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Interview



It is the responsibility of the government to create and sustain a consensus: Jairam Ramesh

S. Rajendran

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Jairam Ramesh at Parliament House, New Delhi, on November 30, 2015. File photo: Kamal Narang

On June 11, 2016, former Union Minister, Jairam Ramesh was elected to the Rajya Sabha, India's upper house, for a third term representing the Indian National Congress (INC). After two terms representing Andhra Pradesh, he will now represent his home State, Karnataka, having been born in Chikmagalur and continuing to have close family there.

Jairam Ramesh, who is also a Senior Visiting Fellow, *The Hindu Centre for Politics and Public Policy*, has authored four books in the last two years. His *Green Signals: Ecology, Growth and Democracy in India*, *Legislating for Justice: The Making of the 2013 Land Acquisition Law*, and *To the Brink and Back: India's 1991 Story* received widespread acclaim. His most recent book released on June 10, 2016, is *Old History New Geography: Bifurcating Andhra Pradesh*. He has held many important ministerial portfolios between 2006 and 2014. Excerpts from a conversation with The Hindu Centre for Politics and Public Policy's Resident Representative, Karnataka, **S. Rajendran**, on the functioning of the Rajya Sabha and the important role played by it in the world's largest democracy.

S. Rajendran: The biennial elections to the Rajya Sabha from several States, including Karnataka, have just concluded. During the election process, there were allegations of the sale of ticket by some political parties. As an outgoing member of the Rajya Sabha and a candidate in the current round, how do you react to these charges?

Jairam Ramesh: Well, whatever has happened over the years to vitiate elections to the Rajya Sabha has been most unfortunate. I can't say whether tickets have been sold by some political parties in different States but that sadly is indeed the public perception. This brings the Rajya Sabha into disrepute. Of course, let me also say that wild allegations get made and we must be careful to distinguish these wild allegations from actual fact.

The so-called sting operations aired by some television channels established nothing except that some legislators talked loosely. But one particular channel carried on a virulent campaign to get the Karnataka Rajya Sabha polls countermanded or postponed. Some retired CECs sitting in the comfort of Gurgaon pontificated without knowing the facts.

It is pertinent to note that all political parties, including the Congress, have directly or indirectly encouraged businessmen as candidates and the latter indulge in paying money for votes — should this not be banned?

There is nothing wrong with businessmen (and women) becoming members of the Rajya Sabha. That is to be welcomed. But the manner of the entry must be above board and also their conduct, once they become members, must see a separation of their business interests and their duties as a member of the Rajya Sabha. That has not always happened and I have personally seen conflict of interest situations.

A bicameral legislature, including that of the Parliament, has often been looked at as obstructionist in the passage of legislations — while the Bharatiya Janata Party did it during the rule by the United Progressive Alliance (UPA), the INC is doing the same at the present juncture. Does it not hurt democracy and goes against the popular mandate of the people?

The Rajya Sabha is certainly not obstructionist. It plays a legitimate constitutional role and, in fact, there is more serious and informed debate and discussion in the Upper House. In fact, Select Committees of the Rajya Sabha have vastly improved Bills, as recent examples demonstrate. Let us not forget that the Privy Purses Abolition Bill fell by one vote in the Rajya Sabha in 1970, and in 1989 the Rajya Sabha did not approve the Constitution Amendment Bills to empower panchayats and *nagarpalikas* (which got done subsequently in 1993).

The composition of the Rajya Sabha changes slowly and may not be in sync with the composition of the Lok Sabha. All governments have faced the problem of not having majority support in the Rajya Sabha. How do governments get over this problem and pass legislation? Is joint session a way out?

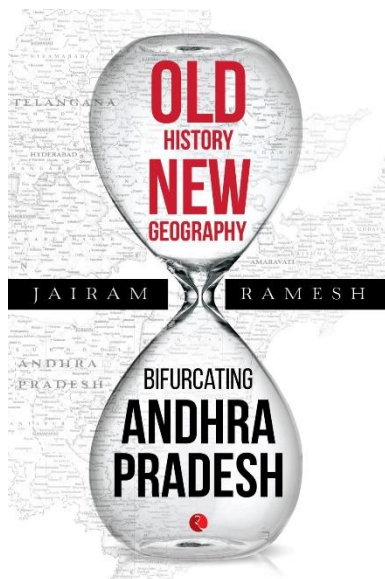
It is the responsibility of the government of the day to create and sustain a consensus. Unanimity may be impossible and also not desirable but consensus is certainly possible. How did I create a consensus on the highly contentious land acquisition law that Parliament enacted in September 2013? You have to work hard for creating a consensus, you have to be prepared to compromise when needed, you have to be prepared to share and give credit to others, you have to learn to keep your ego aside and give others a sense of belonging and participation.

