

DECCAN Chronicle *On The Web*

Published on Deccan Chronicle (<http://www.deccanchronicle.com>)

Hema Malini's RS nomination is what's wrong with system

By Sandeep Shastri

Feb 20 2011

The decision of the BJP to nominate Hema Malini as its candidate for the Rajya Sabha elections from Karnataka raises several important questions on the role of the Rajya Sabha and the profile of its membership.

The Rajya Sabha is officially described as the Council of States, a body that represents the states at the national level. In a federal system, the Upper House of the Parliament plays a critical role in protecting the interests of the state while the Lower House is directly elected by the people and mirrors popular will. It is thus assumed, that those elected to the Rajya Sabha from a particular state, would represent and protect the aspirations of the state at the national level.

A minimum prerequisite to perform this task would be that you belong to that state. The Representation of People's Act which defines the conditions to be fulfilled to contest Rajya Sabha elections, originally stated that a person seeking to contest the Rajya Sabha elections from a state should be 'ordinarily resident' in that state. This provision was reduced to a farce by political parties when they chose prominent leaders to contest Rajya Sabha elections from states they did not hail from by simply furnishing a residential address in the state. Later, the 'powers to be' decided to remove this fig-leaf of legitimacy by amending the Act and all together doing away with this provision. Today, to contest the Rajya Sabha elections, one does not need to provide any formal proof that one belongs to the state elected from.

To be fair to Ms. Hema Malini, she will not be the first 'non-resident Kannadiga' to contest Rajya Sabha elections from Karnataka. In the past, Ram Jethmalani, Dr. M.A.M. Ramaswamy and Venkaiah Naidu have been elected to the Rajya Sabha from Karnataka. In other states too, the trend of nominating candidates who do not necessarily hail from that state has become an increasingly practiced trend. This has wider implications on how political parties and their leaders view the opportunity that nominating candidates for Rajya Sabha elections provides.

It is becoming increasingly evident that Rajya Sabha membership is seen as a 'reward' that the political leadership is able to bestow on its supporters and favourites. It symbolises in one sense, payback time for services rendered and support extended. Many of those elected to the Rajya Sabha, often have no stake or interest in the politics of the state they have been elected from. It leaves observers wondering on their capacity or inclination to promote and further the interests of the state. Further, there is an increasing group of Rajya Sabha members who have never won a direct election in their entire political career. Rajya Sabha election thus becomes a mean for a back-door entry into the legislature.

Often those defeated in Lok Sabha elections are accommodated in the Rajya Sabha. Politicians switching political sides are often rewarded with a Rajya Sabha berth and retired (loyal) civil servants are often elected to this 'House of Elders'. Members are also increasingly single-term members which further strengthens the argument that Rajya Sabha membership is a reward for political loyalty and/or specific delicate political tasks successfully accomplished. Given this range of considerations that define and determine the choice of Rajya Sabha candidates it raises the question of whether this august body's

membership does justice to the role and tasks that have been assigned to it. It is time that there is a searching second look at the manner in which the Rajya Sabha is elected as the present system does little justice to the original role envisaged for the Upper House of Parliament in a federal system.

Given the changing contours of centre–state relations in particular and the dynamics of federalism in general, a comprehensive review of federal institutions is appropriate. The choice of the ‘Dream Girl’ by the BJP for the Rajya Sabha seat from Karnataka provides a right moment to sit back and develop a ‘long-term vision’ on the role of the Upper House in the Indian Federal system, for at the end of the day all sustainable dreams should be about a comprehensive vision.

The writer is a political scientist and Pro Vice-Chancellor, Jain University

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