

8. Shri Anil Madhav Dave
9. Shri Balwinder Singh Bhunder
10. Shri Mohammed Amin
11. Shri Munquad Ali
12. Shri Mohammed Adeeb
13. Dr. Bhalchandra Mungekar

with instructions to report to the Rajya Sabha by six weeks.”

The question was put and the motion was adopted.

**The Salary, Allowances and Pension of Members of Parliament
(Amendment) Bill, 2010**

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we will take up The Salary, Allowances and Pensions of Member of Parliament (Amendment) Bill, 2010.

SHRI SITARAM YECHURY (West Bengal): Sir, before the Bill is moved...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, let the Minister move the Bill.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Sir, I beg to move:

That the Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954, as passed by Lok Sabha, be taken into consideration.

Sir, the existing provision regarding Salary and Daily Allowance were made *w.e.f.* 14-09-2006 for a period of five years. In normal course, this period would expire on 14-09-2011.

After the implementation of the recommendations of the Sixth Pay Commission, all levels of employees received a substantial enhancement of the salary package. Similarly, salaries of all dignitaries were also increased.

SHRIMATI BRINDA KARAT (West Bengal): Sir, except the staff of the Rajya Sabha. They have not got any increase in their salary...*(Interruptions)*... The staff of Rajya Sabha have not got it.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no. Please. Let him finish...*(Interruptions)*...

श्री रामविलास पासवान (बिहार): सर, इसको बिना बहस के पास करा दीजिए।...*(व्यवधान)*...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): पासवान जी, आप कृपया बैठिए।

SHRI PAWAN KUMAR BANSAL: Sir, the Joint Committee on the Salary, Allowances and Pension of Members of Parliament examined the matters connected with the rationalization of salary, allowances and other facilities available to the Members of Parliament. The Joint Committee felt that the existing salary and allowances were inadequate in the present scenario. The Committee also felt that the existing criterion for fixing the salary and allowances of Members

of Parliament on the basis of Consumer Price Index meant for Urban Non-manual Employees were inadequate to meet the needs of the Members of Parliament to shoulder their responsibilities effectively. The Committee said that the Members' pay and allowances must be based on the premise that they are on duty 365 days a year and 24 hours a day. The emoluments of Members of Parliament should not be less than that being paid to the Members of State Legislatures in India; besides, their emoluments may be benchmarked to the salary being paid to the other dignitaries and civil servants placed in the 'Warrant of Precedence' issued by the Government of India.

Sir, the Joint Committee has submitted its Report on 5th May, 2010.

SHRI SITARAM YECHURY: Sir, is he moving the Bill or explaining it? I want to say something at the time of moving itself.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is only part of moving the Bill.

SHRI PAWAN KUMAR BANSAL: The Joint Committee made a number of recommendations for enhancing salary, allowances, facilities, pension, etc., of Members and former Members of Parliament.

Sir, after due consideration, the Government have decided to implement some — rather I would say most of the recommendations — by amendment of the Salary, Allowances and Pension of Members of Parliament Act, 1954, and the Rules framed there under.

Very briefly, I would refer to the proposals which involve amendment of the Act and have been included in the Bill. They are as under:—

- (i) Salary is being raised from Rs. 16,000 p.m. to Rs. 50,000 p.m. Daily Allowance is being increased from Rs. 1,000 to Rs. 2,000 for each day during the period of residence on duty. The increase in salary will be effective from the date of constitution of the 15th Lok Sabha *i.e.*, 18th May, 2009.
- (ii) Sir, the minimum and additional pension which was paid earlier was Rs. 8,000 p.m. with an increase of Rs. 800 p.m. in case of every additional year beyond five years. This is being increased to Rs. 20,000 p.m. and with an increase of Rs. 1,500 p.m. beyond the term of five years.

The advance for purchase of conveyance has been raised from rupees one lakh to rupees four lakhs at the interest rate which is applicable to the Government employees also. Then, there are some very small amendments, in fact more of rationalization, relating to the travel by trains by spouses, etc., for which I need not take the time of the hon. House. But, apart from these, there are two proposals, which have been accepted. In one case, it has been accepted fully; and, in another case, not fully, rather we have increased it a little more than what the recommendation of the Committee was. These relate to the Constituency Allowance. The Constituency Allowance of the Members will be raised from Rs. 20,000 per month to Rs. 45,000 per month. And, the Members of Parliament, at present, are entitled to Office Expense

Allowance of Rs. 20,000 per month, which would be raised to Rs. 45,000 per month. These changes would be effected by making amendments to the relevant rules under the Act. The increases, as I said earlier, in the salary and also in the pensions, would be made effective from 18th May, 2009. Having said this, I want to make only one point. After the debate, which took place in the other House, and the events that preceded the debate, or, after there was some knowledge in the public domain about what the recommendations of the Committee were and what the Government was thinking, and after all that has appeared in the media and the discussion that has taken place, the Government does, now, feel that there is time now to set up a permanent mechanism instead of repeatedly taking it upon ourselves to decide this issue. However, the Constitution of India leaves it to the Parliament that it will be as determined by the Parliament by law. That is the present provision. I think, we can use that provision itself to set up a permanent mechanism which would, in future, decide this matter. This matter had been discussed, from time to time, in the past. There were differing views. Some of us had said that this matter should not be passed on to somebody else; and, maybe, I don't know, some of the Members may express that view today also. There was a very strong contrary view to this, expressed in the other House, saying that there should be no such mechanism. But we do feel that for this we have to have a wide-ranging discussion with all the hon. Members, with different leaders of the political parties. We would certainly try to work for something in our endeavour to arrest the cynicism that is developing about the parliamentarians, about the Parliament, and for that matter, democracy itself. Taking into account as to what is necessary to enable the Members of Parliament to discharge their responsibilities effectively, to encourage honest people who want to contribute their best to the public life, people who are from middle classes, and people who are from professional groups, we would certainly like to work on some mechanism to be set up in the days to come. With these words, I commend this Bill to the House. ...*(Interruptions)*...

