



**SECOND CHAMBER IN INDIAN
PARLIAMENT : ROLE AND
STATUS OF RAJYA SABHA**



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P R E F A C E

Bicameralism has been one of the most important features of India's parliamentary democracy. Ever since the coming into force of the Constitution, both the Chambers of Indian Parliament have been complementing each other in more than ways than one. The ever increasing activities of the Upper House - Rajya Sabha - have reinforced the expectations of founding fathers for a bicameral legislature. Over the years, the Rajya Sabha has proved to be an effective deliberative and revisory chamber. This booklet *inter-alia* covers information about the history, organizational structure, powers and functions of the Rajya Sabha and analyses its status *vis a vis* the Lok Sabha. I hope this booklet will be of use to all those who wish to have an over view of the Rajya Sabha in a nutshell.

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August 2009

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SECOND CHAMBER IN INDIAN PARLIAMENT : ROLE AND STATUS OF RAJYA SABHA

**That's not an Assembly where there are no eldermen,
Those are not elders, who do not speak with righteousness,
That's no righteousness where there is no truth,
That's not the truth which leads one to deceit.**

*Mahabharata**

Introduction

The rationale for having a Second Chamber for a Parliament and its status and role in the body polity, has been one of the vexed questions in the history of democratic governance. Views and opinion, for and against the Second Chamber, have been aplenty – mostly sharply divided. While the protagonists of the bicameral system have emphasized the need for having a Second Chamber as a safeguard against the possible tyranny of a unicameral Legislature, the critics have dismissed its existence as being inherently undemocratic and subversive of the will of the people expressed through the directly elected Lower House. The merits and demerits of the Second Chamber notwithstanding, the fact remains that about one-third of the Parliaments of the world today have Second Chamber, for one reason or the other.

Justifications for a Second Chamber

The justifications for the Second Chamber are as under:

- (i) A Second Chamber facilitates a second look at legislations that may sometimes be the result of purely political compulsions of the ruling majority in the popular House. Also, a two-house legislative body allows scope for more talent and expertise and, therefore, wider scrutiny of legislative proposals. In other words, the Second Chamber acts as a check on hasty and ill-conceived legislations.

**Sabha Parva*

- (ii) Legislatures, the world over, are grappling with increasing demand to legislate on newer areas. The Second Chambers have, therefore, become much more useful in sharing the burden of the Lower Chambers.
- (iii) A Second Chamber provides more opportunities for scrutiny and creates an enabling atmosphere for securing greater executive accountability. It complements the First Chamber in more ways than one.
- (iv) A Second Chamber can hold debates on matters of wide ranging public issues which otherwise may not be held in a single chamber. It also has the advantage of having some people who have excelled in different areas of life and who may not like to face the rough and tumble of the electoral politics. Such Members participate in the debates with an amount of authority and learning.
- (v) In a federation, a Second Chamber can give representation to the component units. It can legitimately hold itself as the guardians of the state-interests in a federal polity.

Bicameralism in India

Most of the justifications for a Second Chamber are relevant in the case of Indian Second Chamber as well. The vast diversities of languages, cultures, perceptions and interests in India necessitated an institutional structure for reflecting pluralism. Those diversities have been best accommodated through the Second Chamber. India has a bicameral National Parliament. The Rajya Sabha or the Council of States is the Second Chamber. The way in which the architecture of our Constitution was conceived, it was envisioned as the House of federal bicameralism and not a simple bicameral legislature. Its nomenclature as the 'Council of States' rather than the 'Senate' appropriately justifies its federal importance.

Historical Background

In India, a Second Chamber was envisaged for the first time under the Montague Chelmsford Reforms proposals. The Government of India Act, 1919, accordingly, provided that the Indian Legislature shall consist of the Governor-General and the two chambers, namely the Council of State and the House of Assembly. The term of the Council was fixed at five years. Under

the Government of India Act, 1935; however, the Council of State was made a continuous body, not subject to dissolution. The members were to hold their seats for nine years and one-third of them retiring at the end of every three years. But the scheme envisaged for the Second Chamber under the Government of India Act, 1935, never materialized because the provisions pertaining to the federal structure under the Act were never put into operation. As a result, the Second Chamber set up under the Government of India Act, 1919 continued to function till 1947. In other words, the structure and composition of the legislative institutions provided in the previous enactments did not furnish any viable basis on which the Legislature of independent India under the new Constitution could be devised; and the Constituent Assembly had, therefore, to give thought to this matter without any guidance from the past.

