

37 *Suspension of Question* [27 DEC 1990] and discussion Re Leader of

the new Prime Minister and should congratulate him. Sir, I should also be given a chance,

MR. CHAIRMAN; Dr. Jain, please sit down *{Interruptions}*... Just a minute I am now permitting Mr. Murasoli Maran, Mr. Upendra and Mr. Gurupada-Wamy to speak and, of course, Mr. Balaram, but in the meanwhile, Shri Shankar Dayal Singh has raised an issue. *{Interruptions}* Just a minute. Shri Shankar Dayal Singh has raised an issue about introduction of the Ministers. So let Us do it within two minutes...*(Interruption)*...

SHRI PARVATHANENI UPENDRA: Let this be over, Sir.

MR. CHAIRMAN: No. There is an issue, I have to accept it. ...

- Introduction of Ministers

THE PRIME MINISTER.(SHRI CHANDRA SHEKHAR):. Mr. Chair

man, with your permission I introduce the following Ministers:—

1. Shri Subramanian Swamy, Minister of Commerce with additional charge of the Ministry of Law & Justice.
2. Shri Hukumdeo Narayan Yadav, Minister of Textiles and Food Processing Industry.
3. Shri Ashoke Kumar Sen, Minister of Steel and Mines.
4. Shri Satya Prakash Malaviya, Minister of Petroleum and Chemicals and Parliamentary Affairs.
5. Shri Subodh Kant Sahay, Minister of State in the Ministry of Home Affairs and Minister of State in the Ministry of Information and Broadcasting.
6. Shri Basavaraj Patil, Minister of State in the Ministry of Steel and Mines.
7. Shri Digvijay Singh, Deputy Minister in the Ministry of Fin-

ance and Deputy Minister in the Ministry of External Affairs,

8. Shri Shantilal Purusho;. Patel, Deputy Minister/ in the Ministry of Commerce
9. Shri Kamal Moharka Minister of State in the Prime ministerOffice.

SUSPENSION OF QUESTION HOUR AND .DISCUSSION RE. LEADER OF OPPOSITION IN THE HOUSE

SHRI MURASOLI MARAN (Tamil Nadu): Mr.Chairman, I have to pay a tribute to Mr. Shiv Shanker for his argument. I know he is a great lawyer; that is why in my part of the country they used to say, "If there is a bad case, send Mr. Shiv Shanker." Today he argued for a very bad case. Sir, It is for the Congress Party to be -in Opposition or otherwise.' ' But our question is, they are in the Opposition here'and not in the Lok Sabha. That is simple question. He went on "elaborating the point that they are not taking part in any decisionof the government and that they have no share in discussions. I am very sorry; why are they feeling shy, why are they feeling ashamed to say that they are supporting the Government? I am very sorry; and he has given a reason also. They were worried about the elections. They thought bloodshed would be there; that is why they want to continue the *status quo*. Sir, coming back to your *status quo*, I want to focus on the issue...

MR. CHAIRMAN: If you said about my *status quo*. I am always in the hands of the House.

SHRI MURASOLI MARAN: I want to focus on the real issue. **Sir**, I am very sorry, you have sent this matter for the decision of the Attorney-General.

MR. CHAIRMAN: Opinion.

SHRIMATI JAYANTHI JAN (Tamil Nadu): Sir, cast aspersions on the Attorney-General

NATARA he cannot Attorney-

MR. CHAIRMAN: I have mentioned it. I have mentioned his name.

SHRI MURASOLI MARAN: Sir, she does not know that the Attorney-General can come to the House also. Attorney-General is a Government servant and his position is that of a Parliament Member. How can he ask an hon. Lok Sabha Member or a Parliament Member about the status of the sitting hon. Members? Sir, I think it is very wrong. I want you to kindly rethink about the matter. And moreover, we have received a bulletin a few days back that you have recognised the Janata Dal(S).

MR. CHAIRMAN: Yes.

