RAJYA SABHA

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*SYNOPSIS OF DEBATE

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(Proceedings other than Questions and Answers)

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Monday, November 18, 2019 / Kartika 27, 1941 (Saka)

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OBITURAY REFERENCES

MR. CHAIRMAN: Hon. Members, I refer with profound sorrow to the passing away of Dr. Jagannath Mishra, former Member of this House; Shri Arun Jaitley, sitting Member; Shri Sukhdev Singh Libra, former Member of this House; Shri Ram Jethmalani, sitting Member and Shri Gurudas Dasgupta, former Member of this House.

Dr. Jagannath Mishra passed away on the 19th of August, 2019, at the age of 82 years.

Born in June, 1937, Dr. Jagannath Mishra was educated at the T.N.B. College, Bhagalpur, the L.S. College, Muzaffarpur and the Bihar University.

An economist, Dr. Mishra started his career as a Lecturer of Economics and went on to become Professor of Economics at the Bihar University. He was actively involved in the 'Bhoodan Movement' started by Acharya Vinoba Bhave and donated most of his inherited land to the landless. Popularly known as a crusader for the cause of Bihar, Dr. Mishra was instrumental in setting up several educational institutions and colleges across Bihar and in piloting programmes aimed at the social and economic emancipation of people

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*This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.

below the poverty line. He also took a keen interest in promoting the cause of Urdu, for which he was conferred the title of 'Meer-e-Urdu'. He has a number of research papers and books on socio-economic development to his credit.

Dr. Mishra started his legislative career as a Member of the Bihar Legislative Council in the year 1968. He became a Member of the Bihar Legislative Assembly in 1972 and remained a Member of that Assembly for five terms. He also served as the Leader of Opposition in the Bihar Legislative Assembly twice - from March, 1978 to June, 1980 and again, from March, 1990 to April, 1994. Dr. Mishra served as the Chief Minister of Bihar for three terms- from April, 1975 to April, 1977; from June, 1980 to August, 1983 and from December, 1989 to March, 1990.

Dr. Jagannath Mishra represented the State of Bihar in this House for two terms- from April, 1988 to March, 1990 and again from April, 1994 to April, 2000. He also served as the Minister of Rural Areas and Employment in the Union Council of Ministers, from June, 1995 to May, 1996 and as Minister of Agriculture for a brief period from February to May, 1996.

In the passing away of Dr. Jagannath Mishra, the country has lost a distinguished parliamentarian, an able administrator and a dedicated social worker.

Shri Arun Jaitley passed away on the 24th of August, 2019, at the age of 66 years. Destiny has untimely snatched a sagacious leader, a legal luminary and a towering intellectual from our midst.

Born in December, 1952 at New Delhi, Shri Arun Jaitley was educated at the Shri Ram College of Commerce and the Faculty of Law, University of Delhi.

An outstanding student, who excelled equally in academics and extra-curricular activities, Shri Jaitley was drawn to politics, right from his student days. He was elected President of the Delhi University Students Union in 1974 and soon joined the movement

against corruption led by late Shri Jayprakash Narayan and was imprisoned during the Emergency.

An advocate by profession, Shri Jaitley started practising law in 1977 and was designated as a Senior Advocate by the Delhi High Court in 1990. His legal prowess led to his appointment as the Additional Solicitor General of India in 1989, at a very young age of 37 years. His legal acumen and inherent perspicacity gave him a sharp edge in winning an argument and established a stature worth reckoning amongst the legal fraternity.

Shri Arun Jaitley was a Member of this House for four consecutive terms representing the State of Gujarat— from April, 2000 to April, 2006; from April, 2006 to April, 2012 and again from April, 2012 to April, 2018 and the State of Uttar Pradesh from April, 2018 till his untimely demise.

Shri Arun Jaitley served in the Union Council of Ministers holding the key portfolios of Information and Broadcasting; Disinvestment; Law, Justice and Company Affairs; Commerce and Industry; Shipping etc., during the period from 1999 to 2002 and 2003 to 2004. He also held the crucial portfolios of Defence, Finance, Corporate Affairs and Information and Broadcasting, from May, 2014 to May, 2019.

He left an indelible mark on all the Ministries he handled. He was instrumental in piloting several important legislations, including the GST Act, Insolvency and Bankruptcy Code, the Benami Transactions Act etc., which projected India as a modern economy. He also played a key role in the implementation of Government initiatives like, Jan Dhan Yojana; linking of Aadhaar with bank accounts for Direct Benefit Transfer; merger of the Rail Budget with the General Budget; merger of Public Sector Banks etc., and also took several steps to control and eliminate black money from the economy.

Shri Arun Jaitley also served as the Leader of Opposition in Rajya Sabha from June, 2009 to May, 2014 and as the Leader of the House in Rajya Sabha from June, 2014 to May, 2019. He was the recipient of the Outstanding Parliamentarian Award for the year 2010

for contributing significantly towards strengthening of the country's democratic traditions and institutions and enriching the Parliamentary system.

The stellar contribution of late Shri Arun Jaitley, as the Leader of the Opposition and also the Leader of the House, to the proceedings of this august House is a matter of record. There can't be two views on his contribution during these ten years towards enriching the discussions in the House on a range of issues by way of his perspicacious articulation besides resolving several contentious situations. By the virtue of such contributions, I have no hesitation in describing him as a quintessential parliamentarian.

For me, Arunji was an epitome of versatility, a multifaceted genius whose wise counsel and sagacity, I have always relied upon. His clarity of thought, strength of conviction, effective communication skills and ability to present perspectives made his speeches in the House and public forums memorable. He was a democrat to the core and a consummate strategist, knowing when to take a hard stance and when to be accommodative. This talent combined with his innate and unique ability of offering solutions, without compromising on the basic position, made him the most effective interlocutor of the Government, both inside and outside the Parliament. I hope, all Members will ungrudgingly agree that even in times of disagreement over certain issues, they could not help admire the force of Shri Jaitley's viewpoints. His urbane and genteel approach and the friendship which he forged beyond party lines endeared him to one and all in the political spectrum.

He touched the lives of so many that he will be missed by one and all for his insights into the major issues of our times, which enriched public and parliamentary discourses.

A cricket enthusiast, Shri Jaitley served as the President of DDCA and later became Vice-President of the BCCI. During his long tenure, he brought about tremendous positive changes in the cricket infrastructure, particularly in Delhi. He also has several publications on legal and current affairs to his credit.

In the passing away of Shri Arun Jaitley, the country has lost an outstanding parliamentarian, a legal luminary, an eloquent orator, an able administrator and a man of impeccable integrity, who inspired one and all with his exemplary presence in social, political, legal and economic spheres. His void is irreparable and will be deeply felt in political circles.

Shri Sukhdev Singh Libra passed away on the 6th of September, 2019, at the age of 86 years.

Born in November, 1932, in Libra Village of District Ludhiana, Punjab, Shri Sukhdev Singh was educated at the Shri Guru Govind Singh High School, Khanna, District Ludhiana, Punjab.

An agriculturist, Shri Libra started his legislative career as a Member of the Punjab Legislative Assembly in 1985 and remained its Member till 1988. He served as the Chairman of the Scheduled Castes Welfare Corporation, Punjab, from December 1997 to June, 1998. He was also a Member of the Shiromani Gurudwara Prabandhak Committee (SGPC).

Shri Sukhdev Singh Libra represented the State of Punjab in this House, from July, 1998 to May, 2004. He was also a Member of the Fourteenth and Fifteenth Lok Sabha.

In the passing away of Shri Sukhdev Singh Libra, the country has lost a distinguished parliamentarian.

Shri Ram Jethmalani passed away on the 8th of September, 2019, at the age of 95 years.

Born in September, 1923 at Sindh (now in Pakistan), Shri Ram Jethmalani was educated at the S.C. Shahani Law College, Karachi.

