which again highlighted the role of Rajya Sabha. She thanked the guests and the students for taking part in the Seminar. She urged the students to come forward and be a part of the Indian political system since fresh blood can bring about the much needed positive changes in the system.

A nice lunch and a very informative guided tour of the Parliament followed this.

### Conclusion

The aim of the seminar was completely fulfilled. It was very rightly said in the beginning that the discussions of a Seminar of this stature had to be shared by students of our country on whose shoulders the future of our country rests and who must understand the functioning of Parliament in proper perspective. After the Seminar the students appreciated this move by the Rajya Sabha as it helped in understanding the working of the House in a better way, more importantly, from the people themselves who have been involved in the system throughout.

### Comments

Amit Bansal(Y0031):

It was an enlightening experience to visit Rajya Sabha. I got to meet and listen to people who have been part of Rajya Sabha since last so many years. Listening to their views and the instances that they told us helped us in knowing about the proceedings of the Rajya Sabha. I came to know about the significance and the critical role which Rajya Sabha has played over the years in the development of the nation. Also Dr. (Smt.) Najma Heptulla shared with us some lighter moments and happenings in Rajya

Sabha in her tenure as Deputy Chairperson of Rajya Sabha for the last 16 years. Also, we happened to meet people from various other institutes. It was a nice experience to interact with them. Just that we didn't get a chance to put forward our viewpoint as the interactive session was scrapped due to lack of time. Still in all it was a great experience.

Rahul Kumar (Y0253):

The Seminar organized on the "Role and relevance of the Rajya Sabha in Indian Polity" was a learning experience for me. We had the opportunity to listen to some of the most eminent speakers from various fields. The speakers emphasized the role of the Rajya Sabha as an evaluative body and as a model for legislative deliberation. The Rajya Sabha as a federal chamber represents the federal ethos of India. It is there to delay legislation and not to clog it as is generally understood. It is there to make sure that any mistake in the legislation gets a chance to be corrected. Further, it can take up issues which cannot be taken up by the Lok Sabha due to shortage of time. The Rajya Sabha serves as a chamber of ideas and as a platform for mature discussion. Being a permanent body it has a great responsibility if the Lok Sabha is dissolved. Honestly speaking, before going to the Seminar I had my doubts about the relevance of the Rajya Sabha but this Seminar has managed to change that. I had also expected the discussion to be a serious one but it had its lighter moments too which managed to bring a smile on everyone's face. Dr. (Smt.) Najma Heptulla gave the closing speech. She urged the young blood to come up and play an active role in Indian politics. The one thing that I really missed was the Open House discussion, which had to be cancelled due to shortage of time. Overall it was a very enjoyable session and I hope that students will be invited in some future Seminars too.

Anshul Agarwal (Y0057):

My experience of the complete Rajya Sabha tour was wonderful. The Seminar involved general discussion on "Role and Relevance of Rajya Sabha in Indian Polity". It included many prominent politicians including the Chairman and the Deputy Chairman of Rajya Sabha. I liked chatting with them during off hours of the Seminar *i.e.*, during tea and lunch session. All the delegates were sharing their life experience with the students. I found this tour as another platform where I could meet students from other reputed institutes and central universities. We shared our experiences which included discussion over various issues. Overall, I found this tour a complete success. It really added to my life!



## AN EDIFYING EXPERIENCE\*

When I participated in the "Youth Parliament Competition" sponsored by the Ministry of Parliamentary Affairs, New Delhi for the first time, I had not even imagined that one day I would get a golden opportunity to participate in a prestigious seminar organized on the theme "Role and Relevance of Rajya Sabha in Indian Polity" on the occasion of the 200<sup>th</sup> session of Rajya Sabha.

The seminar was convened by the Rajya Sabha Secretariat in collaboration with the Indian Institute of Public Administration (IIPA). Many eminent personalities participated in this seminar – the Vice-President of India and Chairman of Rajya Sabha Shri Bhairon Singh Shekhawat, Deputy Chairman of Rajya Sabha Dr. (Smt.) Najma Heptulla, the then Leader of the Opposition in Rajya Sabha and former Finance Minister Dr. Manmohan Singh who has now become the Prime Minister of India, reputed jurist and former High Commissioner to the U.K. Shri L.M. Singhvi, renowned journalist Shri Kuldip Nayyar, former Chief Justice of India and Chairman of Human Rights Commission and former member of Rajya Sabha, Justice Ranganath Misra and many other dignitaries. Besides them the seminar was also attended by 83 students from different reputed Central Universities, Indian Institutes of Management & Indian Institutes of Technology. It was indeed an unprecedented experience.

Inaugurating the seminar on "Role and Relevance of Rajya Sabha in Indian Polity" held in the Main Committee Room, Parliament House Annexe, New Delhi, Shri Bhairon Singh Shekhawat stressed on the need for redefining and reorienting the role of the Upper House of the Parliament to make it more relevant and effective in meeting the present and future challenges that confront India. Also, according to him, "the Rajya Sabha should set high standards for other elected bodies to emulate; particularly the state legislatures and zilla parishads". On this occasion he released two books – *Socio-Economic Profile of Members of Rajya Sabha (1952-2002)* and *Humour in the House: A glimpse into the enlivening moods of Rajya Sabha*. The Deputy Chairman, Dr. (Smt.) Najma Heptulla also released two publications of the Rajya Sabha.

\* Kum. Arti Nirmal, M.A.- I (English), Banaras Hindu University, Varanasi

In the seminar, Prof. Madhu Dandavate, Dr. L.M. Singhvi, Shri Harish Khare, Shri Ranganath Misra, Shri P. Shiv Shanker, Shri R.C. Tripathi, Shrimati V.S. Rama Devi, Shri Kuldip Nayar and Prof. (Smt.) Noorjahan Bava were some of the illustrious names who threw focus on the functioning of the Upper House and its important role in our constitutional mechanism. Making a comparative analysis, Dr. L.M. Singhvi said, "Rajya Sabha and Lok Sabha are like twin pillars of the Parliament where both are equally important." Of the view that the description of the Rajya Sabha is misconceived as the 'House of Elders', he further said, "while the Council of States could not bring down a government, it made a valuable contribution through meaningful deliberations." The Seminar that continued for nearly four hours not only enlightened me with the valuable thoughts of the men of letters who had come from different walks of life but it also fulfilled my aspirations of wanting to meet them personally. Undoubtedly, it was a wonderful experience that left an indelible print in my mind.