The question was proposed.

SHRI SITARAM YECHURY: Sir, I rise to oppose the moving of this Bill. ...*(Interruptions)*... I have a strong ground. ...*(Interruptions)*... I will give you a point of order, if you want. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Listen to me. ...*(Interruptions)*...

SHRI SITARAM YECHURY: Sir, please listen to me. I have a very strong ground. ...*(Interruptions)*... I want to go by the last point made by the Minister. ...*(Interruptions)*... The same assurance...*(Interruptions)*... Sir, please bear with me for a minute. ...*(Interruptions)*... Sir, the same assurance was given to us four years ago by the then Minister for Parliamentary Affairs, standing from that very same chair. ...*(Interruptions)*... From that very same chair, it was assured to us, and assured to me particularly, when I had raised this issue, that before we come with such a proposal, next time, an independent mechanism would be set up. And, we

have said that repeatedly, using the same constitutional provision. We think it is very unbecoming on all of us to sit in judgement on what pay hike we should get. And, that is something...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Yechury, you will get a chance to speak. ...*(Interruptions)*... I will give you a chance. ...*(Interruptions)*...

SHRI SITARAM YECHURY: There is a point, Sir. ...*(Interruptions)*... सुनिए ...*(व्यवधान)*... हनुमंत राव जी ...*(व्यवधान)*... सर, वे भी बचेंगे। ...*(व्यवधान)*... हनुमंत राव जी, आप भी बचेंगे। ...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Yechury, please listen to me for a minute. ...*(Interruptions)*... Will you listen to me for a minute? ...*(Interruptions)*...

SHRI SITARAM YECHURY: About what? ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Let me have my say. Please take your seat.

SHRI SITARAM YECHURY: Let me finish.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You listen to me first. I will allow you. ...*(Interruptions)*... No; please. ...*(Interruptions)*... No; let me say...*(Interruptions)*... See, the position is, ...*(Interruptions)*...

श्री सत्यव्रत चतुर्वेदी (उत्तराखंड): सर, अगर आप औरों को अवसर दे रहे हैं तो एक मिनट के लिए मुझे भी समय चाहिए। ...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please sit down. I am on my legs. Please take your seat. ...*(Interruptions)*... No; no; I am on my legs. Mr. Yechury, if you want to object, it should be again at the introduction stage of this Bill. ...*(Interruptions)*... Listen, please. Now, it is at the consideration stage. However, even at this time, if you want to object you can do so either by raising a point of order or you can object to it at the time when you speak. Now, my duty is to call the hon. Leader of the Opposition. ...*(Interruptions)*... Otherwise, you have to raise it through a point of order. ...*(Interruptions)*... Tell me the rule under which you are raising this point of order. I have no objection. What is your point of order?

SHRI SITARAM YECHURY: Sir, this Bill was introduced in the Lok Sabha. It was brought in here with the announcement of the Secretary-General saying that it is coming. So, it is not moved to be introduced here. ...*(Interruptions)*... No; no. It is not. It is Rule 67. ...*(Interruptions)*... This is what you have informed us. Rule 67 says, 'if a motion for leave to introduce a Bill is opposed ...' ...*(Interruptions)*... Therefore, all that I am saying, Sir, is that this is something that should have been taken into account earlier. ...*(Interruptions)*... Please, Mr. Minister. I mean, the same sentiment that you expressed at the end of your introduction, the same thing I am saying that we are hearing the same thing four years later again. The same thing was told to us four years earlier. So, all that we are saying is, why are you delaying this

mechanism? ...*(Interruption)*... Sir, we cannot accept this procedure. The independent mechanism, as enshrined in the constitutional provision which can be invoked to create that independent mechanism, was assured to this House four years ago, which has not been done. And since that has not been done, we object to this entire procedure of this Bill being introduced and being passed. ...*(Interruptions)*... And, to record our opposition and objection, we are walking out of this House. ...*(Interruptions)*...

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

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Hon. Leader of the Opposition. ...*(Interruptions)*... Please. ...*(Interruptions)*... Hon. Leader of the Opposition. ...*(Interruptions)*... Please.

SHRI D. RAJA (Tamil Nadu): Sir, as my colleague, Shri Sitaram Yechury has said, in the absence of a permanent institutionalized mechanism, MPs taking upon themselves to decide what should be their salary is not justified. So, in protest, we walk out.

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

श्री सत्यव्रत चतुर्वेदी: महोदय, मैंने आपसे समय मांगा था। ...**(व्यवधान)**... महोदय, एक मिनट के लिए मुझे भी समय दीजिए। ...**(व्यवधान)**...

SHRI ABANI ROY (WEST BENGAL): Sir, the Minister of Parliamentary Affairs assured on 22nd August, 2006 that a mechanism will be formed, which has not been done even after the assurance. What happened to that assurance? ...*(Interruptions)*... So, in protest, I am walking out...*(Interruptions)*...

(At this stage, the hon. Member left the Chamber.)

श्री सत्यव्रत चतुर्वेदी: महोदय, मैं केवल आधा मिनट लूंगा। ...**(व्यवधान)**...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No; I have called the Leader of the Opposition.