A child prodigy, Shri Ram Jethmalani completed his matriculation at the age of 13 and had a law degree, when he was just 17. His wizardry made him a lawyer at the age of 18, when the minimum age of 21 years was the requirement in the Sindh Court to

be designated as lawyer. After partition, he moved to Mumbai, where he did his LLM from the Bombay University.

Shri Jethmalani having himself experienced the trauma of partition, always fought for the rights of the refugees, kept himself involved in social work and gave special impetus on clearance of slums. He was termed as the undisputed champion of cross-examination and was most sought by one and all. He was known for his substantial legal work pro bono for helping the needy.

Shri Jethmalani served as the Chairman of the Bar Council of India for four tenures, a Member of the International Bar Association in 1966, Professor Emeritus for Symbiosis Law School, Pune and as the President of the Supreme Court Bar Association. He was also instrumental in the setting up of the National Law School of Indian University, Bengaluru.

Shri Jethmalani started his legislative career as a Member of the Sixth Lok Sabha, in the year 1977, and also served in the Seventh Lok Sabha.

Shri Ram Jethmalani was a Member of this august House for six consecutive terms. He represented the State of Karnataka from April, 1988 to AprIl, 1994; the State of Maharashtra from April, 1994 to April, 2000 and from April, 2000 to April, 2006; as a Nominated Member from April, 2006 to August, 2009; the State of Rajasthan from July, 2010 to July, 2016 and the State of Bihar from July 2016 till his sad demise. He served in the Union Council of Ministers as Cabinet Minister holding the portfolios of Law, Justice and Company Affairs and Urban Development in 1996 and during the period from 1998 to 2000.

Shri Jethmalani authored a number of books, notable amongst them being 'Conflict of Laws,1955', 'Big Egos and Small Men, 2007', and 'Conscience of Maverick, 2007'. He also wrote a number of articles for magazines and leading dailies and co-authored several books on different fields of laws.

He was a recipient of the Human Rights Award by World Peace Through Law, in the year 1977, for his contribution to the field of law.

In the passing away of Shri Ram Jethmalani, the country has lost an advocate par excellence, a great champion of legal assistance to the needy and an outstanding Parliamentarian.

Shri Gurudas Dasgupta passed away on the 31st of October, 2019, at the age of 82 years.

Born in November, 1936, at Barisal, now in Bangladesh, Shri Dasgupta was educated at the Asutosh College and University College of Arts and Commerce, Kolkata.

A trade unionist and social worker, Shri Dasgupta was drawn to the political milieu right from his student days. He served as the President and General Secretary of the Undivided Bengal Provincial Students' Federation, from 1958 to 1960. He led the Indian Delegation to the World Youth Congress in Budapest in 1970. He also served as the Vice-President of the Bharatiya Khet Mazdoor Union and as General Secretary of the All India Trade Union Congress. He was elected as a member of the National Secretariat of the Communist Party of India in 2004 and went on to become the Deputy General Secretary of the Party.

He has several publications and articles on socio-economic problems to his credit, and the notable being the 'Securities Scandal and a Report to the Nation'.

Shri Gurudas Dasgupta represented the State of West Bengal in this House for three terms--from March, 1985 to April, 1988; from April, 1988 to April, 1994; and, again from April, 1994 to April, 2000. Shri Dasgupta was also a Member of the Fourteenth and the Fifteenth Lok Sabha. He evinced keen interest in the proceedings of the House. He was a Member of many Parliamentary Committees. He forcefully raised the issues pertaining to the working class, rural poor masses and the farmers in distress, in the House as well as in the Committees. A noted trade unionist, an excellent orator, Shri Gurudas Dasgupta used

to be heard with rapt attention even from his political-ideological opponents.

In the passing away of Shri Gurudas Dasgupta, the country has lost a veteran trade unionist, an eloquent orator, an able parliamentarian, and the working class, its champion.

We deeply mourn the passing away of Dr. Jagannath Mishra, Shri Arun Jaitley, Shri Sukhdev Singh Libra, Shri Ram Jethmalani and Shri Gurudas Dasgupta.

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT AND THE LEADER OF THE HOUSE (SHRI THAAWAR CHAND GEHLOT)): Dr. Jagannath Mishra, Shri Arun Jaitley, Shri Sukhdev Singh Libra, Shri Ram Jethmalani and Shri Gurudas Dasgupta are now no more among us. They all had special achievement in their respective field. He was a good orator, possessed of good administrative abilities and had a special affection for me. I consider the damage done to the nation by the death of Arun Jaitley as my personal loss. Shri Ram Jethmalani also did not live among us. He was also a legalist, an expert in law, often presenting his ideas to enhance the dignity of the House. I relate myself to your feelings and your statement and pay tribute to the five late dignitaries.

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD): Honorable Chairman, Sir, I include myself in the late leaders whom you paid tribute on your behalf, today we are paying tribute to those leaders who have served the country, state and people through politics. Shri Jagannath Mishra ji did a great job in every form, whether he was in the Vidhan Sabha, or as the Chief Minister or as a Union Minister. He was never called the leader of the upper caste. He was always called the leader of backward classes, Dalits and minorities. The country has suffered a lot due to his death.

Sir, as far as Arun Jaitley ji is concerned, sometimes our political sourness used to change into sweetness due to our personal relationships. Personal relationships were closer to us than our political relationships. He was a very good politician and a very good orator. He was a very good player and a very good lawyer. Despite

his poor health, he did not stop to meet friends, neither political leaders nor the media. He survived the relationship till his last moment. With his death, not only the Bharatiya Janata Party, but the country has suffered a lot. Arun Jaitley was also the Leader of the Opposition in this House. Even when he was the Leader of the Opposition, he did a very good job. I pray to God, to Allah that his soul may rest in peace.

Mr. Sukhdev Singh Libra, who was earlier the Akali Dal's M.P. And later died as MP of Congress. I pay my tribute to him. Shri Ram Jethmalani, who is known all over the world for his pleadership continued his practice and playing temperament till the last moment. He befriended people of all ages. He will always be remembered in his field and out of it.

Gurudas Dasgupta was very familiar to me personally. He was one of the most talkative and most attacking leaders on the government. He was the most educated and he always fought for the working class inside the house and outside both the houses. I pay homage to these leaders on my behalf, on behalf of my party, God bless their souls.

SHRI DEREK O'BRIEN: On behalf of All India Trinamool Congress, we join you in paying tribute to these five eminent Parliamentarians. Shri Gurudas Dasguptaji, after he passed away, the Trinamool Chairperson summed it up beautifully by saying, 'Saddened at the passing away of Gurudas Dasguptaji. He will be remembered for his contribution to the nation as a Parliamentarian and a trade union leader. Ram Jethmalani ji was not 95 years old, he was 95 years young. He promised to come to Calcutta in January, 2019. But, he could not come there. We will all miss him greatly. We will also miss Jagannath Mishra ji and Libra ji. Arun Jaitley ji, to many of us, was a mentor in Parliament. Our condolences from the Trinamool Party and Mamata ji to Sangeeta Doly, his children Sonali and Rohan, and all his admirers and colleagues. We could learn decency from all these parliamentarians. That could be the biggest tribute to these gentlemen.

SHRI A. NAVANEETHAKRISHNAN: Myself and my party AIADMK is joining this House in paying our deep condolences to these parliamentarians, especially Ram Jethamalani ji and Jaitley ji because I came to know of them through my leader, Amma. Their loss is really irreparable to our democracy and the legal fraternity.

PROF. RAM GOPAL YADAV: Chairman Sir, I associate myself to the views and tributes expressed by you for the departed souls. Gurudas ji was a very good parliamentarian. Basically, Mr. Jethmalani ji and Shri Arun ji were both of the same profession, but both were also big opponents of each other. The sad thing is that Arun ji left very early. We will always miss Arun ji. As a human being, he was a very gentle and generous person. We are very sad because of his departure. I can only pay my tribute to him. I am very saddened by his departure.