Once the Seminar was over, the first person whom I got the opportunity to meet was Dr. Manmohan Singh, who is also known as the propounder of the new economic policy in India. His simplicity, scholarship and magnificence were already known to me and the way he spoke to me did not make me feel that he was unacquainted with me. At that time I had no inkling that I was meeting the future Prime Minister of India. Thereafter, I talked to Dr. (Smt.) Najma Heptulla whose affable personality deeply impressed me. I was fortunate enough to meet personally the famous journalist and Rajya Sabha member Shri Kuldip Nayyar, a senior statesman Prof. Madhu Dandavate and other well reputed personalities about whom I had heard and read a lot in print and electronic media. It would be no exaggeration to say that the Seminar was an edifying experience.

After lunch, all the students were taken to the Parliament House on a show-round. Speculating on the magnificent architectural construction, I came to realize that the Parliament House is not only a monument but also a symbol of the unity and integrity of India. It would always remain a source of inspiration of love for the nation and patriotism.

Lastly, I would like to express my deep sense of gratitude to the Rajya Sabha Secretariat for giving me this opportunity to participate in this distinct Seminar which has been an honour for all the students who participated in it. I hope that in future too, such type of programmes will be organized in which the students will also be given a chance to express their thoughts. It would inspire them to perform an active and positive role in the interest of the country.



## A REMARKABLE AND UNFORGETTABLE DAY IN MY LIFE\*

When I heard I was selected to attend the 200<sup>th</sup> Session of Rajya Sabha, I became extremely excited as it was like a dream to me. To go to Rajya Sabha and meet its eminent members was really a great opportunity for me. We were five in number from our university and were greeted warmly at the Rail Niwas, New Delhi.

The same morning at 9.00 a.m. we were taken to Parliament House Annexe by bus which was arranged by the Rajya Sabha Secretariat. We were then escorted to the Main Committee Room. There were about 80 students from different organizations and institutions present in that hall. We gladly received the gift packs of Rajya Sabha and other parliamentary publications arranged by the Rajya Sabha Secretariat.

At about 10.30 a.m. the hon'ble Vice-President of India and Chairman of Rajya Sabha, Shri Bhairon Singh Shekhawat arrived. He was received by the hon'ble Deputy Chairman, Dr. (Smt.) Najma Heptulla and the Secretary-General, Dr. Yogendra Narain. Thereafter, the Vice-President lighted the lamp. The programme began with a welcome address from the Secretary-General of Rajya Sabha. Afterwards, the Vice-President and the Deputy Chairman released four books of which one was called *Humour in the House : A glimpse into the enlivening moods of Rajya Sabha*. The Vice-President gave the inaugural address to us.

The actual Seminar started at 11.00 a.m. and its topic was – 'Role and Relevance of Rajya Sabha in the Indian Polity'. There were many eminent figures from different spheres of life — academicians, journalists, jurists, parliamentarians and former Secretaries-General — who spoke in the Seminar. Among them were Prof. Madhu Dandavate, Dr. L.M. Singhvi, Shri Harish Khare, Shrimati V.S. Rama Devi, Prof. (Smt.) Noorjahan Bava, Shri Kuldip Nayar, Shri P. Shiv Shanker and to my greatest pleasure, our recently elected Prime Minister, Dr. Manmohan Singh.

\* Ms. Merry Saha, B.A.(Part-III), English Hons., Vasant Kanya Mahavidyalaya, Banaras Hindu University, Varanasi

The discussion on the whole laid emphasis upon the importance of Rajya Sabha for the democratic progress of our country. Every one clearly agreed that Rajya Sabha is a symbol of unity in diversity, of different cultures and heritage. It has efficiently played its role as a deliberative and legislative body. Prof. Noorjahan Bava commented :

When our freedom fighter Shahid Bhagat Singh exploded a bomb in the assembly house and did not run away from the police to save his life, he was confident enough that he wanted the Government to hear their grievances. Thus the bomb was exploded to make the deaf hear.

Those speakers who were members of Rajya Sabha pointed out that 'discussion' and 'awareness' were the most important aspects of democracy, which Rajya Sabha fulfilled satisfactorily. Besides, the members of Rajya Sabha, who were nominated on their individual merit were mature and capable enough to discuss regional and national issues. They were really serving the common masses in a desirable manner and hence, Rajya Sabha could take the lead to work in the interest of the deprived sections of society and other social work.

In between the Seminar we even had a tea-break and lunch afterwards. After this meeting we were taken on a show-round of the Parliament House where the Secretariat Officers explained to us about the parliamentary procedures of the House. Finally, we were dropped back to the Rail Niwas by bus. The 14<sup>th</sup> of December 2003 has remained a remarkable and unforgettable day in my life forever.

Jai Hind.



## PLAYING AN EFFECTIVE AND BALANCING ROLE IN OUR DEMOCRATIC SYSTEM\*

Rajya Sabha, the Second Chamber of Parliament was established on 3 April 1952. It is also known as the Council of States. It represents the federal character of our polity. During the last 50 years, Rajya Sabha has come forth as a parliamentary institution of great repute, which has vastly contributed to democracy, acting as the representative of the millions of our country.

One of the objectives of having an Upper House was to give opportunity for the representation of eminent people who have special knowledge and practical experience in various fields of literature, arts and science and thus facilitate qualitative debate. The functioning of Rajya Sabha has been marked by dignity and remarkable sensitiveness to public opinion. Many eminent personalities from different fields have served as members of Rajya Sabha. They are a galaxy of scholars, educationists, historians, scientists, artists, poets, litterateurs, jurists, engineers, economists, administrators and social workers.

Rajya Sabha cannot make or unmake the government. However that the government is equally accountable to both the Houses become quite apparent when the party in power does not enjoy majority in Rajya Sabha. Some times there may arise a conflict between the two Houses. In the case of a Money Bill, Lok Sabha clearly enjoys primacy over Rajya Sabha. However, there is no provision for resolving a disagreement if it arises between the two Houses in regard to a Constitutional Amendment Bill. On four occasions, Rajya Sabha has positively played its role as a constitutional body.

In case of a dispute in enacting of ordinary law between the two Houses, there is a provision in Article 108 of the Constitution for the joint sitting of both Houses. There have been three occasions in the past when the Houses of Parliament had met in a joint sitting to discuss the Dowry Prohibition Bill, 1959, Banking Service Commission (Repeal) Bill, 1977 and recently, the Prevention of Terrorism Bill, 2001. So the legislative function of the Rajya Sabha is of immense importance.