श्री सत्यव्रत चतुर्वेदी: महोदय, मैं आपके माध्यम से इस सरकार से केवल यह अनुरोध करना चाहता हूँ कि ...**(व्यवधान)**...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You can't make a speech here.

श्री सत्यव्रत चतुर्वेदी: मेरा अनुरोध यह है कि जब अभी salaries को बढ़ाने की बात आई, तब मीडिया में, पब्लिक में इस बात पर बहुत बहस चली। उसमें एक आलोचना यह हुई कि सारे के सारे मੈबर्स ऑफ पार्लियामेंट गरीब नहीं हैं, कुछ बहुत अमीर भी हैं। इस बात की भी चर्चा हुई ...**(व्यवधान)**...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You can't make a speech. ...*(Interruptions)*... No; I will call you. How can you make a speech now? ...*(Interruptions)*... No; you cannot make a speech. ...*(Interruptions)*... No; hon. Leader of the Opposition, please. ...*(Interruptions)*...

श्री सत्यव्रत चतुर्वेदी: महोदय, मैं एक मिनट लूंगा। ...**(व्यवधान)**...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No; you cannot make a speech. ...*(Interruptions)*... What is this? No; no; your party will get a chance; they will give your name. ...*(Interruptions)*... Why do you make a speech now? ...*(Interruptions)*...

श्री सत्यव्रत चतुर्वेदी: एक मिनट के लिए मेरी बात तो सुन लीजिए।...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, Mr. Chaturvedi, no; please; no. ...*(Interruptions)*... You can't make a speech. It is not going on record. ...*(Interruptions)*... Hon. Leader of the Opposition. ...*(Interruptions)*... No; please.

श्री सत्यव्रत चतुर्वेदी : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Chaturvedi, you cannot make a speech. ...*(Interruptions)*... No; please. ...*(Interruptions)*... No; please listen to hon. Leader of the Opposition. Silence, please. ...*(Interruptions)*... Take your seat, please. ...*(Interruptions)*... Mr. Mukherji, take your seat. What is this? ...*(Interruptions)*...

DR. BARUN MUKHERJI (West Bengal): Sir, I oppose this, and supporting Mr. Yechury's view, I urge upon the Government to defer the implementation of this Bill as passed in the Lok Sabha for further review. ...*(Interruptions)*... So, in protest, I am walking out. ...*(Interruptions)*...

(At this stage, the hon. Member left the Chamber.)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please. ...*(Interruptions)*... Okay, please. Silence, please. ...*(Interruptions)*... No; please, Mr. Chaturvedi. What is this? ...*(Interruptions)*... Allow him to speak. ...*(Interruptions)*... Please. ...*(Interruptions)*...

श्री सत्यव्रत चतुर्वेदी: हम इतना पूछना चाह रहे हैं कि जो मेंबर्स बढ़ी हुई सेलेरी नहीं लेना चाहते हैं, तो क्या वे छोड़ सकते हैं?...(व्यवधान)...

श्री पवन कुमार बंसल: कोई अगर अपनी सेलेरी नहीं लेना चाहे तो उसकी अपनी मर्जी होती है।...(व्यवधान)...

THE HON. LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Sir, the hon. Minister, while moving the Bill, has made a comment towards the end of his speech that the Government is seriously considering setting up of a permanent mechanism in order to determine, without legislative intervention of this House, after every few years, as to what would be the salary and other allowances of Members of Parliament.

Sir, even when some of the Members have walked out of the House while they were making a point, there appears to be a larger consensus on one issue. That issue is that the Members of Parliament are not employees in the technical sense. We are all involved, as elected representatives, in public service. As the Minister has rightly said, we do public service 365 days a year; there are no vacations; there are no evening hours; there are no office hours. Therefore, there are two conflicting issues which come up for public debate every time a raise is suggested. One view is that we are the only section in the society that determines our own salaries. That happens because it is done through a legislation and except the two Houses of Parliament, there is no other authority in this country which can legislate. So, out of necessity, we have to legislate. But that does invite a comment. And when this comment is made, the situation at times also gets aggravated when comments come from some of us also demanding higher wages for public service. Now, there should not be a situation of this kind and, therefore,

*Not recorded.

I would suggest to the hon. Minister that rather than wait for the next four, five or seven years, whenever the next stage comes, within the course of the next Session or the Session thereafter, when no raise is contemplated — and we don't link it with the present situation — to seriously bring a legislation for setting up a permanent mechanism. On this mechanism, there will again be a debate as to whether some outside agency must determine it, or it should be from within the two Houses of Parliament that this determination must take place. That is a vexed issue and, therefore, it will have to be answered. Else, there is an alternative suggestion being made that it should get indexed to some focal point, and, therefore, the raise, whenever it is to be made after a set of few years, makes itself automatically. It is a matter of calculation and it is done, thereafter, automatically.

Therefore, I would urge upon the hon. Minister, while supporting the legislation that he has brought, to seriously consider, in the course of the next few months, in whichever Session it is convenient as per the Government's time schedule, after consulting all political parties, to work out this mechanism. We have an option of two mechanisms which can be brought in and whichever is the most acceptable mechanism may be set into motion.

With these few brief comments, Sir, I support the Bill which has been introduced by the hon. Minister.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Raashid Alvi, do you wish to say something? You may take only two-three minutes.