SHRI PRASANNA ACHARYA: On behalf of my party, the Biju Janata Dal and on my own behalf, I pay my sincere tribute in the memory of all these departed leaders, Dr. Jagannath Mishra, Shri Arun Jaitley, Shri Sukhdev Singh Libra, Shri Ram Jethmalani and Shri Gurudas Dasgupta. All the five were very eminent Members of this House. Their contribution to this House and also to the country, through this House, is noteworthy. I had my personal relations with Arun Jaitley ji since I was a student. As for Shri Gurudas Dasgupta and Shri Ram Jethmalani, I need not add anything about them, the whole country knows about them. I once again pay my sincere tribute and homage to these great leaders on behalf of my party and all the members of my party.

SHRI SHARAD PAWAR: Dr. Jagannath Mishra was a highly respected member of the House, with whom I sometimes got a chance to work. He was a good man and today he is no longer with us. There are so many things to talk about Arun Jaitley ji. He took charge of the Akhil Bharatiya Vidyarthi Parishad. He started his politics from there. He had a great knack for sports. He was the President of Delhi Cricket. He had a lot of knowledge about every cricket player of the country. He always worked to help everyone. Ram Jethmalani ji was from the city of Mumbai. He was a great barrister of the country. His

stature in the field of law was such that no one could match him. Gurudas Dasgupta ji was a very active parliamentarian. He was particularly focused on the problem of workers, the problem of farmers. I used to get a chance to meet Sukhdev Singh Libra ji at some or the other time. His main focus was on agricultural problems and farmers. I pay tribute to all these dignitaries on behalf of my party and in person.

SHRI RAM CHANDRA PRASAD SINGH: I pay tribute to all the departed leaders on behalf of my party and myself. Dr. Jagannath Mishra ji was the Chief Minister of Bihar thrice and the decisions he made especially in the field of education, had a great impact there. Arun Jaitley ji was greatly attached to Bihar. His departure has certainly caused great loss to the country. Ram Jethmalani ji was our MP from Bihar. He was a very good lawyer. He used to talk on all issues. Gurudas Das Gupta ji used to raise the issues of workers with great force. I pay tribute to all these departed leaders.

DR. K. KESHAVA RAO: I stand here to share the sentiments expressed by you on the demise of these five eminent persons. Shri Arun Jaitley was an omnipresent man. Mr. Jethmalani was known to me personally and we felt like we were part of a family. He was a multi-faceted social man. I would not speak much. The lesser I speak the greater would be my tribute.

SHRI T.K. RANGARAJAN: With the demise of Shri Gurudas Dasgupta, trade union movement and the Left movement lost a great leader. Shri Ram Jethmalani was a very nice person. Despite difference in age, whenever I approached him, he responded. As far as Shri Arun Jaitley is concerned, he was a very, very nice man. I definitely pay my respects to all the five persons.

SHRI TIRUCHI SIVA: I pay tributes on behalf of the DMK Party and join the sentiments of this august House. We are mourning the passing away five of our distinguished colleagues. Shri Ram Jethmalani is no more, but his assertive voice with conviction is still lingering in our ears. Shri Gurudas Dasgupta and Shri Jagannath Mishra were known to us, especially Shri Arun Jaitley. He was an

ocean of knowledge. The performance of him on both the sides of the House is still remembered. His demise is a great loss.

SHRI VEER SINGH: I would like to associate myself with all the speakers on the demise of Dr. Jagannath Mishra ji, Shri Arun Jaitley ji, Shri Sukhdev Singh Libra ji, Shri Ram Jethmalani ji and Shri Gurudas Dasgupta ji, on behalf of my Bahujan Samaj Party and my leader, sister Kumari Mayawati to pay tribute to all these departed souls.

SHRI V. VIJAYASAI REDDY: On behalf of my Party and my Party President, Shri Jaganmohan Reddy Garu, I join you in paying tributes to five great departed leaders. The death of Shri Arun Jaitley is a great loss not only to the Parliament as an institution, but also to the country as a whole. Shri Arun Jaitley was a visionary, an inspiring leader, a born leader and a lead parliamentarian with vast experience.

SHRI VAIKO: Shri Gurudas Dasgupta and I were very good friends. Mr. Arun Jaitley was a man for friendship. As far as Ram Jethmalani ji, I am in tears because after I took oath, I went to his house and he blessed me. Then, again, after a week I met him and he blessed me in four, five words. I shed my tears for him.

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI RAMDAS ATHAWALE): I pay tribute to Dr. Jagannath Mishra ji, Shri Arun Jaitley ji, Sukhdev Singh Libra ji, Ram Jethmalani ji and Gurudas Dasgupta ji on behalf of RPI. Their contribution to the society and country has been huge. Jagannath Mishra ji was the Chief Minister of Bihar and he had great reverence for the farmers. Arun Jaitley ji was a good-natured leader. He was a very expert speaker. I have to say about Ram Jethmalani ji that he always worked for justice. I pay tribute to all these leaders on behalf of my Republican Party of India.

SHRI SANJAY RAUT: Another name for the struggle was Arun Jaitley and we have been with him in all his struggles. Arun Jaitley was a lawyer, but I always saw that he was a lawyer who never lied in politics and personal life. The departure of Arun Jaitley ji has

also caused a big loss to the Shiv Sena personally. I pay tribute to him from my party and from Uddhav Thackeray.

SHRI BINOY VISWAM: On behalf of the Communist Party of India, I join the sentiments of the House in paying tribute to the great leaders. I could talk to Shri Arun Jaitley only once. Shri Gurudas Dasgupta was a great fighter, who fought throughout his life for the cause of the working class. Shri Gurudas Dasgupta had a crusading mind against corruption. His slogan to the workers was, 'live to fight and fight to live' I bow my head not only to the memory of Shri Gurudas Dasgupta, but to the great memory of all the five great leaders.

PROF. MANOJ KUMAR JHA: Mr. Chairman, Sir, I rise on behalf of my political party, Rashtriya Janata Dal, to join you in the sentiments that have been expressed for all the leaders whom we have lost. There is no mechanism even with the Almighty to replace a person by another person.

SHRI JAGAT PRAKASH NADDA: Mr. Chairman, I pay tribute to all the departed personalities on my behalf and on behalf of my party. As far as Shri Jagannath Mishra ji is concerned, we were totally opposed to the ideological background, but despite this, as a student activist whenever we met him, he always listened to us and tried to give shape to our plans. As far as Shri Arun Jaitley is concerned, I pay tribute to him on behalf of me and my party. His personality was so vast that he had the power to accommodate everyone. He was soft-spoken, a repository of knowledge and there was no such subject, which you could not discuss with him in depth. He was a multifaceted personality. The great loss for our party is in the way that they had a huge contribution in expanding their ideology and in advancing the ideology. His biggest contribution was that in approving his party's ideology, increasing its acceptance, he had a huge contribution in this. As far as Mr. Sukhdev Singh Libra Saheb is concerned, he had a sensitive personality. He did a lot of work for Punjab and for the country. As far as the question of Shri Gurudas Das Gupta ji is concerned he kept fighting for the poor sections and the people of trade unions. As far as Shri Ram Jethmalani ji is concerned,

he had a great strength that he could speak in the protest atmosphere also Used to keep it vigorously. I pay tribute to all the departed souls on my behalf and on behalf of my party.

SHRI ANAND SHARMA: Shri Arun Jaitley was also the Leader of Opposition, Leader of the House, I had a very personal relationship with him. I would say that we were of different ideologies. Our ideological contradictions were also there, but the differences of our thoughts or ideas never changed in the mind. I will say only one thing and as you also said that perhaps if Arun ji would not have that capacity of being a bridge builder, to talk to others, to raise his hand, to take steps, then the big performances would not have been carried in the last tenure of the government. I pay my respects to him.

(One Minute's silence was observed as a mark of respect to the memory of the departed.)

SPECAIAL DISCUSSION ON THE ROLE OF RAJYA SABHA IN INDIAN POLITY AND NEED FOR REFORMS

MR. CHAIRMAN: Hon. Members, the opportunities of being a part of unique and landmark events in one's lifetime come rarely. I have heard many expressing a sense of deprivation for not being part of the freedom struggle and witnessing the subsequent dawn on the 15th of August, 1947. I was one among them, to be honest.