SHRI MURASOLI MARAN: Very good, Sir. At the same time you could have taken steps for rearrangement of seats also. How long -will it take? Let me tell you the practical difficulties. Sir, see the honourable Opposition Members who are sitting behind the honourable Ministers. I want to ask you: Are they Ministers without portfolio?...

SOME HON. MEMBERS: Yes.

SHRI MURASOLI MARAN: They may be accepting it but our Members will not accept that position. It creates an anomalous situation. They want more Lok Sabha Members, no more any Rajya Sabha Members. It creates an anomalous, untenable and absurd situation. What will the people sitting in the gallery, the newspaper people and others, think? Look at the former : Law Minister sitting there!

SHRI DINESH GOSWAMI: Flanked by Ministers.

MR. CHAIRMAN: They can consult each other. Dinesh Goswami can always give his good advice to Subramanian Swamy. One is Goswami and the other Swamy.

SHRI MURASOLI MARAN: People will suspect whether they have changed their colours. This is an absurd situation. I would make a request to you. The honourable Prime Minister was making some comments when the honourable Member there came to the well of the House in emotion. He belongs to an Opposition Party. How to control them? If the leaders are seated here and the Members are seated there, how to control the situation? You will be in trouble. You will be in greater trouble. You know everyday it is happening.

MR. CHAIRMAN: That is why I told you when you were trying to say something. . (Interruptions).

SHRI MURASOLI MARAN: This is a very explosive situation, an absurd situation. In a State Legislative Assembly they came to blows, they exchanged blows. What I would submit, Sir, is You are yourself a legal luminary; you need no get the opinion of the Attorney-General. ID you still think that the opinion of the Attorney-General is necessary, summon him this afternoon. This uncomfortable and absurd situation cannot continue.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Sir, while making my submission. .. (interruptions)

श्री सभापति : जरा छोटा बोलिए, देर हो गई है ।

SHRI PARVATHANENI UPENDRA: When it comes to me you want me to be brief...

श्री सभापति : आपनो को दबाया जात है न ।

SHRI PARVATHANENI UPENDRA: While making my submission, I have no quarrel with you or with the bunch of hapless people sitting here calling themselves the Government and always looking at Rajiv Gandhi's photo to decide about their fate next day. It is hot a question of legality. You have taken a purely legalistic view. We are not concerned with the recognition of a particular person as

the Leader of the Opposition. We are raising a question of propriety, of conventions and democratic norms and the formal positions which our parties have to take in this House or in the other House. That is what we are questioning today. It is not the question of privileges or honorarium or salary of the Leader of the Opposition which are covered by the Act which you have mentioned. That is not the case. What position do the parties have to take here? My quarrel is with the Congress Party. They have already made a mockery of democracy by propping a miniscule group which is not even an equivalent to the quorum of the Lower House to form a Government, by refusing to shoulder the responsibility when called upon to do so being the largest party in the House. They have refused to shoulder the responsibility and they have propped a puppet regime. They have declared we support this Government and we stand by them. That is my quarrel with the Congress Party. They have already made a mockery of democracy by propping such a regime here; they have made a mockery of the parliamentary institutions here by taking this stand that they will continue to sit in the Opposition here while in the other House they sit with the Treasury Benches. Their own position is incongruous and anomalous. That is my quarrel with the Congress Party which you have also to recognise. *{Interruptions}* We have no objection if they want to sit permanently in the Opposition. We will recognise them as the permanent Opposition in this House...

SHRI H. HANUMANTHAPPA (Karnataka): If you are interested, you come over.

SHRI PARVATHANENI UPENDRA: Sir, Mr. Shiv Shanker raised a number of questions. But he conveniently forgot the Communiqué issued by the Rashtrapati Bhavan when the Government was formed...*{Interruptions}*...

MR. CHAIRMAN: I have the copy of the communiqué.

SHRI PARVATHANENI UPENDRA: But because Mr. Shiv Shanker said that the Congress (I) Party will take a stand on each issue on merits, I would like to remind him of what the communiqué issued by the Rashtrapati Bhavan on November 9, when the President invited Mr. Chandra Shekhar to form the Government, has said. It is like this, and I would like to quote;

"The Congress (I) did not stake its claim for forming the Government, but offered unconditional support...".

