

RE FACILITIES FOR THE LEADER OF THE OPPOSITION

SHRI S. D. MISHRA : (Uttar Pradesh) : Sir, I want to raise with your permission a point about : . . .

MR. CHAIRMAN : I permitted you to mention a point, not to raise a discussion on anything.

SHRI S. D. MISHRA : Sir, on 18th of December, 1969, the Chairman here and the Speaker in that House had been pleased to reconise the Congress Party this side as the official opposition and Shri S. N. Mishra here as the Leader of the official Oppoisition. On that day while felicitating the Leader of the Opposition even the Government had assured on demand from various Members—I do not want to go into various details; they are incorporated in the proceedings—they had assured that the rights, privileges and facilities that are necessary for that party and the Leader of the Opposition would be announced very soon, they would be finalised and they were being considered. As a matter of fact I have here the proceedings and the statement of Shri V. C. Shukla who said in reply to the demand that some facilities should be given to the Leader of the Opposition from the Government, "I want to say that this matter has already been under the examination of the Government and we hope to finalise this matter soon and make an announcement about it". This was an assurance given by the Government. Since then about five months have passed. Even if it is not an assurance, I take it as an assurance and if it is an assurance, it should have been implemented in the normal course of procedure within three months. If it is not an assurance, it is a normal practice in the House of Commons and in this very country that the Leaders of the official Opposition get certain status. It is not for their personal enjoyment or personal benefit but for the proper functioning of the democratic structure, of the parliamentary opposition. So, if we are demanding here these privileges, I do not know why the Government is taking six months' time, and they have not come to any definite decision as to what they are doing. Within a week's time this session will be off and we have no categorical assurance and there is no bill from the Government which has come before the House. Therefore, I wanted to mention that I want an assurance from the Government that these facilities, these privileges will be not only codified in this session but passed before the House rises

on the 22nd or 23 rd, so that we shall be able to pass this thing. I need not dilate on the various privileges, the Government knows them. They did not tell us that they were getting these facilities known from the Commonwealth countries, from America, and so on. It is all well known. I know seven or eight States—the list is before me; Tamil Nadu, Mysore, U. P., Haryana, Orissa and other States; they have already codified this, and West Bengal. Haryana did it by an Ordinance when the Assembly was not in session. So, what is the difficulty? We want a categorical assurance that this thing would be passed in this session, not only introduced but passed in this session.

SHRI BHUPESH GUPTA (West Bengal) : Sir, I have some submission to make. This is a matter in which one way or the other the issue should be finalised.

MR. CHAIRMAN : What do you want to say?

SHRI M. S. GURUPADAWAMY (Mysore) : Sir, if you allow him, you must allow us.

MR. CHAIRMAN : I am not allowing a discussion because there is not a motion for discussion.

SHRI BHUPESH GUPTA : When I want to get up to speak on this subject my friend get up and says that. Yet he says that they are the entire leaders of the opposition. *(Interruptions)* Do not claim what you are not. You are the leader of a particular party. With all respect to my friend, Mr. Mishra, whatever facilities Government may give, this is a matter which can be discussed.

SHRI S. D. MISHRA : Mr. Chairman's remarks are here. Mr. Chairman stated : "I have considered the question of recognition of the Congress Opposition Party and also of recognition of Shri Sham Nandan Mishra, the leader of the Party, as the Leader of Opposition in the Rajya Sabha. I have given the matter for careful consideration". This is Chairman's statement.

SHRI BHUPESH GUPTA : You have quoted. I am not disputing what you have said. Whatever you read out I do not dispute. There are two propositions, One is your recognition. You had said something. We had our say. We accepted your thing though we may not agree with it. But they have done it, but

this is another thing. This is asking Government to provide certain facilities, perhaps salary and other things, so many other things. They do not concern you. You are not the authority to provide salary, house, and all that. Facility in principle should be thrashed out once and for all and it should be thrashed out before the bar of the nation. Even in the House of Commons it took them 70 years to come to a conclusion in this question to recognise someone as the Leader of the Opposition after the issue had been first mooted. Only towards the end of the last century the British Parliament came to the conclusion that there would be a Leader of the Opposition when the bipartisan system more or less developed. When there were many groups in the British Parliament, some big and some small, the question of Leader of the Opposition did not arise at all and the Speaker did not recognise that. You have done it. I am not questioning this thing now because this is a matter for the House.

SHRI MOHAN LAL GAUTAM (Uttar Pradesh) : What about France where there are so many parties?

SHRI BHUPESH GUPTA : I am very glad you asked. I am sure divergent points of view are here. This is number one. The second point is, as far as our party is concerned, you know very well that when the West Bengal Assembly—at that time we were a united party—wanted to give salary, we rejected the salary. We said "No, we would not take extra salary". That is a moral question. (Interruption.) In this House we are divided.

SHRI DAKYABHAI V. PATEL (Gujarat) : You were never a model of democracy. West Bengal should be brought for discussion about disorder and the law and order situation.

SHRI BHUPESH GUPTA : My friend has misunderstood. It was in the middle of 1950 when there was no United Front Government. Sir, with regard to... (Interruption.) I say there is no Leader of the Opposition in this House.

MR. CHAIRMAN : Do not shout.

SHRI BHUPESH GUPTA : Sir, you revise your decision. We do not recognise him. We are leaders of the various groups. We are divergent groups. Sir, we keep nobody in authority.

MR. CHAIRMAN : • Sit down.

SHRI BHUPESH GUPTA : If I may say so, you made a mistake by saying Leader of the Opposition. In British Parliament, as I say, you go by...

(Interruption)

MR. CHAIRMAN : Sit down.

SHRI BHUPESH GUPTA : Let me finish.

MR. CHAIRMAN : Rajnarain.

श्री राजनारायण (उत्तर प्रदेश) : श्रीमान्, मैंने बहुत ही खेद के साथ पहली बार इस सदन में श्री भूपेश गुप्त को अतार्किक ढंग से भाषण करते हुए सुना। मैं नहीं समझता था कि श्री भूपेश गुप्त, जिन की ज़िन्दगी 20 साल से यहां बीत रही है, ऐसी अनर्गल, निराधार बुनियाद पर खड़े होंगे, जिसको कोई संसदीय, डेमोक्रेटिक संगठन नहीं मान सकता। इंग्लैंड की पार्लियामेंटरी पद्धति को देखा जाए। मैं श्री भूपेश गुप्त को सलाह देता हूं कि वह 1952 में जाएं (Interruption.) मैं इतिहास जानता हूं; क्योंकि सब से पहले उत्तर प्रदेश की विधान सभा में राजनारायण विरोधी दल के नेता स्वीकार हुए थे। यहां पर हमारे मित्र श्री मोहन लाल गौतम, जो उस समय लोकल बोर्डिंग के इंचार्ज थे, विराजमान हैं और वे इस चीज को जानते हैं।

केन्द्र में जब कम्युनिस्ट पार्टी बहुत ज्यादा तादाद में आई थी, तो उस समय श्री जवाहरलाल नेहरू, जो कि कांग्रेस पार्टी के नेता थे, कम्युनिस्ट पार्टी को रिकग्नाइज्ड अपोजीशन करार नहीं देना चाहते थे। तब संसद् में यह बात तय हुई कि 1/10 यानी कोरम के बराबर जिस पार्टी की तादाद हो, उस को मान्यता दी जाए। मगर हमारे यहां उत्तर प्रदेश में यह पहले तय हो चुका था।

श्री सभापति : आप जल्दी खत्म कीजिए।

श्री राजनारायण : यह सवाल इतना आसान सवाल नहीं है।

श्री सभापति : यह डिस्कशन नहीं है।

SHRI LOKANATHMISRA (Orissa) : Let him reply.

{Interruption.}

MR. CHAIRMAN : I shall hear one or two more persons.

SHRI A. P. CHATTERJEE (West Bengal) I want to place my own point.

SHRI DAHYABHAI V. PATEL : We have been here in the House as a party.

SHRI LOKANATH MISRA : have a submission to make if you ask only one or two members from different parties. There are certain recognised parties in the country and they are the bigger parties. I do not speak about two or three members' parties in this House but the parties which have six or seven members or even more than that. They must have a say Mr. Bhupesh Gupta has a party of seven. If he is allowed and he can speak authoritatively, all other parties who function in this House, they may also be allowed. The difficulty which will develop by the views of Mr. Bhupesh Gupta is that in the press the people will know that the Leader of the Opposition is not recognised. By what section, what opposition? The other sections may be allowed to have a say in the matter.

SHRI MULKA GOVINDA REDDY (Mysore) : Mr. Chairman, you should hear all the groups. We should have a say in the

श्री सभापति : आप इस समय इतिहास में मत जाइए । इतना बक्त नहीं ।
matter. All the members and the leaders of the

श्री राजनारायण : अब आप खुद देख ल कि सात बार आपने मुझे बोलने को कहा । जब मैं बोलने खड़ा होता हूं तो सब लोग बोलने लगते हैं । मेरे पैर में लंग आ गया है, तो इस का नाजायज फायदा न उठाएं । अगर कोई बोलने नहीं देगा, तो मैं सामने आ कर बोलूंगा ।

श्री सभापति : आप बोलिये ।

श्री राजनारायण : मैं अदब के साथ माननीय सदस्यों को आपके द्वारा इतिहास बताना चाहता हूँ । ब्रिटिश पार्लियामेंट में जो बहुमत groups may be given an opportunity to express their views. MR. CHAIRMAN : Let him finish.

दल होता है, वह सरकार बनाता है । उसके बाद जो नेक्स्ट लार्ज ग्रुप होता है, वह मुख्य विरोधी दल माना जाता है और उसके नेता को विरोधी दल का नेता माना जाता है । उसके बाद अन्य जितने दल होते हैं वे पार्टीज़ आफ अपोज़ीशन कही जाती हैं । यह व्यवस्था वहां पर है ।

हमारे गौतम जी यहां पर विराजमान हैं । वे जानते हैं कि यू० पी० में श्री नज़ीमुल हसन ने, जो उस समय एसेम्बली के स्पीकर थे, हमें मान्यता दी थी; क्योंकि श्री नज़ीमुल हसन ने मान्यता दी थी, इसलिए श्री ए० जी० खेर की हिम्मत नहीं हुई कि वे हमारी मान्यता छीनते । सेक्रेटरी ने पूरी प्रोसीडिम्स सामने रख दीं । इसलिए राजनारायण की मान्यता नहीं छीनी जा सकी । {Interruption.} यह आप का कर्तव्य था कि आपने जिस दल को मुख्य विरोधी दल माना है, उसको आप कहें कि यह विरोधी दल है । श्री भूपेश गुप्त का भी विरोधी दल है, मगर मुख्य विरोधी दल वह है, जो नेक्स्ट टू रूलिंग पार्टी है और वह आर्गेनाइजेशन कांग्रेस है और श्री एस० एन० मिश्र विरोधी दल के नेता हैं । इसलिए यह कह देना कि हम उन्हें नेता नहीं मानते, यह ठीक नहीं है । मानें या न मानें, होता क्या है ? उनकी जो तादाद है, उसको श्री भूपेश गुप्त छीन नहीं लेंगे और न राजनारायण छीन लेंगे । हमारी तादाद जब उनसे बढ़ जाएगी तो श्री एस० एन० मिश्र नेता नहीं रहेंगे और हम विरोधी दल के नेता हो जाएंगे । अगर भूपेश गुप्त जी की तादाद बढ़ जाएगी, तो वे विरोधी दल के नेता हो जाएंगे । हां, भूपेश गुप्त जी एक बात कह सकते हैं कि क्योंकि कम्युनिस्ट पार्टी और रूलिंग कांग्रेस का आपस में कुछ रिलेशन है, इसलिए हम श्री एस० एन० मिश्र को विरोधी दल का नेता नहीं मानते । मैं तो यह कहता हूँ कि रूलिंग पार्टी के अलावा जो दल हैं, वे सभी विरोधी दल हैं, संसोपा एक विरोधी दल है, सोशलिस्ट पार्टी भी एक विरोधी दल है, कम्युनिस्ट पार्टी भी एक विरोधी दल है और

दूसरी जो और पार्टियाँ हैं, उन सभी को हम विरोधी दल मानते हैं, लेकिन यह तर्क कि विरोधी दलों में जिसकी तादाद सबसे ज्यादा हो और जिसे आप पहले मान्यता दे चुके हैं और जिस पार्टी के नेता विरोधी दल के नेता हों और उस विरोधी दल से किसी और विरोधी दल की तादाद ज्यादा न हो, उसको विरोधी दल न माना जाए, यह अजीबो गरीबो तर्क है, यह लगव तर्क है, यह डिक्टेटोरियल तर्क है। मैं आज कहना चाहता हूँ कि छः महीने की अवधि क्यों? मैं आपके द्वारा सरकार से पूछना चाहता हूँ इस सदन में...

श्री सभापति : अब आप ख़त्म करिये राजनारायण जी।

श्री राजनारायण : इस सदन में सरकार द्वारा दिये गये आश्वासनों...

श्री सभापति : मैं दिन भर इसको नहीं चला सकता।

श्री राजनारायण : ...के बारे में शीघ्रातिशीघ्र फैसला लिखा जायेगा, इसके लिये क्या किया। इसलिये मैं इस मीके पर सरकार की भर्त्सना करता हूँ।

MR. CHAIRMAN : Please sit down. *Opposition*

श्री राजनारायण : जो सरकार अभी तक विरोधी दलों को अपने... *(Interruptions.)*

MR. CHAIRMAN : I ask you to sit down now.

श्री राजनारायण : श्रीमन्, इसलिये हम आपसे इजाजत ले रहे हैं। हम कहना चाहते हैं, आप अपनी भावना को हमारी भावना में मिलायें...

श्री सभापति : भाई, सुन तो लिया।

श्री राजनारायण : और आप सरकार को थोड़ा सचेत करें। सरकार को बहुत पहले ही चाहिये था कि एक विरोधी दल के नेता की हैसियत से उसको जितनी सहूलियत, सुविधा,

अन्य मुत्कों में होती है, उसी के मुताबिक यहाँ पर व्यवस्था करती। देखिये, हम इस देश के...

श्री सभापति : यह व्यवस्था का सवाल नहीं है।

श्री राजनारायण : ...हम इस देश के सबसे बड़े राज्य से आते हैं, जहाँ 430 सदस्यों की असेम्बली है, वहाँ विरोधी दल के नेता चरण सिंह थे, वहाँ विरोधी दल के नेता चन्द्र-भानु गुप्त थे...

(Interruptions.)

श्री सभापति : अब आप बैठ भी जाइये।

श्री राजनारायण : ...वहाँ विरोधी दल के नेता को 1000 रु० मासिक मिलता है।

श्री सभापति : अब आप बैठ जाइये। श्री राजनारायण, बैठ जाइये।

श्री राजनारायण : आप चाहते हैं कि हम हवा में बोले भूपेश गुप्त की तरह...

(Interruptions.)

श्री सभापति : नहीं सबको सुन लिया। अब नहीं। तो, नो।

SHRI BHUPESH GUPTA : Sir, you fix time—five minutes each...

(Interruptions.) SOME HON.

MEMBERS : No, no.

SHRI BHUPESH GUPTA : And I will stick to that. Let them also speak *(Interruptions.)* We are not going to allow this.

SHRI S. D. MISRA : We will not sit down.

श्री राजनारायण : नेता विरोधी दल के लिये सभी सुविधा और सहूलियत की व्यवस्था करें...

श्री सभापति : आपने कह दिया है बार बार। अब आप मेहरबानी करके बैठ जाइये।

श्री राजनारायण : आपने छः महीने से अपने कर्तव्य का पालन नहीं किया। यह आपके सेक्रेटेरियेट का कर्तव्य था कि बाकायदा यह लिखते रहते।

श्री सभापति : अब आप बैठ जाइये। कितनी बार तो कह दिया।

श्री राजनारायण : आप सोचते हैं कि चूँकि हमारी टांग टूटी है, हम बराबर बैठे रहें, ताकि हम बोल न सकें।

SHRI TRILOKI SINGH (Uttar Pradesh) : On a point of order May I K, With due respect to the Chair What Rules of Procedure or practice or convention this discussion or expression of opinion...

SOME HON. MEMBERS : Oh! oh !

SHRI TRILOKI SINGH : Just listen to me Let me raise my point of order-Arid let not the hon. Members prejudge the validity or otherwise of my point of order I beg to say this : Under what Rules' of Procedure or practice or conven-Uon you have been pleased to allow this discussion about the recognition of the Leader of the Opposition? {Interruptions.) Just listen.

SHRI S. D. MISRA : You have already allowed this, S i.

SHRI TRILOKI SINGH : I would beg of the hon. Members opposite that they should not prejudge the issue or get agitated. I think I should repeat it, Sir My submission is, under what Rules of Procedure or practice or convention or usage this discussion has been allowed? Sir, I would like to submit that the Leader of the Opposition is not a question of recognition by the Chair; with due respect to you, Sir, again, you or the Speaker or the House. He is there in his own right even as the Leader of the House is there in his own right. As the leader of a party which is the next largest party, ne is the Leader of the Opposition. It does not need any recognition from the Leader of the House or from the Chair, Sir. It does not require any recognition.

SHRI BHUPESH) GUPTA : Where did you learn this from?

SHRI TRILOKI SINGH : I am not going to yield the floor to any Member. I may be wrong. But my submission is that the Leader of the House or the Leader of the Opposition is not a question of recognition either by the Government or by the Chair. And if you like, I can quote May's Parliamentary Practice which is supposed to be the Bible of parliamentary practice that it is not a matter of discretion or decision by the Chairman of the House. Therefore, my submission is this that the discussion that has been allowed—most respect fully I would submit again—is not in order; nor is it within the competence of the Chair to give recognition to the Leader of the Opposition. The Leader of the Opposition is there in his own right. And my hon. friend, the Leader of the Congress (O) is there, his party being the second largest party, as the Leader of the Opposition in this House. Nobody can deny him this right. {Interruptions.)

MR. CHAIRMAN : Let me answerhis point of order. Then I will hear you-At the very beginning, I said that I merelypermitted a mention of this matter, andI did not permit a discussion. Because hehad used the words - raise a point' I saidthat there was no question of raising apoint. I merely permitted the mentionof a matter. That was the view that

I took. But I found that some Memberswanted to express their opinion, someleaders wanted. Out of deference totheir leadership, I said, all right, you maysay something, if you like, on this question-I am not here to decide anything. Thatis not within my power. There is nopoint of order.

SHRI MANUBHAI SHAH (Gujarat) : What is the view about codifying the privileges?

MR. CHAIRMAN : The Government will...

SHRI S. D. MISRA : He knew it {Interruptions.) The proceedings are here.