Today, all of us have the honour of being associated with and part of the historic 250th session of this august House. I compliment all of you for this rare and unique opportunity worth cherishing for a long time.

Rajya Sabha came into being after extensive deliberations by the Constituent Assembly over the need for a second chamber of Parliament. Some opposed it and others supported it and in the process of that debate, the role and mandate of this august House was well defined.

This House held its first sitting on May 13, 1952. During the last 67 years, Rajya Sabha has played out its role in the socio-economic transformation of the country. This was also the period when democracy in our country grew from strength to strength consolidating itself with every election, defying the prophets of doom. We have adopted and executed the parliamentary democracy as the cardinal principle of governance based on rule of law and equality.

This momentous occasion is an opportune time for collective reflection on the journey so far and sincere introspection over the missed opportunities. This is warranted so that we don't repeat the mistakes, if any, of the past. We need to learn from the experience of the last 67 years and if we don't, there is an inherent risk of making ourselves irrelevant. That is precisely the reason for today's discussion on "The Role of Rajya Sabha in Indian Polity and the Way Forward ".

To give a brief account of the journey of Rajya Sabha since 1952, during the last 249 sessions, this august House held 5,466 sittings and passed as many as 3,817 Bills. These include several pioneering and far-reaching legislations that rewrote the socio-economic landscape of our country. A publication titled 'Rajya Sabha: The Journey since 1952' brought out by the Rajya Sabha Secretariat was released yesterday among the leaders. It captures the finer and salient features of the contribution of this august House.

Our country has come a long way from the testing times of Independence to now being a voice to be heard in the complex global order. There were a number of challenges that stared at India at the stroke of freedom such as poverty, illiteracy, poor healthcare, low level of industrialization and economic growth, social orthodoxy, poor infrastructure, unemployment, inefficient agriculture, weak governance and financial institutions, inadequate institutional framework, etc. Such a state of affairs set the agenda for the legislatures of sovereign Republic of India, and in particular, for the Parliament of India. The apex legislature of our country went about the task of nation-building in a methodical and graded manner addressing different challenges from time to time, guiding the nation through the complex cobwebs. As a result, economic and human

development indicators have substantially improved leading to better quality of life over the years. We are the world's largest democracy and a leading engine of global economic growth today.

Rajya Sabha, with its unique role and position in our parliamentary scheme of things, made its contribution to the making of India of today. To summarise the same, from passing the Hindu Marriage and Divorce Bill in 1952 to the Muslim Women (Protection of Rights on Marriage) Bill in 2019, from imposition of additional excise duty on dhotis to introduction of the transformative Goods and Services Tax in 2017, from passing the Industrial Disputes (Amendment) Bill in 1954 to the New Delhi International Arbitration Centre Bill in 2019, from clearing the Andhra State Bill in 1953 to the Jammu and Kashmir Reorganisation Bill in 2019, from passage of the All India Institute of Medical Sciences Bill in 1955 to the National Medical Council Bill in 2019, from setting up of the University Grants Commission in 1954 to empowering the Children with the Right to Free and Compulsory Education in 2009 and from passing the Preventive Detention (Second Amendment) Bill in 1952 to the Unlawful Activities Prevention (Amendment) Bill in 2019, this august House has played a significant role in addressing the challenges faced besides meeting the requirements of the nation from time to time.

But we still have miles to go and make up for the time lost and opportunities missed, and in particular, about the functioning of this august House.

Hon. Members, this is an occasion for recalling the good things done and pat on our backs. But all is not well. There is a lot to be desired with widespread public concerns over the way we have been conducting ourselves in the House. These concerns are very well known and I don't want to go into them in great detail. The question that each one of us need to ask of us is: Are we contributing to enhancing the standing of this august institution by our words and deeds both within the House and outside? Looking for answers helps in mending our ways.

This House of Elders is virtually co-equal with the House of the People except in matters of No-confidence Motions and Money Bills.

Our former President and a veteran Member of this august House, Shri Pranab Mukerjee, in his article in Hindustan Times today said that since its inception in 1952, the Rajya Sabha not only guided the law making process but also prevented hasty legislation, working on the federal principles of Indian polity. He further said and I quote: "It will be desirable on the part of the Members of Rajya Sabha to remember that they have to maintain a fine balance between becoming obstructionist or redundant. The Rajya Sabha cannot mischievously veto everything and anything that the Lok Sabha passes and become obstructionist, and at the same time, it should not rubber stamp anything and everything passed by the Lok Sabha, lest it becomes redundant."

I am sure the sagacious words of Shri Pranab Mukherjee will provide necessary guidance for conducting ourselves in this august House. The French constitutional expert, Abbe Sieyes, once quipped and I quote: "If a second chamber dissents from the first, it is mischievous; if it agrees, it is superfluous."

So, what emerges is that the hon. Members of this august institution should enrich the proceedings of the House with enlightened discussions and debates by bringing into play their wisdom, knowledge and expertise and by presenting different perspectives on any issue under the consideration of the House. Pranab da says and I quote: "As the Members are chosen by the respective parties, it is expected that more politically astute persons will come to the Rajya Sabha. The 12 members nominated by the President of India are a further representative of this expectation. It is indeed supposed to enrich the deliberative character of the Parliament."

Hon. Members, over the last two years since assumption of this august office, I have been regularly voicing my concerns over the functioning of our legislatures in general and of this House in

particular. As you all discuss the need to improve the functioning of this august House, I suggest some issues for your consideration in future:

Adequacy of the number of the sittings in the context of the House meeting for about 60-70 days in a year now, keeping in view the nature and volume of legislations and time available for discussing issues of public importance;

Adequacy of the present Rules of Business of the House and changes required, if any;

Adequacy and effectiveness of various instruments presently available for the Members to present their views on legislative proposals and raising issues of public concern;

Adequacy and effectiveness of the present procedures currently being followed in the House;

Norms to be followed for enabling equitable and wider participation of Members in the debates;

Ensuring Members with right background and abilities to enrich debates are sent to this House;

Ensuring self-discipline on the part of the Members to ensure compliance with the Rules of the Business for orderly functioning of the House;

Requirement of infrastructure support to the Members to enable informed contribution to the debates in the House;

Ensuring adequate presence of Members in the House all through the proceedings and in the meetings of the Department Related Standing Committees and other Committees of the House; and

Technology adoption for improving the functioning of the Members and for more lively conduct of the proceedings of the House.

I am sure that all of you would sincerely review the journey of this august institution over the last 67 years and come out with useful suggestions on reforms required and the way forward so that this exalted institution can rise to the heights that are expected of it. Your suggestions will be given a serious consideration.

Hon. Members, I mentioned it to the leaders of the political parties yesterday, I would like to repeat it again with agony. A week back, a Standing Committee appointed by the Parliament, led by Shri Jairam Ramesh was able to complete its work and submit the first report. That is the positive side. One Committee when its meeting was called, 25 of the 29 Members were absent from the meeting which drew widespread criticism across the country. I did not mention any Member's name. Unfortunately, some newspapers of today carried a name also on their o wn. I did not mention. I have no intention. My desire is to see that all the leaders and political parties prevail upon their own Members to see that they attend these meetings of the Standing Committees because we are all aware that the Standing Committees when they do, they do more constructive, meaningful and purposeful work and come with suggestions out of the wisdom of all the Members of the Committee.

So, keeping that in mind, I would like to make an appeal to all--this is not concerned to one party or other--to see that Members, who are the Members of any Committee, to please do attend the Committees' meetings regularly and enrich the discussion. That is my appeal.

Then, on this momentous occasion, I compliment and thank all the 2,282 Members who have had the honour of being part of this journey, the Presiding Officers, Panel Chairpersons, Leaders of the House and Leaders of the Opposition, Ministers, leaders of various parties in the House, staff of the Secretariat, the media and the people for contributing to this journey.