श्री राशिद अल्वी (आन्ध्र प्रदेश): सर, मैं ज्यादा टाइम नहीं लूंगा, बहुत थोड़ा टाइम लूंगा। इस देश के अंदर चपरासी से लेकर प्रेजीडेंट ऑफ इंडिया तक किसी की भी तनखाह बढ़ती है तो इस देश के अंदर शोर नहीं होता। पार्लियामेंट के मेंबर्स इस देश के अंदर अकेले हैं जिनके एलाउंसमेंट या सेलेरी बढ़ती है तो ऐसा लगता है कि कयामत बरपा हो जाएगी। सर, मैं बहुत अदब के साथ कहना चाहता हूँ कि पिछले 60 साल के अंदर 27 मर्तबा तनखाह बढ़ी है और मैं बहुत बार यह बात कह चुका कि 27 मर्तबा तनखाह बढ़ने के बाद भी एम.पी. की तनखाह सोलह हजार रुपए है। पार्लियामेंट के ये मेंबर्स जितनी तनखाह चाहें तय कर सकते हैं। लोक सभा और राज्य सभा तय करे कि अगर एक करोड़ रुपए महीने की तनखाह होगी, तो किसी अदालत के अंदर चेलेंज नहीं किया जा सकता।

इस बात को कोई appreciate करने के लिए तैयार नहीं है कि 16000 रुपये तनखाह है, पार्लियामेंट के मेंबर्स के कितने expenses हैं, उनके यहां रोज दो सौ, तीन सौ लोग आते हैं, जिनको चाय पिलाई जाती है, खाना खिलाया जाता है। इस देश में ऐसी कोई मस्जिद और मंदिर नहीं है, जिसको चंदा न दिया जाता हो। मैं इस बात को तफसील से नहीं कहना चाहता हूँ, लेकिन दुनिया के अंदर पार्लियामेंट के मेंबर्स की तनखाहें पार्लियामेंट ही तय करती है, कोई दूसरा तय नहीं करता है। आप ताज्जुब करेंगे कि अमेरिका के अंदर सन् 1814 में, करीब 200 साल पहले पार्लियामेंट के मेंबर की तनखाह इंडियन करेंसी में 6500 रुपये थी। हमारी आज से दस साल पहले 4000 रुपये तनखाह थी। मैं salary बढ़ाने और घटाने की बात नहीं करता हूँ। मुझे यह बात अच्छी भी नहीं लगती है, लेकिन मैं सरकार से कहना चाहूंगा कि इसके लिए ज्वाइंट कमेटी पहले से बनी है, यह अख्तियार ज्वाइंट कमेटी को ही होना चाहिए कि वह पार्लियामेंट के मेंबर्स की तनखाह तय करे। तनखाह कम हो या ज्यादा हो, इससे बहुत फर्क नहीं पड़ता है। मेरी दरखास्त है कि पार्लियामेंट के मेंबर्स को फैसेलिटीज मिलनी चाहिए।

सर, हिन्दुस्तान अकेला ऐसा मुल्क है, एक पार्लियामेंट का मेम्बर 14 लाख वोटर्स को, करीब 25 लाख आबादी को रिप्रजेंट करता है, अकेले मॉरीशस की आबादी 12 लाख है, मंगोलिया की आबादी सिर्फ 25 लाख है। एक मंगोलिया को, एक पार्लियामेंट का मेम्बर हिन्दुस्तान के अंदर रिप्रजेंट करता है। सर, उसको 25 लोगों के पास जाना होता है, अपने वोटर्स के पास जाना होता है, अगर आप उसको इतनी भी फैसिलिटीज नहीं देंगे कि वह अपने वोटर्स तक जाकर, उसके दरवाजे तक पहुंचकर, उसकी परेशानी को पूछ सके, तो पार्लियामेंट का मेम्बर अपनी जिम्मेदारी को पूरा नहीं कर सकता है। यहां पार्लियामेंट के अंदर अपनी जिम्मेदारी पूरी करनी है, कमेटीज के अंदर अपनी जिम्मेदारी पूरी करनी है, अपने वोटर्स के बीच में जाकर अपनी जिम्मेदारी पूरी करनी है, इस सबके लिए फैसिलिटीज चाहिए। इस हाउस के अंदर ऐसे लोग भी हैं, जो एक दिन के अंदर दस लाख रुपये कमा सकते हैं। यहां पर अरुण जेटली जी बैठे हैं, यहां पर राम जेठमलानी साहब हैं या नहीं हैं, ...*(व्यवधान)*...

श्री सतीश चन्द्र मिश्रा: सर, ये अरुण जेटली जी को अंडर एस्टिमेट कर रहे हैं। ...*(व्यवधान)*...

श्री एस.एस. अहलुवालिया (झारखंड): अब उनकी सारी प्रैक्टिस बंद हो गई। ...*(व्यवधान)*...

श्री राशिद अल्वी: मिश्रा जी भी कोई छोटे-मोटे वकील नहीं है। वे एडवोकेट जनरल रहे हैं। ...*(समय की घंटी)*... मैं अपना नाम नहीं लेना चाहता हूं, मैं भी वकालत करता हूं। इसलिए मैं सरकार से दरखास्त करता हूं कि इसका पार्लियामेंट के मेम्बर्स को ही अख्तियार होना चाहिए। मैं इस बिल को सपोर्ट करता हूं।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude. ...*(Interruptions)*... Please conclude. ...*(Interruptions)*...

SHRI SATISH CHANDRA MISRA (Uttar Pradesh): Sir, I totally agree with what the Leader of the Opposition has said. I associate with him and support the Bill.