\* Shri Dilip Kumar Jauhar, Ph.D. Scholar, Department of History, Babasaheb Bhimrao Ambedkar University, Lucknow

The Rajya Sabha may be a Second Chamber but functionally, many laws have been passed in Rajya Sabha, which are in the interest of the weaker sections of our society. The formal presentation of legislations in Rajya Sabha such as the Medical Termination of Pregnancy Bill, 1969, the Marriage Laws (Amendment) Bill, 1999 and the Hindu Marriage and Divorce Bill, 1952, etc., shows the sensitivity of the House to women related issues. The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Bill, 2001 in the Rajya Sabha acknowledges the reality that a girl child is not even safe in her mother's womb.

There are several other areas where Rajya Sabha is having equal powers with Lok Sabha. During national and financial emergencies and the breakdown of the constitutional system in a State, Rajya Sabha has equal powers with Lok Sabha. Indeed, Rajya Sabha has special powers in regard to the dismissal of an Assembly and the creation of one or more All India Service. Rajya Sabha also has restricted powers in financial matters.

Women members of the Rajya Sabha have made notable contributions to the parliamentary business. Smt. Indira Gandhi, the first woman Prime Minister of India was a member of Rajya Sabha, when she became Prime Minister for the first time. Dr.(Smt.) Najma Heptulla has the honour of being the longest serving Presiding Officer of the Upper House. She was also the first woman President of the Inter-Parliamentary Council of the Inter-Parliamentary Union (I.P.U.).

During the span of fifty years, Rajya Sabha has played a distinguished role as a deliberative body and as a revisory House. It has played an effective balancing role between the government and the opposition as per the norms of a true and practical democratic system, which was the dream of the father of our Constitution, Dr. Babasaheb Bhimrao Ambedkar.



## YOUNG INDIA — WAITING IN THE WINGS\*

The Day is vivid in my mind. I was in 9<sup>th</sup> standard, in my civic class, my teacher was lecturing on the Parliament of the country. She suddenly stopped and asked how many of us would join politics. I was the only one who raised my hand. She asked me why. I said that *I wanted to make India the strongest and the most powerful country of the world in all aspects and to achieve this I shall become the PM after 10 years*. She laughed and said that even to become the Member of Parliament I will have to wait for another 13 years as the minimum age is 25 years and probably even longer for becoming the PM.

From there to the day I entered the Parliament House complex during the Seminar conducted to celebrate the 200<sup>th</sup> session of the Rajya Sabha, it's been quite a journey. The dream was buried in the grinds of normal expectations from parents, teachers and friends and was rekindled when I entered the Lok Sabha. But I really don't know if I will ever make an effort to turn it into reality. The following paragraphs probably to some extent give the reason for this.

The young citizens of India today feel that the politics of the country is controlled by an elite few and hence they see politics with growing disenchantment. These elite few are considered as either people who belong to the family of the existing politicians or people with money and power. The belief that all politicians are corrupt is as common as the air on the planet itself and to consider the profession as a career option is thought blasphemous.

If we look back at the 1950s and the time of our independence, most of the politicians were very educated and were considered statesmen in the true sense. They were people of the highest moral order and it was considered sacrilegious among them to put anything other than the country, first. Fast-forward to the today's world and the story is diametrically opposite. The number of politicians who can share the dais with those great people of yesteryears can be counted on fingers of one hand; forget about even considering the present lot in the same league. Couple this with the criminal records and the innumerable scams associated with today's politicians and we have the perfect driving force for further pushing down the image of the profession among the young and the

educated. Considering this, is there any hope for the country? How do we change the trends and bring more and more young people into the system?

If there were a system which would define an eligibility criterion for the MPs with strict laws on debarring people who are charge-sheeted or have criminal records might increase the interest among the young Indians. Also the age of the Parliament House is a very big psychological factor that acts as deterrence. In fact among all the countries that are either on equal grounds with respect to development or better than Indian, the average age of Indian Parliament House must be the highest. If there were an upper limit to the age of MPs like the lower limit, it would give strong signals about the professionalism of the system.

Also the young citizens should be educated of their responsibilities of the country even while they are in schools. Regular events like this Seminar should be conducted, where the students and young people get to know the system and understand its nitty-gritty. The students being invited to meet the top leaders of the country and being given the opportunity to interact with them will definitely help in creating role models in the young minds that they will try to emulate. Hopefully, it will be then that we can say India has dawned to the twenty-first century in the true sense as its young are willing to shoulder its burden and carry it forward to higher heights of achievements.

\* Shri Vikas Goyal, DMS, Indian Institute of Technology, Delhi



## AN EXPERIENCE OF A LIFETIME\*

The 14<sup>th</sup> December 2003 was just like any other Sunday. But when I was awakened by the bright rays of the morning Sun at about 7:30 a.m., I was feeling terribly excited. The reason was not far to seek. It was the day when the institutional embodiment of our democracy and the sovereign authority of our people, the Parliament of India, had thrown open its doors to the students. And I was one of the few lucky ones who had been given this rare opportunity. In all, some eighty odd students had been invited from the Central Universities, the Indian Institutes of Technology (IITs) and the Indian Institutes of Management (IIMs). The occasion was the 200<sup>th</sup> session of the Council of States or the Rajya Sabha (as it is more commonly referred to). The event was a Seminar on the theme "Role and Relevance of Rajya Sabha in Indian Polity" organised by the Rajya Sabha Secretariat in collaboration with the Indian Institute of Public Administration at the Main Committee Room in the Parliament House Annexe.

The delegation from the IIT Delhi (of which I was a member), reached the venue well before the stipulated time of 10.30 a.m. After the normal security check up at the gate, we were led into the Parliament House Annexe where an exhibition was on display. The pictures and words of some of the pioneers of our democracy like Dr. S. Radhakrishnan, Pt. Jawaharlal Nehru and others were really moving and kindled a profound sense of patriotism in all of us. Inside the Main Committee Room, the seating arrangement was very systematic. Each institution had been allocated five seats and the name of the institution was displayed in front of all its allocated seats.