The Constituent Assembly Debates

One of the issues which the Constituent Assembly had to consider was about having a Second Chamber for the Indian Parliament. The Assembly had before it not only various models of Second Chambers in the major Parliaments of the world, but also the working of the then existing Central Legislature set up under the Government of India Act, 1919.

The Union Constitution Committee, set up by the Constituent Assembly under the chairmanship of Shri Jawaharlal Nehru, in its report presented to the Assembly on 21 July 1947, made certain proposals in respect of the Second Chamber at the Centre.

The Report of the Committee was also discussed in the Constituent Assembly on 28 July 1947. During the discussion, divergent views were expressed in regard to having a Second Chamber. For instance, a member was of the opinion that a Second Chamber was not essential. Another member was of the view that experience in the last so many years had been that the Upper House acted as a “clog in the wheel of progress” and so it was not wise to continue the same thing in the Constitution. On the other hand, a member felt that a Second Chamber would not only be an advantage but an absolute necessity. It would, in his opinion, introduce an element of sobriety and second thought and without a Second Chamber it would be difficult to fit in the representatives of the

States in the scheme of things. Replying to the debate, Shri Gopaldaswami Ayyangar observed:

The need for Second Chamber had been felt practically all over world wherever there are federations of any importance. After all, the question for us to consider is whether it performs any useful function. 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 passions of the moment until the passions have subsided and calm consideration could be bestowed on the measures which will be before the Legislature; and we shall take care to provide in the Constitution that whenever on any important matter, particularly matters relating to finance, there is conflict between the House of the People and the Council of States, it is the view of the House of the People that shall prevail. Therefore, what we really achieve by the existence of this Second Chamber is only an instrument by which we delay action which might be hastily conceived, and we also give an opportunity, perhaps to seasoned people who may not be in the thickest of political fray, but who might be willing to participate in the debate with an amount of learning and importance which we do not ordinarily associate with a House of the People. That is all that is proposed in regard to this Second Chamber. I think, on the whole, the balance of consideration is in favour of having such a Chamber and taking care to see that it does not prove a clog either to legislation or administration.

The motion was adopted by the Constituent Assembly on 28 July 1947. First election to the Council of States was held in March 1952 and the House was constituted on 3 April the same year. The Rajya Sabha, its Hindi nomenclature, was adopted on 23 August 1954.

Role of Rajya Sabha

The makers of our Constitution envisaged the role of the Rajya Sabha along three axes: as a legislative chamber of elders discussing, revising or delaying legislation as per need; as an institution where interests of the states of the Indian Union could be projected and safeguarded and; as a deliberative chamber where greater and diverse experience is brought to bear on questions of significance. The essence of democracy is participatory governance. Experience the world over has shown that this ensures responsiveness and transparency.

Shri Mohammad Hamid Ansari

The Constitution of India has assigned a unique role to the Rajya Sabha. Through performance of varied roles, the Rajya Sabha has secured a distinct place in our polity as also in the constitutional set-up. Its multifaceted roles are as under:

As a Revising Chamber

There is a general impression that this House cannot make or unmake governments and, therefore, it is a superfluous body. But there are functions which a revising chamber can fulfil fruitfully...We are for the first time starting, under the new 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.

Dr. Sarvepalli Radhakrishnan

Rajya Sabha has a special role to play as a revising Chamber. Though revisions have been few and far between, yet potentially there is always the possibility of revision as a result of second sober thought. Rajya Sabha has, in our parliamentary system, the authority to discuss and delay legislation, not to clog or undo it unreasonably. As a Second Chamber, it has the mandate to secure a second sober look at hasty legislation. An analysis of the Bills revised by the Rajya Sabha would reveal that in a number of cases, Rajya Sabha had recommended changes in the Bills passed by Lok Sabha and those changes were, in fact, carried out eventually.

As a revising Chamber also, the Rajya Sabha has revised a number of Bills passed by Lok Sabha. Among some of the important Bills revised are the Income Tax (Amendment) Bill, 1961 and the National Honour Bill, 1971 wherein some substantial amendments suggested by the Rajya Sabha were accepted by the Lok Sabha. The Dowry Prohibition Bill was another legislation in which the Rajya Sabha's insistence on its amendments led to the convening of a Joint Sitting of the two Houses and in that sitting, one of the amendments suggested by the Rajya Sabha was adopted without a division. Similarly, substantial revisions were carried out in the Urban Land (Ceiling and Regulation) Bill, 1977, the Government of Union Territories (Amendment) Bill, 1977 and the Delhi

We pour legislation into the senatorial saucer to cool it.