SHRI N.K. SINGH (Bihar): Sir, I just wish that the Government is prepared to set up an independent entity in the form of a regulatory entity which has been strongly supported by the Leader of the Opposition. I just wish to make two points. In the mandate of this mechanism, I think, the one question we must ask ourselves is: What can we do to enable a Member of Parliament to perform his functions more diligently and improve the quality of his parliamentary debate? If we look at cross-country international comparison, Sir, all over the world Members of Parliament get independent research staff which can give them advice independent of this advice which they receive from the executive. Look at the US practice, look at the UK practice and look at cross-country comparisons all over the world. How do you enable a Member to more efficiently and diligently perform his functions? There are two important lacunae. One is that he has no office facility, whatsoever. If you give him a house, you must allow every Member to be able to have one independent office facility and have an independent research staff of some quality to be able to enable him to perform his functions. I think that the Minister for Parliamentary Affairs very rightly pointed out that in the ensuing debate on the MPs Salary there is a growing public cynicism on the work that Members of Parliament perform.

So, I think there is a great need to improve this public perception. One of the things which we need to do is about the work done by the Members of Parliament in Parliamentary Committees, in Standing Committees, in Public Accounts Committee, in Estimates Committee.

All this goes completely unnoticed in the coverage which the media does. So, I request the Minister of Parliamentary Affairs to find out some way in which the work done and diligence exercised by Members of Parliament in these Parliamentary Committees also do get reflected in improving the public perception on the work that MPs perform so that this growing cynicism about what MPs can do is dissuaded.

DR. JANARDHAN WAGHMARE (Maharashtra): With regard to this Bill, I would like to make certain observations. It is needless to say that the salary, allowances and pension of Members of Parliament need to be reasonably enhanced in view of the steep rise in prices and overall cost of living, and the services that we render to the nation. The nature of work of Members of Parliament has changed over the years. It requires full-time involvement of the Members. It has now become a full-fledged profession. Parliamentarians are essentially legislators. Now, law making is their primary duty. It is a difficult task. Various Parliamentary Committees keep them engaged throughout the year. They are involved in multifarious activities and programmes. Public relation is a very important aspect of their work. They have to travel very often in their constituencies. They have to be always on their toes. They require secretarial assistance in Delhi and in their own constituencies. And, that is why, the work is very complicated and enormous. At the same time, Members of Parliament should be conscious of the fact that they are the representatives of the people. They represent *aam admi* in the Parliament. Members of Parliament are *jan sevaks* and not Government servants. They are not appointed by the Government. They are elected by the people. That is why, we have to be sensitive to the people also and we, of course, have to voice their concerns in the Parliament. Keeping in view this particular thing, I would like to say that there should be some independent mechanism to determine the salaries, pension and allowances of the Members of Parliament.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri Abani Roy — not there. Dr. Barun Mukherji — not there. Shri Y.S. Chowdary — not there. Shri Bharatkumar Raut.

SHRI BHARATKUMAR RAUT (Maharashtra): Sir, as hon. Minister has proposed and the Leader of the Opposition has seconded, I also wish to join all the Members in supporting that an independent mechanism should be formed so that there is no hue and cry in the public about the hike of salary. Having said that, I wish to raise only one point. Sir, I come from media and all of us keep blaming the media for opposing the salary hike of the Members of Parliament. Therefore, we give many arguments in this regard. Therefore, we have many observations and many points to defend our case. Why has media gone against us? We should introspect and think about it because media voice is public voice. This is the voice of the people...*(Interruptions)*... You may say no. We can deny it...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please sit down...(Interruptions)...

SHRI BHARATKUMAR RAUT: If we cannot listen one sentence of dissent...(Interruptions)... I am a middle-class man and I need hike in salary. But, at the same time, we should also live up to the expectations of the people at large. We cannot forget that we are people's representatives. We cannot forget this, and if we forget this, people will forget us. So, on this occasion, all of us should vouch that here after, we will work, as we have been working before, more sincerely and will not give a chance to the people to oppose our salary hike.

सरदार सुखदेव सिंह ढिंडसा (पंजाब): उपसभाध्यक्ष महोदय, पहले तो मैं आपका आभारी हूँ, फिर मंत्री जी का आभारी हूँ, जो पहले भी यह बिल लाये थे, लेकिन कैबिनेट ने defer कर दिया था। फिर मैं लालू जी का आभारी हूँ, जिन्होंने सारी पार्टियों को इकट्ठा किया और सरकार को मजबूर किया कि वे मानसून सेशन में विधेयक लाएँ। इसलिए मैं उनको भी बधाई देना चाहता हूँ। जैसा ऑनरेबल लीडर ऑफ ऑपोजीशन ने कहा है, इसके लिए मैं...(व्यवधान)...

सर, मेरा एक suggestion है कि जो हमारे ex-MPs हैं, वे बेचारे बूढ़े जो जाते हैं। जब वे रेलवे में अकेले जाते हैं, तो फर्स्ट क्लास में जाते हैं और अगर उनके साथ कोई और जाता है, तो उसको सेकंड क्लास में जाना पड़ता है। मैं और कुछ नहीं चाहता, उनके लिए इसको दो कर दीजिए, क्योंकि बूढ़े आदमी को जरूरत है। मंत्री जी ऐसा ऑर्डर से कर सकते हैं।

श्रीमती विप्लव ठाकुर (हिमाचल प्रदेश): सर, यह जो सेलरी का बिल आया है, इसके लिए बहुत criticism हुई, लेकिन जो बाहर बैठे हुए लोग हैं, जिनकी हमसे भी ज्यादा स्लेब्स हैं और उनको इतना मिल रहा है, वे नहीं समझते कि हमारी क्या हालत है। मैं यह कहना चाहती हूँ कि इसमें spouse की जगह spouse/companion होना चाहिए। जैसा ढिंडसा जी ने कहा है कि जो old होते हैं, उनको companion की जरूरत होती है। Companion कहीं और बैठा हो और वे उधर अकेले हों। इसमें इतना जोर देना चाहिए, यही मेरा कहना है। जो single women हैं, उनके लिए companion होना जरूरी है।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Dr. Mungekar. Please take only one minute. ...(Interruptions)... Please. ...(Interruptions)... Dr. Mungekar.