At 10.30 a.m., the hon'ble Vice President of India and Chairman of the Rajya Sabha, Shri Bhairon Singh Shekhawat inaugurated the Seminar. After his speech, the gathering was addressed by several eminent parliamentarians, academicians, jurists, journalists and statesmen, most notable of them being Dr. (Smt.) Najma Heptulla (Deputy Chairperson, Rajya Sabha), Prof. Madhu Dandavate, Shri Era Sezhiyan, Shri P. Shiv Shanker, Shrimati V. S. Rama Devi, Shri L. M. Singhvi, Shri Harish Khare, Shri Ranganath Misra, Shri Kuldeep Nayar, Shri R. C. Tripathi and Prof. (Smt.) Noorjahan Bava. To mark the occasion,

\* Shri Amardeep Singh, Research Scholar, Department of Civil Engineering, Indian Institute of Technology, Delhi

the Chairman and the Deputy Chairperson of the Rajya Sabha released four publications brought out by the Rajya Sabha Secretariat. These publications included: *Socio-economic Profile of Members of Rajya Sabha (1952-2002)*; *Private Members' Legislations*; *Women Members of Rajya Sabha*; and *Humour in the House: A glimpse into the enlivening moods of Rajya Sabha*.

The lectures delivered in the Seminar were very thought provoking and offered a wealth of information on the Constitution of India, bicameralism as practised in India and elsewhere as well as the day-to-day functioning of the House of Elders. The hon'ble Deputy Chairperson had the entire gathering up in roars when she mentioned as to how they inform certain senior members of the House beforehand about the pending (pre arranged) pandemonium so that they can make arrangements well in advance. In the same vein, she cautioned her colleagues to be careful lest they divulged certain well-kept secrets of the House before the Secretary-General of the Lok Sabha (who was also present on the occasion). Dr. Heptulla also issued one of the most moving statements, when she asked with her usual innocent flamboyance "Why are you young folks always full of hatred for us politicians? What have we done to deserve your hatred?" This statement really had me thinking as to why I have always considered politics to be a dirty game, which is not to be played by any clean and honest person. Here I was, with some of the longest serving politicians and they were as much clean and honest as any of us. I feel that we citizens should not blame the entire political class because of the errors committed by a few. Also, it was heartening to know that Dr. Heptulla had been elected as the President of the Inter-Parliamentary Union (IPU) which was a historic achievement as it was for the first time in the annals of IPU that a woman had been elected unanimously as the President.

After the Seminar, we had a sumptuous feast. I saw that most of the hon'ble Members were taking only boiled vegetables but we younger lot tasted all the delicious and spicy items except the boiled vegetables. The dessert consisting of pastries and ice creams was also a treat for our taste buds. The feast was followed by a photo session. After the photo session we were all taken to the Parliament House in the buses. We were shown both the Houses, which present a unique sight. The splendour and the aura of the Parliament are really tremendous. We all felt our memories drifting to the nationalists of yesteryears who had laid down their lives so that our own people could sit in these Houses. I only hope that the persons who occupy these Houses in the times to come would be worthy of the sacrifices made by those heroes.



Finally, I can say that it was really a very enjoyable exercise in which we not only saw some of the most revered leaders but also interacted with them and exchanged views on a number of points. One of the most important inferences of the day's proceedings was the realisation that dawned upon all of us that the Rajya Sabha is the embodiment of the federal character of our Constitution at the national level. Also, we came to know that the Rajya Sabha enjoys certain special powers which are not given to the Lower House like the resolution seeking the removal of the Vice President (Article 67), creation of one or more All India Services like IAS (Article 312) and empowerment of the Parliament to make laws with respect to any matter enumerated in the State List (Article 249). Dr. S. Radhakrishnan, the first Vice President of India and the first Chairman of the Rajya Sabha, while responding to the felicitations of the Council of States on 13 May 1952, defined in broad terms the functions of the House and stated "There are functions which a revising Chamber can fulfil fruitfully. Parliament is not only a legislative but a deliberative body. So far as its deliberative functions are concerned, it will be open to us to make very valuable contributions, and it will depend on our work whether we justify this two Chamber system, which is now an integral part of our Constitution." In the first fifty years of its existence, the Rajya Sabha has engaged itself incessantly to translate the lofty vision of the founding fathers of our nation to action. In the coming times, with the prospects of hung Parliament looming large, the Rajya Sabha would have a major role to play in the governance of the nation. One can only hope that the Rajya Sabha would continue the good work that it has been doing so far and hence would prove to one and all that it is the second and not the secondary chamber of Parliament.

## PROVIDING OPPORTUNITY TO WITNESS THE HISTORIC EVENT\*

Firstly, I would like to thank the Rajya Sabha officials who thought of such an activity and gave us the opportunity to attend the same. It was an awesome opportunity for me to see and understand the Rajya Sabha and the Parliament too. The Seminar and related events did leave an everlasting impact on my political perception and belongingness with the nation and its highest body.

For the first time, I could understand why the Rajya Sabha is called the 'House of Elders' and the role it has played in the Indian democratic polity. I could understand that the members of Rajya Sabha are not just another group of politicians. The Rajya Sabha has always tried to be above party politics and has tried to relate to the downtrodden and the weaker sections of the society. After listening to the speakers and especially Dr. (Smt.) Najma Heptulla, the stature of these leaders, their concerns and their ideology became much clear. The experience of these leaders and eminent personalities from various sections of the society did make them apt for the Elders' House. These elders also have lighter moments during their work; the book, 'Humour in the House: a glimpse into the enlivening moods of Rajya Sabha' very well depicts this. This shows definitely that the parliamentarians are not too different from common man; they also live like the common man, at least some of them. But still, the concern remains that even though so many parliamentarians have been working for the betterment of the society and its people, then why so many people still don't get the basic amenities like food, clothing and shelter even in this era of technological advancements and scientific progress? Have these leaders forgotten the essence of being a parliamentarian and above all being an Indian? Have they forgotten the ideology of Rajya Sabha?

The visit to the Parliament House, the temple of democracy, was another experience of its kind. For the first time in my life, I went inside this House and somehow it made me feel more Indian and understand what exactly it takes to be a parliamentarian. Most of us, the common people, always hate politics

\* Shri Manoj Jhanwar, Indian Institute of Technology, Delhi



and the politicians for the kind of image they have generated during the past few years/decades, but at that point I had respect for them as our leaders.

After coming back to the hostel, I was feeling very fortunate for the opportunity I had got to be a part of the celebrations of the 200<sup>th</sup> Session of Rajya Sabha. I was full of respect for the parliamentarians present at the Seminar, felt proud to be an Indian and to witness such an activity. I would like to conclude by thanking the concerned officials and persons for organizing such an activity.