George Washington

Administration (Amendment) Bill, 1977. In the recent past, Rajya Sabha, among others bills, also amended the Indian Council of World Affairs Bill, 2001, the Prevention of Terrorism Bill, 2002, the Delimitation Bill 2002, the Fiscal Responsibility and Budget Management Bill, 2002, the Representation of the People (Amendment) Bill, 2003, the Company Secretaries (Amendment) Bill, 2005 and the Cost and Works Accountants (Amendment) Bill, 2005.

As a Federal Chamber

In the developing federal structure of our country, the Rajya Sabha has a greater role to play in the future. From the rich diversity of representative opinion we have here, from the daily dialogues we will be having on matters of moment, will, I am sure, emerge a greater unity, a more lasting national consensus.

Shri V.V. Giri

Another significant role of the Rajya Sabha was guided by the need for giving a representation to the states in the federal legislature. Rajya Sabha is a federal Chamber where the representatives of each state are elected by the elected members of the Legislative Assembly of the state. As a federal Chamber, it has been assigned some special powers, impacting the federal interests. The Rajya Sabha being the representative forum of the states, endeavours to remain ever concerned and sensitive to the aspirations of the states. In the process, it strengthens the country's federal fabric and promotes national integration.

As a Deliberative Chamber

Parliament is not only a legislative but also a deliberative body. So far as its deliberative functions are concerned, it will be open to us to make very valuable contributions, and it will depend on our work whether we justify this two Chamber system, which is now an integral part of our Constitution. So, it is a test to which we are submitted.

Dr. S. Radhakrishnan

Rajya Sabha takes pride in the quality of debates it has held ever since its inception. The prime role of the Rajya Sabha as a deliberative Chamber has been reinforced by the provision of nomination to the Rajya Sabha of 12 Members noted for their contribution to literature, science, art and social service. The high traditions of debates and discussions in the House have guided the Members of Rajya Sabha not only to hold informed debates on public issues but also to endeavour to make proceedings relevant to public welfare.

Rajya Sabha as a deliberative body can bring to every issue an outlook of mature, dispassionate and sensitive contemplation in consonance with the lofty idealism of the stalwarts in our nation's history. The House thus has a vital responsibility to fulfil *vis-a-vis* the past, the present and the future.

Dr. Shanker Dayal Sharma

As a Chamber of Continuity

Parliamentary institutions are the temples of democracy. They are the Gangotri from which people expect purity and probity to flow incessantly to enrich the material and moral life of the country. I am sure that in the Rajya Sabha, the House of Continuity and in the Lok Sabha, a House of Change; we have a splendid blend of change and continuity in our Parliament. That is the Indian tradition, that is our dharma. It will set the moral tone and temper of our society while building a new India.

Shri Krishan Kant

Rajya Sabha is a permanent Chamber, not subject to dissolution and one-third of its Members retire every second year. The hallmark of the Rajya Sabha is the principle of continuity as a perpetual House, as a continuous institution in the parliamentary framework. A scheme of having a Chamber of legislative continuity was needed in a parliamentary system to meet the legislative and constitutional contingency at a time when the popularly elected House may be under dissolution or in the process of reconstitution after election. As the Rajya Sabha is a permanent House, the dissolution of Lok Sabha has limited impact on the Bills pending before the Rajya Sabha. A Bill which is pending in the Rajya Sabha and has not been passed by the Lok Sabha, will not lapse on the dissolution of the Lok Sabha. Thus, the continuity of the Rajya Sabha ensures a significant measure of legislative continuity.

A Chamber not Concerned with Government Formation

The Government of the day is collectively responsible to the House of People, the directly elected House. Rajya Sabha being an indirectly elected House, has no role in the making or unmaking of the Government. Since the Governments are not formed, nor do they fall on the basis of the numerical strength of the Rajya Sabha, this Chamber is relatively free from the

compulsions of competitive party politics. Some argue that if Rajya Sabha cannot bring down a Government, its role is limited in a political perspective. But, many hold that it is not so much in the actual bringing down of a Government that a House of Parliament performs its most crucial role as a vibrant contributor to the discourse of the nation. As such, the Rajya Sabha has played a significant role in contributing to the national discourse in full measure.