SHRI A. P. JAIN (Uttar Pradesh) :t Sir, in your observations you were pleased to say that you are not here to decide anything. Most respectfully, I beg to disagree with that because there are the rules and regulations, there are the conventions of the House, which are binding on the House, and those rules and regulations and conventions are to be enforced through you.

MR. CHAIRMAN : You have not understood me. This point of order has been raised under a misapprehension. I have never said that I am not here to decide anything. What I said was, I am not here to decide the matter mentioned by him. That was what I said. Therefore, this point of order does not arise.

SHRI A. P. J UN : Sir, you allowed him to make a mention of a certain matter. Now, according to the convention that we have been following here, when once a mention is made there is an end of it. There is no further discussion allowed. So, I think there is a lot of force in what Mr. Triloki Singh has said that this discussion on that question is irrelevant and it should be stopped.

MR. CHAIRMAN : Mr. Triloki Singh merely repeated what I had said in the beginning. I had said in the beginning that this was not a matter for discussion, I was not allowing a discussion. But as some leaders wanted to say something, I assumed that this House wanted to know what they wanted to say.

SHRI PITAMBER DAS (Uttar Pradesh) : I have a submission to make.

MR. CHAIRMAN : Mr. Mulka Govinda Reddy.

SHRI MULKA GOVINDA REDDY : Mr. Chairman, Sir, Members just get up and give their views. This is not proper. You should call the Members party-wise to express their views.

SHRI V. B. RAJ (Andhra Pradesh) : Sir, I want to place before you an information. There was the Speakers' Conference...

MR. CHAIRMAN : No, no. This is no point of order.

SHRI V. B. RAJU : You should bear with me for a minute. At that Conference it was decided how an Opposition group should be recognised. There were lots of deliberations.

MR. CHAIRMAN : This is no point of order.

SHRI PITAMBER DAS : Sir, I have two points to make very clearly and very briefly.

SHRI CHANDRASEKHAR (Uttar Pradesh) : Sir, Sir, this side also. 5—34 R.S./70

MR. CHAIRMAN : Yes, I will ask this side also.

SHRI PITAMBER DAS : My friend, Mr. Bhupesh Gupta, is perfectly within his right to accept Mr. Mishra as his leader or not. That is his right. He may agree with him, he may not agree with him. But just as the Leader of the House is there, whether any party agrees with him or does not agree with him, none can challenge his right to be the Leader of the House.

SHRI BHUPESH GUPTA : He is the Leader of the Government majority party.

SHRI PITAMBER DAS : Have patience. Just as in the House the leader of the biggest party is known as the Leader of the House, similarly in Opposition the leader of the biggest party in the Opposition is known as the Leader of the Opposition.

SHRI BHUPESH GUPTA : I was the leader of the biggest party for 12 years. I was never recognised as the Leader of the Opposition... [Interruption.]

SHRI PITAMBER DAS : My friend, Mr. Bhupesh Gupta, says that he was the leader of the biggest party in this House for a number of years and still he was not recognised as the Leader of the Opposition. I need not say anything. That, itself speaks enough for his intelligence when he says that he was the leader of the biggest party in the Opposition for 12 years, and yet...

SHRI BHUPESH GUPTA : Because Bhupesh Gupta does not lay a false claim. He was fitting in those Benches for 14 years. Mr. Dahyabhai Patel belongs to a party which differed with me. Therefore, I claimed to be only the leader of the Communist group in this House...

MR. CHAIRMAN : Mr. Gupta, please sit down.

SHRI PITAMBER DAS : What I was trying to say was that in spite of sitting in the House for 14 long years as the leader of the biggest group, he could not acquire the eligibility of being called the Leader of the Opposition...

SHRI BHUPESH GUPTA : Because, Sir, I did not want to be an illegitimate Leader of the Opposition. I wanted to maintain my legitimacy.

MR. CHAIRMAN : Mr. Pitamber Das, please confine your remarks to the point at issue.

SHRI PITAMBER DAS : I do not want to enter into any discussion. About the legitimacy of Mr. Bhupesh Gupta, he should know it better than I do.

The second point that I wanted to make out is that as far as my information goes, the Chief Whips' Conference as well as the Speakers' Conference have expressed themselves on this question. And if a party acquires the requisite number of Members, then, in their own right, their leader has to be recognised as the Leader of the Opposition. And when he is recognised as the Leader of the Opposition, it flows from that that all the amenities and all the privileges that are attached to that office, must automatically be given to him. If they have not so far been given, they ought to be given now.

SHRI A. P. CHATTERJEE : Mr. Chairman, Sir...

MR. CHAIRMAN : I will call you. Let me finish one by one.

SHRI DAHYABHAI V. PATEL : I think this House should go by Parliamentary practice. Unfortunately, people who shout about parliamentary democracy get into the habit of disturbing everybody every time like a Jack in the box in season and out of season; they would not curb themselves. That is why we have so much of confusion. Sir, we have been suffering all these years because the Chair does not curb the tendency of this gentleman to interrupt everybody else. Nobody has the right to interrupt everybody when he is speaking. Everybody must have the right to speak without being disturbed.

MR. CHAIRMAN : No one has interrupted you.

SHRI BHUPESH GUPTA : Who was interrupting me. When I got up? He was interrupting me.

SHRI DAHYABHAI V. PATEL : It is like the pot calling the kettle black. He does not observe decorum...

SHRI BHUPESH GUPTA : *Valea* I am also allowed to go on, I shall interrupt because I need not learn Parliamentary manners...

SHRI DAHYABHAI V. PATEL : From Bengal. Quite right. I agree with you. After all, in democracy matters are settled by elections and by numbers. And what is the Leader of the House? The Leader of the House is a person who has the largest following. The leader of a party which has the largest number of Members supporting him is the Leader of the House, and the next second party is the Opposition. Its leader must be called the Leader of the Opposition.

There are certain recognised conventions under which a proportion of Members is fixed. That is well-known in Parliamentary practice, and if there is a party of that size and that strength, the leader of the party is entitled to all the privileges, and he is known as the Leader of the Opposition. It is unfortunate that in this country we have had a confusion of so many parties especially in this House in the Opposition there has never been a leader who could be called the Leader of the Opposition. But since that position has arisen, I think, the House, particularly the Leader of the House and the majority party must realise this. Sir, I would humbly request you as the person who presides over the proceedings of this House, to help the Government to come to this right decision early, to have a recognised Leader of the Opposition giving him all the privileges, all the amenities that are available in democratic countries. This practice is well-known. We need not go to any country elsewhere. This should be decided.

SHRI CHANDRA SHEKHAR : It is nowhere in Upper Houses.

श्री श्यामनन्दन मिश्र (बिहार) : अपर हाऊस में सब जगह है।

SHRI DAHYABHAI V. PATEL : In this country even in the Upper Houses we have had this practice. There are some people who do not like anything to be done because they would like all confusion and interruptions. That practice should be stopped. Just as they want to be heard, others also want to be heard. In democracy unless we patiently hear other views we shall not be able to get on. Therefore, my submission is that the Leader of the Opposition should be recognised and the amenities and privileges must be allowed to him. I support that plea.

MR. CHAIRMAN : Mr. Murahari, you want to say something in addition to Mr. Rajnarain.

SHRI DAHYABHAI V. PATEL : It would help the House very much if Mr. Bhupesh Gupta is given a seat on the Congress Benches.

SHRI GODEY MURAHARI (Uttar Pradesh) : Sir..

SHRI S. D. MISRA : What about a chance to us?

MR. CHAIRMAN : You have had your representation.

SHRI S. D. MISRA : What does representation mean? In such matters leaders cannot represent their parties. Some others should also be called. It has no meaning.

MR. CHAIRMAN : That is my discretion. But Mr. Rajnarain is not the leader; still I tilted him.

SHRI S. D. MISRA : You say we are well represented by one. That is not correct.

MR. CHAIRMAN : Mr. Villalan. I am sorry, I forget which party do you belong to?

SHRI THILLAI VILLALAN (Tamil Nadu) : D.M.K. I am also sorry. I have been representing the D.M.K. in this House for more than a year; yet the Chairman does not know which party I represent.

MR. CHAIRMAN : V. No. Please do not take it that way.

SHRI THILLAI VILLALAN : Mr. Chairman, I am not questioning your recognition of Mr. S. N. Mishra as the Leader of the Opposition here. My hon. friend behaved like him also quoted what you had said. On that day, I want to recall the speech made by the leaders of the other Opposition parties on that day. On that day, on behalf of the D.M.K. I stated that I have got great respect for Mr. S. N. Mishra; and I also welcomed the recognition because for the first time in the Indian parliamentary democracy we were going to have a Leader of the Opposition. At the same time, I said that he could not represent all the parties here because we are having a multiparty Opposition here. He cannot represent all parties, at all times, in all matters. I had stated that this should be added to the record.

SHRI S. D. MISRA : We agree there.

SHRI THILLAI VILLALAN : I am not questioning the legitimacy of the recognition given. Political arithmetic has given the right to select a person and give him the recognition. Now, on the question of allowing rights, privileges and facilities to the Leader of the Opposition, my submission would be that this is the first time that we are having a Leader of the Opposition and this is the first time what we are going to fix what are the rights, what are the facilities and what are the privileges that should be given to the Leader of the Opposition, because there is no precedent for this in our Parliament. I submit that this question be discussed thoroughly in the House before we allow the rights, privileges and other things to the Leader of the Opposition. I am not opposing the giving of rights. It should be discussed and then fixed because we are going to set up a tradition, a new tradition, in this Parliament.

SHRI S. D. MISRA : Let the Bill come. We will discuss it.

SHRI MANUBHAI SHAH : We only want healthy traditions.

SHRI THILLAI VILLALAN : Traditions must not only be healthy but they should be unanimous also. Because we are going to set up a practice, a tradition, for the first time in the Indian parliamentary democracy, my submission is that before fixing the rights, facilities and privileges to be given to the Leader of the Opposition, they should be discussed and then only fixed.

SHRI A. P. CHATTERJEE (West Bengal) : Mr. Chairman, there is a definite fallacy in saying, or in implying even, that there is a united Opposition here.

SHRI S. D. MISRA : Who says that?

SHRI A. P. CHATTERJEE : I say that it should not be said even by implication. The Opposition consists of different parties. These parties have fundamental differences in policies and lines of action. As far as Mr. Misra is concerned, he is the leader of a particular party which has got a particular line of action. Now if you consider him the Leader of the Opposition—I hope Mr. Mishra will not mind my saying this—to that extent the rights of the other Opposition parties

[Shri A. P. Chatterjee] are bound to be eroded for this reason, that the Opposition consists of different views, different facets, different aspects. Now When the Opposition consists of different views, different aspects, different lines of action and different programmes, if a particular party is considered as the leading Opposition, to that extent the other Opposition parties get reduced in status. Certainly, Sir, if you give p ivileges to a particular Opposition party the status of the other Opposition parties, by necessary implication, gets reduced. Therefore, on behalf of my party I would say that I would not certainly consent to the reduction of the status of my party.

SHRI MOHAN LAL GAUTAM :
Mr. Jyoti Basu was given that privilege when there were nine parties.

SHRI A. P. CHATTERJEE : I am coming to that. Secondly, I do not know what is meant by "Official Opposition". Mr. Triloki Singh was referring to May's Parliamentary Practice. So many persons are referring to May's Parliamentary Practice. I have glanced through it. I do not claim to have thorough knowledge of it. But I have not seen either in any Commonwealth country or even in the House of Commons that there are five minor Oppositions and one Official Opposition. There cannot be any term as "Official Opposition." This word has been frequently used here. I should say that if any party is considered to be "Official Opposition" it is an illegitimate expression that is being used. There is no such thing as "Official Opposition".

Thirdly, I will say that my party will be opposed to the extension of privileges to a particular party which really is not an Opposition party. After all, the difference is as between tweedledom and tweedledee. They want privileges to be given to the Tatas and these people want privileges to be given to the Birlas. That is the difference. Therefore, I do not consider that party to be a real Opposition party.

Finally, Sir, Jyoti Basu has been named very often. I think some of the persons here perhaps dream of Jyoti Basu sometime. There has been so much reference to Jyoti Basu. It is true that during the regime of Dr. Roy, Jyoti Basu was given the status of the Leader of the Opposition. But then, Sir, because we thought it to be not legitimate, Jyoti Basu refused it

and never accepted it. Therefore, for all these reasons, I do not think any special status to the Leader of the Opposition should be given or can be given.

SHRI PITAMBER DAS : By "Official Opposition" is meant an Opposition which is born of official dom and now sits in the Opposition. That is all so simple.

SHRI BHUPESH GUPTA : That is my friend's idea of legitimacy.

SHRI MULKA GOVINDA REDDY (Mysore) : Mr. Chairman, Sir, in the last November session when you made this announcement recognising the Congress (Opposition) as the main Official Oppo-tion...

SHRI SUNDAR SINGH BHANDARI (Rajasthan) : Sir, are you reviewing this question to-day?

MR. CHAIRMAN : I am not going to decide anything.

SHRI SUNDAR SINGH BHANDARI : The whole questionis, we are discussing to-day only on the demand for certain amenities which ought to have been given.

MR. CHAIRMAN : Those who want to speak should confine themselves only to that question. I have already said that.

SHRI SUNDAR SINGH BHANDARI : They are not being directed by the Chair on this.

MR. CHAIRMAN : I have given the direction more than once.

SHRI MULKA GOVINDA REDDY : Mr. Chairman, Sir, in the last November session when you made that announcement that you were according recognition to the Congress (Opposition) Party as the main Official Opposition and to Mr. Mishra as the Leader of the Opposition, we all welcomed that announcement from you. We should not fight shy of the reality of the situation. It is true that we have recognised the Congress (Opposition) Party, with its 42 Members, as the Official Opposition. Till the split in the Congress occurred there was the Official Opposition Party in the sense that no Opposition party had one-tenth of the membership of the House. Sir, for a long time in this House, though the Chairman did not recognise Mr. Bhupesh

Gupta, leader of the largest party, i.e. the Communist Party, as the Leader of the Opposition, if you go through the proceedings of the House you will find that he was called the Leader of the Opposition. He was the leader of a group which did not entitle him to be called the Leader of the Opposition because that party did not have the requisite number according to the convention. At the Speaker's inference they decided that an opposition party should have one-tenth of the total membership of the House in order to call itself a recognised opposition party. In so many Legislatures in India this has been done and amenities and privileges have been given to the leaders of the recognised opposition parties in those particular States. In West Bengal also it was done though it must be said to the credit of Mr. Jyoti Basu and his party that Mr. Jyoti Basu refused to draw the salary and allowances permitted to him as the Leader of the Opposition under an Act. Here also the Leader of the Opposition, if given salary and allowances, may or may not draw them; that is a different matter. But he is entitled to those privileges and we should give him those privileges, it will help the smooth functioning of Parliament if there is a real official opposition as we have already recognised it. So we should not feel shy in giving the amenities to which the leader of the party which is recognised as an official opposition party, is entitled. Why should we lose sight of it? We have no love lost between the PSP and the Congress Syndicate, but we should recognise the rights and amenities that are attached to the position of the Leader of the Opposition.

SHRI CHITTA BASU (West Bengal) : Here it has been suggested by some that just as the Leader of the House is here in his own right, the Leader of the Opposition is also here in his own right. Here the matter has to be viewed from the point of view of not only the strength in this House. The Leader of the House has also got some mandate from the people outside the Chamber. Similarly, the position of the Leader of the Opposition depends not merely on, an arithmetical calculation of the strength of his party, but it is also associated with the mandate of the people. I hope my friends on that side do not mind if I say that they are not here in that number with a clear verdict, with a clear mandate, of the people outside. I do not want to use any harsh word which might injure them, but I must say that they are not

here in their right derived from the mandate of the people. They have not fought any election with a clear electoral promise to the people and therefore, they do not represent any clear verdict or mandate of the people. They had certain differences in their previous party which has resulted in a certain pattern of arithmetical calculation which has nothing to do with the popular verdict, which has nothing to do with the popular mandate, outside this House which you represent here. Therefore, that analogy does not stand here.

MR. CHAIRMAN : Please confine yourself to this matter only.

SHRI MANUBHAI SHAH : Does he represent any mandate to question the mandate of the Leader of the Opposition.

SHRI CHITTA BASU : My second point is this. This question was discussed in the West Bengal Assembly and Mr. Jyoti Basu was made the Leader of the Opposition- Yes, it is a fact. But there was a general consensus among the opposition parties representing in the Legislature there at that time. Here Mr. S. N. Mishra, for whom I have great regard, as a matter of fact, does not represent the general consensus, does not represent the opposition views in the House because, Mr. Chairman, you have seen there many opposition parties existing in this House with different attitudes. Therefore, Mr. S. N. Mishra cannot claim that he represents the general consensus of the opposition sitting in this House. He may be what he is, but he cannot claim legitimately the legacy of the other parties which are in existence here in this House by virtue of the mandate they received from the people outside. Therefore, I do not think that he should be given any particular privilege by reason of his being the Leader of the Opposition.

SHRI M. S. GURUPADASWAMY : Sir, I would like to say a few words...

SHRI GODEY MURAHARI : Sir, I would like to know how many Members you are allowing from each party.

MR. CHAIRMAN : Two Members from each party.

SHRI GODEY MURAHARI : Then I would only like to go on record here that when I got up to say something the Members of Mr. Gurupadaswamy's party objected to it.

SHRI S. D. MISRA : No, no. We did not object.

SHRI M. S. GURUPADASWAMY : I think you should also speak.

MR. CHAIRMAN : I am allowing one Member from each party and its leader.

SHRI M. S. GURUPADASWAMY : Sir, in a sense I am inclined to agree with my friend, Mr. Bhupesh Gupta...

SHRI A. P. CHATTERJEE : You are inclined to agree!

SHRI M. S. GURUPADASWAMY : Mr. Bhupesh Gupta legitimately does not belong to the Opposition. He does not speak for the Opposition. He is with them and therefore, he is part of the Treasury Benches. And in that sense I agree with him that he need not recognise us because he does not belong to us...

SHRI BHUPESH GUPTA : I am grateful to Mr. Gurupadaswamy though what he has said is wrong. That shows the mentality. He wanted to be with me here, but at the same time he disowned me. So I disown him also.

SHRI M. S. GURUPADASWAMY : Let him prove that he is part of the Opposition and we will recognise him. Apart from this I want to meet two arguments. Mr. Chatterjee raised the issue that the recognition of the Leader of the Opposition as such may mean the erosion of the status of the other political parties in the Opposition. Though I do not agree with it, that is not the issue today. The issue is to give facilities to the Leader of the Opposition. I would like to tell Mr. Chatterjee that there is no question of erosion of the status of the other opposition parties as such in this for the simple reason that we have recognised Mr. K. K. Shah, my honourable friend, though he belongs to a particular political party, as the Leader of the House. That does not mean that there is a gradual erosion of the status of the other political parties here. Does it mean that? He is the Leader of the House and he functions as such. *(Interruptions.)* It is one point. The second point is about mandate about which my friend talked so eloquently. May I say that mandate is very important and we recognise it? But what is a mandate? Mandate means ultimately the party which functions in the two Houses of

Parliament should also function elsewhere. If you look at the picture of India today, you will see that we have been functioning as a political party in various States like the State of my friends there. We have got a mandate... *(Interruptions.)* Sir...