DR. BHALCHANDRA MUNGEKAR (Nominated): Sir, according to me, the quantum of salary, allowances and pension is not at all important. According to me, what the hon. Minister of Parliamentary Affairs suggested, and, what hon. Leader of Opposition suggested...(Interruptions)... Give me one and a half minute, please. In technical economic sense, every person charges a price for the service he renders. Similarly, whatever the Members of Parliament get as salary, allowances or pension, it is the price for the service which they are rendering to the society. But the price paid to the Members of Parliament should not be compared to the price paid to the regular workers. Pandit Jawaharlal Nehru said, 'I will take pride in calling me as the first servant of India rather than calling me as the first Prime Minister of India.' I am not going into the quantum of salary, allowances and pension. I recommend, suggest and support the view to have an independent mechanism other than the Parliament. This is my suggestion. Thank you.

सुश्री अनुसुइया उइके (मध्य प्रदेश): उपसभाध्यक्ष महोदय, मैं इस बिल का समर्थन करती हूँ।

माननीय उपसभाध्यक्ष महोदय, मेरा माननीय मंत्री जी से एक निवेदन है कि उन्होंने इस विधेयक में सत्र के दौरान सदस्य के बिना भी पति/पत्नी को allow किया है और ट्रेनों में भी पति/पत्नी को ही allow किया है। जो bachelor लोग हैं, जिनके पति नहीं हैं या जिनकी पत्नी नहीं है, उनके लिए किसी तरह का कोई प्रावधान नहीं रखा है। जो bachelor सांसद हैं, उनके लिए इसमें companion, सहयोगी के लिए भी प्रावधान रखना चाहिए।

DR. T. SUBBARAMI REDDY (Andhra Pradesh): Sir, once a person becomes a Member of Parliament he should be accessible, acceptable, and ready to serve the people twenty-four hours. A Member of Parliament must work 365 days in a year. It is very amazing to me. People want increase in their salary. I must say that the majority of Members of Parliament dedicate themselves to public life and they have no other income. A Member of Parliament goes out with dignity. If there are no facilities for him, then he is suffering. Therefore, the hike is very important. Then what should be the mechanism? Why should only Parliament do it? It is not correct. The Government must agree to it. Members of Parliament of both the Houses are agreeing and if somebody does not want it, very good, let them not draw the salary. If anybody opposes it, tell them that there is no salary hike for them at all.

SHRI PAWAN KUMAR BANSAL: Sir, I thank all the hon. Members who participated in this discussion. It is indeed very satisfying and, as far as I remember, this is perhaps the first time that we have had a discussion on the subject in the two Houses of Parliament. Earlier the practice had been — and that also drew a good bit of criticism from all quarters — that we were passing the amendments related to increase in salaries and allowances of Members of Parliament without discussion. This time, in both the Houses, we have had, though short, but a very informed discussion on the issue. I thank Shri Arun Jaitleyji, the Leader of the Opposition, Shri Raashid Alviji, Shri Satish Misraji, Shri N.K. Singhji, Dr. Waghmare, Shri Bharatkumar Raut, Shri Sukhdev Singh Dhindsaji, Shrimati Viplove Thakur, Dr. Mungekar, Anusuiyaji, Dr. Subbaramiji and Shri Chaturvediji and other Members who made their contribution and intervention on this subject.

I would not like to take much time of the hon. House on this subject. All that I would say is that there is almost near unanimity on it. Of course, there is a difference of opinion which came from Shri Raashid Alviji about the mechanism. But I think, Sir, it is time we set up a mechanism. Howsoever discreet we may be in exercising our right, the fact remains that every time this exercise is undertaken, there is a sort of odium that is attached to the entire exercise undertaken by the Committee and by Parliament. The Committee itself of course, is a mechanism under the system. There is a Joint Select Committee of the two Houses which sits and discusses it.

This time I must thank the Committee for its splendid job. It went through the entire gamut of issues and also considered the comparative pays and allowances, etc., of Members of Parliament in different countries and came out with a report. It was our endeavour to give utmost respect to that report and a good many of the recommendations have been accepted.

Sir, about the mechanism, I would come back to the House at some appropriate time after the Government considers this, after we discuss it with others. But there is certainly a need to refer to the point, to emphasise the importance thereof, that what is important is not just the salaries, but, as Shri N.K. Singh said, the facilities provided to the Members of Parliament to discharge their responsibilities effectively and conscientiously.

In that regard, I say this as an individual now, research work is the most important thing. During this period of one year, Members of Parliament have been speaking to me from time to time that they do need some efficient, qualified research hands. Again, to ultimately decide, to set up a mechanism at an appropriate time and ...*(Interruptions)*...

श्री रामविलास पासवान: श्री एन.के. सिंह जी ने जो कहा है कि प्रत्येक मेम्बर ऑफ पार्लियामेंट का एक ऑफिस होना चाहिए और एक एक्सपर्ट होना चाहिए। एक्सपर्ट आप अपनी तरफ से दीजिए, लेकिन उसका पैसा आप हम लोगों से मत लीजिए। आप ऑफिस और एक्सपर्ट दीजिए, तब मेम्बर ऑफ पार्लियामेंट काम करेगा। क्या वह बैठा रहेगा?