As an Effective Smaller Chamber

Rajya Sabha is comparatively a smaller Chamber than the Lok Sabha as its maximum strength is 250 *vis-a-vis* 550 in the Lok Sabha. Being a smaller House, it affords opportunities for close camaraderie and greater consensus-building among the Members. Spirit of accommodation and adjustment among the Members, across party lines, contribute to the effectiveness of this House. It also helps in better time management of the House, besides discussions on wide ranging issues.

As a Chamber Securing Executive Accountability

Rajya Sabha, as a constituent part of Parliament, has been securing executive accountability through its various committees. At present, there are 24 Department-related Parliamentary Standing Committees in the Parliament, out of which eight are functioning under the direction and control of the Chairman, Rajya Sabha. The constructive criticism and considered recommendations made by such Committees have been found to be useful by the Ministries and Departments concerned to tone up their functioning and to formulate realistic budgets, plans and programmes for the welfare of the people. These Committees have considered some of the important legislations and presented reports thereon to both Houses of Parliament.

As a Chamber of Ventilating Public Grievances

Rajya Sabha is the reflecting surface of the problems faced by different states. Its Members, being the representatives of states, articulate the concerns of respective states and their people. It has, through well established procedural devices such as Questions, Calling Attention, Special Mentions, Short Duration Discussion, Half-an-Hour Discussion, Motions, Resolutions, etc., raised issues of public importance, focused attention on matters affecting policies of the Government and provided a forum for ventilation of public grievances. Through these devices, it has managed not only to elicit information but also put pressure on the Government to reorient its policies for serving larger public interests.

Status of Rajya Sabha in Indian Polity

To call either of these Houses an Upper House or a Lower House is not correct. Each House has full authority to regulate its own procedure within the limits of the Constitution. Neither House, by itself, constitutes Parliament. It is the two Houses together that are the Parliament of India. The successful working of our Constitution, as of any democratic structure, demands the closest cooperation between the two Houses.

Pt. Jawaharlal Nehru

The very composition and the manner in which the Rajya Sabha has functioned so far goes to prove that it is not an ordinary Second Chamber.

Composition

The Rajya Sabha and the Lok Sabha together with the President of India constitute 'Parliament of India'. The strength of the Rajya Sabha has been fixed at the maximum of 250 members – two hundred and thirty-eight members from the States and Union territories and twelve members having special knowledge or practical experience in literature, science, art and social service to be nominated by the President. The allocation of seats to the various States is provided in the Fourth Schedule of the Constitution. The representatives of the States are elected by the elected members of State Assemblies in accordance with the system of proportional representation by means of the single transferable vote. The representatives of the Union territories in Rajya Sabha are chosen in accordance with law enacted by Parliament. At present, two Union territories, namely, the National Capital Territory of Delhi and Puducherry are represented in Rajya Sabha.

Tenure

Unlike the Lok Sabha, the Rajya Sabha is a permanent body and is not subject to dissolution, but one-third of its members retire every two years and their place is taken by new members. That is, a member of Rajya Sabha who is elected for a full term, retains the membership for a period of six years. However, a member elected to a seat rendered vacant due to resignation, etc., serves for the remaining term only. Therefore, the composition of Rajya Sabha changes every second year with one-third of its members retiring and new members getting elected for a period of six years unlike the members of Lok Sabha, who are elected for a term of five years.

Presiding Officer

The dignity and prestige of this House is evident from the fact that the Vice-President of India is its *ex-officio* Chairman. When the Vice-President acts as the President of India or otherwise performs the duties of the President, the duties of the Chairman of the Rajya Sabha are performed by the Deputy Chairman who is elected by the members of the Rajya Sabha from amongst themselves. The Deputy Chairman presides over the sittings of the Rajya Sabha in the absence of the Chairman.

Legislative Functions

Social change and promotion of welfare of the people through legislations remains at the core of democratic governance. The Rajya Sabha has an enviable reputation in initiating, deliberating and passing legislations in almost all the sphere of governance.

The dialogue between the two (Houses), besides improving legislation itself, helps educate public opinion by calling the attention of the public to the diverse viewpoints on the subject matter of the legislation. Sufficient opportunity is provided for the articulation of all possible objections to a Bill, for reconsideration of its terms to be better understood by the Government and the popular House. Legislation in bicameralism is thus likely to be a product of fuller thought.

Shri B.D. Jatti

Ordinary Bills

With regard to ordinary bills, the powers of both the Houses are coordinate and equal. These can be presented in either House by any member. Though a large part of the legislative business of Parliament is financial, in case of ordinary legislation Rajya Sabha's record is impressive. An analysis of the subject matter of the Bills introduced in the Rajya Sabha would reveal that many of them were of immense importance.