(Interruptions)

SHRI BHUPESH GUPTA : They have at present 12 per cent, of the votes and we the Communist Party have 9 per cent. Therefore it should be divided in the ratio of 12:9.

SHRI M. S. GURUPADASWAMY : Sir, Mr. Bhupesh Gupta is a master of irrelevance. So I do not recognise what he says. We have a mandate elsewhere. We are functioning in all the States. Therefore that question does not arise. In dealing with this point, Sir, I would like to quote the instance of the Lok Sabha. In the Lok Sabha in 1953 or 1954 when I was a Member there, we made an attempt to form a very big group and we formed a big group of many elements in the Opposition; it consisted of 44 or 45 Members. At that time we wanted recognition but recognition was denied by the Speaker, Mr. Mavalankar, on the ground that the group did not represent the people outside the House. Mr. Kaul was present there as Secretary; he will bear me out as to what happened at that time. We have got a mandate; let it not be denied.

(Interruptions.)

MR. CHAIRMAN : Please do not interrupt.

SHRI M. S. GURUPADASWAMY : Sir, I will not take much time of the House. The question is very limited; it is confined to the matter of giving facilities to the Leader of the Opposition as such. If the Leader of the House had stood and said in the beginning that this matter is receiving the attention of the Government, it would have saved grace; now it is devoid of grace. Today this debate was not at all necessary. It is a commitment on the part of the Government. My friend, Mr. Shukla, has gone on record that this matter is being considered. What does that mean? *(Interruptions.)* If the Government wants to deny that now, that is a different matter. *(Interruptions.)* Tomorrow Mr. Bhupesh Gupta may be the Leader of the Opposition. Some time back, Sir, Ganga Babu—I think in 1958 or so—was the leader of the largest party here in this House but at that time he did not claim anything because he was in a minority; he did not have the

requisite qualifies him to claim that official position.

(In interruptions.)

MR. CHAIRMAN : Please be brief.

SHRI M. S. GURUPADASWAMY : Yes, Sir, I will be brief. May I beg of you to direct the Government not to dilly-dally with this important question? It is a question of giving certain rights which legitimately belong to the Opposition Leader. I beg of you to direct the Government to come forward with a measure to this effect, before we close this Session, giving proper facilities to the Opposition Leader, Sir.

MR. CHAIRMAN : Mr. Krishan Kant.

(In interruptions.)

SHRI GANESHI LAL CHAUDHARY (Uttar Pradesh) : On a point of order, Sir. I would like to know whether Mr. Krishan Kant is the Leader of the House or Mr. Shah is the Leader of the House.

MR. CHAIRMAN : Mr. Krishan Kant will speak and after him I will hear only the Leader of the House.

SHRI KRISHAN KANT (Haryana) : Mr. Chairman, I think the point at issue is not giving recognition to the Leader of the Opposition. That we have done. The point which Mr. Mishra has raised is about giving him certain facilities and amenities as the Leader of the Opposition which may be helpful to him. Before the Government takes a final decision on this issue, I would like the Government to listen to my point of view.

Sir, the Leader of the Opposition is an important limb of the Government. I have nothing against Mr. Mishra personally, because I have great regard for him. But you know that even in the British Parliament there used to be the Leader of the Opposition but that was only in 1937 in the regime of Mr. Stanley Baldwin and for the first time the Leader of the Opposition was given the status as such and given salary and other amenities and from that time onwards the Leader of the Opposition is called His Majesty's alternative Prime Minister, because they were in a position to form a Government. The question here is whether the Leader of the Opposition represents a compact group with a mandate from the people. Here that is not so. I do not know how

Leader of the

Opposition

it works on the other side. *(Interruptions.)* Then, Sir, the second point is that the Leader of the Opposition controls a substantial part of the entire Opposition and is in a position to negotiate on behalf of it. I would like to know whether the present Leader of the Opposition can really commit the Opposition in negotiations with the Government. That is very clear from the way the Opposition Parties have expressed themselves here. The present Leader of the Opposition cannot do that. The present Leader of the Opposition represents only 17 per cent, of the House when the Opposition is 64 per cent. *(Interruptions.)* All right 18 per cent. He does not represent even 50 per cent, of the Opposition.

SHRI S. D. MISRA : This Party is 50 per cent, of that Party; we are 43 and they are 87. So we are 50 per cent, of them. *(Interruptions.)*

SHRI CHANDRA SHEKHAR : Mr. Chairman, Sir, if they want to get facilities for the Leader of the Opposition by this kind of behaviour, I think we are...

(Interruptions.)

SHRI S. D. MISRA : Sir, we do not want a lecture from him. *(Interruptions.)*

MR. CHAIRMAN : No interruptions please.

SHRI KRISHAN KANT : It is known that according to the Indian Constitution, the Government of the day is responsible to the Lok Sabha and the Leader of the Opposition is the alternative man. There he has to be. Therefore it is not proper to name two leaders of Opposition in the two Houses. There are two points in this. One is, the present Leader of the House in the Rajya Sabha can never become the alternative Prime Minister.

SHRI M. S. GURUPADASWAMY : Why?

SHRI KRISHAN KANT : It is possible that the composition of the Lok Sabha and the Rajya Sabha may be such that some party may be having greater weight in the Lok Sabha and the other Party in the Rajya Sabha. It means there will be two Leaders of Opposition belonging to two Parties if you give this recognition to the Leader of the Opposition here. So it is very necessary that the Government considers also this aspect. The Leader of Opposition in this House has no function.

[Shri Krishan Kant] in the alternative Government. He has no function to perform, and the Government may only spend some money for the amenities and salaries. *(Interruptions.)* So the Government should take the decision that no Leader of the Opposition is given these amenities.

THE LEADER OF THE HOUSE : (SHRI K. K. SHAH) : I beg of the House to raise this question above party consideration and I would also therefore, without committing myself one way or the other on behalf of the Government say that the only thing I wish to point out is, what are the points under the consideration of the Government or what has been brought to the notice of the Government and whether this is bound in the natural course, to take time or not. I want to give a little history. In England Political Parties came into existence in the 17th century. It was only in the 20th century that the term 'Leader of the Opposition' was officially recognised. *(Interruptions.)* It will help us, if you hear, to come to a decision because if you think I am wrong, you can correct me so that..

MR. CHAIRMAN : Not now.

SHRI K. K. SHAH : Even later on. The term "His Majesty's Opposition" was first used in a lighthearted manner in 1826 but as an institution it did not come into existence. So long as the British Parliament has numerous groups with blurred Party lines, there was no point in official recognition of any leader as the Leader of the Opposition. It was only at a later stage that "His Majesty's Opposition" came really to be looked upon and accepted as "His Majesty's Alternative Government" and thus the Leader of the Opposition came to be looked upon as almost "His Majesty's Alternative Prime Minister". He kept his 'Shadow Cabinet' in readiness to assume office immediately.

SHRI BHUPESH GUPTA : They used to call him 'Obverse of the Prime Minister'.

SHRI K. K. SHAH : ...after the resignation or dismissal of the Government in power. In spite of this very important and nearly abiding development, it took the British Parliament as many as 67 years to accord statutory recognition. The points that are under consideration are these because I do not want to lose this important point to

be discussed on Party lines. What are the points under consideration? It was pointed out that any Party that has 10 per cent, representation in the Opposition should be recognised as the Opposition. Is it the intention of the House that if three Parties have more than 10 per cent, all the three Parties should be recognised as the Opposition? Secondly, there can be only one Leader of the Opposition.

SHRI JAIRAMDAS DAULATRAM (Nominated) : I thought the decision was that if there are more than 50 Members, then it becomes a Party, not merely a group but not the Opposition.

SHRI K. K. SHAH : I am not going on that point. I am coming to a substantial question as to what is expected of the Leader of the Opposition and on what points he should have also the ability to deliver the goods on behalf of the Opposition which is of far greater importance. Is he in a position to negotiate on behalf of the Opposition with the Leader of the House and come to a decision? This is one. Secondly, about the Leader of the Opposition the words used are 'Obverse of the Prime Minister'. If at any moment the Government breaks up, resigns, or is defeated, the recognised Leader of the Opposition should be immediately available to form a Government. Not only that.

SHRI BHUPESH GUPTA : They will say, one Jana Sangh, another will be Swatantra—these will be Deputy Leaders.

SHRI K. K. SHAH : Why do you not hear me? It will help you. This is the third point and this is very important. Once such a statutory provision is made, the President is bound to call upon him to form a Government. The implication..

SHRI MANUBHAI SHAH : You resign and get out.

SHRI A. P. JAIN : On a point of order. The Leader of the House is irrelevant. Whatever he says relates to the Lok Sabha, not to the Rajya Sabha. The Rajya Sabha is not going to elect the Prime Minister or the Leader of the House.

MR. CHAIRMAN : He will bear that in mind.

SHRI K. K. SHAH : Why are you in a hurry? You are an elder statesman. I know, my friends have become a little impatient because the lunch is waiting but you should have been impatient when you hear the other side. You should be patient when you hear me also. The third point that has been mentioned by TV. : Jain is very relevant because the Leader of the Opposition is a question of ; consideration and for statutory recognition also—not in the Upper House—but as I have said, these are all points under consideration. I am not saying that one way or the other so far as the Government is concerned, I am not saying that we have taken any decision. I am saying that these are the points which require a relevant answer and if that relevant answer takes some time nobody (to blame us).

SHRI GODE IT MURAHARI : On a point of order. You have gone into this whole question once and you have taken a decision and announced on the floor of the House that Shri S. N. Mishra is the Leader of the Opposition. So the question of either recognising or norms or what is required is not for discussion now. It is only a question of amenities and other facilities that are required. If the Government is of the opinion that this situation does not warrant any facilities, let them say so and that is the end of the matter.

SHRI K. K. SHAH : Now what my friend is saying is this that because he has been named the Leader of the Opposition, whether this term should be synonymous with a statutory recognition of the Leader of the Opposition or not. This also is a point under consideration. All these points have to be recognised and this is not for one time that you are going to take a decision. The decision will apply for all times to come and the most important point to be decided is whether the Leader of the Opposition will be in the Lok Sabha, the Leader of the Opposition statutorily recognised and sharing the amenities, so that some service is rendered to the people in quantum. To-day if I have to talk, can I take it. . .

MR. CHAIRMAN : That point we have already considered.

SHRI K. K. SHAH : It is of great importance. This is a great point. I have to consult seven Leaders of Parties. I should be able to talk to the Leader of the Opposition alone.

MR. CHAIRMAN: Have you finished?

SHRI BHUPESH GUPTA : Government should decide nothing without consulting the other opposition parties. Other parties you will invite. As far as the Government is concerned, my suggestion is every opposition party should be asked to give its opinion.

MR. CHAIRMAN : Please sit down Mr. Bhupesh Gupta.

SHRIMATI YASHODA REDDY (Andhra Pradesh) : Sir, on a point of order. I want a clear ruling and a clarification from the Chair. Mr. K. K. Shah, the Leader of the House, said, can I take it for granted that the Leader of the Opposition in Rajya Sabha can be of any service to the people. This raises a fundamental question.

MR. CHAIRMAN : This is no point of order.

SHRIMATI YASHODA REDDY : Please hear me, Sir. If I have to say something about Mr. K. K. Shah's elucidation of parliamentary procedure and his background of the British Parliament, I have no time but I can say that it is absolutely ridiculous in comparison and in content... (Interruptions) but I am not saying that now. But he said, can I take it for granted that the Leader of the Opposition in Rajya Sabha can be of any service to the people. Sir, this raises two fundamental points.

MR. CHAIRMAN : You are discussing the merits, this is not fair, Mrs. Reddy. Under cover of a point of order I cannot allow the House to be detained for a discussion on merits.

SHRIMATI YASHODA REDDY : Please listen to me. What I am raising is very fundamental.

MR. CHAIRMAN : No, it is not a point of order.

SHRIMATI YASHODA REDDY : Of course, it is a point of order.

MR. CHAIRMAN : You cannot overrule me.

SHRIMATI YASHODA REDDY : Sir, it is a question of the privileges of this House.

MR. CHAIRMAN : All right, you sit down.

SHRIMATI YASHODA REDDY : Sir, please listen to me. How can you come to the conclusion without hearing me?

SHRI S. D. MISRA : Sir, you are allowing the Leader of the House to bring clown the dignity of the House by such statements. You are the custodian of the dignity of the House.

MR. CHAIRMAN : I am trying to give opportunity to everybody. But if there is no point of order, I have to rule it out.

SHRI K. S. CHAVDA : Sir, she raised two things, one was a clarification and one was a point of order.

(Interruptions)

SHRI K. K. SHAH : I have great regard for the Leader of the Opposition and I think the Leader of the Opposition does perform a valuable work in this House. On this point she need have no worry.

SHRIMATI YASHODA REDDY :
Sir, my point is this. If the Members in Rajya Sabha or Upper House as it is called cannot do any service or can have no meaning to the people, constitutionally the Upper Houses have to be abolished. Other things being there, when the Constitution and the people have recognised the importance and service to the people of the Upper Houses, and especially the Council of States which is certainly on a different basis from other Upper Houses in the States, can I take it or leave unquestioned the remark by the Leader of the House that we can be no service to the people? If it is the contention of the Leader of the House that the Leader of the Opposition here and we cannot be of any service to the people then the whole House including you, Mr. Chairman becomes irrelevant.

MR. CHAIRMAN : This is no point of order.

SHRI T. V. ANANDAN (Tamil Nadu): Don't you think, Sir, as Chairman of the House, you should maintain the dignity of the House? Are we not put to shame by such a statement of the Leader of the House? Are we not serving the people? He said that the whole House is not serving the people.

(Interruptions)

Opposition

SHRI K. K. SHAH : There are two terms and I will take two minutes; the terms are Leader of the House and Leader of the Opposition. The Leader of the House represents the Government and the Leader of the Opposition should represent the Opposition. Now this point I have also to consider. I have therefore said that we have not made up our mind one way or the other and these are the points which have to be considered. You cannot expect us to take a decision. . .

SHRI S. D. MISRA : I raised that point. I stated on the 18th December they said they will finalise and these were the points they mentioned and now it has taken six months. Any assurance should be liquidated one way or the other within three months. If they do not want to give any privileges let them say so clearly; let them not dilly-dally like this. We won't allow time like this. If you want to do it, do it now, otherwise say that you do not want to do it. Don't dilly-dally with the question.

MR. CHAIRMAN : The House stands adjourned till 2*30 p.M. and this item is closed.

The House then adjourned for lunch at twentyfive minutes past one of the clock.

The House reassembled after lunch at half-past two of the clock, Mr. DEPUTY-CHAIRMAN in the Chair.

SHRI S. D. MISRA : Sir, we are not satisfied with the reply...

MR. DEPUTY CHAIRMAN : The Chairman said that the matter is closed.

SHRI S. D. MISRA : No, no. We also said that this will continue. This is a question of Parliamentary democracy. Is the Government does not recognise us then we are free not to recognise the Leader of the House and the Government. There is no Lean House. Where is the question of discussion ? This matter is continuing. He has given no satisfactory reply. Unless and until there is a satisfactory reply, this will continue. They should say 'No' to it. Then, we know what to do. If they think it, their wisdom that these are the matters which do not relate to the Leader of the Opposition, they can say 'No' and we can decide our course. To say 'Yes' at one time, to say that the matter is under consideration and then

again put condit on and to say that though the Leader of the Opposition is recognised by the Chair, in, they have to consult various parties in the Opposition, some of them in their pockets, is not fair. In that case we cannot assure the proper functioning of the House. If they do not recognise the Leader of the Opposition we do not recognise the Leader of the House and this Government. This cannot go on like this. Therefore, we want a satisfactory arrangement from the Government. An arrangement was given to us on the 18th December and in compliance with that what is the Government doing?

SHRI AKBAR ALI KHAN (Andhra Pradesh) : Sir, with due respect I would submit that he has given time to the Government.

SHRI LAL K. ADVANI (Delhi) : I have a submission to make. In view of the statement made by the Leader of the House and the views expressed by all sections of the House, it seems that a situation has arisen when the matter should be thrashed out and discussed completely. So far as the issue of recognition of the Leader of the Opposition is concerned, the Chair has been pleased to recognise him as such and the matter was closed completely. There can be no question of reopening it, but somehow the impression given by the statement of the Leader of the House is that the Government of India has some misgivings and reservations even in respect of the decision made by the Chair. I think it was wrong on the part of the Government to take exception to the recognition given to the Leader of the Opposition, because it implies that he would be automatically invited to form the Government in case this Government fell. Shri Shah has said that because this is the Upper House, we cannot form the Government and, therefore, it is not proper to recognise anyone as the Leader of the Opposition or to give him any facilities.

SHRIMATI YASHODA REDDY : This is the Upper House, but Shrimati Indira Gandhi can become the Prime Minister. She can go to the Rajya Sabha.

SHRI LAL K. ADVANI : The law and the Constitution does not debar a Member of the House from becoming the Prime Minister of the country. Shrimati Indira Gandhi became the Prime Minister, even though she was a Member of the Upper House, so that this argument put forward by Shri Shah does not hold

good. In view of his statement, I think we should have a proper and complete discussion on this issue, viz., the Leader of the Opposition, his functions and responsibilities in a parliamentary democracy and the privileges that should go to him. Apart from the fact that this should have come in the normal course, an assurance has been given and a commitment has been made to the House. Somehow it appears that the Government has lost even the minor graces which are so necessary for parliamentary democracy to function. Therefore, my submission is that you should permit a full-fledged discussion on this issue.

SHRI AKBAR ALI KHAN : I want to make a submission. This is an important matter. The House has spent an hour and a half on this and the Leader of the House has promised...

SHRI S. D. MISRA : No, no, there is no question.

SHRIMATI YASHODA REDDY : He did not even commit himself. He did not commit himself on behalf of the Government.

MR. DEPUTY CHAIRMAN : They have got an open mind even now.

SHRIMATI YASHODA REDDY : On a point of order. How can there be an open mind?

(Interruptions)

MR. DEPUTY CHAIRMAN : Order please.

SHRIMATI YASHODA REDDY : With due respect, there is no question of any open mind here. It was discussed by all the parties...

SHRI SRIMAN PRAFULLA GOSWAMI (Assam) : There is no point of order. Please ask her to sit down.

