

## **RAJYA SABHA**

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### **\*SYNOPSIS OF DEBATE**

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**(Proceedings other than Questions and Answers)**

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**Friday, April 06, 2018/ Chaitra 16, 1940 (Saka)**

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### **GOOD WISHES TO THE DEPUTY CHAIRMAN**

**MR. CHAIRMAN:** Hon. Members, on my behalf and on behalf of the House, I would like to convey our appreciation and greetings to the Deputy Chairman of the Rajya Sabha who is completing his tenure in July. In his responsibility as Deputy Chairman as well as other responsibilities held by him, at various times during the last 30 years of his Parliamentary career and public life, he has done extremely well; and tried to maintain Parliamentary standards and practices and contributed to the welfare of the country and the development of the nation. In July, what time the Session would start, we are not sure. So, I thought I must take this occasion to appreciate and convey our greetings to a senior Parliamentarian, who is also the Deputy Chairman. Hon. Members, as I have not been well since yesterday and today being the last day of the Session of the Parliament, I would like to make a brief customary observation what we normally do.

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

## VALEDICTORY REMARKS

**MR. CHAIRMAN:** The first Session of the year of this august House and the important two-part Budget Session is coming to a close today. I am pained to note that it turned out to be an eminently forgettable one on account of utter disregard of the mandate of this important Parliamentary institution and its responsibilities and missed opportunities.

While it is customary for the Chairman on this day to give a brief account of what has been done and delivered by the House, today, I am compelled to reflect on what could not be done during such an important Session, which is the longest of the year with about 30 working days. This is a sad commentary on the functioning of our Parliamentary institutions reiterating the perception that they are on the decline.

Let me now recount what the House was required to do and did not in the end. You were to discuss important General Budget for this financial year and consider and return to the other House, the Appropriation Bills and the Finance Bill. It was not done. This important function, in the end, was deemed to have been done. No legislative work transacted except passing of the Payment of Gratuity (Amendment) Bill, 2018 and, that too, without any discussion even as several important Bills awaited your consideration. That was also made possible because of the broad consensus in the House and the Bill could be passed. The hon. Supreme Court's recent verdict on the Act regarding prevention of atrocities against the Scheduled Castes and the Scheduled Tribes resulted in a certain public perception leading to agitations and even violence in some parts of the country. We could not discuss that even. Proven weaknesses in the management and monitoring of public sector banks including some people running away, led to widespread concerns across the country. But you had different priorities and we could not find time to discuss it. Hon. Members from Andhra Pradesh and Tamil Nadu felt strongly on certain issues of concern to those States. Even these were not discussed. This list can go on. Notices were given by many a Members, but I do not venture to dwell at length for the sake of

brevity. Hon. Members and leaders are all aware that I had admitted discussions on all issues of concern amongst various sections of the House. It is beyond my comprehension as to why the House could not take up any of those issues which were of larger public interest. A total of over 124 hours of precious time of this House have been lost due to disruptions as against only 45 hours of functioning.

Hon. Members, at the end of such a long Session, what is that we can show to the people of our country as our contribution towards addressing their concerns and furthering their genuine aspirations? I am afraid, nothing. As a result, we are all the losers. This includes the Opposition, the Ruling party, the Government. I do not want to make any special mention about this party or that party. All of us, whoever have been responsible for the present situation, have to understand this. This is my humble observation of what is happening. I am pained and I am also sad. Some of you have also written me; some of you have sent messages also. So, we should not look at it from this angle that this party was responsible or that party was responsible. All of us, while correcting this thing and introspecting for the future, need to now reflect on how we together ended up in such a lose-lose situation when it could have been a win-win situation. It is time to wake up and look at the way forward.