In case of an ordinary legislation, however, to resolve a deadlock between the two Houses, a provision has been made in article 108 of the Constitution for the joint-sitting of both Houses. The President can call a joint sitting of both the Houses to resolve and iron out the differences. Such joint sittings are presided over by the Speaker of Lok Sabha where decision is taken by majority vote. Therefore, Lok Sabha definitely has the advantage of its numerical strength. There have been three occasions in the past when the two Houses of Parliament had met at joint sitting to resolve the disagreements between them. The first joint sitting was convened in 1961 to resolve the

deadlock on the Dowry Prohibition Bill, 1959. Again, in 1978, the two Houses had met in a joint sitting on the Banking Service Commission (Repeal) Bill, 1977. The third joint sitting was held in March 2002, when the Prevention of Terrorism Bill, 2002, which was passed by Lok Sabha was rejected by Rajya Sabha. However, the Bill was passed in a joint sitting of both Houses.

Financial matters

Rajya Sabha has limited role in financial matters. A Money Bill cannot be introduced in the Rajya Sabha. It has to be introduced only in the Lok Sabha and after it is passed by that House, it has to be transmitted to the Rajya Sabha for its recommendation. The Lok Sabha has the power of either accepting or rejecting the recommendations, if any, made by the Rajya Sabha. If a Money Bill is not returned by the Rajya Sabha within fourteen days of its receipt from the Lok Sabha, it will be deemed to have been passed by both Houses after the expiry of the said period. Certain category of Financial Bills also cannot be introduced in the Rajya Sabha, but there is no other limitation on the power of the Rajya Sabha with regard to such Bills and the Rajya Sabha has full powers to reject or amend a Financial Bill as it has in respect of any Bill other than a Money Bill.

From this it will not, however, be correct to assume that the Rajya Sabha has nothing to do with any matters relating to finance. The Annual Budget of the Government of India has to be laid before the Rajya Sabha as well and members have the right to discuss the same like the Lok Sabha. Though the Rajya Sabha does not vote on Demands for Grants of various Ministries—a privilege exclusively reserved for the Lok Sabha – no money can be withdrawn from the Consolidated Fund of India unless the Appropriation Bill is passed by Parliament also. Similarly, the Annual Finance Bill also passes through the Rajya Sabha.

Amendment of the Constitution

Article 368 of the Constitution confers power on Parliament to amend the Constitution. The Rajya Sabha possesses equal authority and power with regard to the amendment of the Constitution. A Constitution Amendment Bill can be introduced in either House of Parliament and has to be passed by each House of Parliament separately. In case one House fails to do so, the Bill falls through. There is no provision for a joint sitting of both Houses to resolve a deadlock on a Constitution Amendment Bill.

Rajya Sabha has not remained content with its role merely as a revisory chamber. A number of Constitution Amendment Bills were introduced in Rajya Sabha and finally became Acts of Parliament. On several occasions, the Rajya Sabha also asserted its power and defeated the Constitution Amendment

Bills. The Constitution (Twenty-fourth Amendment) Bill, 1970, regarding the abolition of privy purses and privileges of the rulers of former Indian States, the Constitution (Sixty-fourth Amendment) Bill, 1989 and the Constitution (Sixty-fifth Amendment) Bill, 1989, regarding establishment of the Panchayati Raj bodies and the Municipalities in rural and urban areas, respectively could not be passed as these Bills did not get the requisite majority in Rajya Sabha.

Special Powers

Apart from the coordinate powers it enjoys with the Lok Sabha, the Constitution vests some special powers in the Rajya Sabha to exercise its federal mandate as it represents States and Union territories in Parliament. Such special powers lend credence to its status as an Upper House *vis-à-vis* the Lok Sabha.

Legislation on State matters

As a federal chamber, it can initiate Central intervention in the State Legislative field. Article 249 of the Constitution provides that the Rajya Sabha may pass resolution, by a majority of not less than two-thirds of the Members present and voting, to the effect that it is necessary or expedient in the national interest that Parliament should make laws with respect to any matter enumerated in the State List. If such a resolution is adopted, Parliament will be authorised, to make laws on the subject specified in the resolution, for the whole or any part of the territory of India. Such a resolution will remain in force for such period, not exceeding one year, as may be specified therein, but this period can be extended by one year at a time by passing further resolution.