(Interruptions)

SHRIMATI YASHODA REDDY : They can say 'No', if they want.

MR. DEPUTY CHAIRMAN : There is no point of order.

SHRI AKBAR ALI KHAN : My submission is as has been explained, the matter is under consideration. (Interruptions). Please listen. It was initiated not by us, but by Mr. Misra. So, let us now go according to the Order Paper.

SHRI LOKANATH MISRA : Left to you, you will never initiate it.

SHRI AKBAR ALI KHAN : Now, on the Order Paper we have got a very important subject, viz., International situation. Now, I would request you to allow the discussion. I remember, subject to correction, when the Chairman adjourned the House, he said that the matter was closed.

SHRI S. D. MISRA : No, no.

SHRI AKBAR ALI KHAN : He said that. ...
(Interruptions)

SHRI MANUBHAI SHAH : It is for the Leader of the House to say in what direction the Government's mind is working and the Chairman wrote to the Prime Minister on this vital issue.

MR. DEPUTY CHAIRMAN : He is on his legs.

SHRI AKBAR ALI KHAN : My submission is this. I do not know why my friends are agitated very much.

(Interruptions)

MR. DEPUTY CHAIRMAN : Please do not interrupt.

SHRI AKBAR ALI KHAN : I have got sympathy, but my only request is, let us go on with the Order Paper.

MR. DEPUTY CHAIRMAN : Mr. Rajnarain.

SHRI ANANT PRASAD SHARMA (Bihar) : He has already spoken on this point.

श्री राजनारायण : सुना जाय । मैं परेशान हो जाता हूँ जब हमारे मित्र श्री ए० पी० शर्मा भी कुछ बोलने के लिए खड़े होते हैं ।

श्री उपसभापति : उसको जाने दीजिए, आपको जो कहना हो, कहिए ।

श्री राजनारायण : देखा जाय । श्री के० के० शाह ने यहां कुछ नोट पढ़ने की विशेष अनुकम्पा की । मैं उनसे पूछना चाहता हूँ कि जिस समय इस सदन में संगठन कांग्रेस को मुख्य विरोधी दल माना गया और जिस समय उसके

नेता को नेता विरोधी दल माना गया उस समय सरकार की दृष्टि कहां थी ? सरकार की दृष्टि उस समय तक ठीक थी । उसने कहा कि हम शीघ्रातिशीघ्र नेता विरोधी दल के लिए क्या विशेष सहूलियतें देंगे उसके बारे में फैसला करेंगे । मुझे अफसोस के साथ कहना पड़ता है कि 6 महीने के करीब समय व्यतीत हो जाय और सरकार इस पर अपना दिमाग केन्द्रित न करे कि सरकार को क्या करना है, यह हास्यास्पद स्थिति है । सरकार इससे दूर नहीं हो सकती । अभी हमको कुछ लोगों ने जो आज रूलिंग दल में हैं लाबी में कहा कि आप इनके लिए कह रहे हैं, दे आर डिफेक्ट्स, तो हमने कहा कि तमाम डिफेक्ट्स को तुम मुख्य में बना रहे हो ।

श्री नेकौराम (हरियाणा) : आपकी दलील क्या है ? इन्होंने कहा, उन्होंने कहा...

[Interruptions]

श्री उपसभापति : राजनारायण जी, आपने सवेरे जो कुछ कहना था कह दिया है ।

श्री राजनारायण : अब कड़वा-कड़वा थू नहीं होना चाहिए । यह सवाल न एस० एन० मिश्र का है और न संगठन कांग्रेस का है, यह सवाल एक मर्यादित पद्धति का है । क्या हम मर्यादित पद्धति रखना चाहते हैं या नहीं ? क्या हम सरकारी पक्ष का विरोध पक्ष रखना चाहते हैं या नहीं ? यहां संयुक्त सोशलिस्ट पार्टी एक विरोधी दल है, हमारे नेता श्री गोडे मुराहरि हैं, लेकिन हम लोग अपने दल के विरोधी दल रहने मात्र से एक उस दल को जिनकी संख्या हम से ज्यादा है और जो इस सदन में दूसरे नम्बर का दल है रूलिंग पार्टी के बाद, उनको विरोधी दल का मुख्य नेता न मानें तो मैं समझता हूँ कि यह पिगहेडेडेनेस होगी । यह शीर्षसन करना होगा, शूतुरमुर्गे की तरह सिर को बालू में डाल कर नाचना होगा । इसलिये मैं बहुत ही अदब के साथ कहना चाहता हूँ कि संसदीय प्रथा और जनतन्त्रीय पद्धति से खिलवाड़ नहीं होना चाहिए और श्री के० के० शाह को न जाने

Opposition

कहाँ से किस सेक्रेटरी ने यह नोट दे दिया, इस तरह के नोट्स हम खूब जानते हैं। हाउस आफ लार्ड्स की स्थिति यहाँ की राज्य सभा की नहीं है। इस बात को पहले आप पढ़ लीजिए। यहाँ की राज्य सभा का सदस्य सरकार बना सकता है। यहाँ भी राज्य सभा का सदस्य प्राइम मिनिस्टर बन सकता है और लोकसभा का बहुमत अपने पास रख सकता है। यह बात समय पर डिपेंड करेगी, यह परिस्थितियों पर डिपेंड करेगा। इसलिए यहाँ पर कोई यह नहीं कह सकता कि क्या आप सरकार बना लेंगे? क्यों नहीं बना सकते? हमारे यहाँ का नियम है कि हम सदन का सदस्य न भी रहें तो भी लोकसभा का बहुमत अगर चाहता है कि हम को नेता माने तो हम सरकार बना सकते हैं। इस सदन का सदस्य होने के नाते 6 महीने तक यूँ ही चला सकते हैं बिना सदस्य हुए और इस सदन का सदस्य रह कर बराबर चला सकते हैं। इसलिए अनावश्यक ढंग पर तोड़ मरोड़ किया जा रहा है और जो एक अच्छी बात, मर्यादित बात और स्वप्रेरित बात होनी चाहिए वह नहीं हो रही है। श्री के० के० शाह का वक्तव्य आज कोढ़ में खाज पैदा करने वाली बात कर रहा है। यह उचित नहीं है। यह एक उचित बात थी, मर्यादित बात थी। इस सरकार में जो कोढ़ है उसमें उनका वक्तव्य खाज पैदा कर रहा है। तो मैं अब वैधानिक प्रश्नों पर आ रहा हूँ। मैं यह कहना चाहता हूँ कि...

श्री उपसभापति : राजनारायण जी, आप ने सब प्वाइंट्स तो सबेरे ही ले लिए हैं।

श्री राजनारायण : अब यहाँ पर एक डेड-लाक आया है। अगर कोई कह दे कि हम नेता विरोधी दल को नहीं मानते, कोई कह दे कि हम मुख्य विरोधी दल को नहीं मानते, तो इस तरह की बात एक छोटी बात है। और इस तरह की बात से इस सदन की कोई महिमा और गरिमा नहीं बढ़ती। और न जनतन्त्र और संसदीय प्रथा इस से आने जाती है। इसलिए मैं अपील करूँगा आप के द्वारा श्री के० के० शाह, नेता सदन से बहुत ही अदब के साथ कि वह इस

मसले को गम्भीर समझें। छः महीने का समय बीत गया। यह काफी हो गया। इस विषय पर फैसला लेने के लिए 6 महीने का समय बीत जाय यह एक आश्चर्य की बात है। यह सरकार की उदासीनता है, यह सरकार की लापरवाही है।

इसलिए सादर साग्रह निवेदन है कि श्री के० के० शाह साहब इस मसले की गंभीरता को समझें। यह संसदीय प्रथा का सवाल है। वे कृपा कर इस में शीघ्रान्वेषी फैसला लें और गाड़ी को आगे बढ़ायें। अनावश्यक कुतर्क कर के किसी साधु सुझाव को टालें मत।

SHRI T.CHENGALVAROYAN (Tamil Nadu) : MR. Deputy Chairman, I beg of this House to note three important basic considerations that are involved in this very important discussion on the scope of the Leader of the Opposition. Mr. Deputy Chairman, there are two important differences in the matter of parliamentary opposition. One is parties that are opposing the Government, and the other is the party that is in opposition to Government. I realise and grant that in any parliamentary democracy there can be any number of opposition parties but there can be only one party in opposition.

Mr. Deputy Chairman, Sir Erskine May, . . . (Interruption) My friend, Mr. Chatterjee, must have some more patience. Sir Erskine May made two classifications with regard to the recognition of an opposition party for the purpose of recognition of an opposition party a strength is fixed. For the purpose of recognition of a party in opposition a status is fixed. I will just draw your kind attention to page 259 of May's Parliamentary Practice where the learned author says : the Leader of the Opposition is chosen from the party which has a right to be called the official opposition; it is the largest minority party which is prepared in the event of the resignation of the Government to assume office. That is the test. Mr. Deputy Chairman, I have no hesitation whatsoever to say that the party to which I have the honour and privilege to belong eminently satisfies the definition in May's Parliamentary Practice of a Party in opposition.

[Shri T. Chengalvaroyan]

The second point is this. My esteemed friend, Mr. Krishan Kant, and also my friend, Mr. Chitta Basu, raised the question that this party has not got the mandate. Here again, Mr. Deputy Chairman, Sir Erskine May says that the role of an opposition or an opposition party is not one that is before the election or on the eve of the election and I may be permitted to say this that all parties which fight the election hope to be in office. It is the post-election event that characterises the emergence of an opposition party. Therefore, Mr. Deputy Chairman, the question of mandate is nothing but nonsensical in this context.

The third point which I beg to answer is this. My esteemed friend, The Leader of the House Shri K. K. Shah, said that it may be applicable so far as the Lower House is concerned but not with reference to the Upper House and there cannot be any institution of a Leader of the Opposition in the Upper House. May I must respectfully draw his very kind attention, and I am sure he must have been very much preoccupied with other things and he might not have noticed a very learned treatment of this subject by an eminent parliamentarian of France, Louis Marriot, wherein all countries have been categorised and catalogued where the Leader of the Opposition even in an Upper House has been receiving this recognition and privilege. I would only draw his kind attention to the Constitutions of Australia, Canada, New Zealand and even other countries where the Leader of the Opposition in the Upper House is equally recognised. I will just only for the purpose of the illustration of my point cite, what a very eminent authority in Canada says, that the Leader of the Government and the Leader of the Opposition in the Senate receive salaries of £ 10,000 and £ 6,000 per annum respectively in Canada. The same is the case with Australia. Therefore, to say that the Leader of the Opposition as an institution is an anachronism in the Upper House is not to understand democracy.

Only one word. We on this side of the House are not for any of the personal sentiments that may attach to this. We are not seeking the leaves and fishes of office. If we wanted, we would have been on the kitchen side of the Government. But we are here only to raise the prestige and the paramountcy of democratic institutions, and that paramountcy, I

Mr. Deputy Chairman, is reflected in the Leader of the Opposition. I only request the Government to consider and give this assurance that they will very soon come forward with the necessary proposals in this regard.

SHRI ANANT PRASAD SHARMA : Mr. Deputy Chairman, first of all I do not know why my friend, Mr. Rajnarain always feels that whenever I speak, it is embarrassing. Every hon. Member knows how much time he takes and how many things he speaks. He never listens to us. He goes on. Therefore, I request him that he should also feel about other members and especially about myself.

Here in this House I do not know whether anybody has disputed about the recognition of the Leader of the Opposition. The position of the Leader of the Opposition has been recognised.

SHRI BHUPESH GUPTA : I disputed.

SHRI ANANT PRASAD SHARMA : I am coming to the second point. It has been questioned — and this question rather has been raised only because there are more than one opposition parties, and although one party is fulfilling the condition to be recognised as the opposition party, most of the opposition parties are not united on certain matters especially about the privileges. Just now Mr. Bhupesh Gupta said

(Interruption)

MR. DEPUTY CHAIRMAN : Please listen.

SHRI LOKANATH MISRA : For all practical purposes Mr. Bhupesh Gupta is with you. He is voting with you.

SHRI BHUPESH GUPTA : An utter nonsense should not be uttered every time. If we start saying, we know who is what. We are here whatever our affiliations. My friend need not say this thing. Take the position here. It is all the more the reason...

(Interruption)

SHRI S. D. MISHRA : What did the Communist Party say when we were demanding division for abolition of tax on sugar and kerosene ?

(Interruption)

MR. DEPUTY CHAIRMAN : There should not be any dialogue. Mr. Sharma is standing.

SHRI ANANT PRASAD SHARMA : What I was pointing out is that the difficulty is not on this side but the difficulty is on the other side because...

(interruption)

MR. DEPUTY CHAIRMAN : Order order.

SHRI ANANT PRASAD SHARMA : I was pointing out that the difficulty is on the other side because there are more than one opposition parties and because they are not united in certain matters especially

(interruption)

MR. DEPUTY CHAIRMAN : Why do you not listen to him ?

SHRI ANANT PRASAD SHARMA : Perhaps, what I am saying may not suit them but I am stating the fact. So, Sir, the difficulty is on the other side and because they are not united, although the Leader of the Opposition has been recognised ...

(interruption)

In matters of facilities, amenities and status that have to be given to the Leader of the Opposition parties they are not united. The blame should not be thrown on the Government. As a matter of fact whatever facilities or amenities that are going to be determined, I think, it will be for this House to decide and not for the Government. Therefore, that will be decided in consultation with all the opposition parties and also members on this side. Therefore, the blame should not be thrown on the Government. Let the opposition parties first decide among themselves and then only the matter should be taken up.

MR. DEPUTY CHAIRMAN : Mr. Chandra Shekhar.

SHRI LOKNATH MISRA : Mr. Deputy Chairman, he had the education of divide and rule during the British regime.

MR. DEPUTY CHAIRMAN : Order, order, please.

AN HONOURABLE MEMBER : Mentally he is a foreigner. He is fifth columnist.

SHRI CHANDRA SHEKHAR : Mr. Deputy Chairman, it is amusing and pathetic to have this discussion in this House. No one in the House has said that the ruling of the Chairman is to be challenged either by any Member in the opposition or anybody else. My friend Mr. Bhupesh Gupta, has said, he does not recognise and he has not said from our side—this Congress Party.

The only question is about the remuneration, salary, privileges, car and other things. This is the only point of ideology or principle of democracy or whatever the slogans may be. These all centre round certain amenities and certain amount of money to be paid to the Leader of the Opposition. Mr. Deputy Chairman again that is not to be decided by the Government. As my friend said, it is to be decided by the House. It is a peculiar move that my friend who talks of high democratic value and traditions says that the Government should give the assurance. That is, for Mr. K. K. Shah, the Leader of the House, to give if the House does not agree. If they are so sure about their position, why should they not bring the Bill and that Bill should be voted upon in this House? I do not know why should the Leader of the Opposition who is so certain about his high position and status should beg the Government for this privilege to be granted? If they are not begging, in all humility, I shall request them ...

SHRI S. D. MISRA : Mr. Misra is better economically. I know his status.

AN HONOURABLE MEMBER : There is no question of begging.

SHRI MANUBHAI SHAH : We are asking Government to bring forward the Bill. It is for the House to decide whether to pass the Bill or not.

(Interruption)

MR. DEPUTY CHAIRMAN : Order, order.

SHRI CHANDRA SHEKHAR : Mr. Deputy Chairman, I am not in a mood to lose temper to-day. I am just arguing a case and my case is that—this is what I was going to urge upon—they should not indulge in a practice which seems openly or may seem to be mere beggary. I think they are as much as privileged.

[Shri Chandra Shekhar]

members of the House as Mr. K. K. Shah or any body sitting in the treasury Benches including myself.

SHRI S. D. MISRA : We are willing to leave everything—all the privileges and amenities—right now if the Prime Minister, Ministers (including Mr. Dinesh Singh) surrender them.

SHRI CHANDRA SHEKHAR : My hon'ble friend Mr. Misra said he is economically better. If a person is economically better, I do not know about any individual, it does not bring him any honour or special reputation, at least in my eye (certain people judge on certain form of money). I have not developed that tendency so far. This is why I say that at least that tendency should not be publically exhibited in this august House. I can understand this tendency being exhibited in their personal...

(Interruption)

MR. DEPUTY CHAIRMAN : ' No interference, please.

SHRI S. D. MISRA : I would request the Honourable Member not to lower the status of the Leader of the House or the Leader of the Opposition. It is not a personal issue before S. N. Mishra.

SHRI CHANDRA SHEKHAR : I mean no disrespect to any person, much less to Mr. S. N. Mishra, who is a very valued friend of mine. I say, this is a question of principle. I say, whatever may be the argument, Rajya Sabha cannot be equated with the Lok Sabha. We may happen to be Members of this House. It does not mean that some members may say that a Member of this House can be the Prime Minister of the country. A member of this House is not the Prime Minister of this country. The leader of the majority party in the Lok Sabha is the Prime Minister of the country. Any person ...

3 P-M.

SHRI MANUBHAI SHAH : If a Member of the House is not elected ...

SHRI CHANDRA SHEKHAR : So my point is that it is the leader of the majority party in the Lok Sabha—he or she may happen to be a Member of the Rajya Sabha or may not be, as my friend, Mr. Rajnarain said—that may be

- the Prime Minister. But here in the Rajya Sabha, howsoever important a person may be, whether the Leader of the Opposition or anybody on this side, he cannot say that the Rajya Sabha and the Lok Sabha stand on an equal footing. My personal view is that the Leader of the Opposition in the Rajya Sabha should not get the same amenities and privileges which the Leader of the Opposition in the Lok Sabha should get. I do not express my opinion as to what should be the privileges of the Leader of the Opposition in the Lok Sabha.

Mr. Deputy Chairman, My only request is that this is a matter to be decided by this House when there is a special proposal. And if they want to extract an assurance from the Government, either at the worst it would be a pressure tactics which is a negation of parliamentary behaviour or at the best it may be beggary for getting certain favours from the leader of the House and the Government which is in power. In both these positions, it does not add to the luster and glory of the hon. Members on the other side and I beg of them that when all these proceedings go outside this House, let an impression not be created in the country that for certain loaves and fishes and certain privileges and amenities we are spoiling the time of this House and ridiculing ourselves in the eyes of our people.

SHRI SALIL KUMAR GANGULY (West Bengal) : Sir, from what my hon. friend there read out, it appears that there must be a majority party forming the Government and there must be another opposition party which will select the Leader of the Opposition. In this country at the moment, unfortunately, a minority party is ruling, having formed a Government. There are more opposition parties. The minority party which is ruling the country is dependent on the unconditional support of certain parties and on the conditional support of certain other parties for its survival. This is a minority Government which is surviving on the conditional support of certain opposition parties and the unconditional support of certain other opposition parties. At times a minority Government has to depend on the conditional or may be unconditional support of the opposition parties. I do not know of Mr. S. N. Mishra's party. Therefore, I do not see any point in selecting any Leader of the Opposition.

