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The Big Picture - Rajya Sabha 250th Session – Takeaways

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The Winter Session of Parliament was held from **November 18, 2019 to December 13, 2019**. During this session, Parliament celebrated two milestones: first, function held in the Central Hall of Parliament to commemorate the **70th anniversary of the enactment of the Constitution** and second, was the **250th session of Rajya Sabha**. Marking almost **100% productivity** during its 20 sittings this session, **15 Bills** were passed by Rajya Sabha including the landmark **Transgender Persons (Protection of Rights) Bill (2019)** and **Citizenship (Amendment) Bill (2019)**. This session also highlighted the wider role of Rajya Sabha in Indian Polity.

Significance of Rajya Sabha

- **Formation:** The Rajya Sabha **was first constituted in 1952** as a **permanent body** which is not **subject to dissolution**.
However, **one-third of its members retire every second year** and are eligible for re-election & renomination any number of times.
- **Strength:** The **maximum strength** of the Rajya Sabha is **fixed at 250**, out of which, **238** are the representatives of the states and union territories (elected indirectly) and **12 are nominated by the President**. The seats are allotted to the states in the Rajya Sabha on the **basis of the population**.
- **Term of Office:** The **Constitution** has **not fixed the term of office** of members of the Rajya Sabha and left it to the Parliament.
Accordingly, the **Parliament** in the **Representation of the People Act (1951)** provided that the term of office of a member of the Rajya Sabha shall be **six years**.
- **Special Powers:**
 - Rajya Sabha can authorize the Parliament to make a **law on a subject enumerated in the State List (Article 249)**.
 - It can authorize the Parliament to **create new All-India Services** common to both the Centre and the states (**Article 312**).

A JOURNEY SINCE 1952

Total members so far **2,282** (including 208 women and 137 nominated members)

Longest-serving members: **Mahendra Prasad**, serving the 7th term, followed by **Manmohan Singh** serving 6th term

Representation of women in Rajya Sabha increased from **15 (6.94%)** in 1952 to **31 (12.76%)** in 2014. It is currently **26**, or **10.83%**, of the strength of the House



Total sittings of the House till 249th session
5,466

Total number of bills introduced in Rajya Sabha
944

Number of bills withdrawn
104

Number of bills pending in Rajya Sabha
38

Total number of bills passed by Rajya Sabha
3,817

Number of bills passed by RS that lapsed due to dissolution of LS
60

RAJYA SABHA FIRSTS

First bill passed: The Indian Tariff (2nd Amendment) Bill, 1952

First constitution amendment bill: The Constitution (Second Amendment) Bill, 1953 for readjustment of representation in Lok Sabha by increasing the size of population per constituency

First bill on law and order: The Preventive Detention (Second Amendment) Bill, 1952

First security bill: The Armed Forces (Assam & Manipur) Spl Powers Bill, 1958

First bill on pollution: The Prevention of Water Pollution Bill, 1969

First money bill deemed to have been passed by Rajya Sabha: The Appropriation (Railways) No.4 Bill, 1978

First bill referring to terrorism: The Terrorist Affected Areas (Special Courts) Bill, 1984

LANDMARK EVENTS

1 Casting vote by the chair: The only time a presiding officer of RS cast his vote was on August 5, 1991 when voting was tied 39-39 on a statutory resolution moved by opposition seeking disapproval of the CrPC (amendment) ordinance, resulting in opposition victory

2 Prez rule not just by RS: President Rule extended in Tamil Nadu and Nagaland in 1977, and for Haryana in 1991, only by RS when LS was dissolved

3 Removal of a judge: RS adopted a motion for removal of

a judge in respect of Justice Soumitra Sen of Calcutta HC in 2011. He quit before the motion was taken up in LS

4 Expulsion of members: RS adopted a motion in 1976 to expel Subramanian Swamy after his activities were found to be derogatory to the dignity of the House. Chatrapal Singh was expelled in 2005 after the ethics panel found him guilty of accepting money for raising questions. Sakshi Maharaj was expelled in 2006 for irregularities in MPLAD projects

Key Takeaways from the 250th Session

Praising the members for their brevity, the Chairman of Rajya Sabha noted that about 9.5 starred questions were answered orally every day of this Session- making a new record since 1971 (previous best was 8.7 during the 198th session in 2003).

- **Difference over Previous Sessions:**

- **Increased Productivity:** Despite being the shorter session, this session remained highly productive over the previous ones.
 - The Rajya Sabha worked for around 92% of its scheduled time, of which 39% of the total functional time was spent on legislative business, 25.4% on raising and discussing matters of urgent public importance under Short Duration Discussion, Calling Attention Notices, Zero Hour and Special Mentions, 13% on Question Hour meant for ensuring accountability of the executive and 5% on **Private Members' Bills**.
 - Significant importance given to the **Question Hour, answering of more oral questions**, short, intense and precise discussions by legislators over **Standing Committees reports**, and the increased **zero hour** submissions reflect the enhanced **accountability**.
- **Absenteeism:** Chairman this time freely discussed over issues like, non-attendance of legislators to target the **problem of absenteeism**. Many a times this leads to halting of Business of the House due to absence of the required **Quorum**.

The Chairman also asked the members to ensure their presence in the **Parliamentary Standing Committees**. He highlighted that out of 80 members in 8 Parliamentary Standing Committees (under the administrative control of Rajya Sabha), only 18 members had 100% attendance.