## PROVIDING A BETTER INSIGHT INTO RAJYA SABHA AND THE INDIAN POLITY\*

The opportunity to attend the Seminar on "the Role and Relevance of Rajya Sabha in Indian Polity", as a part of the 200<sup>th</sup> Session celebrations of the Rajya Sabha, was indeed a life time opportunity for someone like me, a student and a young citizen of India. In a time when politics and anything related to politics is considered to be just a topic of discussion at the time of election, by most of the youth of India, such an initiative taken by the Rajya Sabha definitely indicates that there are some politicians and leaders of this age who believe that truly "the youth is the future of India". This step not only gave me a chance to see what exactly Rajya Sabha is... Why the House of Elders? I could associate myself in a better manner than just reading about the Indian Parliament in the text books of class VII. As a citizen of the country, I had always looked up to Lok Sabha and could never understand Rajya Sabha more than that any Bill needs clearance from both Houses and no Money Bill is introduced in the Rajya Sabha. Listening to the experiences and the concerns of senior parliamentarians, elderly statesmen and intellectuals of the society, gave me a better insight into the whole system of the Indian polity and the significance Rajya Sabha holds. Over the years, Rajya Sabha has indeed assumed a more dynamic role in deliberating issues of common concern and bringing out legislations of far reaching significance. Active participation of its members in the proceedings of various committees also highlights the expanding role of Rajya Sabha.

After listening to the speeches made by the eminent speakers like Prof. Madhu Dandavate, Shri Kuldip Nayar, Shri Ranganath Misra, Dr. L.M. Singhvi and others, the first thing which came to my mind and others who had accompanied me was that the stature and the respect that these parliamentarians hold was unsurpassable. Their thinking and belief do make them different from the so called "politicians". A personal interaction with Dr. (Smt.) Najma Heptulla and Dr. Manmohan Singh impressed me to such an extent that for a moment I thought of politics as an option for my career, after I graduate. I could very clearly understand that Rajya Sabha has given representation, as Shri Gopalaswami Ayyangar, a legal luminary and a member of the Constituent

\* Shri Abhey Kumar, Indian Institute of Technology, Delhi



Assembly had aptly said, "to the seasoned people who may not be in the thickest of political fray, but who might be willing to participate in the debate with an amount of learning and importance".

The book, "Humour in the House : A glimpse into the enlivening moods of Rajya Sabha" erased the common perception that the politicians are in the Parliament only to fight amongst themselves, sometimes beating each other too and breaking benches. Very truly again, the Rajya Sabha is the "House of Elders" who know who they are and the people of India they represent in this august House. Rajya Sabha has definitely succeeded in combining dignity with intense activity. To some extent, Rajya Sabha has also been able to make its members look above and think beyond party politics.

There were a few questions that arose after the Seminar and after talking to the eminent personalities present. The foremost is that why the Rajya Sabha and also to some extent the Parliament should be a place for debates only? Can we not have a system where it is more than just debating and raising issues, i.e., actual implementation in a better and faster manner. The system which was designed at the time of Independence might have been well thought of and would have surely been able to keep watch and monitor the functioning of the government. So why a large section of society is still under the poverty line? Why so many people are not able to earn for their living? Why the difference between the various sections of society is so wide? Why is India shining only for some and not for all? Probably, because none of us have vision for future and all of us don't think beyond today. These are a few questions to be answered by the Rajya Sabha and some vision needs to be drafted out soon by the seniors and told to us, the next generation of leaders of this nation.

The visit to the Parliament of India, both the Houses and the Central Hall, was another activity which had a great impact on me. I could feel myself more close to the highest body of the citizens of India. I could understand that being a parliamentarian is not just another day to day activity. One has to live up to certain expectations of the peers, the media and above all the people of India. I would like to conclude by saying that this activity taken up by the Rajya Sabha has indeed been successful in spreading some good word about politics as such and making the youth understand the Rajya Sabha better. I would like to sincerely recommend and suggest to the officials to take such steps in future as well so that the people of India can understand the Parliament better and shall look up to it as their own body and not the body of the people they elect.

And, also that Rajya Sabha is the Second Chamber and not a secondary chamber. The elders should be more proactive in making the younger ones follow the right path leading to the interests of the downtrodden and suffering sections of our society.

I would like to thank the officials of Rajya Sabha who took such an initiative and gave us, the students and the youth of India, the opportunity to know the Rajya Sabha and its members. I do not know the objective of the organizers behind this activity. All I can say is that this activity has indeed given us better insight and respect for Rajya Sabha and the Indian polity as well.



## A UNIQUE AND MEMORABLE EXPERIENCE\*

The 200<sup>th</sup> Session of Rajya Sabha was celebrated during the last winter session. Certain programmes and activities were organized to commemorate the occasion. As a corollary to that, a Seminar on the theme "Role and Relevance of Rajya Sabha in Indian Polity" was organized in collaboration with the Indian Institute of Public Administration on 14 December 2003, in the Main Committee Room, Parliament House Annexe. The Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat inaugurated the Seminar at 10:30 a.m. Eminent speakers from different walks of life namely, Prof. Madhu Dandavate, Shri Era Sezhiyan, Shri P. Shiv Shanker, Shrimati V. S. Rama Devi, Shri L. M. Singhvi, Shri Harish Khare, Shri Ranganath Misra, Shri Kuldip Nayar, Shri R C. Tripathi and Prof. (Smt.) Noorjahan Bava spoke in the Seminar. Eighty-six students from the Central Universities, IITs and IIMs witnessed the proceedings of the Seminar. A live webcast of the proceedings of the Seminar was made available on the Rajya Sabha Website and was made accessible directly at <http://www.rajyasabha.nic.in/webcast/rajyalive-file.html>.

Four publications brought out by the Rajya Sabha Secretariat to mark the occasion were released by the Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat and the Deputy Chairperson, Rajya Sabha, Dr. (Smt.) Najma Heptulla. The titles of these publications are: (i) *Socio-economic Profile of Members of Rajya Sabha (1952-2002)*, (ii) *Private Members' Legislation*, (iii) *Women Members of Rajya Sabha* and (iv) *Humour in the House: A glimpse into the enlivening moods of Rajya Sabha*.

A briefing was also done on the automation efforts within the Rajya Sabha Secretariat and the use of internet in dissemination of parliamentary information.

In his welcome speech, Secretary-General, Rajya Sabha, Dr. Yogendra Narain observed that "the aim of the Seminar is two-fold: awareness creation and self education. Awareness among those who see Parliament from the prism of the outside world and who are going to be the leaders of tomorrow — the

\*Shri Alankar, Centre for the Study of Law and Governance,  
Jawaharlal Nehru University, New Delhi

youths and self education for those who live in the world of parliamentary life and would like to learn from the experience of those who have preceded them in this vocation."