SHRIMATI /ASHODA REDDY : I have very great respect for my friend, Mr. Chandra Shekhar. But I would be failing in my duty not only as a Member of the Opposition but just as a Member of this House if I do not say that I do protest against the way he has spoken. Certainly many things, many issues, were raised. I know, one can laugh even derisively. But things cannot always be derisive. But when those people who can bring down their own dignity, they are not ashamed at least I am ashamed of them. Many things arise here. Some may be of importance, politically or otherwise. But when we discuss this, when we talk about this, as has been correctly pointed out for once by their friend, Mr. Bhupesh Gupta, it is very wrong to say that at somebody is begging for something. If people put in a plea, whether you like it or not, whether you appreciate it or not, it certainly does not mean that the Member is begging of any other Member or even the Leader of the House.

SHRI BHUPESH GUPTA : I never said.

SHRIMATI /ASHODA REDDY : I am glad that for a change, in this discussion it is that one point on which Mr. Bhupesh Gupta also agrees with me.

SHRI BHUPESH GUPTA : We agree over so many points.

SHRIMATI /ASHODA REDDY : No, no. in this particular discussion,

SHRI BHUPESH GUPTA : You come to this side

SHRIMATI /ASHODA REDDY : In this particular discussion, on this particular one point, even Mr. Bhupesh Gupta has agreed

Sir, two things have been raised by my friends. One is by Mr. A. P. Sharma (that let all the united Opposition parties come to a conclusion, let us decide what they want that the quarrel is not with us do not blame the Government of India. And as Mr. Chandra Shekhar pointed out very relevantly, in this particular matter or any other matter, ultimately it is the House which is supreme and we should not ask the Leader of the House. And even he said, who is the Leader of the House. I entirely agree with

6—34R.S./70

him. But, Sir... (Interruptions) I never said that I am the Leader of the Opposition, my dear lady. This interruption is not right. I also said that, unlike some other Members, I am not expecting to become Minister. I have come to the Rajya Sabha not with that expectation.

Then I would like to say that they said that we give the impression of begging for loaves and fishes. It is a great humiliation to say like that about our party. I feel very much hurt. And I would like to say something which I would not have under normal circumstances said on the floor of the House and that is that any number of people of the other party are staying in that party only for the loaves and fishes and other things and for positions that they can get and they are there not because they believe in any ideology but because they want to make something out of the ruling party. If I am saying like that it is because of sheer provocation which was unnecessarily given from that side. Otherwise, I would not have said that. Everybody knows it.

But the point at issue today is that Mr. Misra raised... (Laughter) Let them laugh. I am prepared to face any laughter. But, Sir, I do not know why they accuse us of something which we did not ask for. All the point that was raised by our side and by the Opposition as a whole, including all parties, what is the reaction of the Government to this? Bring in a Bill, negatively, positively or otherwise, whatever it is. And is it not the House that is going to discuss and decide? And ultimately is it not the House that is going to do that? What is it that we asked for? From this morning, all that we ask for is, is the Government thinking of bringing forward any proposal in this matter, in whatever manner they like. More than six months have passed. Please bring it before the House and let us decide. That is what we are asking for Mr. Chandra Shekhar and I are on the same issue. But the way in which it has been interpreted and the way in which it has been put

MR. DEPUTY CHAIRMAN : Please sit down.

SHRIMATI YASHODA REDDY : May be six months are not enough. But may I also know whether the Government of India under Shrimati Indira Gandhi will try to produce a proposal within nine months at least?

MR. DEPUTY CHAIRMAN : I think we have had a very long discussion on this question. . . .

SHRI DAHYABHAI V. PATEL : No reply ?

MR. DEPUTY CHAIRMAN : In the morning also there was enough discussion on this question. Do you want to say anything ?

SHRI K. K. SHAH : So far as I am concerned, I have made it abundantly clear that all points of view expressed in the House will be taken into consideration. That will help us to come to a decision.

SHRI S. D. MISRA : How long will it take because we have put a definite question ? Six months have passed. We were told that the Bill was to have come in this Session. . . .

MR. DEPUTY CHAIRMAN : Please sit down.

SHRI S. D. MISRA : No, Sir. That cannot go on like this. I do not want to sit down like this. He must assure us,

SHRI BHUPESH GUPTA : He has asked for an assurance. As far as we are concerned, we have asked for a counter-assurance. They want an assurance in the positive direction. I want an assurance in the negative direction, that is to say, an assurance that you shall never contemplate to bring such a Bill. They say bring the Bill. Can you give an assurance now ? If you do not, then this thing gives rise to a serious controversy among the Opposition. Resolve the controversy through mutual discussion.

श्री सुन्दर सिंह भंडारी : सर, आन् अ पौइन्ट आफ इन्फार्मेशन । श्री भूपेश गुप्त ने एक काउन्टर सजेसन देने की बात कही है कि सरकार इस बात का आश्वासन दे कि लीडर आफ द अपोजिशन के प्रिविलेज के बारे में कभी भी बिल लाया नहीं जायेगा । मैं यह बात समझ सकता हूँ, कि आज जिस परिस्थिति में, आज के अपोजिशन में, पार्टियों के लोग बैठे हैं उसके पीछे एक बैकग्राउण्ड है जिसके भरोसे श्री चित्तबासु ने यह कहने का साहस किया कि यह सारे चुनाव के बाद इस तरफ आकर बैठे ; उनका

तर्क था कि सीधे, मैन्डेट लेकर, नहीं आए । मैं समझता हूँ कि उसके अंदर एक बात निहित है कि अगर मैन्डेट लेकर आए, अगर 10 परसेन्ट से अधिक संख्या हो, अर्थात् इस राज्य सभा में 25 से अधिक संख्या हो जाय, तो वह रिक्वाइज अपोजिशन होगा और 25 की संख्या से अधिक पार्टियों में से एक से अधिक पार्टियों की संख्या अगर 25 से अधिक हो जायेगी, तो संख्या के आधार पर, कानालाजिकली, जो सबसे अधिक होगा, उसको लीडर आफ द अपोजिशन या मुख्य लीडर आफ अपोजिशन पार्टी में सबसे अधिक संख्या में उनको बिठाना पड़ेगा । मैं यह पूछना चाहता हूँ कि हम अगर लीडर आफ द अपोजिशन के इन्स्टीट्यूशन को रखना चाहते हैं, और डिमोक्रेसी में न रखने का आप्शन नहीं होता न मैं यह मान सकता हूँ कि हम डिमोक्रेटिक कन्वेंशन्स को छोड़ दें

श्री उपसभापति : क्या यह आपका पौइन्ट आफ आर्डर है, भंडारी जी ।

श्री सुन्दर सिंह भंडारी : श्री भूपेश गुप्त ने यह कहा कि वह काउन्टर प्रपोजल रख रहे हैं कि इस तरह का बिल नहीं लाना चाहिये ।

श्री उपसभापति : उन्होंने तो अपनी व्ह्यूज एक्सप्रेस की ।

श्री सुन्दर सिंह भंडारी : अगर यह व्ह्यूज इस सदन के अंदर अन्चैलेंज्ड चला जायेगा तो मेरा ऐसा कहना है कि फिर हमको यह बात तय कर लेनी पड़ेगी कि क्या किसी भी परिस्थिति में इस सदन में कोई अपोजिशन पार्टी, या कोई अपोजिशन पार्टी का लीडर, या दूसरे रहेंगे या नहीं रहेंगे । उसका तर्क भी दूसरी पार्टी से हो सकता है कि हम यहां पर दूसरे मेम्बर हैं । हम यहां पर न होते, हम सब के सब इन्चिपेन्डेन्ट होते, या स्प्लिन्टर ग्रुप के होते, तो क्या सिचुएशन बदल जाती और महज इस वजह से कि हाऊस के पचास, साठ या सत्तर मेम्बर किसी भी आर्गनाइज्ड ग्रुप को बिलांग नहीं करते, किसी भी एक आर्गनाइज्ड ग्रुप को बिलांग नहीं

करते, या दो आर्गेनाइज्ड ग्रुप को बिलांग नहीं करते, उसमें से अपोजिशन ग्रुप के अधिकार को या अपोजिशन ग्रुप के लीडर के अधिकार को हम किस तरह से ऐकनट कर सकते हैं, उनके प्रिविलेज को हम किस तरह से इन्कार कर सकते हैं। मैं समझता हूँ, सरकार जो यह आज रवैया ले रही है वह एक झूठी प्रतिष्ठा का सवाल बन गया है। उनके आइस का झगड़ा है कि कांग्रेस के अंदर दो टुकड़े होकर कुछ लोग उधर से इधर आकर बैठे हैं... अन्तर्वाधा... मुझे अपनी बात कहने दीजिए। नहीं तो मैं समझता हूँ, यह आपकी मनोवृत्ति बिल्कुल साफ जाहिर हो रही है। या तो आप साफ तौर पर कह दीजिए कि अपोजिशन पार्टी के लिये हम एक नियम बनाना चाहते हैं कि उसका कोई प्रिविलेज नहीं रहेगा, उसका किसी प्रकार की पार्लियामेन्ट्री फ्रंक्शनिंग से कोई प्रेसिडेन्स नहीं रहेगा, या तो यह तय कर लीजिए, नहीं तो महज इस वजह से कि आज इस तरह के लोग जो पहले आपके साथ थे अलग हो गये, आपको इसका बड़ा दुख है आपकी मैजोरिटी पार्टी माइनोरिटी पार्टी में रेडयूस हो गई, मैं आपके दिल के दर्द का अनुभव कर सकता हूँ, लेकिन केवल इसकी वजह से ही आप आज के इस हाऊस के लिये एक ऐसे कन्वेन्शन को डालने की कोशिश करे, या श्री भूपेण गुप्त महज इस वजह से कि आज वह रूलिंग पार्टी के किसी पक्ष का समर्थन करना चाहते हैं, एक ऐसे पक्ष को प्रोपोनेट करे कि अपोजिशन लीडर के लिये किसी भी प्रकार के प्रिविलेज और दूसरी चीजें नहीं होनी चाहियें, मैं समझता हूँ वह चौबारा इस पर तोचें क्योंकि हाऊस में जो रिकग्नाइज्ड लीडर आफ द अपोजिशन होगा, डिमोक्रेसी के अंदर जो होना जरूरी है, और जो नियम के अनुसार हो सकता है, उसके साथ यह प्रिविलेज रहने चाहिये या नहीं रहने चाहियें, और अगर रहने चाहिये तो सरकार रखेगी या नहीं रखेगी। यह आप्शन नहीं है। इस सवाल के लिये सरकार जरूरत से ज्यादा समय ले रही है। इसमें बैट फेथ का मैं उसके ऊपर आरोप लगता हूँ।

श्री ना० कृ० शंजवलकर (मध्य प्रदेश) : आज इस प्रश्न पर बोलने का हर एक को अवसर दिया जाये। हो सकता है कि पहले अनियमित रूप से कुछ को समय मिल जायें और अंत में जो और सदस्य इस पर प्रकाश डालना चाहते हैं वह वंचित रह जायें। इसलिये आप 5 मिनट का समय सबके लिये निर्धारित कर दीजिए। मैं निवेदन करना चाहता हूँ कि यह संसद् का ...

श्री उपसभापति : अभी आप बैठ जाइये। आपकी तरफ से पांच, छः आदमी बोल चुके हैं।

श्री एस०डी० मिश्र : इसको हम नहीं मानेंगे। सभी पार्टियों के दो, चार, छः आदमी बोलें।

श्री ना० कृ० शंजवलकर : मेरा निवेदन यह है कि एक्जोरेंस दें या न दें, मैं एक ही बात जानना चाहता हूँ। आज यह बड़ा भारी सवाल आपके सामने है, संसद की प्रणाली में है, जो हम नयी नयी बातें रखना चाहते हैं... अन्तर्वाधाएं... आप कह चुके हैं, दूसरों की बात नहीं सुनते हैं। आपने पर्याप्त समय ले लिया और अब तक जो लोग अपना विचार नहीं रख सके उनको समय नहीं देते।

मैं यह जानकारी करना चाहूंगा। वास्तव में यह संसदीय प्रणाली का सबसे बड़ा सवाल है। आप कह सकते हैं संसदीय प्रथा में हम कोई नयी परम्पराएं डालना चाहते हैं, लेकिन जिनसे हमने संसदीय प्रणाली का अनुकरण किया वहां की परिस्थिति क्या है, उसको अगर हम आज के दिन नज़रअंदाज कर देते हैं तो यह कोई अच्छी परम्परा नहीं रखेंगे। आज यह सवाल कि प्रिविलेज दें या नहीं दें, उसके बारे में अलग बात है, लेकिन आज यह सवाल कैसे खड़ा हो गया कि आज जो ये पार्टियां आई हैं उनको अपोजिशन में मानते नहीं हैं जब कि स्वयं यहां पर लीडर आफ द हाऊस में उनको बधाई प्रस्तुत की है...

श्री उपसभापति : अभी तो चन्द्रशेखर जी ने काफी क्लियर कर दिया है।

श्री ना० कृ० शंजवलकर : मैं उस पर आ रहा हूँ। मैं दुहराऊँगा नहीं। मैं इसीलिये कह रहा था क्योंकि आज वह प्रश्न जिसका स्पष्टीकरण होना जरूरी है, यह है कि हम जो यहाँ पर चुन कर आते हैं, वह यहाँ आने के बाद इन्डिपेन्डेंट भी चुन कर आते हैं। कोई दल का विशेष उद्देश्य लेकर ही आना आवश्यक नहीं होता। जब संविधान के अंदर हम इन्डिपेन्डेंट को रिकग्नाइज करते हैं तो यहाँ आने के बाद किसी के लिये कोई बंधन नहीं है, जबर्दस्ती नहीं है, इधर बैठो या नहीं बैठो। वह बैठें या नहीं बैठें। . . . अंतर्वाधा . . . आपसे मैं सहमत हो सकता हूँ लेकिन संविधान की दृष्टि से, जब यहाँ आकर माननीय सदस्य डिक्लेयर करते हैं, हम एक प्रतिनिधि रूप में बैठना चाहते हैं, और पर्याप्त संख्या हमारे नियमों के अनुसार पूरी होती है, तो मेरी समझ में नहीं आता कि फिर इसमें कौन सी दिक्कत सामने आ रही है। कि उस संसदीय प्रणाली को तोड़ दिया जाये। मैं यह चाहता हूँ कि अभी भी इस पर शांति से विचार किया जाय।

श्री उपसभापति : अब आप बैठ जाइये।

श्री ना० कृ० शंजवलकर : मैं वाक्य तो पूरा कर लूँ। मैं इरिलेवन्ट जरा भी नहीं बोलूँगा। तो अच्छी तरह निष्पक्षतापूर्वक विचार किया जाये। किसी दल विशेष का विचार न करते हुए मैं विशेष रूप से सरकार से आग्रह करूँगा कि आज जो रूलिंग पाटी है, जिसके हाथ में आज ताकत है, शासन है, उनको एक अच्छी परम्परा डालने का प्रयास करना चाहिये।

(Some hon. Members stood up.)

MR. DEPUTY CHAIRMAN : One minute, please. I am on my legs. I request all Members to sit down.

SHRI S. D. MISRA : No ruling from you. You are on your leg and so we are sitting down.

(Interruptions)

MR. DEPUTY CHAIRMAN : Please sit down.

SHRI K. S. CHAVDA : Will you please allow me to say something ?

MR. DEPUTY CHAIRMAN : Please sit down first.

SHRI K. S. CHAVDA : I want to say something.

MR. DEPUTY CHAIRMAN : Please sit down. I am still standing. I want to say something. We have had enough discussion on this question.

SHRI K. S. CHAVDA : What is the result ?

MR. DEPUTY CHAIRMAN : Why-are you so impatient ? I am saying now whatever I want to say. Do not be so impatient.

SHRI DAHYABHAI V. PATEL : We are impatient because we do not get an answer from the Government.

(Interruptions)

SHRI SRIMAN PRAFULLA GOSWAMI : By shouting you cannot have it.

MR. DEPUTY CHAIRMAN : Will you please sit down ? Different views have been expressed on this question. The hon. Minister has made the position quite clear. . .

SHRI S. D. MISRA : No, no.

MR. DEPUTY CHAIRMAN : Please listen to me.

SHRI S. D. MISRA : May be clear to you, not to us.

(Interruptions)

MR. DEPUTY CHAIRMAN : He said that all the points of view expressed in this House will be taken into consideration. That is what the hon. Leader of the House has said. (Interruptions) He is agreeing. Please listen to me.

SHRI MANUBHAI SHAH : Let him make a statement to that effect.

(Interruptions)

MR. DEPUTY CHAIRMAN : He has said that the views expressed in this House by all the members who participated in this discussion will be taken into consideration.

deration. These views will be conveyed to the Government. Mr. Shah is only one representative of the Government. There are a number of representatives of the Government. They will have to sit together, consult with each other, discuss and decide and find out what should ultimately be done and evaluate the Government's policy. *(Interruption)* Please hear me for one minute. The hon. Minister has said that all the views expressed will be taken into consideration. They are pressing that there should be an assurance given that it will be done in this session. The Leader of the House says that he cannot give any specific assurance that it will be done during this session. So should we quarrel over this one point? The Leader of the House says that he is not in a position to do it?

(Interruptions)

SHRI S. D. MISRA : He must give an assurance now.

(Interruptions)

MR. DEPUTY CHAIRMAN : In that case, there will be no end to the discussion.

SHRI S. D. MISRA : Yes, there will be no end; you are right.

MR. DEPUTY CHAIRMAN : The Leader of the House says that he is not able to give the assurance.

SHRI S. D. MISRA : Let me make a submission.

MR. DEPUTY CHAIRMAN : He has said that all the views expressed will be taken into consideration.

SHRI S. D. MISRA : Let him say that they will finally decide this issue in this session, whether yes or no. That is what we want.

SHRI K. K. SHAH : I have made it quite clear that all the views expressed in this House also will be taken into consideration while taking a final decision on this.

SHRI S. D. MISRA : When?

SHRI K. K. SHAH : I cannot say.

(Interruptions)

SHRI K. S. CHAVDA : Sir, this is a very important question...

(Interruptions)

SHRI A. G. KULKARNI (Maharashtra) : Their demand for an assurance and Mr. Bhupesh Gupta's demand for a counter-assurance, everything will be taken into consideration.

SHRI K. S. CHAVDA : There is no difference between Mr. Bhupesh Gupta and Mr. A. G. Kulkarni.

SHRI PITAMBER DAS : Sir, I want to tell the Leader of the House that we have reached a stage where waiting is torture and the knowledge of the worst may be the best relief.