- **Charter:** At the beginning of the session, **15 point charter** was released by the Vice-President highlighting the support and reforms Rajya Sabha needed.
- **Issues Addressed:** The **discussions on contemporary issues** like onion prices, economic slowdown, inter-alia reflects the receptive and compassionate behaviour of the House towards the people.
 - Also a special discussion on 'The **Role of Rajya Sabha in Indian polity** and the way forward' was held.
 - **Calling attention motions** on 'Situation arising out of the dangerous levels of air pollution in the country, particularly in Delhi', "Need for completion of National Irrigation Projects to tackle emerging water crisis and to transfer 'Water' to Concurrent List from State List" were also taken up in the Rajya Sabha.
- **Language:** The Chairman expressed his will to **address the language barrier** by allowing less spoken regional languages in the House. He proposed to recruit expert translators who can efficiently translate the regional languages into English and Hindi (as according to **Article 120** the language to be used in the Parliament shall be Hindi or English).

- The **Rajya Sabha secretariat** also released the **first-ever analysis** of its legislative work viz., **“Rajya Sabha: The Journey since 1952”** to commemorate the 250th session.

Drishti Input

Parliamentary Mechanisms:

- **Short Duration Discussion-** also known as **two-hour discussion** as the time allotted for such a discussion should not exceed two hours. The members of the Parliament can raise such discussions on a **matter of urgent public importance**.
- **Calling Attention Notices-** It is introduced in the Parliament by a member **to call the attention of a minister to a matter of urgent public importance**, and to seek an authoritative statement from him/her on that matter.
- **Special Mentions-** A matter which cannot be raised during question hour, half-an-hour discussion, short duration discussion or under adjournment motion, calling attention notice or under any rule of the House can be raised under the special mention in the Rajya Sabha.
- **Zero Hour-** It is an **informal device** available to the members of the Parliament to raise matters without any prior notice. The zero hour starts immediately after the question hour and lasts until the agenda for the day (i.e., regular business of the House) is taken up.
- **Quorum-** Quorum is the minimum number of members required to be present in the House before it can transact any business. It is **one-tenth of the total number of members of the House** (including the presiding officer). If there is no quorum during a meeting of the House, it is the duty of the presiding officer either to adjourn the House or to suspend the meeting until there is a quorum.

Bills Passed in Rajya Sabha:

- The **Jallianwala Bagh National Memorial (Amendment) Bill, 2019** for the erection of a National Memorial in memory of those killed or wounded on April 13, 1919, in Jallianwala Bagh, Amritsar.
- The **Transgender Persons (Protection of Rights) Bill, 2019** defining a transgender person and provides for protection of rights of Transgender persons and their welfare.
- The **Chit Funds (Amendment) Bill, 2019** amends the Chit Funds Act, 1982 to increase the commission of the person conducting the chit, and the aggregate amount of chit funds which may be collected.

- The **Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement) Bill, 2019** prohibiting the Production, manufacture, import, export, transport, sale, distribution, storage and advertisement of e-cigarettes and like devices, considering the highly addictive nature of nicotine.
- The **Special Protection Group (Amendment) Bill, 2019** amends the Special Protections Group Act, 1988 to provide for security cover to a former Prime Minister, and his immediate family members for a period of five years from the date on which he ceases to hold the office of Prime Minister.
- The **Dadra and Nagar Haveli and Daman and Diu (Merger of Union Territories) Bill, 2019** merging the two UTs to provide better delivery of services to the citizens of both Union Territories by improving efficiency and reducing paperwork.
- The **National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Bill, 2019** recognising the property rights of residents of certain unauthorised colonies in the National Capital Territory of Delhi.
- The **Taxation Laws (Amendment) Bill, 2019** amends the Income Tax Act, 1961, and The Finance (No 2) Act, 2019 to provide domestic companies with an option to opt for lower tax rates.
- The **Recycling of Ships Bill, 2019** restricts the use of hazardous material on ships and regulates the recycling of ships.
- The **Arms (Amendment) Bill, 2019** amends the definition of illegal migrant, reduces the residency requirement to obtain Indian citizenship through naturalisation, and empowers the central government to cancel registration of OCI card.
- The **Citizenship (Amendment) Bill, 2019** amends the definition of illegal migrant, reduces the residency requirement to obtain Indian citizenship through naturalisation, and empowers the central government to cancel registration of OCI card.
- The **Constitution (One Hundred and Twenty-Sixth Amendment) Bill, 2019** retaining the inclusive character of the Constitution by continuing the reservation of seats for the Scheduled Castes and Scheduled Tribes for another ten years ie. upto 25th January, 2030.
- The **Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2019** amending Part VI of the Order which specifies the Scheduled Tribes in Karnataka.
- The **International Financial Services Centres Authority Bill, 2019** establishes the International Financial Services Centre Authority to regulate and develop a market for financial services in India.
- The **Appropriation (No.3) Bill, 2019** authorizing payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 2019-20.

Way Forward

- Members need to abide by their commitment and **ensure their presence** for smooth functioning of the House.
- The balance between the **government (Executive) business and the Parliamentary business** needs to be maintained by effectively discussing and addressing the contemporary issues concerning the nation.

Indeed, Rajya Sabha has all through been a **lively and sagacious institution**. It must continue to function with greater vigor and zeal towards fulfilling the aspirations of the people.