The Chairman of Rajya Sabha, Shri Bhairon Singh Shekhawat, observed that "...public perceptions of the functioning of the democracy is not only based on the quality of governance provided by the executive but also on how far the proceedings in the House are relevant for its welfare. Rajya Sabha has performed this role remarkably well, deliberating fruitfully on numerous socio-economic issues and passing legislations aimed at the welfare of the people. Rajya Sabha has, indeed, emerged as a front ranking Second Chamber translating successfully the principles of bicameralism into practice."

Next, the panel which included academicians/ journalists/ jurists/ parliamentarians/ former Secretaries General spoke and discussed how the Rajya Sabha represents the federal character of our polity and also how functioning within the parameters established by the Constitution, it has during the past five decades emerged as a parliamentary institution of great repute with proven record of performance which has immensely contributed to consolidate democracy, ensure scrutiny of the executive, act as the spokesperson of the struggling millions of our country and above all, live up to the expectations of founding fathers of our republic.

The issues which came up for a very thought provoking discussion included some of the following:

- the relevance of an "indirectly elected chamber" in this age of mass democracy and direct elections.
- concern over the role, money power has come to play in the election of candidates. How almost all political parties are now reduced to selecting those candidates who can finance their way into the Rajya Sabha. A consensus was formed that this is bound to disturb not only the representative character of the Upper House but it also defeats the original purpose of having a Second Chamber.
- the Constituent Assembly had debated at considerable length over the desirability of having a Second Chamber. As an example, it was told as to how N. Gopalaswami Ayyangar, who piloted the Second Chamber motion on behalf of the Union Constitution Committee, succinctly summed up the rationale: "What we really achieve by the existence of



this Second Chamber is only an instrument by which we delay action which might be hastily conceived and we also give an opportunity, perhaps to seasoned people who may not be in the thickest of the political fray, but who might be willing to participate in the debate with an amount of learning and importance which we do not ordinarily associate with a House of People."

- how in recent months, the Rajya Sabha did become the voice of sobriety during the POTA debate.
- how bicameralism is an institutional arrangement designed to provide insurance against legislative tyranny of the popular lower chambers. The speakers agreed that this original purpose has more than been justified in recent years, especially now that the same political party / parties does not enjoy a majority in both the Lok Sabha and the Rajya Sabha.
- Despite the impression that Rajya Sabha does not have a say in financial matters as the Money Bills are not introduced in Rajya Sabha, the role assigned to it in this regard is by no means insignificant. The Constitution provides that the Annual Budget of the Union Government is to be laid before both the Houses of Parliament and Rajya Sabha discusses the General Budget and the Railways Budget. No money can be withdrawn from the Consolidated Fund of India unless the Appropriation Bill has been approved by both the Houses of Parliament.

It can be said that the Seminar thoroughly discussed how during the span of five decades, the Council of States has played a remarkable role as a dignified, responsive and responsible House. Compared to many other Second Chambers in the world, Rajya Sabha has given a good account of its performance. It has succeeded in combining dignity with intense activity. Rajya Sabha's record in initiating legislative measures is a testimony to the fact that while it may be a Second Chamber, it cannot be treated as a secondary chamber. Numerous legislations have been introduced in Rajya Sabha, the depth and content of which encompassed the interests of the downtrodden and suffering sections of our society.

Last but not the least, the very courteous organisers of the Seminar made possible a trip to the Parliament House for the students attending the Seminar. It was certainly a unique and memorable experience for the students.

---

---

## LETTERS OF APPRECIATION

---

---



Era Sezhiyan  
Former Member of Parliament

32-33, TAS Enclave,  
AK Block, Annanagar,  
Chennai - 600 040.

December 24, 2003

Respected Chairman,

I am thankful for the kind invitation extended to me to participate in the Seminar held recently on 'Role and Relevance of Rajya Sabha in Indian Polity'.

The Seminar was timely on the remarkable contribution made by the Second Chamber in the constitutional and federal structure of the Parliamentary system in India.

The 200<sup>th</sup> Session of the august House is an historic landmark. The double century on the scoreboard is a remarkable achievement on any count and, that too, with a 'Not Out' position.

As a former Member of Rajya Sabha, I should record my deep appreciation for the excellent arrangement made by the Rajya Sabha Secretariat for a successful seminar. The books presented to us on the occasion dealing with the *Socio-Economic Profile of Members of Rajya Sabha (1952-2002)*, *Private Members' Legislation*, *Women Members of Rajya Sabha* and *Humour in the House - A glimpse into the enlivening moods of Rajya Sabha* are informative sources of reference of longstanding value. The Rajya Sabha Secretariat has done exceedingly well not only to collect basic material of interest for these compilations, but also in presenting them in good print and pleasing get-up of the hard cover.

Further, there was a good innovation on your part in inviting students of wellknown Universities and IITs to attend the Symposium. The upcoming youngsters got an opportunity to come in personal contact and to understand the importance and working of the apex legislature of the nation.

With my warm regards,

Yours sincerely,

Sd/  
(Era Sezhiyan)

Shri Bhairon Singh Shekhawat,  
Chairman, Rajya Sabha  
Parliament House,  
New Delhi - 110001.



December 25, 2003

To

The Deputy Chairperson,  
Rajya Sabha,  
New Delhi.

Sub: Regarding National Seminar on "Role & Relevance of Rajya Sabha in Indian Polity" held on 14th December 2003 at Parliament House Annexe, New Delhi.

Hon'ble Madam,

With all humility & sincerity I would like to present my heartiest gratitude on behalf of Babasaheb Bhimrao Ambedkar University, Lucknow to Rajya Sabha. It is a matter of great privilege to me that I had a great opportunity in my life to see and listen the eminent personalities of my country. It enriched me with political and social awakening.

Madam, let me allow to present hereby my feelings on the Seminar:

1. The Seminar "Role & Relevance of Rajya Sabha in Indian Polity" was valuable, educational and prominent for the students.
2. The speech given by the Deputy Chairperson was marvelous, motivational, energetic and par excellence especially for the students.
3. It could have been more beneficial for the students if they had been allowed to ask questions to eminent guest speakers in the open house discussion.
4. The Seminar was organized in a very excellent manner.
5. The Rajya Sabha should give a certificate to each & every participant for attending the Seminar.
6. Fare of the journey (to & fro) should be provided to the participants.

Last but not least, I would like to thank Deputy Director, Shri S.D. Nautiyal for an excellent arrangement of boarding & lodging of students and having cordial relationship with students.