The last Session of the House has proved to be the most productive in several years and let us continue with that spirit.

This is my observation on this occasion of the 250th Session of Parliament. Now, we go ahead with the views to be expressed by different people of this House, and we will commence it with the intervention of the hon. Prime Minister. Now, the hon. Prime Minister.

Hon'ble Prime Minister (Shri Narendra Modi): Hon'ble Chairman and respected Members of the House I congratulate all the MPs present here for this 250th session. The journey that has taken place during these 250 sessions, all the people who have contributed in this so far, they all are entitled to greetings, I respectfully remember them. Chairman Sir, when you were just presenting two different events in a very articulate way, I think that people who are fond of writing in the country will definitely look at it now, will write 250 sessions . It is a time lapse in itself, it is not so, it has also been a thought journey. As you said that once such a bill came along with it the new Bill came in this way. Time changed, circumstances changed and this House assimilated the changed circumstances and tried to mold itself. I think it is a very big thing and all the Members of the House who have worked till then deserve compliments.

Otherwise someone can think that 20 years ago I had taken this stand so how can I change my stand now. The manner in which you have articulately presented this thing, that reflects our thought process, the path of growth of India and also that how India has the capacity to lead the world in various new fields. This House has done this work, therefore this House feels proud in its own self. I feel priviledged that I got an opportunity today to witness this significant occasion and also to be able to participate in it.

It is clear that architects of Constitution were discussing some time whether there should be one House or two Houses, but the experience tells us today that whatever arrangement was formulated by architects of Constitution, that has been very appropriate and its contribution has been very significant. If the Lower House is linked to the ground, the Upper House can see far and wide. Therefore, the Lower House reflects the contemporaneous things in the path of growth of India linked to the ground whereas farsightedness of the

great persons sitting in the Upper House bestowes upon us their experience. This way we have seen the combination of the two through both the Houses. This House witnessed many historical moments. It has made history, and also seen the history being made as well as achieved great success in giving turn to the history if required. In the same manner, reputed and well known great persons of this country have led this House, have participated in this House and consequently have further enhanced the path of growth of our country. Many things were to be given shape after independence. Lot of things have already taken shape after 50-60 years, but we had to pass through the fear of unknown during initial stages. It is appreciated that all those who led through that phase with maturity and contributed their lot were great persons.

Hon'ble Chairman Sir, this House is very distinctive and has two special aspects. One is that it is permanent or lets say eternal, and other is its diversity. It is permanent or eternal in the sense that it has never dissolved so far since its inception and will never dissolve whereas Lok Sabha dissolves. People will come and go but this system will remain eternal. This is its own characteristic. The other is diversity because here the priority is the representation of the States. The spirit of federal structure of India motivates us each moment here. In this House we can see the power of the formula related to 'Unity in Diversity' in India or the diversity of India and many times it is reflected also here. In this way we continue to march ahead with these diversities. Another benefit of this House is that it is not easy for everyone to fight and win the elections, therefore their utility does not diminish in the national interest. Their experience and their capability are equally valuable, hence this is a place where the country continues to benefit from the experiences and capabilities of great persons belonging to various fields. They have contributed immensely in the policy formulation of the country and have done so very often.

Whether it is scientists, sports people, artists or writers, the experiences of many such great personalities have benefited our country through this House, for whom It would have been very difficult to come across the election arena. Because of this

arrangement, in these two hundred and fifty sessions, we have got the richness of our intellectual property. I believe that one of the biggest examples of this is Babasaheb Ambedkar himself, because for some reason he was not allowed to reach the Lok Sabha. This was the same Rajya Sabha where the country benefited a lot due to Babasaheb Ambedkar. We are proud that this is the same House from where the country got the benefit of many great men like Babasaheb Ambedkar.

Sir, it has also been observed that there was a long period where there was nothing like opposition and the opposition was very low. There has been such a long period. At that time, the people who were sitting in the government system were very fortunate, this is not the situation today. Today there is a struggle at every step, there is opposition at every step, but at that time the opposing side was minimum, but even then there were very experienced and learned people in this house who never allowed autocracy in the governance system. Hard work has been done in this House to motivate people sitting in the right direction. We can be proud of the great service done through this House. It is memorable for all of us.

Chairman Sir, I would like to present before you what our first Vice President, Dr. Sarvepalli Radhakrishnan, said in relation to this House. What Dr. Radhakrishnan had said while sitting on this chair, that is equally relevant today. You mentioned the point of the respected Pranab Mukherjee or express your own pain, all these things are in it. At that time Dr. Radhakrishnan ji said, "Our thoughts, our behavior and our thinking will justify our parliamentary system of two Houses. This bicameral system, which is part of the Constitution, will be tested by our actions. We will be our first We are introducing two Houses in the ours parliamentary system first time. Our effort should be to justify this system in our country with our thinking, strength and understanding. "

After a journey of two hundred and fifty sessions and with so much of experience, the responsibilities of the present members and the generations to come increases even more that whether we are not going down below what Dr. Radhakrishnan had expected from us? Are we meeting those expectations or are we adding more good value

to those expectations in the changing era, today is the time to think all about this. I am confident that the present generation and the next generation of this House will continue to strive to fulfil these expectations of Dr. Radhakrishnan.

As the Honorable Chairman has said, if we consider the last two hundred and fifty sessions, then many important, historical bills have been passed from here, which became the law of the country and became the basis of running the life of the country. If I look at the accounts of the last five years, it is a matter of great luck for me that I have also got an opportunity to witness many important events.

I had the privilege of hearing everyone's scholarly views and have got the opportunity to see many things afresh in this House. For this I myself have been benefited and I am also grateful to everyone. If we learn and understand the things, we achieve a lot and that is what I have experienced here. For me, the opportunity that comes sometimes to me to witness your thoughts, is a privilege in itself. If we look at the last 5 years, this is the House where we were apprehended about the passage of Bill on Triple Talaq, everyone thought that it would be stuck here. It is the maturity of this House that it has done a very important job on women empowerment.

Every effort has been made in our country to create tension and conflicts in the matter of reservation, but it is a matter of pride that this House decided to give 10 percent reservation to the poor families of the general class and there was no tension anywhere in the country, there was no opposition rather it created a sense of understanding. This was done due to this House only. Similarly, we know that each and every person in the government has worked hard for a long time on GST. There are shortcomings in it or not, it should be improved or not, the debate will continue on all these things, but this House has made a consensus to give direction to the country towards the one nation one tax system and because of that we are able to place our views in the world with a new confidence. Unity and integrity of the country - Promises were made in this House in 1964 that this will be done within a year, what could not be done was related to the Sections 370 and 35A. This House gave direction to the

country first, later the Lok Sabha has done it. Therefore, the role that this House has played within such an important decision for the unity and integrity of the country is also its feature in itself. This House will also remember that Article 370 came within the Constitution and it was introduced by Mr. N. Gopalaswamy who was the first leader of this House, he was the first leader who introduced the same and this House only abolished that law with great pride. That incident has now become a history, but it was done here only.

Our constitution makers had given a responsibility to us that our priority is - a welfare State but at the same time, we do have a responsibility and that is - welfare of the States. It means that in India we should work as a welfare State, but at the same time, welfare of the States is also our responsibility. The centre and the States, together can advance the country. This House has played a vital role in this as this represents the States and it has given strength to our constitutional bodies. Our federal structure is the most important condition for the development of our country and if the centre and State governments work together, only then progress is possible. The Rajya Sabha ensures that the central and State governments are not rivals in the country. We work as participants to take the country forward by participating. Representatives sitting here take the extracts of ideas that are exchanged here to their states and place those ideas in front of their State governments. It is necessary to motivate the State governments to connect with them directly or indirectly. The development of the country and the development of the States - these are not two separate things, the development of the country is not possible without the development of the States and if the growth of the country is opposite to the development of the States, even then the States can not develop. This House reflects these things the most with liveliness. reflecting . The Central Government make a number of policies and this is the House and Members thereof, which can bring the expectations, situation, experience and day to day problems of the States in those policies in an effective manner. This benefits our federal structure also. The Government of India and the State Governments together can advance the country. All the work is not going to be done simultaneously, some work will be done in these

five years, then some work will be done in the next five years, but it sets a direction and this House determines the direction.

