

## Examine the role of Rajya Sabha in India. Is it essential for the working of India's Parliamentary system?

The 'Rajya Sabha,' or 'Council of States,' is the Indian parliament's second chamber, which dates back to the Montagu-Chelmsford Reforms of 1919. The Rajya Sabha, as the parliament's second chamber, was envisaged to serve as a permanent house, a revisionary house, federal house and to provide some consistency in the underlying policies of laws passed by parliament. Rajya Sabha is highly significant for the working of India's Parliamentary System:

- As checks and balances usually operate between the executive, legislature and judiciary, the Council of States acts as a safety valve within the legislature itself, easing federal tensions. Rajya Sabha thus represents a crucial component of the constitutional checks and balances scheme, in addition to the commonly identified examples of responsible government and judicial review.
- Rajya Sabha acts as a revisionary house that keeps a check on the hasty legislation that could be passed by the lower house under populist pressures. Also, when the ruling dispensation has a brute majority in the Lok Sabha, Rajya Sabha prevents the government of the day from exercising authoritarianism.
- Parliament is not only a legislative body but also a deliberative one which enables the members to debate major issues of public importance. Thus, the role of the Upper House is to be a deliberative body besides balancing the "fickleness and passion" of the Lok Sabha.
- The indirect form of election (through propositional representation) to the Rajya Sabha gives expertise, religious, ethnic and linguistic minority groups a chance to get involved in the nation's law-making process.
- The Upper House also has some special powers, such as: power to transfer a subject from the State List to Union List for a specified period (Article 249), to create additional All India Services (Article 312) and to endorse Emergency under Article 352 for a limited period when the Lok Sabha remains dissolved.

### However, Rajya Sabha suffers from certain inherent and political weaknesses

- **Limited Powers:** The constitution has limited powers of Rajya Sabha when it comes to Money Bills. Further, in case of joint sittings as well Lok Sabha enjoys an upper hand vis-à-vis the lower house.

- **Unequal representation:** The Rajya Sabha unlike the US senate has unequal representation from various states of India, thereby leading to asymmetrical federalism.
- **Political Nomination:** The nominees of President in Rajya Sabha were meant to ensure expertise and talent in the House. However, increasingly nominations of the President are more to accommodate ruling party's choices rather than experts. Further, the nominated members lack of presence and contribution in debates is also a major concern.
- **Disruptions:** The Bryce Conference on Reform of House of Lords in early 20th Century observed that a second chamber is to interpose only so much delay in the passing of a Bill into law as may be needed to enable the opinion of the nation to be adequately expressed upon it. Disruptions, violence in well and unparliamentary behaviour mar the reputation of the House. According to Secretariat data, productivity of Rajya Sabha fell to 87% during 1998-2004, 76% during 2005-14 and 61% during 2015-19.
- **Regressive:** At various times, the Rajya Sabha has also been accused of being a regressive House, denying passage of popular measures such as rejection of Constitution (Twenty fourth Amendment) Bill, 1970 for abolishing privy purses or the Constitution (Sixty-fourth and Sixty-fifth Amendment) Bills seeking to empower local governments in 1989.

M. Venkaiah Naidu argues that the initial frictions, Rajya Sabha and Lok Sabha have proved to be constructive partners in steering the socio-economic transformation of the country since 1952, co-scripting pioneering laws.

This partnership has been guided by the required spirit of co-operation and camaraderie despite divergence in the composition of both the Houses for most part of this journey and it is important to guide the House on the same path to ensure effective functioning of India's Parliamentary democracy.