SHRI S. D. MISRA : On a point of order, Sir. You say, Sir, that he has given an assurance. But what he has said does not amount to an assurance. Sir, on the 18th December 1969, when the Prime Minister was present and the Chairman was also here, Mr. V. C. Sukla on behalf of the Government gave this assurance. This was six months back. Is it not the practice of this House—it is also the practice of the other House, but I do not want to go into that—that when an assurance is given, it has to be fulfilled one way or the other within three months? Now six months have passed. It is a shameless Government. You are a shameless Government.

(Interruptions)

MR. DEPUTY CHAIRMAN : Older please.

SHRI ANANT PRASAD SHARMA : Is this the way to extract an assurance from the Government? This is a more shameless way of getting an assurance from the Government.

(Interruptions)

SHRI SRIMAN PRAFULLA GOSWAMI : You wanted to dethrone the Prime Minister by joining with the Jan Sangh and the Swatantra. You failed. And now you want to be a Minister?

(Interruptions)

SHRI BHUPESH GUPTA : The hon. Member is quite entitled to ask for an assurance. If they have given some indication, surely he is entitled to ask about it. Now he has done it. It is now for the Government to say. It is for the Government to choose, to give an assurance to him or to me. Naturally I would like an assurance to be given in my favour and I would like an assurance to be given to him in his favour. But it is for the Government.

[Shri Bhupesh Gupta] to decide. It is a matter for the Government, not for the House. As far as this House is concerned, the Chairman has said something in regard to the Leader of the Opposition. We thoroughly disagree with the concept of the Leader of the Opposition. But as it was a ruling or something like that, we submit to it. When a person is taken to the gallows, he does not like to be hanged, but he has to submit to that. I submit in the same way to this thing. That is not the point. Now they ask for certain privileges. Now as the Leader of the major group, certainly he is entitled.

SHRI K. S. CHAVDA : Not group, party.

SHRI BHUPESH GUPTA : The first group in the Opposition, he is entitled to certain rights and privileges. Suppose I have one telephone, he can claim two telephones. I have no quarrel about that. We are discussing the principle, whether the principle of the Leader of the Opposition should be accepted by the Government in extending certain additional facilities and amenities. Amenities and facilities are not the main thing. The question to be settled is whether in a situation like this, the theory of Leader of the Opposition should be accepted by the Government. That is to say, it should be such as would get the majority support in the House. That is also very important. Everybody knows, my friend who has been in the Government knows very well. (Interruptions). Mr. Misra knows very well how difficult it is sometimes to get an assurance from the Government one way or the other. Just because they have left the Government, is it going to be so prompt? I do not believe so. He may have such an illusion about it. They should know that the Government takes time. Let the Government give the assurance in my favour. Alternatively, let him immediately get in touch with the leaders of all the groups and find out as to what would be the consensus, whether a Bill of this kind is likely to be passed in this House. That is also very important. A Bill has to be passed. ,

SHRI M. S. GURUPADASWAMY : Your views are already known.

SHRI BHUPESH GUPTA : Therefore, you must understand the position. Suppose they bring a Bill and then if they defeat that Bill, the Government fall, not here, in the other House. The Govern-

ment will fall. Therefore, it is a matter for the Government to consider. I would like a Bill to be brought saying, if you like, that all the opposition groups should be treated equally, should be same facilities because we all believe in socialism in this matter... (Interruptions) .. otherwise, no discussion; for god's sake we will not get an assurance from him, I know. If Mr. K. K. Shah thinks he would need another fifteen minutes let him take that time. I sit quite. But let him not spend more time on the subject. Let him call for a discussion tomorrow and tell us before we end this session as to what the Government's decision is. I am in agreement that this matter cannot be kept pending. One way or the other you have got to decide. I have no quarrel over that. I have expressed my views. Others have expressed their views. Take your decision. But the Government should remember that a Bill has got to be passed and that will never be passed unless you and they combine.

SHRI JAIRAMDAS DAULATRAM : I think most of the Members of the House who have taken active interest in this question have spoken frankly, bluntly each with his own temper. I would, therefore, move for a closure of the discussion now. All that has to be said and that could be said has been said on this question. . . .

(Interruptions)

SHRI S. D. MISRA : No, there is no question of a closure because it is not a motion. There is no motion here. The question of closure does not

KUMARI SHANTA VASISHT (Delhi) : On a point of order.

SHRI K. S. CHAVDA : On a point of order.

KUMARI SHANTA VASISHT : Mr. Deputy Chairman, all the Members have expressed a lot of their views about this matter. This is a question of laying down certain conventions in this House. It is for the first time that a certain party has secured a certain strength here and therefore, it is entitled to be recognised and it has been recognised as the official opposition party. It has a leader who has also been recognised officially as the Leader of the Opposition in this House as well as in the other House. I want that we should maintain, we should establish, certain good constitutional conventions for our country. We should look

upon all these is: aeg in a nice and proper manner without losing the grasp of the question. The Government, I am sure would gradually realise that it has to give certain facilities to the Leader of the Opposition to be able to function properly as Leader of the Opposition. The Opposition as well as the Government party are the two arms of the Government as in England. The British Parliament is also called the Mother of Parliaments. There the Opposition and the ruling party are treated as the two arms of the Government. One is the right hand and the other is the left hand of this Government. Opposition is part of parliamentary democracy.

...

SHRI MAHITOSH PURAKAYASTHA (Assam) : She is making a speech.

KUMARI SHANTA VASISHT : Please sit down. Do not interrupt me.

SHRI MAHITOSH PURAKAYASTHA : You sit down.

(if interruptions)

SHRI S. D. MISRA : You want to make us sit down, but we will, make you sit down.

MR. DEPUTY CHAIRMAN : Miss Vasisht, you go on.

SHRI K. S. CHAVDA : Mr. Deputy Chairman, are you in the Chair or is he in the Chair? Who is he to ask us to sit down?

KUMARI SHANTA VASISHT : Sir, I was saying that the Opposition is part of the Government. It is its job to oppose the Government's ways. . . . (Interruptions) There is a recognised Opposition in England as well as in other countries and it is recognised as part of the Government. This Government should gradually realise this. We should establish some good, proper, conventions. As far as the fear of the Government is concerned, there is no basis for it. It need not fear that automatically the Opposition will be asked to form a Government if the ruling party loses its majority. I have full faith that this Government will be able to manoeuvre to stay in office with the help of Mr. Bhupesh Gupta and the CP(M) somehow. So the question of entering the Government does not arise and the ruling party need not fear on that account. Sir, one more point. One Member said that our party does not have a mandate to function as the Opposition. I would like to ask them where their mandate was when the Commu-

nist Party was divided into CP(I) and CP(M), Forward Bloc and so on. It was divided into so many parties CP, CP(M), Forward Bloc, Bangla Congress I, United Front and what not in the last mid-term elections in Bengal. When they let down the Marxist Party at that time they broke up the mandate with which they had gone to the people and had asked for the United Front. When they let down the Marxist Party at that time where was their mandate? So I oppose that point.

SHRI K. S. CHAVDA : Sir please listen to my point of order.

MR. DEPUTY CHAIRMAN : Yes.

SHRI K. S. CHAVDA : My point of order is ...

SHRI MAHITOSH PURAKAYASTHA : Your point of order is no point of order.

(Interruptions)

SHRI K. S. CHAVDA : What is this? Is this a fish market or is this Rajya Sabha?

(Interruptions)

MR. DEPUTY CHAIRMAN : They want that you should continue your speech and explain your point of order.

SHRI K. S. CHAVDA : They are not allowing me.

MR. DEPUTY CHAIRMAN : But you are still thinking about your point of order.

SHRI K. S. CHAVDA : But you see the interruptions.

MR. DEPUTY CHAIRMAN : There is pin-drop silence. Nobody is speaking now.

SHRI A. P. CHATTERJEE : That is what he says

MR. DEPUTY CHAIRMAN : Order please.

SHRI K. S. CHAVDA : My point of order is that the honourable Mr. Bhupesh Gupta spoke thrice or four times on the same point and on the same subject. . .

SHRI A. P. CHATTERJEE : That is your point of order.

SHRI K. S. CHAVDA: .. while I was repeatedly visiting in my seat but you did not allow me to speak even for one minute.

SHRI ANANT PRASAD SHARMA : On a point of order.

SHRI K. S. CHAVDA : I will take only one minute, Mr. Deputy Chairman. The main question before the House is— this was raised by my honourable friend, Shri S. D. Misra—regarding the time. Though six months have passed, the Government has not done anything regarding the assurance given on the floor of the House. Therefore, for a healthy growth of democracy
(Interruptions) Mr. Deputy Chairman, you control the House and allow me to speak.

MR. DEPUTY CHAIRMAN : Order, order please. I request honourable Members to please listen to him for one minute with patience.

SHRI K. S. CHAVDA : Therefore, for a healthy growth of democracy, the Government should bring forward a Bill before this honourable House regarding this matter before the end of the current session.

SHRI KRISHAN KANT : Mr. Deputy Chairman, please allow me one minute.

MR. DEPUTY CHAIRMAN : No no . . .

SHRI A. G. KULKARNI : Mr. Deputy Chairman, you have not given me any chance so far. I have not made any suggestion till now. Up till now I have not spoken and it is becoming very difficult for me to control myself.

MR. DEPUTY CHAIRMAN : May I make one suggestion? (Interruptions) If it is the desire of the House that it does not want to take up any other business today then let us not talk over this matter here let us not discuss this matter in this tense atmosphere. Let us go to the Central Hall and then discuss this matter over a cup of coffee. If that is the desire of the House I have no objection but this is not the way to continue the proceedings of the House now. We have been discussing the same question for the last three or four years. If we want to discuss the same question then, we will discuss it in the Central Hall over a cup of coffee; otherwise, let us pass on to the next item of the business today. This is not the way to conduct

the business of the House. If it is your desire that no other business should be taken up today, I am prepared to adjourn the House so that you can go and relax yourselves.

(Interruptions)

SHRI DAHYABHAI V. PATEL : If you adjourn the House, we have no objection; it is for you to decide. But if this issue is not resolved, please remember this will be repeated again tomorrow.

SHRI S. D. MISRA : Today, tomorrow and every day it will be repeated:

SHRI DAHYABHAI V. PATEL : Sir, I want to point out that before the last election when this party broke away from the Rajya Sabha, people were not willing to give Mr. S. N. Mishra his seat as the Leader. I voluntarily agreed and I said that in any parliamentary democracy this must be done and I gave him my seat. Other Members were sitting here in the House. At that time the Prime Minister came and gave an assurance that he was the Leader of the Opposition and his position as such would have to be recognised. Where has that assurance gone? That is the main point that the Government have to recognise. It is true that certain elements are not happy about it, we all know it, because they are forces of disruption; they want always to subvert the democratic institutions they have done that in other countries and their effort is to do that here also. But this Government should not yield, at least this House should not yield.

(Interruptions)

SHRI BHUPESH GUPTA : Sir, I never attacked the Congress (O) What is he saying?

(Interruptions)

SHRI DAHYABHAI V. PATEL : He won't allow me to speak. Well, if you do this now, we have also the capacity to behave like that. It is only that we do not want to do that; we want to behave like gentlemen, in spite of your provocations day in and day out. You are taking the maximum amount of time in this House in raising points of disorder rather than order and you want your points of disorder to be heard and you want everybody to believe what you say. Mr Deputy Chairman, I must tell you that the proceeding of this House will not go on till

the Government fulfils that assurance. If you want to adjourn the House, I have no objection but it will have to be repeated every day.

SHRI BHUFESH GUPTA : Sir, under what rule are you discussing it? You are being intimidated by some people. The list of business clearly says..

(Interruptions)

If my friend wants to rise on a point of order, I will immediately sit down.

SHRI MOHAN LAL GAUTAM : Mr. Deputy Chairman, I and perhaps all of us are very sorry that on this small issue we have wasted more than two and a half hours.

(Interruptions)

SOME HON MEMBERS : Whose fault?

(Interruptions)

SHRI MOHAN LAL GAUTAM : Mr. Deputy Chairman, the question has been put as to whose fault it is that so much time has been wasted. I say very plainly that the Leader of the House has bungled in handling the situation. When the question was allowed by the Chair and it was raised, he should not have allowed Mr. Bhufesh Gupta or anybody else but the Leader of the House should have come forward and said "We are considering that matter and we will take so much time." The whole matter should have ended there. But unfortunately Mr. Bhufesh Gupta set the ball rolling on the wrong track.

KUMARI SIKHANTA VASISHT : He is the Guru if the Indicate.

(Interruptions)

SHRI MOHAN LAL GAUTAM : Sir, the whole discussion would have been purposeful if after the question was raised Mr. K.K. Shah could have come forward with a statement that this is the position and this is what the Government is doing. Only then the leaders of other Parties would have spoken on the point and then the discussion would have been purposeful. So the whole thing has been mismanaged and bungled by the Leader of the House.

Now, Sir, so far as the recognition of the Leader of the Opposition is concerned, it is not under discussion; it has already been settled once and for all. On the 18th December, Sir, the Chairman said :

"I have considered the question of recognition of the Congress Oppo-

sition Party and also of recognition of Shri Shyam Nandan Mishra, the leader of this Party, as the Leader of Opposition in the Rajya Sabha. I have given the matter careful consideration. This party has the largest number among all the Opposition Groups and has a following of 39 in a House of 240. I have therefore decided that this party may be recognised as a party in this House and be called as 'Congress Party in Parliament (Opposition), and also that Shri Shyam Nandan Mishra, its leader, be called the Leader of the Opposition in the Rajya Sabha."

This is what the Chairman was pleased to observe on the 18th December. In view of this Sir, everything talked about this has been irrelevant and the time of the House has been wasted with due respect, by all of us.

MR. DEPUTY CHAIRMAN : This question is not involved.

SHRI MOHAN LAL GAUTAM : So you are supporting me.

MR. DEPUTY CHAIRMAN : I am not supporting you, but this is not the question which is involved.

SHRI MOHAN LAL GAUTAM : Then, Sir, the Prime Minister also has stated as follows:

"I do not wish to take the time of the House. I would merely like to congratulate Shri Mishra and I would support what you, Sir, have said. And we hope we will have co-operation from him so that the dignity and decorum of the House and the work of the House can go on well."

(Interruptions)

SHRI MOHAN LAL GAUTAM : You did not control them when they stood up.

MR. DEPUTY CHAIRMAN : The interruptions were from your side also.

SHRI MOHAN LAL GAUTAM : Therefore the limited point before the House is only the amenities and the privileges of the Leader of the Opposition and the Government also recognizes it. The discussion is not about that. The Government says 'Yes'. The Government says: 'We are considering over the matter.' It does not say: 'There is no question of amenities.' The Government says:

[Shri Mohan Lal Gautam]

'We are considering'. So the issues are very limited. The question is the Government does not give us a time-limit. That is all. What we want is that the Government should assure us that before the House adjourns this Session it must give an assurance that this question will be settled and the privileges and amenities will be declared. Only this limited issue is there. I would request you to allow the Members and ask them to confine their observations only to that limited issue and I would beg of the Leader of the House to save time and every minute spent means a lot of money of the poor tax-payer. Therefore I would request him to come forward and say 'yes'.

MR. DEPUTY CHAIRMAN : You requested the Leader of the House but I would request the whole House to cooperate with me. Mr. Krishan Kant.

SHRI K. K. SHAH : I am very sorry that Shri Gautam should have said that I am responsible for this blundering. He is entirely wrong because when I was intimated, the only thing that was intimated to me was that he will mention this and nothing else was mentioned. You did not tell us anything. The only information that I received was that it will be mentioned and I thought it would be mentioned and I could convey to the Government the information. How can you blame me? You have said nothing to me.

SHRI S. D. MISRA : I have written a letter to the Chairman, 17 of us of various groups and that letter must be in the Secretariat. We addressed the letter to the Chairman and in that letter itself we stated that on 14th, after the Question Hour this will be mentioned and raised.

HON. MEMBERS : Not raised.

SHRI S. D. MISRA : In that letter itself we had written that on that day because the Government has taken six months to fulfil its assurance, we will press for its implementation on that day, the 14th May and this is in writing and the Chairman said: 'I agree to your request' and he said that he would pass it on to the Leader of the House and the Government. The Chairman this morning told me that he has already informed the Government about it and he gave me the consent to raise this point. If I am wrong, the Chairman is there. The letter is there

and the Secretary may read our letter. He says now that nothing is mentioned to hint.

SHRI A. G. KULKARNI : Mr. Misra is wrong. The Chairman said that he only allowed you to mention it. He did not allow you to discuss it.

SHRI KRISHAN KANT : As Mr-Chandra Shekhar said, ultimately the Leader of the Opposition is a limb of the Parliament and so this House and the other House will have to decide about the position, remuneration and other facilities. In this respect the Opposition is also impatient. Here is a Bill which some of the Members of the Congress (O) have introduced in the Lok Sabha. It was introduced by Shri Manubhai Patel, Shri C. Diss, Shri N.P.C. Naidu, Shri Sheo Narain and Shri P. Venkatasubbaiah. The Bill is called "The Leader of the Opposition Bill, 1970". It is a Private Members' Bill. It was introduced on 8th May 1970. Here is what they demand for the Leader of the Opposition :

"In addition to the salary, allowances, facilities, rights and concessions to which the Leader of the Opposition may be entitled to by virtue of his being a member of the House of the People or of the Council of States, as the case may be, the Leader of the Opposition shall be entitled to the same salary, allowances, facilities with respect to staff, other facilities, rights and secretariat concessions to which a Minister of the Cabinet rank in the Council of Ministers of the Union Government is entitled."

SHRIMATI YASHODA REDDY : On a point of order. Mr. Krishan Kant is referring to a Bill introduced in the other House. It is a non-official Bill. It may be right or wrong. It is for that House. It is the exclusive right of the Lok Sabha to discuss it. Can any Member of the Rajya Sabha, does not matter about salary, bring to the notice here and for discussion in the Rajya Sabha, a Bill moved by a Private Member of that House? That is the exclusive concern and right of that House.

HON. MEMBERS : No.

MR. DEPUTY CHAIRMAN : He is not discussing the Bill. I understand your point of order.

SHRIMATI YASHODA REDDY : We cannot take notice of it, and cannot say that because there is a Bill in the other House, let alone salary etc., we should be satisfied. You cannot say that because something has been done in that House we should be quiet. First if all can we raise that as a point of argument here ? Can you prevent discussing on this subject because a Member of the Lok Sabha has brought this Bill ?