Hon'ble Chairman, Sir when the 200th session of this House was held in 2003, there was a function held and that time also NDA was in power. Shri Atal Bihari Vajpayee was the Prime Minister at that time. The speech delivered by shri Atal ji during that 200th session was very interesting. He had a style of his own to present the things. He said that second chamber exists to enhance the power of our parliamentary democracy and he also warned that it should not be a mistake to make this second house a secondary House. When I was reading those views of Atal ji, I also felt that according to present time if it has to be presented in a new way, then I will say that Rajya Sabha is a second House, never a secondary house and it should remain a supportive House for development of India. When our parliamentary system completed its 50 years, Atal ji made a speech and in that speech he told one thing with great poetic spirit. He had said, "The flow of a river is good as long as its banks are strong." And he said that the parliamentary flow of India, our democratic process have the Lok Sabha at one side and the Rajya Sabha on another side. Unless and until these two sides will remain strong, only then the flow of democratic traditions proceed in a very precise way. This was said by Atal ji at that time.

One thing is certain that India has a federal structure, it is full of diversities and it is important to hold the national perspective at any cost. We always have to keep the national perspective in the centre, but we have to balance the regional interests with the national perspective in a very precise way, only then we will be able to carry that sentiment with balance. This is the House which can do this very well. It can be done by the Members of this House. I believe that we are making continuous efforts in this direction. In this way the idea of check and balance is very important for the basic principles of Rajya Sabha, but it is very important to maintain a gap between checking and clogging. It is very important for us to maintain balance between balance and blocking. Many of our Members repeatedly say that the House should be for deliberation, for dialogue and for

discussion. If harsh discussions take place, there is no harm in that but it is necessary to adopt path of discussion in stead of interruptions.

Today, I am referring to two parties, there may be such more parties, but I would like to mention two parties today - NCP and BJD. Forgive me if someone else's name is missed, but I am referring to two parties. Look at the speciality of these two parties that they have maintained a self discipline and decided not to go to the Well. I can see that not even a single Member has broken this rule even once. We all political parties will have to learn, including my own party, all of us have to learn that despite following this rule, there has been no disruption in the political development of NCP and BJD. That means we can win the hearts of people, we can win the trust of people even without coming in the Well. Therefore, I understand that those who have set such high traditions have not suffered any political loss. I want to tell everyone including treasury bench that why don't we learn something from them? They are present in front of us. We also did this thing, when we were sitting there, so I am saying for the whole of the House that both NCP and BJD have followed this discipline in a very good way. It should also be discussed at some time, we should thank them. I believe that today when we are starting the 250th Session, such good events should be mentioned and it should be brought in the knowledge of the people.

I am sure that all members continue to play their role in doing whatever is necessary for the dignity of the House. Your pain and agony keeps on appearing. We will all try that on the 250th Session, we all, including us, will take a pledge, so that you have least trouble, your feelings are respected and we make efforts as fellow members with you to run this House according to your wishes. With this resolution, I again wish you all the best at this important junction.

DR. MANMOHAN SINGH: It has been an honour to have served as a Member of this august House since 1991. I have had the privilege to serve here as the Leader of the Opposition from 1998 to 2004 and then, subsequently, as the Leader of the House, from 2004 to 2014. The Rajya Sabha is the Council of States. I have had the

privilege to represent the State of Assam as its Rajya Sabha Member for five terms from 1991 to 2019. Now, I have the honour of representing the State of Rajasthan. India has had two Chambers from pre-Independence days. Still, it was after intense debate that the Constituent Assembly, especially the Union Constitution Committee, arrived at a consensus on the bicameral system. Today, as we celebrate the 250th Session of the Rajya Sabha, it is appropriate for us to reflect on whether we have lived up to the vision of the framers of our Constitution. Our first Chairman, Dr. Radhakrishnan had emphasized that Parliament is not only a legislative, but a deliberative body. So far as its deliberative functions are concerned, it would be open to us to make very valuable contribution. We should try to do everything, in our power, to justify to the public of this country that a Second Chamber is indeed essential to prevent hasty legislation.

During the drafting of the Constitution, Shri Gopalaswamy Ayangar advanced three reasons why India needed a Second Chamber. He expected that the Rajya Sabha would: (a) Hold dignified debates; (b) delay legislation which might be the outcome of passions of the moment; and (c) provide opportunity to the seasoned people who are not in the politics. For the manner in which the role of the Rajya Sabha has evolved, we must thank our first Prime Minister, Jawaharlal Nehru. He asserted that neither House had any particular superiority over the other. He regarded the Rajya Sabha as an equal partner with Lok Sabha in the affairs of the State. But for his efforts, the Rajya Sabha would have been reduced to a mere second or revising Chamber and relegated to a secondary position in our parliamentary system. According to Nehru ji close cooperation between the two Houses is necessary. As explained by Dr. Ambedkar in the Constituent Assembly, the Rajya Sabha represents a crucial component of the constitutional system of checks and balances. The Rajya Sabha plays a vital role to provide checks and balances to a majority Government in the Lok Sabha and it represents the interests of the States in our federal Union. It is our duty to ensure that no law is passed in hasty manner.

The Rajya Sabha gets more time to deliberate in comparison to the Lok Sabha since we are only half the size, and, therefore, Members get more time to share their insights and criticism. But we can help our Members perform even better through some procedural improvements. The House must get access to Bills much earlier than is the case now. Members should get additional resources such as adequate research staff and nominated Members and those with special expertise in a particular topic should be allotted more time for their speeches. I suggest that every year the Rajya Sabha should find time to debate on the state of Centre-State relation. Every year, there should be a debate in this Council on the state of nation's health and education.

Our previous Chairman, Shri Hamid Ansari switched the timings of the Zero Hour and the Question Hour. This saved valuable time of the House. When Members desire to raise urgent issue, that issue is often accommodated as part of the Zero Hour and the Question Hour functions much more smoothly. It is important that we scrutinise Bills more thoroughly in Committees, where not only the Members can apply their minds but even experts' and stakeholders' opinion can be solicited. Less number of Bills were referred to the Committees in the Sixteenth Lok Sabha in comparison to fifteenth and fourteenth Lok Sabhas. The Rajya Sabha Select Committees have done a commendable job of improving legislation, and I would urge that we ensure that we follow this practice for all Bills that come before this august House. A crucial differentiating factor between the two Houses is that Article 110 of the Constitution allows the Lok Sabha precedence in matters of Money Bills. In the recent past, we have seen instances of misuse of the Money Bill provision by the Executive leading to bypassing the Rajya Sabha on crucial legislations of national importance without any deliberation. Those in Treasury Benches must ensure that such instances are avoided. The Rajya Sabha is a permanent House. We have been designed in a manner to ensure continuity as only one-third of our Members retire every two year. On some matters this House should be given greater respect by the Executive than is the case now. For example, important issues like redrawing the boundaries of a State, abolishing certain States,

converting them into Union Territories is such a far-reaching proposal, far reaching legislation. This House, being the Council of States, should be given more powers to deal with issues like that.