All that you did substantially was to discuss and adopt the Motion of Thanks to the President for his Address to the Members of both the Houses at the start of this Session and discuss the Union Budget, 2018-19. You had seen during that period that very good contributions were made by Members from different sides. That is also a part of the record. The best performance of this crucial Session, during the 22-day second part, was the three hour and 37 minutes farewell to the retiring Members on the 28th of the last month. Even that did not come about smoothly as the farewell observations scheduled for a day earlier were also not allowed. But, subsequently, we had it and we have, at least, shown respect to the Members who are retiring from the House after having been with us for a considerable time. This House could have been more discreet and

considerate while allowing such basic courtesies to a large number of retiring members. Even that had to be negotiated.

Hon. Members, this august House is the Council of States providing for articulation of concerns of the constituent States. This is a primary source of the business agenda for the consideration of the House. But the House also has legislative and deliberative functions which are also important drivers of the agenda of the House. Deliberative function of the House includes taking up issues of larger public importance as well. This House of Elders is required to synthesise all these agendas so that a national agenda and a national perspective is evolved. We had all the time in the world to discuss all such agenda but we did not do it. Instead of integrating all such concerns and discuss them one after the other, we worked at cross purposes. In the process, we let down the nation, the States and the people, as I personally feel.

I am disturbed to note a total breakdown in communication among various sections of the House, which was the root of the prolonged stalemate, ruined this important Session. This is a lesson for all of us that we must have interaction on a regular basis, discuss things among ourselves before coming to the House. This is not good for our Parliamentary democracy, about which our country has come to acquire a place of pride. Our country had won the battle for self-governance after a long freedom struggle. We are supposed to have matured after about seven decades of our brave experiments with Parliamentary democracy and self-governance. But the functioning of our Legislatures do not seem to be assuring enough. This House of Elders needs to lead by example in strengthening the Parliamentary democracy and sustaining the trust and confidence of the people in it.

This takes me to the days of intense debate in the Constituent Assembly over the need and justification for a Second Chamber. The opinion was divided against and in favour of such a Chamber before bicameralism was adopted and this House finally came into being in 1952. I am afraid that the fears expressed about the need of this House at that time are now revisiting us and even coming true. I hope it is not so. For the benefit of a large number of new Members, who took Oath

in the last couple of days, let me briefly recall what was said about this House then, this is for knowledge only.

During the Constituent Assembly debates on the need for a Council of States, some Members feared that it would prove to be a 'clog in the wheel of progress' involving expenses and not making much contribution. Pandit Jawaharlal Nehru, the first Prime Minister of the country, who was among the important Members of the Drafting Committee of the Constitution, that was set up for reporting on the structure and function of the future Legislature of our country, had feared in 1936 that a Second Chamber (Council of States) would check any forward tendencies of the Lower House and will be reactionary. Are we making Nehruji's worst fears come true? I hope we are not. We should not, for the sake of our Parliamentary democracy and the people. On balance of considerations after a detailed debate, it was finally decided to have this Second Chamber. Even Nehruji agreed, after Ananthaswamy Ayyangar and so many other people also put forth their points of view. The advocates of this Chamber had some lofty ideals to be served by it. Late Shri Ananthaswamy Ayyangar asserted, "It is necessary to have another House where the genius of the people may have full play.

Whatever hasty legislation is passed by the Lower House may be checkmated by the go slow movement of the Upper House". That was the opinion given by veteran Shri Ananthaswamy Ayyangar ji, and, also, another veteran late Shri Gopaldaswamy Ayyangar, during the debate in the Constituent Assembly on the 'Report of the Union Constitution Committee, said that "The most that we expect the Second Chamber to do is perhaps to hold dignified debates on important issues and to delay legislation which might be the outcome of the passions of the moment until the passions have subsided." That is what is expected from us. Because that House is directly elected by the people, they have the pressure coming from local constituencies and people whereas here, in the Upper House, we have enough time to discuss issues passionately and coolly. That was the opinion expressed.