MR. DEPUTY CHAIRMAN : So far as the first point is concerned, Mr. Krishan Kant is not discussing the Bill. He has only made a reference that such and such Bill has been introduced. He has only pointed out that it has been introduced in the Lok Sabha and I think when a Bill is introduced, the copies are circulated to the Members of this House also. Even the copies of the Bills moved or introduced by Private Members are circulated to Members of the Rajya Sabha; He has only pointed out that such and such Bill has been introduced in the Lok Sabha. He never said anything on the merits or demerits of the Bill. That is one point. Secondly, you raised the point that once it is introduced there, are we debarred from discussing it. Any Bills apart from Money Bills or financial Bills can be introduced in either of the two Houses. A Bill can be introduced in either House. It has been introduced in the Lok Sabha. Let the Lok Sabha pass that Bill and if that Bill is transmitted to this House, let this House consider the Bill and pass the Bill and then it will automatically become the law. If the Members are not satisfied with that Bill introduced in the Lok Sabha, the Members of this House also can introduce a Bill in this House and consider it as it is being done in the other House. I hope a Member of this House also can introduce it here.

They can always introduce a Bill in this House, discuss it and get it passed.

(Interruptions)

4 P.M.

MR. DEPUTY CHAIRMAN : Order please. Shrimati Reddy raised a point and I have explained. Now Mr. Krishan Kant will continue.

SHRI KRISHAN KANT : The point is they want an assurance from the Government.

SHRI K. S. CHAVDA : Mr. Deputy Chairman, on a point of information. Arising out of what you said just now, can the same Bill be introduced here at

Leader of the

Opposition

the same time in both the Houses ? Can a same Bill on the same subject be introduced in both the Houses at the same time ?

MR. DEPUTY CHAIRMAN : There is no harm so far as I can see. I think it may be introduced in both the Houses.

SHRI S. D. MISRA : We do not want to depend on the private Member's Bill.

SHRI KRISHAN KANT : The point I was making was, after it is discussed in the Lok Sabha ultimately it will come to the Rajya Sabha.

AN HON. MEMBER : When ? After two years ?

SHRI KRISHAN KANT : Then not only the Government's stand but the stand of the various political parties will be brought forward and discussed fully and a decision can be taken. As Madam Yashoda Reddy said ultimately it is for the House to decide. When the Bill comes up here the Government can make its stand clear, all the political parties can make their stand clear. I do not know why they are unnecessarily wasting the time of the House.

SHRI K. K. SHAH : What I was trying to bring to the notice of the Opposition friends is that the letter that they have written is not so important as what the Chairman said. The Chairman said that this point will be mentioned. *(Interruptions)* and we thought that it will be mentioned and we will convey it to the Government. And that I have said.

SHRI MANUBHAI SHAH : The reply is more vague than the earlier assurance. After five months this is the position.

SHRI K. K. SHAH : But you want a decision before the end of the session. I said, give me time, I will convey it and let you know.

SHRI MANUBHAI SHAH : ...with regard to the assurance given to this August House after recognising him as the Leader of the opposition, who was congratulated even by the Speaker and the Chairman and also by all sections of the House. Mr. Shyam Nandan Mishra for the first time in the history of this democratic Parliament has been recognised as the Leader of the Opposition and we were given certain assurances regarding privileges and certain amenities. The matter involved is very simple and it will raise

[Shri Manubhai Shah]

the dignity of the Chair, the dignity of this House and the dignity of the Government if they come out boldly and clearly with what they want to give him as the Leader of the Opposition in this House. This is a simple thing and I do not know why so much complication is being made. I do not understand this. The Government spends crores of rupees but in a simple matter like this you are refusing to accept this recognised democratic practice which is accepted all over the world. Even in New Zealand they have this. Somebody said they all have only one party. There are nine parties in New Zealand but still the leader of the larger party who has got more than 71 per cent votes is recognised and there is legislation sanctioning the privileges and amenities which the Leader of the Opposition is entitled to. Sir, the Opposition is an integral part of the Government.

SHRI BHLPESH GUPTA : I can give other examples of other countries.

SHRI MANUBHAI SHAH : We are talking of democratic countries, we are not talking about Russia.

SHRI BHLPESH GUPTA : I am also not talking about Russia.

(Interruptions)

SHRI DAHYABHAI V. PATEL : If the Government is not ready, you can adjourn the House. Let the Government tell us clearly: let it adjourn.

SHRIMATI PURABI MUKHOPADHYAY (West Bengal) : Mr. Deputy Chairman Sir, we have spent three valuable hours of the House on this discussion. May I point out at the very far end of the discussion that we have gone out of our jurisdiction? Sir, in this House we do not elect the Cabinet, it is the lower House, the Lok Sabha, which elects the Cabinet.

(Interruptions)

MR. DEPUTY CHAIRMAN : Order please. You wanted them to listen to you, now you do not want to listen to them. You should have the patience to listen to the other side also.

SHRIMATI PURABI MUKHOPADHYAY : It is the lower House which elects the Cabinet and that House only can elect the Leader of the Opposition. That is the Constitutional position.

SHRI DAHYABHAI V. PATEL : May I correct the Lady Member? The Cabinet is not elected. The Cabinet is nominated by the Prime Minister. I wish the lady would study the Constitution before she starts speaking in this House.

SHRIMATI PURABI MUKHOPADHYAY : You do not know how the Prime Minister is elected. May I explain that after the general election is over it is the majority party which elects its leader and that leader is generally called upon to form a Cabinet. As soon as the Cabinet is formed the same very House elects the Leader of the Opposition if the Opposition party has the adequate number to fulfil the conditions laid down in the Constitution and the Rules of Procedure of the House. Sir in the Rajya Sabha the Chairman might have suggested some Leader of the Opposition to carry on the purpose and business of this House but that does not give him the statutory recognition of being the Leader of the Opposition of Rajya Sabha. Let us imagine a case. Suppose the Government loses its strength in the Lok Sabha but that Government retains its strength in the Rajya Sabha, can that Government run? Will that Government be a legally constituted Government? If a Government loses its strength in the Lok Sabha but retains its majority in the Rajya Sabha, that Government is not allowed to function. That Government falls. On that constitutional point you will have to take the decision before you give your ruling or before you direct the Government to consider the question of improving the emoluments and other amenities to the Leader of the Opposition. I, as a student of the constitutional rights and privileges in this country—I have gone through the Constitution and the rules that this House has laid down find that there is no convention of such a nature. Maybe in the past there was no occasion for creating a convention. We may create conventions, we may create precedents to be followed by others but this Rajya Sabha cannot grant emoluments and privileges to the Leader of the Opposition. He may be recognised as a Leader of the Opposition by the Chairman but that recognition *suo motu* does not give him the privileges to be enjoyed under the Constitution. (Interruptions) And this point should be kept in mind before you direct the Government to give its decision.

Again, if some emoluments are to be given to the Leader of the Opposition of the other House the present salaries

and Emolument Act which was passed in both the Houses has to be modified has to be amended instead of any private Member bringing a Bill and getting it passed. The Act has to be amended to make provision for the Leader of the Opposition. Sir, the House may direct the Government on this point, that is, to consider amending the Salaries and Emoluments Act which was passed by both the Houses: About giving statutory recognition to Mr. Mishra along with the privileges and amenities, Sir, as a student of the Constitution. I rights and privileges I can tell the House that we are not within our jurisdiction: we are not within our rights, to allow those privileges to the Leader of the Opposition of Rajya Sabha. This is the important point that has to be taken note of.

SHRI BIPIN PAL DAS (Assam) : On a point of order. All parties have expressed their views on his question. I do not belong to any party but as a Member of this House I have also something to say. We have already wasted much of the valuable time of this House on a matter which should have been decided long ago. Let us recognise the facts. The Chairman has ruled that the Leader of the Organisation Congress has been recognised as the Leader of the Opposition. The next question whether the Leader of the Opposition should be granted the privileges and amenities that are usually due to the Leader of the Opposition for example, in Britain. Now, let us also recognise the fact that in the opposition I have noticed at least four parties supporting this demand. There are other views also expressed on this question. Now, we have to come to a close and do something. The whole business of the House has been paralysed. I therefore, with your permission, may I move a resolution? I am trying to draft a resolution which is some sort of a compromise between the views expressed in the House. If you permit me...

MR. DEPUTY CHAIRMAN : No-I have not given any permission.

SHRI BIPIN PAL DAS : Let me read out.

MR. DEPUTY CHAIRMAN : You may read out.

SHRI BIPIN PAL DAS : Without wasting the time of the House, because all arguments have been given from both sides, from all sides, I move that the Government be requested to consider all the

views expressed by different members of this House regarding the question of granting the status and all the legitimate privileges and amenities to the Leader of the Opposition and to announce the decision of the Government in this regard within a period of three months.

SHRI S. D. MISRA : Not three months.

SHRI BHUPESH GUPTA : It might be considered but add the word 'alleged' before the words 'the Leader of the Opposition'.

SHRI NAWAL KISHORE (Uttar Pradesh) : On a Point of Order.

[Interruptions]

MR. DEPUTY CHAIRMAN : Mr. Nawal Kishore.

SHRI BIPIN PAL DAS : What is the fate of my motion?

MR. DEPUTY CHAIRMAN : I have not given you permission. I have called Mr. Nawal Kishore.

श्री नवल किशोर : यह जो महत्वपूर्ण प्रश्न आज सदन के सामने उठाया गया है मैं उसमें दो, तीन बातें कहना चाहता हूँ। एक तो मान्यवर, माननीय के० के० शाह शायद इस बात को सोच कर चल रहे हैं कि आज वह हाऊस के लीडर हैं और हमेशा बने रहेंगे, हो सकता है कल वे अपोजीशन के लीडर बनें; क्योंकि मान्यवर...

श्री अर्जुन अरोड़ा (उत्तर प्रदेश) : उनका ऐसा कोई इरादा नहीं है।

श्री नवल किशोर : वह आपके इरादे का प्रश्न नहीं है अर्जुन अरोड़ा साहब। मान्यवर, पार्लियामेंटरी डेमोक्रेसी में स्थान बदलते रहते हैं। तो यह मत समझिये कि किसी की कोई जगह इस साइड में या उस साइड में स्थायी है।

दूसरी बात, मान्यवर, श्री चन्द्रशेखर जी यहाँ नहीं हैं, आज उन्होंने जो तक्रार की उससे मुझे बड़ा ताज्जुब हुआ। एक साहब ने फर्माया कि आपके विरोधी दल के पास कोई मैडेट जनता का नहीं है। मान्यवर, अभी जो चुनाव

[श्री नवल किशोर]

हुए हैं कौंसिल आफ स्टेट्स में, उसमें जो कांग्रेस की पार्टी उधर बैठी हुई है उसकी चौदह, पन्द्रह की तादाद कम हुई है और इस तरफ की तादाद बढ़ी है। अगर इसको मैण्डेट कहा जाये तो यह मैण्डेट भी हमारे पास मौजूद है।

मान्यवर, ए० पी० शर्मा ने फर्माया कि अगर तमाम अपोजीशन पार्टीज एक मत हो जायेंगी तो इस मसले पर ध्यान दिया जा सकता है। सो, सिवाये उन अपोजीशन पार्टीज को छोड़कर जो अपना सपोर्ट प्राइम मिनिस्टर को दे चुकी हैं और जो उनकी माइनारिटी गवर्नमेंट को मैजोरिटी में कन्वर्ट करने की जिम्मेदार हैं, उनको छोड़कर जितनी अपोजीशन पार्टियां हैं वे सब इस प्वाइंट के ऊपर एक हैं।

श्री नेकी राम (हरियाणा) : क्यों इस तरह से डोलक पीटते हैं।

(Interruption.)

श्री नवल किशोर : मान्यवर, एक बात यह कही गई, चन्द्रशेखर जी ने कहा कि यह लोक सभा दूसरी चीज है, राज्य सभा दूसरी चीज है। मान्यवर, इतनी बात हम भी जानते हैं। आपके सामने जो आस्ट्रेलिया, कॅनेडा, अमरीका के उदाहरण दिये गये, उनसे भी यह साबित होता है कि लोक सभा का स्थान लोअर और राज्य सभा का स्थान अपर होता है। लोअर और अपर हाउसेज का स्थान अपनी अपनी जगह है। यहां पर इस बात का दावा नहीं किया गया कि जो लोक सभा में लीडर आफ अपोजीशन है, जो उसका स्थान है, वह यहां दिया जाये। एक बहुत छोटा प्रश्न था। जो नेता विरोधी दल है, उसका जो इन्टरेण्ट अधिकार है वह उसको मिलना चाहिये। मान्यवर, यहां तक कहा गया कि यह बेगरी की बात है। (Interruption.) श्रीमन्, नेकी राम जी यह जो बारबार इन्ट्रप्शन कर रहे हैं उनके लिय मुझे एक शेर याद आता है :

“इकलाबात ने वह रंगे गलिस्ता बदला
फूल मुरझाए हैं, काटों पे बहार आई है।”

एक माननीय सदस्य : यह उत्तर प्रदेश श्री नवल किशोर : ठहरिये।

श्री नवल किशोर : जी नहीं, हिन्दुस्तान के लिये है। तो मान्यवर मैं यह कह रहा था कि चन्द्रशेखर जी ने यह जो कहा कि इस तरह से यहां भीख मांगी जा रही है, विशेष सुविधाओं के लिये, तनख्वाह के लिये, तो मैं समझता हूं इससे ज्यादा शर्मनाक बात इस [उस] में कही नहीं जा सकती थी। कोई सवाल बैगिंग का नहीं है। अगर मान्यवर, बैगिंग का सवाल है, तो कैबिनेट के जो मिनिस्टर्स हैं, उनको जो तनख्वाहें मिलती हैं, उनके जो प्रिविलेजेज हैं उनको भी खत्म करना चाहिए, नहीं तो बैगिंग के अंदर आ जायेगा।

श्री अर्जुन अरोड़ा : यह बैगिंग नहीं, स्नैचिंग है।

श्री नवल किशोर : माननीय भूपेश गुप्त की आपत्ति थी कि . . .

श्री उपसभापति : आपका प्वाइंट आ आर्डर तो कोई नहीं है।

श्री नवल किशोर : मैंने, मान्यवर, बीस साल के संसदीय जीवन में पहली दफा प्वाइंट आफ आर्डर का मिसयूज किया है। उसकी वजह यह है कि यहां आकर पता चला कि प्वाइंट आफ आर्डर पर ही यहां कोई बात कर सकते हैं, वरना नहीं कर सकते हैं।

मान्यवर मेरी हमदर्दी भूपेश गुप्त के साथ है।

SHRI BHUPESH GUPTA : On a personal explanation.

Because Mr. Bhupesh Gupta may understand it, I am speaking in English. I have all sympathies for Mr. Bhupesh Gupta, because he has been the Leader of the Opposition for fourteen years without being recognised and having any emoluments, and any privileges. So, naturally his complaint is quite genuine and understandable.

No. a, Mr. Bhupesh Gupta by courtesy is sitting in the Opposition. He belongs to the CPI. There are two CPIs. One is the Congress Party of Indira and the other is the (Communist Party of India. Both these CMs are almost the same. Then Mr. Gupta also has no faith in Parliamentary democracy.

I would never make one request to Mr. K. S. J. also. As Mr. Shah was good enough to say that he has taken only six months; so far let him say sportingly that he will take only three months more and the total will not be more than nine months for the final decision. I think that assurance would and should satisfy the House.

SHRI BHUPESH GUPTA : We have conceived the idea. Delivery will take its own time.

SHRI SRIMAN PRAFULLA GOSWAMI : Sir, I have been trying my best to express my views but I could not. Now you have very kindly allowed me and I will express my views. I hope everybody will listen and they will not interrupt. If they interrupt, I can interrupt double that. They should remember

SHRI S. D. MISRA : Let us try that also one day.

SHRI SRIMAN PRAFULLA GOSWAMI : Not here.

SHRI S. D. MISRA : He is throwing a challenge.

MR DEPUTY CHAIRMAN : He is only speaking.

SHRI S. D. MISRA : Do not throw challenges.

SHRI SRIMAN PRAFULLA GOSWAMI : I am not giving a challenge. I am giving a challenge in the 1972 general election. Not here. In the House I never challenge. I regret if I have given that impression. I have given a challenge in the 1972 general election. Then you will see who will be winning.

Now, Sir, in this House most of the Members have expressed that the valuable time of the House of about five hours has been taken over this. I have great respect for every Member, and particularly I have some personal affection and also respect for Mr. S. N. Mishra who is

the Leader of the Opposition. But it is a different question here where that personal respect does not come in. We recognise him and Chairman has recognised him as the Leader of the Opposition. In addition to Chairman recognising him as the Leader of the Opposition, we from the Treasury Benches, most of us, have recognised him as the Leader of the Opposition. That question is not disputed. The question is, as Congressmen till the other day they were working in the name of the Prime Minister. Today they are in opposition. They belong to the Nijalingappa group or Organisation Congress, whatever they like to call it. I do not mind what it is, whether it is the Organisation Congress or the Nijalingappa Group. They are saying that the Government should give an assurance today about amenities to the Leader of the Opposition regarding bungalow, motor car, salary, and other things. They have cited the examples of other democratic countries. For the first time the Congress is split, and some of the Members who were returned in the elections—except Shri Manubhai Shah and some others—were returned to the Rajya Sabha by the blessings of Shrimati Indira Gandhi, not Shri Manubhai Shah, you are with Shri Morarji Desai, I know.

SHRI S. D. MISRA : What are you talking ? We were returned by the blessings of the Congress.

SHRI SRIMAN PRAFULLA GOSWAMI : Till the other day you were with us here.

(*Interruption.*)

SHRI S. D. MISHRA : Sir, you restrain him.

SHRI SRIMAN PRAFULLA GOSWAMI : Do not be agitated, please. When Shri Bhupesh Gupta was accusing the Congress, you were the first to shout him down from these benches. Today you are sitting there, I do not mind. The question is, the whole country is today in a crisis. Communal riots are taking place which we want to stop. The international situation is there which we want to discuss. You are only concerned with your conveyance, motor car, bungalow and other things, because in the 1972 elections you will not be able to come. You are not pondering over the country's crisis. You do not like to discuss the communal riots, which is the burning prob-

[Shri Sriman Prafulla G >swami]

lem of the day. Before 1972 you want your amenities. My opinion is it should wait. After 1972 elections you should consider it, not now. Here is my challenge. In 1972 let the Nijalingappa group contest and see what happens. With Shri Dahya-bhai Patel I have always quarrelled—he is not here. I have never liked him, although I have liked his great father, Sardar Patel. I disliked everything spoken by Shri Dahyabhai Patel.

SHRI LOKANATH MISRA : You liked his father, you respected his father, because you had no choice...

MR. DEPUTY CHAIRMAN : Let him finish.