SHRI SUKHENDU SEKHAR RAY: On behalf of All India Trinamool Congress I greet all of you on the occasion of 250th Session of the Council of States. Bicameral form of legislature was introduced in 1919 by the Government of India. Thereafter, the Government of India Act of 1935 laid the foundation of India's federal structure. According to Article 79 of the Constitution, there shall be two Houses. Article 80 has provided for the formation of Rajya Sabha, how it will be formed, etc. Dr. B.R. Ambedkar said that the Central Government and State Governments are co-equal. The Upper House in Parliament can be understood as an institutional arrangement through which constituent units become part of decision-making process at the central level itself." There is difference in powers between the two Houses. In the matter of No Confidence Motion and Money Bills, the Rajya Sabha does not enjoy the same powers as the Lok Sabha. A situation has already arisen that on all occasions some Bills are treated as Money Bills. Rajya Sabha has played a pivotal role in upholding our constitutional goals and to fulfill the aspirations of the people living in different States. Now, some people say that there are instances of obstructionism in Rajya Sabha. But, obstructionism is an essential part of democracy because when something is done against the will of the Government, when something is done bypassing the main principles of the Constitution, then obstructionism is very much needed. Now, I come to the reforms part. The Punchhi Commission on Centre State Relations that had been constituted by the Government of India submitted its report in 2010. The first statement that the Commission made in regard to Rajya Sabha is, "The essence of federalism lies in maintaining a proper balance of power in governance and in this respect, the Council of States occupies a significant role. Rajya Sabha is a representative of States of the Union and is supposed to protect States' rights in central policy making." The Commission further says that factors inhibiting the composition and functioning of the second Chamber as a representative forum of States should be removed or modified even if

it requires amendment of the constitutional provisions. This is felt more important now when centralization tendencies are getting stronger and fragmentation of the polity is becoming intense." Nowadays, we are finding that centralisation of power, based on majoritarianism, is acute and, therefore, this recommendation of the Punchhi Commission must be adhered to. The Commission says, "Whenever Central policies are formulated in relation to one or more States, it is only proper that Committees of Rajya Sabha involving representatives of concerned States are allowed to discuss and come up with alternate courses of action acceptable to the States and the Union. Rajya Sabha offers immense potential to negotiate acceptable solutions to the friction points which emerge between Centre and States in fiscal, legislative and administrative relations." The functioning of Rajya Sabha can be reformed to achieve the original purpose of federal equilibrium. The Commission, therefore, strongly recommends amendment of the relevant provisions to give equality of seats to States in the Rajya Sabha, irrespective of their population size. Right now even the existing legislative powers of Rajya Sabha are under attack because many Bills are termed as 'Money Bills'. We cannot discuss the role of the Governor unless we move a substantive motion. Some provision should be made so that we can discuss institutions like the Office of Governor because it is very essential. In some States, the roles that are being performed by the Governors are detrimental to the constitutional scheme and the interests of the people at large.

SHRI A. NAVANEETHAKRISHNAN: This is the greatest occasion. And I want to present a different line in the light of the decision rendered by the England Court. The England Court has held that prorogation of Parliament is justiciable. In this regard, I would like to draw the kind attention of this House to the Article 12, which defines what State is. In the definition of State, the Parliament of India is specifically mentioned. The last Session was highly productive, But, regarding the stalling or obstructing the proceedings, my humble submission would be that obstruction cannot be taken over to the extent of the entire day or the entire session. It is unconstitutional and illegal. The Parliament must function all the 24

hours. The Parliament must make the Government accountable for its acts or failures. That is the rule of law. From the cursory reading of the U.K. Judgment, holding of Committee meetings and taking of evidences are not done during the prorogation. But, in our system of Parliamentary practice, we are taking evidence; we are holding Committee meetings though the Parliament is not in session. We are following a very good practice. Autonomy of the State is always effected by the Centre. The Central Government is enforcing NEET on Tamil Nadu. And the people of Tamil Nadu are suffering. Now, many irregularities, illegalities are coming out in conduct of the NEET examination. We have very good infrastructure and very good talent in medicine field. Though in Tamil Nadu Legislature, without any opposition, two Bills have been passed, these Bills are not able to reach the Office of the President. The Parliament must be in session always. The functioning of the Parliament cannot be stopped even for a minute without any justiciable reason. Our Constitution says that the State cannot act arbitrarily. Now, obstructing the proceedings of the Parliament for the whole day, or a week or the whole Session is impermissible. If there are no other ways and means to get our grievances redressed, we must find out some new ways, but we must not stall the proceedings of the House. Now, we are suffering on the issue of NEET. Our young students are committing suicides. There must be some solution. Paragraph 68 from the U.K. judgment states, "The prorogation itself takes place in the House of Lords and in the presence of Members of both Houses. But it cannot sensibly be described as a 'proceeding in Parliament'. It is not a decision of either House of Parliament. Quite the contrary: it is something which is imposed upon them from outside. It is not something upon which the Members of Parliament can speak or vote. The Commissioners are not acting in their capacity as members of the House of Lords but in their capacity as Royal Commissioners carrying out the Queen's bidding. They have no freedom of speech. This is not the core or essential business of Parliament. Quite the contrary: it brings that core or essential business of Parliament to an end." Obstructing the House is bringing the core or essential business of Parliament to an end. So, it is worse than prorogation. As regards the protection given to the

Members, it is given under the Article 105(2) of the Constitution only for anything said, or any vote given in the House. We can express our concerns in an effective way without obstructing the House. Under the Article 122 of the Constitution, the validity of any proceedings in Parliament shall not be called in question on the ground of any alleged irregularity of procedure. I am telling the House about NEET. The Central Government has no constitutional power, statutory power or even the prerogative or common law power to retain these Bills. These Bills will automatically go to the President and the President must assent to it automatically. If the Centre wants, it can bring a Bill, and the Bill becomes the property of this House. So, with regard to NEET, Tamil Nadu is the most aggrieved State.

PROF. RAM GOPAL YADAV: The British Parliament is the mother of parliamentary administrative system. The House of Lords was the first House. Later when there was a need to impose tax, then the slogan was that there would be no taxation without representation. Then came the Commoners. There was only one House and the Commoners began to sit separately and thus a bicameral Parliament came into existence. Gradually, the Commoners' started passing the Money Bill. If the Members of Rajya Sabha are inactive, then the way people sometimes call the House of Lords as a secondary House, in the same way people will start to call this Rajya Sabha as a secondary House. We are not here to agree with the Lok Sabha. The Rajya Sabha has to protect the interests of the states from which the representatives come. The members will also have to stall the proceedings of the House to protect the interests of the states. The persons who are nominated to the Rajya Sabha by various parties become its members. The members of the Lok Sabha have the right to form a government, so they have more respect in the public. Members of the Rajya Sabha will have to exercise their rights. The Constitutions across the world evolved from the British Constitution. The 'Speaker' used to speak to the king on behalf of the Commoners, hence he came to be called the Speaker. Around the world, wherever there is a parliamentary administrative system, whether it is Canada or Australia, that system is based on the British parliamentary system. There are many states in the country which have very little

representation in the Rajya Sabha. The Rajya Sabha should have at least 6 members even from a small state. The Northeast is represented by a single member in the Rajya Sabha. If there are four-five members, then they can make their points effectively. They are unable to even speak about their state, they are neglected in the din. The situation is worse in the Lok Sabha. There is only one member and no one takes notice of him. My suggestion is that there should be at least six members in the Rajya Sabha for every small to smallest States. The number of members in states should be in the multiple of three so that the number of retiring Members in every two years is equal. My request is that if something goes wrong in a State, then it should be allowed to raise that matter here. We should also have the right to discuss on judiciary.

SHRI PRASANNA ACHARYA: I would like to pay tribute to the framers of our Constitution who decided to go for the bicameral parliamentary system. This is the 67th year of the constitution of this House of Parliament. The Rajya Sabha gave many Prime Ministers to this country. Smt. Indira ji, Mr. Deve Gowda ji, Shri I. K. Gujral ji and Dr. Manmohan Singh ji became Prime Minister from this House. This is the contribution of this House to the country. No House is upper and no House is lower. Both the Houses complement each other. We are all guided by the Constitution. Representation of the States should not be on the basis of population. My suggestion is that the electoral college needs to be reformed and it should be in line with the electoral college for composition of State Legislative Councils. My next suggestion is that there should be no interference by the Central Government or any Government in nomination of 12 Members to this House. Hon'ble President of India be given an exclusive independence to nominate all the 12 nominated Members to this House as per his own choice. I also request the Government to consider the Resolution of Odisha Legislative Assembly about formation of the Second Chamber in Odisha.