MR. CHAIRMAN: You are reading out the communiqué? We have got it here.

SHRI PARVATHANENI UPENDRA: Because he has said that it is conditional and on issues, I am quoting it. It is "unconditional Support to Mr. Chandra Shekhar."

Sir, Mr. Shiv Shanker has quoted the precedent of the National Front Government when it was formed with the support of the BJP and the Left Front. But there is a qualitative difference between the two. Sir, the National Front, the Left Front and the BJP contested the last election together on the basis of seat adjustments and the people's mandate was against the Congress (I) Party. Therefore, they were bound to support the Government formed by the National Front Government which contested the elections on the basis of a manifesto and there is no question of any other manifesto being there.

MR. CHAIRMAN: You mean that the JD and the CPI(M) contested on the basis of seat adjustments?

SHRI PARVATHANENI UPENDRA: Yes, Sir.

SHRI DIPEN GHOSH: But the CPI (M) did not fight the elections along with the BJP.

SHRI PARVATHANENI UPENDRA: That is why I said on the basis of seat adjustments.

Sir, when the President called upon the previous Prime Minister Shri V.P. Singh to form the Government he special-

SHRI G. SWAMNATHAN: When the Chairman wants to take that decision, he has to consult the Attorney-General, which is a fact of parliamentary life itself. The previous speaker mentioned that

by themselves. Mockery has not been created by the people. It was not a mockery created by the Congress party. I am so sorry for this kind of argument that has been given.

MR. CHAIRMAN: It is done by the office

SHRI G. SWAMINATHAN: Another argument has been given. The former Law Minister says that the Chairman has been selective. I have great regard for the former Law Minister. Even when he becomes emotional, I think it is not fair to charge the Chairman...

MR. CHAIRMAN: Forget the Chair man.

SHRI G. SWAMINATHAN: We also feel strongly because we have great regard for you. Certainly whatever steps are appropriate, he will take them. I feel the former Law Minister should not become emotional.

Then, one more thing- Even previously when other parties have been supporting the Government, they have been accusing them on very important, central issues. I have been taking it up and I have been asking their members: If you are at variance with that party on such issues, why are you supporting them? Here they are opposing the Government and supporting them' on 'important' issues. Here they are doing the reverse.; They have been opposing them on "Punjab they were opposing them on the Budget, "they were opposing them "on Punjab, and they were opposing them oh Kashmir. Still they are supporting/.. '

MR. CHAIRMAN: Kindly Conclude.

SHRI G. SWAMINATHAN: Now, here "the Congress Party will oppose them on general issues. I don't think it is wrong. The Attorney-General can be asked. That is another thing. So whatever points they have raised here, I don't think, are relevant. If at all there has been a mockery of democracy, mockery has been created

SHRI N. E. BALARAM: Mr. Chairman, Sir, I agree that there is an anomalous situation and all of us are facing certain difficulties, serious difficulties. The Chairman also is facing some difficulties, there is no doubt, because the Chairman is seeking legal opinion of some legal luminaries to help take the final decision on the vital question of what constitutes an Opposition party. They have referred the Blatter to the Solicitor-General or somebody else to find out the true position of what constitute an Opposition party.

MR. CHAIRMAN: As I told you, there were some issues raised which made me consult the Attorney-General. That is all.

SHRI N. E- BALARAM: Sir, I know the issues. I am saying frankly on the issue. Let us speak in a frank language, not a legal language. The frank thing is that you want to know what constitutes an Opposition party. That is the matter which; *you* have referred for the legal **opinion**.

M. R CHAIRMAN: Under the present circumstances.

SHRI N. E. BALARAM: Maybe the present, circumstances. But you want to know what, constitutes an Opposition party. You are also in some difficulty.

MR. CHAIRMAN: I have communicated all that came to me, plus the communique of the President to the Attorney-General for his opinion, for his advice as to "what should I do."