Creation of All India Services

Another exclusive power of the Rajya Sabha is contained in Article 312 of the Constitution wherein if the Rajya Sabha passes a resolution by a majority of not less than two-thirds of the members present and voting declaring that it is necessary or expedient in the national interest to create one or more All India Services common to the Union and the States, Parliament will have the power to create by law such services.

Approval of Proclamation

Yet another special power of the Rajya Sabha relates to the Proclamation of Emergency. The proviso to clause (4) of Article 352 of the Constitution, *inter alia*, provides that if a Proclamation of Emergency is issued when the House of the People remains dissolved and a resolution approving the Proclamation is passed by the Council of States the Proclamation, would be

legally effective up to a maximum period of 30 days from the date on which the House of the People first sits after its reconstitution. This provision, therefore, appears to suggest that there might be an occasion when the Council of States could be called into a session at a time when the House of People stands dissolved. The proviso to clause (3) of Article 356 of the Constitution which relates to the Proclamation to be issued by the President in case of failure of constitutional machinery in a State, contains a similar stipulation.

Equal Powers in relation to Lok Sabha

There are some important matters in respect of which the Constitution has placed both Houses of Parliament on an equal footing as may be seen from the following list:

1. Equal right with the Lok Sabha in the election and impeachment of the President (Articles 54 and 61);
2. Equal right with the Lok Sabha in the election of the Vice-President (Article 66);
3. Equal right with the Lok Sabha to make law defining parliamentary privileges and also to punish for contempt (Article 105);
4. Equal right with the Lok Sabha to approve the Proclamation of Emergency (issued under Article 352), Proclamations regarding failure of the Constitutional machinery in States (issued under Article 356) and even a sole right in certain circumstances; and
5. Equal right with the Lok Sabha to receive reports and papers from various statutory authorities, namely:
 - (a) Annual Financial Statement [Article 112(1)];
 - (b) Audit Reports from the Comptroller and Auditor General of India [Article 151(1)];
 - (c) Reports of the Union Public Service Commission. [Article 323(1)];
 - (d) Reports of the Special Officer for the Scheduled Castes and Scheduled Tribes [Article 338(2)];
 - (e) Report of the Commission to investigate the conditions of the Backward Classes [Article 340(3)];
 - (f) Report of the Special Officer for Linguistic Minorities [Article 350 B(2)].

Majority-Minority Party Equation in Rajya Sabha

The party-wise composition in the Rajya Sabha changes at a much slower

pace than in the Lok Sabha. There have been occasions when the ruling Party having majority in the Lok Sabha did not have a majority in the Rajya Sabha. It may be *vice versa*. The composition of the Rajya Sabha, in fact, changes biennially depending on the strength of a particular party in the concerned Legislative Assembly of the State at that particular time. Such a situation poses a challenge to the ruling party to get a legislation passed requiring special majority such as constitutional amendments, etc. This may affect the policy making of the government of the day, as any Bill, has to be passed by Rajya Sabha also. As a result, the government of the day has to shape the Bills in a way that would be agreeable to the Rajya Sabha in order to avoid any face off between the two. Thus, the Rajya Sabha enjoys enormous clout, even though it does not have any stake in the Government formation.

Ministers Belonging to Either House of Parliament

Further, Ministers may belong to either House of Parliament, and the Constitution does not make any distinction between the two Houses in this regard. Every Minister has the right to speak in and take part in the proceedings of either House though he is entitled to vote only in the House of which he is a member. In the last few decades Rajya Sabha has played a prominent role in the process of governance. Since the nineties there has been a visible trend of the Prime Minister, who is the leader of the government, being a Member of Rajya Sabha. Way back in the sixties, when Smt. Indira Gandhi became the Prime Minister of India for the first time, she was a Member of Rajya Sabha. The portfolio of Minister of Finance has also been held on many occasions by members of Rajya Sabha. A fair number of the members of Rajya Sabha are also part of the Council of Ministers.

Conclusion

Ever since its inception, the role played by the Rajya Sabha for strengthening parliamentary democracy amply proves the wisdom of the founding fathers of our Republic. Success of bicameralism in India owes a lot to the way the Rajya Sabha has redeemed itself as a democratic institution with proven record of its relevance not only for the body polity but also for our society and people. Its performance in the legislative field and in the formulation and influencing the Government policies has been quite significant.

Described as "...a Constitutional caravan that goes on continuously and ceaselessly unlike the other House" the Rajya Sabha has distinguished itself through its manifold activities. It has worked in a spirit of mutual respect and co-operation with the House of the People in matters concerning the business of Parliament.

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