The first Vice President of India and the first Chairman of this august House, late Dr. Sarvepalli Radhakrishnan, said on 13th May, 1952 that the justification for this House depends on the contributions of the Members in respect of the legislative and deliberative functions. Addressing the Members after being felicitated, he said "So, it is a test to which we are all submitted. We are for the first time starting under the parliamentary system, with a second Chamber in the Centre and we should try to do everything in our power to justify to the public of this country that a Second Chamber is essential to prevent hasty legislation. We should discuss with dispassion and detachment proposals put before us." This is what Dr. Radhakrishnan said.

Hon. Members, are we letting the genius of this August House express itself? Let us ponder over it. Where are the dignified debates which happened earlier? Are we conducting ourselves in a manner that political passions clouding a legislation are allowed to cool down? Are we demonstrating dispassion and detachment?

This august House was envisaged to enable a reasoned and quiet consideration of Bills by checking hasty legislation by the other House by slowing it at the best. I may recall some instances. Some of us are of the opinion that even after the Lok Sabha passes a Bill, even after the Standing Committee approves it also, sometimes, we send the Bill back to the Select Committee. The Select Committee consisting of our own Members apply their mind, and, through their wisdom, make recommendations and then the Bill comes back to us. That is the beauty of the system. With this beauty, we also have a duty. And if beauty and duty are added, we can make our system mighty. That is my appeal to all of you. You should instead dispel fears expressed by Pandit Jawaharlal Nehru, who despite reservations about the utility of this House supported it. Nehru ji also supported it at the end and said that its coming into being will be in the interest of the country. You need to rise to the expectations of those who strongly justified the need for this House in the Constituent Assembly. The main purpose behind the creation of a legislative structure for our country was to provide a democratic forum for people's representatives and to restore the political and social unity of our country.

It is in the hands of the hon'ble Members to choose whether to do justice to the lofty ideals with which this Chamber was created or to strengthen the fears of those who had reservations about its utility. In my view, the best way forward is to debate and decide instead of disrupt and derail. Demonstrate your wisdom and concern and not placards and other things in the House.

If the Government is at fault, or if somebody feels that if somebody else is at fault, the best occasion is to take up that issue in the House and then corner the people concerned for that mistake or that shortcoming.

Every individual and institution needs to seriously reflect and introspect from time to time, failing which they degenerate and decline. We have huge stakes in our parliamentary institutions. Let us make a success of them. I earnestly hope that all the hon'ble Members would appreciate my anguish over the way this important Session turned out to be. Hope is what sustains all of us, including me and you, and, let us hope for the better when we all meet next time.

I once again want to make it very clear that showing placards, banners or party flags or shouting slogans should be totally avoided, not only inside the House even outside the House. Only outside the premises, one can do it.

I think, when something is happening already, taking a strong action suddenly is not right. Chairman can take action but is the action a final solution?

We should all think about it. It is not that I don't have that much courage or conviction to take action. You are all my fellow Members. People have elected you. You are as much important as me or the Ministers. So, that being the case, I thought I should make one more appeal to all of you to see that next time we adhere to what we had promised on the occasion of fifty years of independence as a solemn pledge and cooperate.

Hon. Members, I would like to once again thank the Deputy Chairman, the Members of the Panel of Vice-Chairmen, the Secretary-General, the leaders of all political parties for whatever cooperation they have given, and also the Leader of the House. The Leader of the House is not well, I have to inform you. It will take some time. There is nothing to worry on that count. He will become normal. He will come back to the House. Thank you very much. He is the Leader of the House and one of the most valuable Members. I will definitely convey the best wishes of the entire House.

Everybody should not take any comment made in response to a separate thing. That is a comment generally for all of us. As I have so much liberty with many of you who have worked with me for twenty years-thirty years in public life, sometimes I take liberty and take the names. That does not mean only he or she is at fault. This is for all of us. So, as the Chairman, I have that pious responsibility. I would like to thank the officers, the staff of the Secretariat for the help and cooperation they have given. Now, let us rise for Vande Mataram.

**(The National Song, “Vande Mataram” was played.)**

**The House adjourned *sine die*.**

**Desh Deepak Verma,**  
*Secretary-General.*

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