Faithfully yours,  
Sd/  
(Dilip Kumar Jauhar)  
Ph.D. Scholar,  
Deptt. of History,  
Babasaheb Bhimrao Ambedkar University,  
Lucknow.

**Subject: Happy New Year**

**Date:** Tue, 6 Jan 2004 12:06:03 +0530 (IST)

**From:** "Ashish Mehta (00004011)" <[boamehta@civil.iitb.ac.in](mailto:boamehta@civil.iitb.ac.in)>

**To:** "Dr. Yogendra Narain" <[yogendra@sansad.nic-in](mailto:yogendra@sansad.nic-in)>

Respected Sir,

First of all I would like to wish you a very happy and prosperous (belated) new year. I am sorry for being too late in writing this mail.

Sir, I would like to thank you for organising such an inspiring trip to the Rajya Sabha and an educative Seminar on "Role and Relevance of Rajya Sabha in Indian Polity" on the occasion of the 200<sup>th</sup> session of the Rajya Sabha. The whole idea, planning and execution of the program was excellent and all of us learned a lot from it.

Sir, I would like to request you that (if possible) such Seminars should happen more often to increase the understanding of Indian polity by the students.

Thanking you,

Sincerely yours,

Ashish Mehta  
(On behalf of the Students of IIT, Bombay)



---

---

**MEDIA COVERAGE OF  
SEMINAR**

---

---



## RS should address key issues first : Shekhawat\*

### *Poverty, electoral reforms & national security*

Vice President and Rajya Sabha Chairman Bhairon Singh Shekhawat on Sunday said that it is essential for the Upper House to focus on the key issues like poverty alleviation, electoral reforms and national security.

"To make the performance of the Rajya Sabha more relevant and effective in meeting the present and future challenges, there is a need to ponder as how to redefine and reorient the role of the Upper House," he said.

Inaugurating a seminar on the *Role and Relevance of Rajya Sabha in Indian Polity* to mark the 200th session of the Upper House, the Chairman said it is essential to evolve an approach of action-based on consensus not only among political parties but also between the Centre and the States on issues like poverty alleviation, population stabilisation, electoral reforms, speedy justice and national security.

He said many programmes touched upon the sensitivity of the Centre-State relation and observed that the Rajya Sabha has to be concerned over the States' aspirations like inter-state water disputes and the national mission for inter-linking of rivers, an official Press release said.

The Chairman said as the House of Elders, the Rajya Sabha should set high standards for other elected bodies, including State legislatures and Zila Parishads, to inspire the younger generation and secure their participation in improving public governance and nation building.

Mr. Shekhawat and Rajya Sabha Deputy Chairperson Najma Heptulla released four books—*Humour in the House*, *Socio-Economic Profile of Members of Rajya Sabha*, *Women Members of Rajya Sabha* and *Private Member's Legislation*—published by the Rajya Sabha.

\*The Pioneer (New Delhi), 15 December 2003



## Redefine Rajya Sabha role, says Shekhawat\*

Vice-President Mr. Bhairon Singh Shekhawat today emphasised the need for redefining and re-orienting the role of the Rajya Sabha to make its performance more relevant and effective so that the vision of making India the frontline nation by the year 2020 could be achieved.

Mr. Shekhawat who is also the Chairman of the Rajya Sabha was speaking at a seminar today on 'Role and Relevance of Rajya Sabha in Indian Polity.' As part of the celebrations of the 200<sup>th</sup> Session of the Rajya Sabha, the seminar was organised by the Rajya Sabha in collaboration with the Indian Institute of Public Administration.

Mr. Shekhawat said the Rajya Sabha has a special role in bringing about coherence and congruence in national and state development policies. He also emphasised that the Upper House would have to take the lead and set high standards for other elected bodies to emulate such as the State Legislatures and Zilla Parishads.

He called upon students to further strengthen the rules of

democracy and the opportunity to build a strong and powerful India.

Dr. Najma Heptulla, who concluded the session, said that in the 1950s the cream of the society joined Parliament, whereas today the youth have indifferent attitude towards politics. Exhorting the students to shun cynicism, she emphasised the need for an interactive and inclusive democracy.

On the occasion Mr. Shekhawat released a book, *Socio-Economic Profile of Members of Rajya Sabha (1952-2002)*. He also released another book titled *Humour in the House: A glimpse into the enlivening moods of Rajya Sabha*. Dr. Heptulla also released two books—*Women Members of Rajya Sabha* and *Private Member's Legislation*. While the book on women members covered significant contributions of women members in the field of legislation in the House and the book on private members dealt with the initiative of private members in legislation in the House.

Among others who spoke at the function included Prof. Madhu Dandavate and Dr. L. M. Singhvi.

\*The Statesman (New Delhi), 15 December 2003

## 'RS must be alive to states' aspirations'

Vice President and Chairman of Rajya Sabha, Bhairon Singh Shekhawat on Sunday stressed the need for Rajya Sabha to be sensitive and concerned with the aspirations of the States.

Addressing a seminar on the "Role and Relevance of Rajya Sabha in Indian Polity" organised by Rajya Sabha Secretariat along with the Indian Institute of Public

Administration, he said; "In the present political scenario, Rajya Sabha has a special role in bringing about congruence in national and State development policies." He said the Upper House needs to be concerned with issues like the interstate water disputes and interlinking of rivers which touch upon the sensitivity of Center-State relations.

## To mark its 200<sup>th</sup> session, RS plays host to students\*\*

In a way they were special guests invited to see how they reacted to the Parliament and parliamentarians. They were not only university students but those studying in IITs and IIMs across the country, called to watch a seminar on "Role and Relevance of Rajya Sabha in Indian Polity."

The Rajya Sabha Secretariat chose an apolitical class of youth, possibly for the first time in its history. Over 80 students from 10 Universities, seven IITs and two IIMs attended the seminar held at the Parliament House Annexe on Sunday.

It was organised to mark the 200<sup>th</sup> session of the Upper House, and was addressed by Rajya Sabha Chairman and Vice-President Bhairon Singh Shekhawat.

Senior parliamentarian Madhu Dandavate, Dr L. M. Singhvi, former Chief Justice of India, Ranganath Misra, former Union Minister P. Shiv Shanker, journalists Harish Khare and Kuldip Nayar, former governor V. S. Rama Devi, Era Sezhiyan, R. C. Tripathi, Prof. Noorjahan Bava, Secretary General of Lok Sabha G. C. Malhotra and Deputy Chairman of Rajya Sabha, Najma Heptulla spoke at the event.