SHRI RAM CHANDRA PRASAD SINGH: It is a matter of great pride that the 250th session of Rajya Sabha has started. The biggest role of this House is to make laws. Rajya Sabha is privileged

in two matters under Articles 249 and 312 of the Constitution. Rajya Sabha has the power to create all India as well as State level services in India. There should be All India Services in our judiciary. It is the need of the hour that All India Judicial Service should also be created. This is our role. This is the House of States. Many union territories are also represented in it but some union territories are not represented. It should also be considered. The time for which we have to work here, the difficulties that we face in working here, should also be considered. Arrangement should be made in such a way that whenever there are meetings of committees, that should continue for consecutive two to three days, so that Members can get time for other work and also the work of the committees be completed.

DR. K. KESHAVA RAO: Today is a happy occasion that we share our views on this 250th Session of the Rajya Sabha. Our country is essentially a multicultural nation with great diversities. It needs a federal structure and our Constituent Assembly had thought that a federal structure like this requires bicameral system. Constitution itself has said that both the Houses and the President constitute the Parliament. So, Lok Sabha and Rajya Sabha have equal rights. Without the consent of Rajya Sabha, the appropriation money is not granted. A country of our size and vast culture requires some kind of a deliberation and understanding of each other. That is how the Council of States and the House of People work. Rajya Sabha is a revising Chamber. It is the Council of States. The Council of States can only become effective when voices of Members of every State are heard.

SHRI BISWAJIT DAIMARY: At least we should get a chance to come here and talk about the problems of many backward areas, which is not happening. I request that measures should be taken to solve this particular sort of problem. It should be considered that a system be devised so that single member like me is given at least 10 minutes to speak. Some councils have been created in Assam by the Sixth Schedule of our Constitution and they have been given capacity like the state by the Seventh Schedule, but there is no representation in the Rajya Sabha from there. Therefore, an arrangement should be

made to bring Members to the Rajya Sabha from places like Bodoland, Karbi Anglong and Dima Hasao. We have many such serious problems, even if a single member requests you to raise those issues here, there should be a system to have a discussion on them as well.

SHRI BIRENDRA PRASAD BAISHYA: It is a matter of great privilege and honour for me to associate myself in this historic Rajya Sabha Session. Rajya Sabha always plays a very important role in our parliamentary democracy. Rajya Sabha is representing the States. It always enjoys some special powers. Under Article 249, Rajya Sabha can interfere in the State matters also. Again, under Article 312, Parliament is empowered to create by law one, or more than one All India Services for Indian States, if Rajya Sabha passes a Resolution. Rajya Sabha also has this power of passing a Resolution when an emergency is imposed in the country and when Lok Sabha is dissolved within the specific time period. Every Member who represents a State in Rajya Sabha, even if a single Member represents that State, be allowed to speak. When allotting time, this fact should be looked into. The North Eastern States have some specific problems. Nagaland, Mizoram and Assam have some specific problems. As per the existing rules, at least ten Members have to sign for a debate. I request you to change this approach and this rule to see to it that all Members belonging to any State are given equal opportunity to express their opinion in this House.

SHRI BHUPENDER YADAV: First I would like to congratulate the Hon'ble Chairman that a good discussion has been organized at the commencement of the 250th session of the Rajya Sabha. When I was a new member in this House, we received guidance from the Leader of our party, Hon'ble Arun Jaitleyji, how to participate in the proceedings of the House. When the Librahan Commission's report came, Arun ji made the subject vital by keeping the facts with full discretion in his speech. During the previous term, GST Bill, Insolvency Bill, the subject of Banking Reform and the subject of constitutional status to OBC were discussed in a very dignified manner in this House. The Rajya Sabha properly represents

the federal structure of this country. Out of 113 countries around the world, 79 countries have accepted the system of bicameral legislature. In the Upper House, it is believed that if there is scope for some reforms after the introduction of the Bill from the Lok Sabha, then the House of Rajya Sabha plays a very important role to take it forward. Hon'ble former Prime Minister, Dr. Manmohan Singh was saying that the Select Committee should have maximum influence in the House. If the tenure of the last ten years is analyzed, only five Bills from this House were sent to the Select Committee, while 17 Bills were sent to the Select Committee during the tenure of this Government between 2014 and 2019. This reflects the faith of this House. Our Constitution makers constituted the Rajya Sabha to represent the states. The Central List, State List and Concurrent List have been kept in the constitution for division of powers. If there is a subject related to the list of states in Article 249, then the subject of that list should be brought in the list of the Centre. This subject has been assigned to Rajya Sabha by Article 249. By giving Article 312 of the Constitution, this House has been given the deliberative power that a service can be declared a Central Service. Rajya Sabha has also been empowered to recommend imposition of President's rule in the states. After that our Constitution makers have given extraordinary power to the Rajya Sabha in Article 360 that in the event of dissolution of the Lok Sabha it can pass the budget. The federal structure of our country continues to grow according to the representation of the states. Legislation is a very big aspect in our country. In the process of legislation, maximum coordination between the Rajya Sabha and the Legislatures needs to be considered. We represent the states here and the members of the legislative assembly of the states elect us. We should be aware of the topics being discussed in the legislative assemblies of our states. This topic can be added here. Hon'ble Prime Minister discussed the subject of federalism. He said that we should follow NARA. NARA means regional aspiration with national ambition. Rajya Sabha plays a very important role in this. The Rajya Sabha has also witnessed many good events. When the Lokpal Bill came, this whole House should have analyzed about it. The Lokpal Bill could not be discussed that day as it was the last day of the session and the public were deprived of a big

law on that day. In the last 249th session, the work was 103 percent more work was done in comparison to the time allotted for the House. We created an atmosphere for discussion to pass the Bills. We also passed laws with consensus. We passed the Bill to remove Article 370 with the consent of more than 16 parties. We did not create a situation like Andhra Pradesh and Telangana when the state was divided there. This Upper House plays a very important role in the federal structure of India. Even today, 33 political parties have representation in our House. Along with this, there are many independent members too. There are more than 12 such states in our country, where there are 10 or less than 10 Lok Sabha members. Had those states also have members of the Rajya Sabha, they would have had the opportunity to represent them. Rajya Sabha has the power to impeach like Lok Sabha. There should not be any attempt to adjourn the House, this requires particular attention. The model code of conduct in this country has not come from any law. There is no need of law for everything. Today, in the 250th session, we should make an attempt to take forward the work and subject of this House.

SHRI T.K. RANGARAJAN: It is really a great day. I have been associated with this House since 2008. The Lok Sabha Members represent a constituency but the Rajya Sabha Members represent a State. So, we represent our cultural activities, linguistic activities, etc. Today, the way in which this Government is functioning, the government is encroaching upon our linguistic areas, cultural areas, etc. Whether this country is heading towards one language, one culture or one food. This is very dangerous. Every State has got its own way. There are under-developed States and there are developed States. Government cannot have a single type of approach on everything. Many Members mentioned here about the smaller States, that their parties should be given time. They should be allowed to present their case. I would like to request the Treasury Benches, learn from the British Parliament. Sometimes, in British Parliament, the ruling party leader joins with the Opposition and votes against the Government. As correctly mentioned by the hon'ble Member, Shri Navaneethakrishnan, they passed the NEET Bill two times, but the government didn’t recognize them. I want to bring these things to the

government's notice. Because the government has the majority, it can curtail any power of the State. Already the States' power has been linked with the Panchayat. The State Chief Minister or State Ministers get only police protection. They have no power. If this is like this, then we are becoming a unitary system. The country will split. It is our responsibility to see to it that the country is united. Abrogation of Article 370 on August 5th and things like that should not happen again. The people of Jammu & Kashmir are still suffering. This is a very pity thing. We are discussing the '250th Session of Rajya Sabha', but we are not doing justice to our Constitution. The subject is very important; time is also important. My point is, keep the country united, keep the country 'culturally one'. Take the 'culture' into account; take the 'language' into account. Please consider all these things.

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****Supplement covering rest of the proceedings is being issued separately.