

NOMINATION TO THE RAJYA SABHA: POLITY

NEWS: President Murmu nominates four to Rajya Sabha, including former Foreign Secretary Shringla, 26/11 prosecutor Nikam

WHAT'S IN THE NEWS?

The President of India has nominated four eminent personalities — including Harsh Vardhan Shringla and Meenakshi Jain — to the Rajya Sabha under Article 80(3), which allows nomination of individuals with special knowledge in fields like art, literature, science, and social service. This constitutional provision aims to bring non-political, domain-specific expertise into parliamentary discussions, though its use has sometimes been politically controversial.

Recent Nominations to the Rajya Sabha (2024–25)

Notified by: President of India

Nominated Personalities:

1. **Harsh Vardhan Shringla** – Former Foreign Secretary of India; served as Ambassador to the U.S.
2. **Ujjwal Nikam** – Noted public prosecutor in the 26/11 Mumbai terror attack case.
3. **C. Sadanandan Master** – Senior BJP leader from Kerala, known for grassroots mobilisation.
4. **Dr. Meenakshi Jain** – Eminent historian, known for her work in Indian cultural and historical studies.

Constitutional Provisions for Nominated Members

Source of Idea:

- Borrowed from the **Irish Constitution** – allowing for intellectuals and domain experts in the Upper House.

Article 80 – Rajya Sabha Composition:

- **Article 80(1)(a):** Rajya Sabha to have **not more than 250 members**, of which **12 are nominated by the President**.
- **Article 80(3):** The nominated individuals must have **special knowledge or practical experience** in:
 - Literature
 - Science
 - Art
 - Social service

Examples:

- **Rakesh Sinha** – Literature and academia
- **Ilaiyaraaja** – Renowned music composer, nominated for arts

Tenure of Nominated Members:

- 6 years (same as elected members)
- One-third of total members retire every two years (biennial retirement system as per Article 83)

Rights and Privileges:

- Equal to elected members in debates, bill voting (except Presidential election)
- **Can join a political party** within six months of taking their seat
- **Can vote** in Vice-Presidential elections
- **Cannot vote** in Presidential elections
- Eligible to serve on **Parliamentary Committees**

Rationale Behind Nominated Seats

Original Vision:

- Envisioned by **N. Gopalaswami Ayyangar** (Drafting Committee Member)
- Aim: To bring **intellectual capital and domain expertise** to Parliament

Intended Purpose:

- Allow participation of individuals who:
 - Are not in electoral politics
 - Have significant contributions in public service, arts, sciences, etc.

Criticisms and Misuse:

- Over time, some governments have used it to:
 - **Reward political loyalty**
 - **Strengthen numbers in Rajya Sabha**, especially when lacking majority
 - This is seen as a **dilution of original constitutional intent**

Significance of Nominated Members in Indian Polity

1. Bringing Expertise and Insight

- Enrich policy discourse with domain knowledge
- Example: **Dr. Narendra Jadhav** – Economist and educationist; contributed to developmental bills

2. Bridging Policy and Ground Realities

- Enable Parliament to link **legislation with implementation**
- Example: **Dr. Manmohan Singh** – Influential in economic reforms as a nominated economist

3. Voicing the Unrepresented

- Represent groups outside electoral politics (e.g., artists, athletes)
- Example: **Mary Kom** – Nominated to represent sports and tribal women empowerment

4. Promoting National over Regional Interests

- Nominated members are seen as **neutral** and **issue-focused**
- Example: **Dr. K. Kasturirangan** – Promoted space science and national-level education policy

5. Cultural and Regional Integration

- Nominees from different cultural backgrounds promote **India's diversity**
- Example: **Zakir Hussain** – Represented Indian classical music and heritage

6. Role Models in Public Life

- Inspire youth and citizens through their achievements
- Example: **Sachin Tendulkar** – Brought attention to sports policy and youth affairs

7. Specialised Policy Inputs

- Their professional backgrounds **enhance committee and legislative work**
- Example: **Bhalchandra Munekar** – Economist contributing to nuanced budget discussions

Election to Rajya Sabha: Key Features

House Nature:

- **Permanent House** – Not subject to dissolution
- **One-third members retire every 2 years** – Ensures continuity (as per Article 83)

Composition:

- **Total Strength: 245**
 - **233** – Elected by State/UT Legislative Assemblies
 - **12** – Nominated by the President

Filling Vacancies:

- Caused by resignation, disqualification, or death
- Filled through **bypolls** for remaining tenure

Rajya Sabha Election Process

Seat Allocation:

- Defined by the **Fourth Schedule** of the Constitution
- Based on **population** of States/UTs

Mode of Election:

- **Indirect Election** by elected MLAs
- Uses **Proportional Representation by Single Transferable Vote (STV)**

Example Formula:

- **Single vacancy:**
Required votes = $(\text{Total votes polled} \div 2) + 1$
(E.g., 100 votes → 51 needed)
- **Multiple vacancies:**
Formula = $((\text{Total votes} \times 100) \div (\text{Vacancies} + 1)) + 1$
(E.g., 100 votes for 3 seats → 2501)

Unique Powers and Functions of Rajya Sabha

Limited Role in Money Bills:

- Can **recommend changes**, but Lok Sabha may **accept or reject** them.

Unique Powers:

1. Article 249:

- Can pass a resolution (2/3 majority) allowing **Parliament to legislate on State List** items in national interest.

2. Article 312:

- Can recommend creation of **new All India Services** (e.g., Indian Medical Service).

3. Emergency Provisions:

- During emergencies (Articles 352, 356, 360), if Lok Sabha is **not in session or dissolved**, Rajya Sabha's approval becomes **crucial**.

Source: <https://www.thehindu.com/news/national/former-foreign-secretary-shringla-ujjwal-nikam-c-sadanandan-master-and-meenakshi-jain-nominated-to-rajya-sabha/article69806580.ece>