श्री पवन कुमार बंसल: मैंने शायद इस बात का जिक्र कर दिया था। I have underlined that issue. लेकिन इस वक्त यह संभव नहीं होगा कि मैं यहां एकदम इस पर कुछ टिप्पणी करूं या सरकार की तरफ से कुछ कहने की कोशिश करूं। उस बात की जरूरत कैसे और कहाँ है, उस पर ध्यान रखा जाएगा, लेकिन यह उन्हीं बातों के कारण था कि office allowances को 20 हजार से बढ़ा कर 45 हजार रुपये प्रति माह कर दिया गया है। यह एक प्रयास है कि दोनों हाउसेज के जो हमारे सदस्य हैं, वे उसका कुछ और फायदा उठा सकें। उसका काफी बड़ा हिस्सा, वे जो अपना स्टाफ रखते हैं, उन पर जरूर जाएगा। लेकिन, जैसा मैंने कहा कि जब इस पर एक विस्तारपूर्वक चर्चा की जाएगी, उस वक्त जो भी सिस्टम हम बनाएँगे, उसमें इन मुद्दों के साथ यह भी देखना होगा कि उसके बाद what is the relevance of the committee that we have set up and which have worked all these years. क्या उस कमेटी की जरूरत है या नहीं है, इन चीजों पर गौर करना होगा। इतने वर्षों से वह समिति चलती रही है, इसलिए जो जरूरी होगा, उन बातों पर थोड़ा विस्तारपूर्वक विचार किया जाए।

इस बात में कोई संदेह नहीं कि एक developing society में लोगों की उम्मीदें अपने चुने हुए नुमाइंदों से बहुत होती हैं। उन पर बहुत तरह की डिमांड्स होती हैं, उनको समय-समय पर बहुत जगह पर आना-जाना रहता है, उन्हें अपनी constituency में बहुत घूमना पड़ता है। लेकिन, अगर उन चीजों का जिक्र हम करेंगे या अगर हम ही यह अपनी तरफ से करेंगे, तो फिर वही बात आ जाएगी, इसलिए क्यों न एक ऐसी अच्छी कमेटी हो, जिसका जिक्र मैं इस वक्त तो नहीं कर सकता, लेकिन हमारे बीच में ही श्री एन.के. सिंह जैसे सदस्य हैं, इनसे हम चर्चा करेंगे। इनको जिंदगी का अनुभव है, हम सभी से मिलकर इस बात को देखेंगे कि आगे हमें क्या करना चाहिए। वह हम जरूर इसके लिए करेंगे। मैं यह कह सकता हूँ कि अगली बार आपको यह नहीं सुनना पड़ेगा कि चार साल पहले भी यही कहा गया था। इस समय इस मामले में जितना जल्दी हो सका, इस पर जितनी भी चर्चा की जरूरत होगी, वह करके आगे के लिए हम कोई-न-कोई अच्छा सिस्टम बनाने की कोशिश करेंगे। बस इन्हीं शब्दों के साथ मैं सभी सदस्यों का एक बार फिर से ...*(व्यवधान)*...

श्री एस.एस. अहलुवालिया: सर, ...*(व्यवधान)*... मंत्री जी, कुँआरे लोगों ने जो बात उठायी, ...*(व्यवधान)*... उसके बारे में बताइए।

श्री पवन कुमार बंसल: सर, दो बातें रह गई थीं, जिनका अहलुवालिया जी ने जिक्र किया है। एक तो यह है, उसमें मैं इस बात पर गौर करवा लूँगा कि वह क्या है। जहाँ तक मैं समझता हूँ, सभी सदस्यों के लिए अभी

भी यह है कि एक companion या एक सहयोगी उनके साथ सेकंड क्लास में जा सकता है। ऐसा नहीं लगना चाहिए कि I have rejected a particular point that is raised here. ...*(Interruptions)*...

श्री एस.एस. अहलुवालिया: वह companion नहीं है, वह attendant है। ...*(व्यवधान)*...

प्रो. अलका क्षत्रिय: सर, ...*(व्यवधान)*...

SHRI PAWAN KUMAR BANSAL: Sir, let me make the point that ...*(Interruptions)*... अहलुवालिया जी, मैं उसको टोटली इंकार नहीं कर रहा हूँ। ...*(व्यवधान)*... सर, मैं उसका परिप्रेक्ष्य बता रहा हूँ कि किस संदर्भ में यह बात उठती रही है। ये सारी बातें उस परमानेंट मैकेनिज्म के जरिए ही हो जानी चाहिए। सर, पहले किसी वक्त यह सिर्फ मैम्बर के लिए होता था। बाद में यह माँग उठी थी कि मैम्बर्स के साथ एक अटेंडेंट होना चाहिए। बाद में वह बात मान ली गई थी। फिर यह कहा गया था कि अगर मैम्बर या उनकी पत्नी अथवा उनके पति उनके साथ सफर कर रहे हों, तो क्या वे सेकंड क्लास में जाएँ, अटेंडेंट वाली टिकट पर? मैं सही कह रहा हूँ, मैं इस हाउस में काफी समय से रहा हूँ। यह बात ऐसे ही उठती रही है। इस प्रकार उसके बाद यह सेकंड हो गया था। इस बात को ठुकराया नहीं जा सकता कि जो सदस्य, for the single Members...*(Interruptions)*...

श्री एस.एस. अहलुवालिया: एक कुँआरी लड़की के साथ हो सकता है कि उसकी माँ या उसकी मौसी ट्रेवल कर रही हो। यह भी हो सकता है कि उसका फादर उसके साथ ट्रेवल करना चाहता हो या उसका भाई ट्रेवल करना चाहता हो, तो उसको आप अटेंडेंट नहीं, companion ही ट्रीट करेंगे। ...*(व्यवधान)*...