SHRI N. E. BALARAM: To do on what I am asking the question.

MR. CHAIRMAN: Who should get the position of the Leader of the Opposition under the Act of 1977?

'SHRI N. E. BALARAM:' I ani saying exactly the same thing. "

MR. CHAIRMAN: Under the Act of 1977 because here is an Act of Parliament—Salaries and Allowances (Leader of the Opposition in Parliament) Act, 1977.

SHRI N. E. BALARAM: That is what I am saying.

SHRI DIPEN GHOSH: That is, Party opposed to the Government.

MR. CHAIRMAN: I want to know the meaning under this Act. Whom should I recognise under the Act? That is all.

SHRI PARAVATHANENI UPENDRA: You know the law.

MR. CHAIRMAN: I have forgotten. I left my law at Cambridge. (*Interruptions*) As Vice-President, I do not impose my views on anything.

SHRI N. E. BALARAM: Sir, what I am saying is that you are also in some difficulties.

MR. CHAIRMAN: That is why I have gone for legal advice.

* SHRI N. E. BALARAM: Sir, I know the difficulty of the Congress Party. I was listening to the speech of hon. Shri Shiv Shanker. According to a press statement and the resolution passed by the Congress Working Committee, they said that they were unconditionally supporting Mr. Chandra Shekar's Government. This is what I understand. They were unconditionally supporting the Chandra Shekhar Government. It is a political question. I can understand that. Afterwards, there were some difficulties, there were some differences of opinion inside that Party, I can understand all this, They are facing all those difficulties. So, he is not in a position to say categorical! in the Parliament now whether his Party is in Opposition or whether his Party is supporting the Government. He is not able to say that categorically here. He is trying to come back to the position taken by some of the Parties this side when they were supporting Mr. V. P. Singh as the Prime Minister. We, made it very clear at that time that "we are supporting Mr. V. P. Singh, but

on many issues, we are; disagreeing with him." This is the position that we had taken. We were very frank: to tell them whatever our position was. There was no-difficulty.. But the Congress Party said that they are giving unconditional support to the Chandra Shekhar Government.

SHRI N. K. P. SALVE: (Maharashtra): That means, there were no pre-conditions.

SHRI N. E. BALARAM: But unconditional support..

SHRI N. K. P. SALVE: I am explaining to you the legal concept of 'unconditional'. That is without any pre-conditions.

SHRI DIPEN GHOSH: You can say that you have changed your stand.

SHRI PARVATHANENI UPENDRA: He wants to say that it was unconditional at the time of formation.

MR. CHAIRMAN: Now let us proceed. Let us hear Mr. Balaram.

SHRI N. E. BALARAM: Sir, I know the Congress Party is facing serious difficulties inside its own Party. I know that because everyday the number of Vasant Sathe is increasing in their Party. So, they cannot categorically say here whether they are supporting or they are opposing. They cannot do that I think, this gentleman, the Prime Minister is in soup. I do not know when he will be in soup because they are not taking a concrete position. Mr. Vasant Sathe issued a statement to the press. Today in the paper he said* 'I am sticking to my position; **We want** to form a total National Government, When somebody asked; why some of your top leaders are opposing he, said those who are opposing are- people who have not vested interests."

MR. CHAIRMAN: Who said a, National Government?

SHRI N. E. BALARAM: Their leader Mr. Vasant; Sathe-.

SHRI DIPEN GHOSH: He **wants** to join, the Cabinet

SHRI N. E. BALARAM: They are not taking political decisions. Even now they are thinking what they should do in future. That is why this problem has come up. We don't know whether they are in the Opposition or on the Government side. That is my point; that is my difficulty ____

श्री सभापति : केरल में भी इसी तरह से गवर्नमेंट बनो थी इसीलिए मैंने जानबूझ कर उनसे पूछा ताकि वह इस बारे में बता देंगे । (व्यवधान)

श्री राम नरेश यादव : मैं यह कह रहा था कि एक सदस्य जो इस सदन का माननीय सदस्य नहीं है उनका नाम लेने की इस सदन में क्या आवश्यकता है यह मैं जानना चाहता हूँ । (व्यवधान)

SHRI N. E. BALARAM: I have not concluded.