\*Hindustan Times (New Delhi), 15 December 2003

\*\*The Asian Age (New Delhi), 15 December 2003



The students might have taken a keen interest in the seminar but the attendance of sitting Rajya Sabha members was very thin.

Mr Shekhawat said the Rajya Sabha has to be sensitive and concerned with the aspirations of the States. In the present political scenario, it has a special role to bring about coherence and congruence in national and state development policies.

## Shekhawat wants role of Rajya Sabha reoriented\*

The Vice-President and Chairman of Rajya Sabha, Bhairon Singh Shekhawat, today stressed the need for the redefining and reorienting the role of the Upper House of Parliament to make it more relevant and effective in meeting the present and future challenges that confront India as it tries to realise the vision of becoming a frontline nation by 2020.

Inaugurating a seminar on 'Role and Relevance of Rajya Sabha in Indian Polity' here as part of the ongoing celebrations of the 200<sup>th</sup> session of the Upper House. Mr. Shekhawat said the Council of States had a special role to play in bringing about coherence in national and State development policies. Also, according to him, the Rajya Sabha

Many programmes and projects of national importance often touch upon the sensitivity of Center-State relations. "Inter-State water disputes and national mission for interlinking of rivers are the typical examples. Rajya Sabha would need to be concerned with such sensitive issues and evolve suitable and appropriate manner of performing its role towards addressing these issues", he said.

should set high standards for other elected bodies to emulate particularly the State Legislatures and zilla Parishads.

With the seminar being tailored to provide a forum for retrospection – for members of the Upper House and those having a say in policy-making both within and outside the establishment – the deliberations centred around the contributions made by the Rajya Sabha in the past five decades. How it could become more meaningful to Indian polity, and the role of bicameralism in the Indian context. Of the view that the description of the Rajya Sabha as the 'House of Elders' was misconceived, the former Indian High Commissioner to the U.K., L. M. Singhvi, said that

\*The Hindu (New Delhi), 15 December 2003

while the Council of States could not bring down a government, it made a valuable contribution through meaningful deliberations.

### *Domicile clause*

The former member of the House, Kuldip Nayar, said a study of the membership of the Rajya Sabha from 1952-2002 revealed that five per cent of the elected members do not belong to the States they have been elected from. Referring to these members as 'domiciled outsiders', he said the need of the hour was to strengthen the domicile clause and not abolish it.

Referring to the first session of the Rajya Sabha, Harish Khare of The Hindu said a member from the State of Madras, H.D. Rajah, had raised the problem of water scarcity and it "still remains with us".

## Students' Day out in Rajya Sabha\*

The 200<sup>th</sup> session of the Rajya Sabha was celebrated recently in the Capital. On the occasion, 83 students belonging to as many as 18 educational institutions of repute, from all over India participated in the function. The function was inaugurated by the Vice-President of India and Chairman, Rajya Sabha,

Citing various such issues which were brought up in the House over the years, he said many of them merit attention at the national and international levels.

Besides a number of eminent personalities representing different walks of life, the seminar was attended by 83 students from various Central universities, the Indian Institutes of Technology and the Indian Institutes of Management.

On the occasion, the Vice-President, released two books – 'Socio-Economic Profile of Members of Rajya Sabha (1952-2002)' and 'Humour in the House: A Glimpse into the enlivening moods of Rajya Sabha – and the Deputy Chairperson of Rajya Sabha, Najma Heptulla, released two other publications of the Rajya Sabha Secretariat – 'Women Members of Rajya Sabha' and "Private Members" Legislation".

Bhairon Singh Shekhawat. The seminar entitled 'Role and Relevance of Rajya Sabha in Indian Polity' saw eminent parliamentarians like Deputy Chairperson of Rajya Sabha, Najma Heptulla, Madhu Dandavate, and Kuldip Nayar, to name a few and journalist Harish Khare of The Hindu, who provided students with

\*The Times of India (New Delhi), Education Times, 22 December 2003



interesting insights into the functioning of the Rajya Sabha since 1952. This was the first time that students were invited to a function such as this one. According to a student of IIT Kharagpur, Saket Kumar, "This was a new experience for me. It was an exhilarating feelings to hear seasoned parliamentarians and people from other walks of life, on the role of Rajya Sabha and its coming of age over the year". His counterparts Sandeep Kumar Singh, Aayush Jain and Alok Kumar echoed the same feelings. Students were overall satisfied to have participated

in the event. A student Alekh Tiwari from Lucknow said the decision to invite students from prestigious institutions of India was a good one showed the polity's interest in encouraging young blood's participation. He remarked, "I came to know about the functioning of the Rajya Sabha and what it stands for, in the future as well. I would like to attend more such conferences with my colleagues". Another student from IIT Mumbai Harsh Roy was of the opinion that such events actually helped to bridge the divide between the polity and the youth.

## राज्य सभा को और प्रभावी बनाने की जरूरत : शेखावत \*

उपराष्ट्रपति भैरोसिंह शेखावत ने राज्य सभा की भूमिका को और अधिक प्रासंगिक और प्रभावी बनाने की जरूरत पर जोर दिया है। राज्य सभा के 200वें सत्र के उपलक्ष्य में आयोजित 'भारतीय व्यवस्था में राज्य सभा की भूमिका और प्रासंगिकता' विषयक सेमिनार में शेखावत ने कहा कि वर्तमान और भविष्य की चुनौतियों के बीच में राज्य सभा की भूमिका पर गहन विचार विमर्श की जरूरत है।

शेखावत ने कहा कि राज्य सभा को राज्यों की अपेक्षाओं के संबंध में और अधिक संवेदनशील और जागरूक रहना चाहिए। सांसदों को उच्च सदन की

मर्यादा का ध्यान रखते हुए ऐसे उच्च मापदंड स्थापित करने चाहिए जिससे राज्य विधानमंडल और जिला परिषद जैसी निर्वाचित संस्थाएं उनका अनुसरण करें।

शेखावत ने कहा कि राज्य सभा को अन्तर्राज्यीय जल विवादों, नदियों को आपस में जोड़ने की राष्ट्रीय परियोजना जैसे विषयों पर अपना ध्यान केन्द्रित करते हुए इनके समाधान की दिशा में काम करना चाहिए। सेमिनार में बड़ी तादाद में विद्यार्थियों ने भी हिस्सा लिया। उन्हें संबोधित करते हुए शेखावत ने कहा कि युवा ही भारत की नई शक्ति हैं।

\*नवभारत टाइम्स (नई दिल्ली), 15 दिसम्बर 2003