श्री पवन कुमार बंसल: मैं यह कह रहा हूँ कि इसके साथ-साथ एक दूसरा सवाल यह भी आ जाएगा कि ...*(व्यवधान)*... इसके साथ-साथ एक दूसरा सवाल भी जरूर आएगा। मैं इस बात को मानता हूँ। I appreciate that point, but, the question that would arise is: If we give an additional seat, do we retain the seat for the attendant as well? These are the questions which will have to be considered. जैसे पहले कहा गया था, राशिद अल्वी जी ने कहा था that we have made as many as 26 amendments in the past 60 years. But, we have always done with utmost care and discretion. It is not that recklessly, we have increased the salary for us. And, similarly, in the same way, I would say, Sir, these are the points which would need deeper consideration. But, I do not rule out the point made by the hon. Members that a single Member of the House also has to be accorded some sort of facility. We will see what we can possibly do in that regard. But, presently, it will be difficult for me to say that we are incorporating anything in this. But, this point is very well taken. I must say that. And about pension, I have made the submission that there has been good increase in it also. From Rs.8,000, we have raised it to Rs.20,000. I know that some Members approached me, saying that this is not adequate and this is not half of the salary. ...*(Interruptions)*...

श्री राजनीति प्रसाद (बिहार): सर, ...*(व्यवधान)*... 16 का 8 किया ...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no. Please. ...*(Interruptions)*... राजनीति जी, आप बैठिए।

श्री पवन कुमार बंसल: मैं वहीं बात रहा हूँ। ...*(व्यवधान)*... सर, हमें एक बात पर फिर से गौर करने की जरूरत है कि अगर हम एक दिन भी पार्लियामेंट में रह लें, तो हमें 20,000 रुपए की पेंशन मिलनी शुरू हो जाएगी। हम अपने आपका comparison दूसरे लोगों के साथ न करें। And, I would say, Sir, that would be

rather demeaning if we try to do that. हमें सिर्फ इसी बात पर ध्यान देना चाहिए कि हमारी पेंशन कितनी है? 5 वर्ष तक कितना भी समय लगा लिया हो, उतनी पेंशन मिलेगी, वह मिनिमम है। ऐसे बहुत से सदस्य यहां हैं, मैं दुआ करता हूं कि वे और लंबे अरसे तक यहां रहें, लेकिन आज के दिन बहुत से सदस्यों की पेंशन का जो पैसा बनता होगा, वह उनकी salary से ज्यादा बनता रहेगा। इस फारमूले के तहत वह बढ़ता जाता है। As it was very well clarified here, we must not compare ourselves with the Government servants. उनका अपना हिसाब है, 30-30 साल की उनकी सर्विस होती है, तब उनको पेंशन मिलती है। इधर दो साल, एक साल, कुछ समय के बाद भी यह प्रावधान है कि पेंशन मिल सकती है। इसलिए मेरी दरखास्त यही है कि हम इस बात को यहीं छोड़ें और भविष्य के लिए हम सब मिलकर जो सिस्टम बनाएं, यह बात उन पर छोड़ दें कि वे सब चीजों को देखकर कुछ व्यवस्था बनाएं।

श्री सत्यव्रत चतुर्वेदी: मंत्री जी, हमारे कुछ सदस्य इस बढ़ोतरी के खिलाफ हैं। अगर वे बढ़ी हुई तनखाह न लेना चाहें...(व्यवधान)...

श्री पवन कुमार बंसल: मेरे ख्याल से कोई कहीं भी क्यों न हो, चाहे वे कहीं भी काम कर रहे हों, चाहे वे सदस्य हों या बाहर हों, अगर कोई बिना तनखाह के काम करना चाहता है, तो अक्सर ऐसा होता है कि सरकार कह देती है कि एक रुपया तनखाह ले लो और वह एक रुपए पर काम करता है। शायद ऐसे कुछ उदाहरण पहले भी हुए हैं, लेकिन इसके लिए कानून की कोई ज़रूरत नहीं है...(व्यवधान)...

श्री राजीव शुक्ल (महाराष्ट्र): उपसभाध्यक्ष जी, The Leader of the Opposition और सभी सदस्यों ने एक बात कही कि इसके लिए कोई permanent mechanism होना चाहिए और मैं भी उस कमेटी का सदस्य था, जिसने यह recommend किया था और अहलुवालिया जी ने उसमें यह सुझाव रखा था और उसको link किया था कि चूंकि हमारा दर्जा सेक्रेटरी से थोड़ा ऊपर है, इसलिए सेक्रेटरी की तनखाह से एक रुपए या दो रुपए ज्यादा करके, जितने allowances हैं, उनको इससे link कर दिया जाए, तो बार-बार यह झंझट नहीं रहेगा। यह एक अच्छा सुझाव था। इसी तरह से गुजरात असेंबली में क्लास वन ऑफिसर के साथ MLA का वेतन अपने आप बढ़ता रहता है...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, the question is:

That the Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954, as passed by Lok Sabha, be taken into consideration.

The motion was adopted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause-by-Clause consideration of the Bill.

Clauses 2 to 6 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI PAWAN KUMAR BANSAL: Sir, I beg to move: That the Bill be passed.

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, further consideration of the Prevention of Torture Bill, 2010. Shri P. Chidambaram.

The Prevention of Torture Bill, 2010

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Sir, with your permission, I move the following motion:—