SHRI P. SHIV SHANKER: I would like to make the position clear. Mr. Sathe's view is not the view of the party. What I have said is the view of the party.

DR. BAPU KALDATE: Are you sure?

SHRI P. SHIV SHANKER: When I am sitting here, I am sure.

SHRI N. E. BALARAM: I did not say that Mr. Vasant Sathe's view is at present the view of that party here and now. What I said was, the number of Vasant Sathe's is increasing in your party everyday....

SHRI P. SHIV SHANKER: Not like you.

SHRI N. E. BALARAM: I know your difficulty.-As far as my party is concerned, you know that we are in the opposition. So, you cannot put me and my party on the side of the Treasury Benches. You cannot ask me to sit here. Nobody can compel us or force us to compromise the political policy of our party. You must understand that. So unless you make these changes in the seats, I cannot sit this side, and it will be difficult for my party to taction, So I was requesting you to adjourn the House and take a decision about it, Nobody is clear about-it except the ID. He thinks he is the Prime Minister. T

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agree for the time being. Nobody is sure what is going to be the position further. I, therefore, request you to adjourn the House. That is the request I want to make.

SHRI DINESH GOSWAMI: Mr. Chairman, Sir, if we have raised this point, it is not in order to show any disrespect to you, not in order to challenge Mr. Shiv Shanker's position in the sense that we have something against him personally; he is a very good friend of mine; but there are some fundamental legal, constitutional and political issues involved in this question. . . .

MR. CHAIRMAN: That is why I sent it to the Attorney-General.

SHRI DINESH GOSWAMI: Let me also make my submission so that this may also be before the Attorney-General.

Mr. Shiv Shanker said that there is no definition either in the Constitution or in the statute regarding the opposition political party. If that is so, we have to go by the General Clauses Act or the general dictionary. There are three situations in any democratic country. There is the Government; there is the opposition party, and there is the third category of the party not joining the government but supporting the government from outside which under no circumstances can claim to be an opposition party. They have said that they will support sensible decisions of the Government and oppose insensible decisions. Every political party has a right to do so. But we cannot forget the fact that before the President called upon Mr. Chand Shekhar to form 1.00 P.M. the government with 60 members, he wanted to assure himself that Mr. Chandra Shekhar will have the support of other parties which will give him a working majority. The Congress(I) Party gave unqualified support. Is it the stand of the Congress(I) Party today that they are departing from the position which they had taken earlier before the President of India? If that is their stand, Mr. Chandra Shekhar has no right today to remain as the Prime Minister and, therefore, he must- resign. If the earlier stand is not right- and if they say 'No', that their stand today is the right

[Shri Dinesh Goswami]

stand, they have played a fraud on the President of India. Therefore, a Government which has come to power by playing a fraud on the President of India has no right to exist. Mr. Chandra Shekhar has no right to remain as the Prime Minister. This is the position. This is the submission I wanted to make and I would like to get an answer to this.

The other point that was made was, earlier, the B.J.P., the C.P.I., and the C.P.I. (M) supported the previous Government. Now, formally, there was no support. Apart from that, the B.J.P. and the C.P.I. (M) did not claim at any point of time that they were the opposition parties. Therefore, I would like to know why you have been selective. Objections have been taken. For example, my seat there. The *status quo* has to be restored. Why should I be asked to sit here? Therefore Mr. Chairman, Sir...

MR. CHAIRMAN: In the case of the Government, it was done by the Lok Sabha.

SHRI DINESH GOSWAMI: You have to decide about the Leader of the House. You have also to decide about the Leader of the Opposition. Very reasonably, one can say that there has been selective *status quo* and you have also changed the position. Now, I am not imputing any motive.

MR. CHAIRMAN: So far as the Government is concerned, this House cannot decide. It has been decided by the Lok Sabha. Therefore, I have to go according to that decision because that is their right.