One way of bypassing the Rajya Sabha is to formulate bills as money bills as was done in the case of the Aadhaar Bill. What are the implications of such a course?

This would be disastrous. I have challenged the decision to declare the Aadhaar Bill as a Money Bill in the Supreme Court and the matter will be heard next month. If the Government arbitrarily and merrily treats important Bills as Money Bills, as this government is doing to an unprecedented extent, then you may as well wind up the Rajya Sabha. The Money Bill route is being adopted to avoid meaningful debate in the Rajya Sabha and to ensure that the Rajya Sabha does not make any changes in legislation that the Government pushes through in the Lok Sabha. The checks and balance provided by the upper house will be lost if all Bills are declared Money bills indiscriminately as this Modi Government has done.

The tradition in the Rajya Sabha, unlike in the Lok Sabha, is to adjourn the House when members walk into the well of the House and there is a disturbance. Such long adjournments do not happen in the Lok Sabha and certainly not in the State legislatures where members are named and asked to remove themselves or are suspended. Are hair trigger adjournments desirable?

That is not true. Long adjournments also take place in the Lok Sabha. I think the "well" situation can be avoided if the Government of the day is more forthcoming and more supportive of the demands being made by opposition parties. Ultimately, the Government will have its way but there is no harm in letting the opposition have its say. This was an approach I believed in even during the time I was in the Treasury Benches between 2004 and 2014.



The Rajya Sabha is a Council of States and unfortunately people from outside a State are given the ticket. This obviously is against the interest of the States concerned. Your views on the same.

Sometimes, the party needs to bring certain individuals into the Upper House because of their experience and special qualifications and that may not always be possible from the home States. I see nothing wrong *per se* in people from outside the State being given a ticket.

It all depends on how these people relate to the concerns and interests of the State they are chosen to represent. And it is not as if this is a wide-spread phenomenon. There will be only a few cases really.

It should be noted that the nominated members hardly get to speak on the floor of the Rajya Sabha although they have been nominated given

their expertise in their respective field. Further, the kind of members being nominated has taken a serious dip. Do you agree?

Yes, the heyday of nominated members was when Jawaharlal Nehru was the Prime Minister. I long for those days to return. Satyendranath Bose of Bose-Einstein fame was a nominated member. Rukmini Devi Arundale was another. I have myself seen the great contributions made by Fali Nariman. I entirely agree that the quality of nominated members must go back to the 1950s and the time they are given should also be enhanced. Perhaps, nominated members should be selected by a Committee headed by the Chairman of the Rajya Sabha, the Leader of the House and the Leader of the Opposition. This way truly non-party all-party people will get nominated. Excellence should be the only criteria. But once nominated these individuals must devote time to the Rajya Sabha. Fali Nariman did. Sachin Tendulkar and Rekha have not.

Is the Rajya Sabha in reality a house of the elders and do the members also behave in such a fashion? In recent times it has become a house for rehabilitating the defeated candidates. Those who fail to get elected to the Lok Sabha find their way into the Rajya Sabha which in a way can be regarded as a backdoor entry to the Parliament.

It is true that defeated candidates in the direct elections have been accommodated. But the number is few and far between. Also, so what? If the party finds them useful and worthwhile, there is no reason why they should not be accommodated in this fashion.

(S. Rajendran is Resident Representative, Karnataka, The Hindu Centre for Politics and Public Policy, based in Bengaluru. Until recently he was Resident Editor/ Associate Editor, The Hindu, Karnataka.

In a journalistic career of over 35 years with The Hindu in Karnataka, he has extensively reported on and analysed various facets of life in the State. He holds a Master's degree from the Bangalore University. The Government of Karnataka, in recognition of his services, presented him the Rajyotsava Award — the highest honour in the State — in 2010.)

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