SHRI PARVATHANENI UPENDRA: Parties and their positions are the same. And there are written documents. How can it be different?

SHRI MAKHAN LAL FOTEDAR: Sir, on a point of information.

MR. CHAIRMAN: No. Mr. Goswami, I would make a suggestion. I think you will welcome it. I am going to do two things. Firstly, whatever you want to say.

you may kindly put it in writing, in consultation with your colleagues. Those who want to make further representations...

SHRI PARVATHANENI UPENDRA:
No.

MR. CHAIRMAN: Further representations to me. I will pass them on to the Attorney-General. You can put it very succinctly.

SHRI PARVATHANENI UPENDRA:
No.

SHRI M. S. GURUPADASWAMY:
The Attorney-General has no authority, has no power, to decide my political status.

MR. CHAIRMAN: I am asking his opinion.

SHRI PARVATHANENI UPENDRA:
On what? Who is he to decide? The Attorney-General cannot decide whether I should sit in the Opposition or on the treasury benches.

SHRI DIPEN GHOSH: I have to go by my party's decision.

SHRI DINESH GOSWAMI: It is a party decision. The party has to take the view. My party has taken the view that the Attorney-General cannot decide whether I should sit on the treasury benches or in the opposition. This is a decision which my party will take and which it will not surrender even to the Chair. Sir, please look at my difficulty. Every moment when we have to take a decision, we have to consult. Now, you have put me in between two Ministers. Whom should I consult? Should I consult Mr. Satya Prakash Malaviya? Therefore you should put us in the rightful position, namely, in the opposition.

SHRI MURASOLI MARAN: Sir, it is not an individual case.

SHRI DINESH GOSWAMI: You have put those who are supporting the Government in the opposition and those who are opposing the Government on this side. This is something which is totally unacceptable to us,

MR. CHAIRMAN: I will suggest one thing. We are going to adjourn for Saturday and Sunday. So far as the seating is concerned, under the parameters,...

SHRI DINESH GOSWAMI: Then, let us adjourn till Monday.

MR. CHAIRMAN: Seating does not make any difference. Will you please conclude, Mr. Goswami? (*Interruptions*). The discussion on this is concluded. Now, Papers to be laid on Table.

SHRI M. S. GURUPADASWAMY: * Sir, may I say that the Attorney-General has no authority to decide about our political status? Therefore, we are walking out from the House.

(*At this stage, some hon. Members left the Chamber*).

WRITTEN ANSWERS TO QUESTIONS

.World Bank Aid to India

*1. SHRI MAHENDRA PRASAD:
CHOWDHRY HARI SINGH:

Will the Minister of FINANCE be pleased to state:

(a) whether World Bank has been approached to increase aid to India under their scheme to respond positively for such aid to countries hit by the recent Gulf crisis;

(b) if so, what are the details in this regard; and

(c) what is World Bank's response thereto?

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA): (a) to (c) The World Bank has proposed the

following schemes to assist the countries hit by the recent Gulf crisis.

(i) Special emergency assistance, including the resettlement of displaced workers

(ii) strengthening adjustment programmes

(iii) higher cost sharing arrangements to accelerate disbursements

(iv) extension of IDA concessional assistance to a number of lower middle income countries which are currently IBRD borrowers.

In respect of India, the World Bank has agreed to enhance the share of financing of projects as a temporary measure. So far they have agreed for enhanced cost sharing in 61 projects. The total number of World Bank projects is 95. This dispensation would be valid for a period from September 1, 1990 to December 31 1991 at the prevailing terms and conditions.

Production at Visakhapatnam Steel Plant

*2. SHRI TINDIVANAM G.
VENKATRAMAN:

SHRI V. GOPALSAMY:

Will the Minister of STEEL AND MINES be pleased to state:

(a) what was the quantum of steel produced by the Vishakhapatnam Steel Plant during the last three years, year-wise;

(b) whether it is a fact that production has come to a halt at this Plant due to lack of supply of raw materials; if so, what are the details thereof; and

(c) what steps are being taken to resume full production at the Plant?