SHRI SRIMAN PRAFULLA GO-SWAMI : They have threatened that they will not allow the House to discuss the international situation and the communal riots until they are assured of the motor car, salary, and other things. This is the only pattern that we can expect from them. At least I can ask Mr. Mishra, who is the Leader of the Opposition, he should say let us drop this question of amenities. When Mr. G. B. Gupta can forego salary and all that, why do you want motor car and salary ? The public will judge. In 1972 election they will never be returned. They wanted to dethrone the Prime Minister by joining the Swatantra Party and Jan Sangh. They failed hopelessly. They want motor car and bungalow. I hope Mr. Mishra will come forward and voluntarily forego such things.

SHRI K. P. SUBRAMANIA MENON (Kerala) : Some of us here have been hearing and suffering the debate going on in this House with a lot of satisfaction and also with profound dismay, satisfaction because as you know, Sir, our party has always held that it is ultimately the bourgeoisie who will destroy parliamentary democracy in this country, and we are getting satisfied that here we are provided with a virtual, direct and immediate proof of our theoretical proposition. What more proof do you want than this going on in this House to show that this bourgeoisie in this country the landlords and their spokesmen in this House are not at all worried about the problems of our people about the sufferings of our people but only worried about some silly amenities for themselves or somebody else ? Therefore, we are satisfied

that one of our theoretical propositions has come to be true too soon but at the same time we are also dismayed that it is so soon. Secondly, we are also dismayed because we are wasting the time of this House, wasting the money of the nation, on a matter of absolute, utter irrelevance to the life of our people, to the sufferings of our people, to the problems which they face in this country, and when we have got many issues to be discussed and decided. I do not know how long we are going to discuss this. Therefore, while I rejoice at the quarrellings that are going on here, because this proves our theoretical proposition, at the same time I am very sorry that this thing should go on like this unmindful of the suffering of our people unmindful of the problems which they face. I would therefore request that you in your wisdom be good enough to adjourn the House now, and let us meet tomorrow morning.

SHRI BHUPESH GUPTA : Have you decided today only to continue this subject ? It seems to me that you have taken that decision. If that is so, let us go and we can start tomorrow, because Foreign Affairs should have started today.

MR. DEPUTY CHAIRMAN : I would call the Foreign Minister. You can discuss it again tomorrow in the House. Would it be all right if I call upon the Foreign Minister to initiate the discussion on foreign affairs and we can carry on this debate tomorrow ?

SHRI S. D. MISRA : Let Mr. Dinesh Singh go and have some rest.

SHRI A. G. KULKARNI : I want to appeal to the colleagues here. We have wasted five hours on this discussion. The whole discussion has taken place and the Leader of the House has said that he will convey the feelings. You have also said that all the views taken together will be considered. Sir, I do not want to join some of my friends. They said that they are defectors. I do not say that they are defectors. Somebody said they are defectors or Gayarams.

SHRI BHUPESH GUPTA : They say you are a defector.

SHRI A. G. KULKARNI : I really want to support the views put forward by Mr. Menon. It is a laughable stock that we are fighting for something which

may have been an achievement for the Leader of the Opposition. But, Sir, the difficulty seems to me to be about the amenities or privileges. It is the only ordinary matter to be settled. Whether that Bill has to be introduced or not is the problem? Let us approach through the Parliamentary democracy ways, otherwise we will fall prey to what Mr. Menon said and that we shall kill this democracy. People are. . .

(interruption)

Mr. Sham Ni th do not be impatient. I know what - ou are after.

SHRI BHUPESH GUPTA : On a point of order. Kindly define 'what is he after? You know what he is after. Please tell us.

SHRI A. G. KULKARNI : This is a political game. He cannot be after anything else but a political game.

What I am suggesting is, that if anybody wants to give the views, let him give. Discussion on the foreign affairs should take place tomorrow or on any other suitable date. If we want to indulge into this type of discussion, let us indulge upto 6 o'clock. Discussion on international affairs is a very important discussion.

SHRI OM MEHTA (Jammu and Kashmir) : It was decided in the Business Advisory Committee that this discussion will take place on the 14th. I do not think it will be possible now for the Government to fix any other date if it is not taken up 1 day.

SHRI SUNIL R SINGH BHANDARI: No date was allotted.

SHRI R. S. : JOOGAR (West Bengal) : I was also present. No date was allotted.

SHRI DAH ABHAI V. PATEL : One day for Haryana and one day for Telengana and. . . (Interruption)

“टके सेर माजी, टके सेर खाजा।”

SHRI MULCA GOVINDA REDDY : Mr. Deputy chairman, we want to discuss foreign affairs. If it is not possible today, it should be discussed on Monday. That is a matter of priority.

SHRI AKBAR ALI KHAN : That should be given priority. That discussion should be today.

SHRI BHUPESH GUPTA : I think Mr. Dinesh Singh is the happiest man because everybody is forgetting him and he is escaping. He must be the happiest because of this controversy. I do not think we should give him comfort. Therefore, whatever may be our differences, let Mr. Dinesh Singh. . . (Interruption)

HON. MEMBERS : No.

SHRI BHUPESH GUPTA : My friend has started misunderstanding me. The debate is scheduled for 14th. That is on paper. They may escape now and they may say, since you did not utilise that day. I do not want them to escape. I would suggest, let us sit late. Let the speech be made and once the speech is made and the motion is moved, there is no escape; otherwise Mr. Dinesh Singh and others may slip out.

No new point can be made. Mr. K. K. Shah, the Leader of the House, is not speaking. I do not know why? The Leader of the House should speak in such a situation. Mr. Mishra may speak but he is the victim of the situation now. But let the leader of the House say something. Many Members have expressed their opinion. He is not going to give the decision. He should give the point. We know there is a very serious controversy over this matter and after Mr. Krishan Kant has read out, I am shocked. My friend has said that a Cabinet Minister costs Rs. 45,000. I understand my friend wants Rs. 45,000 or Rs. 90,000. It is a very serious matter. I say, Sir, you better close this. You are not exercising your authority. You have the authority to ask all of us to sit-down and if we do not sit, you get up and we will have to sit. . .

(Interruption)

SHRI A. G. KULKARNI : My submission is that the discussion on privilege etc. should be stopped and we should go to the serious business.

SHRI M. M. DHARIA (Maharashtra): Mr. Deputy Chairman, for the last five hours I was keeping quiet and I was trying to listen to the feelings of the various members. Will you please allow me to say that this is, perhaps, the blackest day in the life of the Rajya Sabha today? Sir, to-morrow when this news goes all over the country, our countrymen will realise that hours and hours were

[Shri M. M. Dharia] wasted in this way. They shall certainly lose their faith in Parliamentary democracy. Sir, if this parliamentary democracy is to be properly protected, we shall have to take care that we are cautious in the business of this House.

Sir, I have no doubt in my mind that so far as the Rajya Sabha is concerned, it is again a matter before this country, having regard to the political situation that is in the country today, whether there is any purposeful utility of this House or not. My personal view is that there is no need for the Council of States. Of Course, we shall have to go in for a constitutional amendment. I do feel that this is not the way to function as has happened during the whole of the day.

SHRI SUNDAR SINGH BHANDARI: Of the Government also.

SHRI M. M. DHARIA : Coming to the point, what are the issues? One thing is very clear that Mr. S. N. Mishra has been recognised by the Chairman and by my party as the Leader of the Opposition. So there is no point of dispute except from Mr. Bhupesh Gupta who said that Mr. S. N. Mishra is not his leader. But even then as was stated by the hon. Chairman the party in power has certainly an honest desire. But the issue is according to the Members of the Opposition that the same amenities as are available to the Cabinet Ministers should be made available to the Leader of the Opposition. Now that is the demand. But there also, if I am right, they do not want to beg. They only feel that the Government should take a decision this way or that way. That is correct?

SOME HON. MEMBERS : Yes.

SHRI M. M. DHARIA : If a decision is to be taken by the Government and if the hon. Members are agreeable to it then I fail to understand why the Government should not say in this House very boldly, yes, the feeling of the Members of the House have been taken into consideration. However, whatever the reasons may be, we have taken this decision or that decision may be favourable or unfavourable. The only point is that the issue should not be kept pending for long. The Government should come forward and say, yes, we shall all decide this matter soon. What harm is there? The Govern-

ment shall have to take into consideration various conventions, various norms, what happens here and there; it will have to consult the various Members. There are so many feelings, this way and that way. The Government is not taking a decision promptly—that should not be the feeling created. The Government should consult the Cabinet and very boldly take a decision—If the Government feels that these amenities are not required having regard to the job of the Opposition Leader, that he is not supposed to go round the whole country like a Minister, that he is not in that way in need of so many amenities, that these are the only amenities that are required by him, that the Government is prepared to give only them and go no further, it should take a bold decision. Ultimately, even if any decision is taken by the Government, it is not the verdict of the Government, it will be again a decision of this House, it will be the decision of the other House also. Let us not forget it. Only this House cannot take a decision about these amenities to the hon. Leader of the Opposition—It is the other House as well, and so in this background . . .

SHRI BHUPESH GUPTA : If it is a Money Bill, it will originate there.

SHRI M. M. DHARIA : It will be a Money Bill if Government takes a favourable decision and it will originate from the other House. May I appeal to all the Members that we have wasted enough time? To be frank, we should not have wasted time. At least, it hurts and pains me.

SHRI AKBAR ALI KHAN : It has hurt everybody.

SHRI M. M. DHARIA : Therefore, I would like to appeal to the Members of the Opposition, to all the Members. Again there is a difference of opinion to be frank. I am not here to mention names. But one Member from the Congress Opposition, a very respected Member, he was so much pained that he said that he would not remain in the House for the discussion and he has left. I will not name him. But he expressed these views here in the Lobby to me and left the House. May be, other Members got the impression that whatever has happened is being appreciated by their own party. It is not so. So, in this background, my appeal to the hon. Members would be: let us now stop this discussion here even though the

Chairman was very clear in the morning that what he had allowed was mentioning of the issue and not raising of the discussion. He was very clear about it. It may be in the letter written by Mr. S. D. Misra. I do not want to discuss it. He may have written that he would like to raise that matter. But the Chair has allowed only the mentioning of it and not raising of the issue. Whether it was allowed or not there was a discussion in the House for four or five hours. May I appeal that let us not go ahead with the discussion and allow the Minister of Foreign Affairs to at least start the discussion on the international situation as was fixed for today. At the same time, before that happens, may I request the hon'ble Leader of the House to assure this House that he will convey the feelings expressed here to the Cabinet and he should speak on behalf of the Cabinet that the Government shall give its decision soon. He should give this assurance. This is my appeal to others also that they should also listen to him. Let us find out the solution.

SHRI M. S. GURUPADASWAMY : May I say a word Sir, I appreciate the feelings of my friend, Mr. Mohan Dharia. But our difficulty has always been, as you have noticed since morning, that the ball is in the court of the Government. We refer to this matter long back and there was an assurance on the part of the Government given by a representative of the Government, that a decision would be taken as early as possible. So, the ball is in their court, not in our court. So it should not be said of us that we have been very impatient and anxious to get facilities. And that we are creating a situation for that purpose. What is involved is—may I reiterate?—what kind of convention is going to be set up for the future because of the fact that a new political situation has been created in this country and in this House? For the first time, in history of Parliament an Official Opposition has been recognised. This is an institution which was never there before and this institution has got to be nurtured. From that point of view, what we said was that for building up this institution in our parliamentary system, it is very necessary to create a certain favourable atmosphere for its growth and development. As we very much wish that a democratic Government should be in the saddle, in the same manner, we want a democratic Opposition also to be there in a healthy atmosphere. From this point of view we said that the Government should take a

decision; the decision may be negative or positive.

SHRI AKBAR ALI KHAN : Decision about what?

SHRI M. S. GURUPADASWAMY : About facilities. And this decision has got to be supported by sound reasons.

If you want to end this debate, this dialogue which could have been ended earlier. (Interruptions) call it non-debatable or non-controversial, whatever you like, I say that the Government should be very sincere about it. I really appreciate the feeling of Mr. Dharia. He has been very sincere in his expression of opinion about this matter. I say that the Government should not have any *alibi* to justify its policy of procrastination. It is a very simple matter. Does it require six months?

SHRI MANUBHAI SHAH : Not at all.

SHRI M. S. GURUPADASWAMY : Can this be called a Government? Let them say, no, to this. I have no objection—Can we call this a Government if they cannot do it? Today I was ashamed to hear the speech of Mr. K. K. Shah. He is a good friend. What did he say today? He said over a period of years, British Parliament has evolved this procedure. Does he realise that the British Parliament is the result of historical evolution over a long period? Are we to wait? We created a parliamentary system. We created all this. Should it not be our duty to have a package of good conventions? I wish he had not said all these things. He has denigrated the values of Parliament.

SHRI K. K. SHAH : You are a giant, I am not a giant. It is all right if it can help you.

SHRI M. S. GURUPADASWAMY : We should respect democratic values. And to say that we are interested in rupees, annas and pies, to say the least, it is vulgar, it is absurd and it is not giving any good name for us for functioning in this House. May I request in the end to end the whole thing? I would like my hon'ble friend, the Minister, to assure us that they will take a decision quickly either this way or that way.

SHRI S. D. MISRA : Sir, only one point. I am not criticising Mr. Shah. Only one point for the benefit of the hon'ble Members of the House. I would like to

[Shri S. D. Misra] bring to the notice of the House, through you, Sir, that not only today, this Government assured us six months back. It is also a fact that three months ago when no decision was coming, the Chairman of our party wrote to the Prime Minister about it that for God's sake they should take a decision and let us know. Sir, you and the House will be sad to know that that letter was not replied for months, not even acknowledged, and then he had to send a reminder. Then came a simple one-line reply, an acknowledgement. Later on, Mr. Raghuramaiah, the Minister of Parliamentary Affairs, met him in the Lobbies or somewhere. He said that they are talking to the Prime Minister and it would be done soon—What is this "Will be done", "is being done" and "will be done soon".

We share the feeling of Mr. Dharia. We do not consider it good to argue like this. But I completely share his feeling when he says, let the Government say "No" to this and let them come out with a statement. We do not mind that. But to attribute motives of beggary, this and that when Ministers are enjoying all facilities is not good either for the Government or to Parliamentary democracy. In parliamentary democracy, the Government and the Opposition, both have to function. If the Government wants all the facilities to work, the Opposition has also to work in the interest of democracy and in the interest of parliamentary democracy. Therefore, Sir, to say that somebody is begging is not in good taste.

I have already offered, without consulting my colleagues on the Congress Benches here, let the Prime Minister and every other Cabinet Minister surrender all the facilities, and we will immediately request our leaders not even to talk of these facilities. Let them come out with that statement. Then it would not be beggary. Now they attribute the motive of beggary. Let the Leader of the House come out with that statement. I endorse the remarks of Mr. Dharia. Let the Leader of the House, whom we recognise as the Leader of the House though he has tried somehow to derecognise the other leaders here, say that he will decide it and will come out with his statement within this session. Let him set a time-limit. Let him interpret what is "soon". Is it six months?

SHRI M. S. GURUPADASWAMY :
Hundred Years.

SHRI S. D. MISRA : What does that "soon" mean? Let Mr. Dharia get an explanation from him as to what this "soon" means. What is this "soon"? Is it three years, four years or five years? "Soon" may never come about.

SHRI K. K. SHAH : Usually I do not like to enter into a controversy when such an important issue is being discussed. When I spoke I summed up what the other side of the argument was. I did not express any opinion, and I did say that the views mentioned on the floor of the House will be conveyed and a decision will be taken.

Maybe, my friend is a man who is able to take quick decisions and then repent later on. He may belong to that category. At least I do not want to belong to that category where we take a quick decision and repent later on. We want to take a decision which will be appreciated and which will be right under the circumstances. Therefore, time has been taken, no doubt. But I am hundred per cent, sure that this time has not been wasted. This is a complex situation in which a decision has to be taken. Even on this, I said, I will convey the views. The only thing is when. They want a decision to be taken before the session ends. To this I could not commit. When I say that your views will be conveyed, naturally, it means that we will see to it that we will not unnecessarily take any time, that we will do our best to expedite the decision.

SHRI S. D. MISRA : One word.

MR. DEPUTY CHAIRMAN : No please. Please sit down now.

SHRI M. M. DHARIA : Just a minute with your permission.

MR. DEPUTY CHAIRMAN : No, please. We have had enough discussion. The Leader of the House has agreed that a decision will be taken. The only question is when it will be taken. I hope that the decision will be taken by the Government as expeditiously as possible. Let not the Opposition Benches insist that the decision should be taken before the end of the Session. Therefore, now there should be no controversy, as pointed out by Mr. Dharia. Let us proceed with the next item. I call upon Mr. Dinesh Singh to move the Motion.

SOME HON'BLE MEMBERS :
No, no.

SHRI BHUIESH GUPTA : This is all right. Sir, I thought that what you have said is quite all right. The sense of the House is that the decision should be taken expeditiously. It is better if it is taken before the Session ends. It is a very reasonable demand. I am not asking for any date. Sir, never before we have clinched the issue so nicely. After a mountain of labour we have shot the mouse of expeditiousness. Now let Mr. Dinesh Singh start.

SHRI S. D. MISRA : There is no question of Mr. Dinesh Singh starting.

MR. DEPUTY CHAIRMAN : I have already called Mr. Dinesh Singh.

डा० भाई महावीर (दिल्ली) : आपके बोलने के बाद वे खड़े हो सकते हैं और जब मैं खड़ा हुआ, तो आप ने रोक दिया। यह तो अलग अलग नियम हो गये।

श्री उपसभापति : आप भी तो खड़े हो गये हैं ?

डा० भाई महावीर : मैं खड़ा हूँ लेकिन मुझे बोलने नहीं दे रहे हैं।

श्री उपसभापति : जैसे और बोल रहे हैं, वैसे ही आप भी बोल रहे हैं।

डा० भाई महावीर : जो कहने के लिए मैं बार-बार इजाजत मांग रहा हूँ... वह यह है...

SHRI AKBHAI ALI KHAN : He has called the Minister of External Affairs. Let us start the debate on the International Situation. It is very important.

श्री डाहाभाई व० पटेल : नवाब साहब, आज नहीं हो सकता।

SHRI A. P. CHATTERJEE : Sir, on a point of order. Of course, Mr. K. K. Shah, the Leader of the House, has said that the time which we have spent on this has not been wasted. It is the duty of the Government to see whether its business is completed or not. As a member of the Opposition I am not concerned with it. The point is this. (Interruption) Let me fix my point. The point is this. Kumari Shanti Vasisht said that they are the left arm and those on the other side are the right arm of the Government.

SHRI S. D. MISRA : Who said that?

SHRI A. P. CHATTERJEE : Kumari Shanti Vasisht. It is on record. We want to know how long will this right arm fight the left arm.

The second thing is this. You have already called Mr. Dinesh Singh to open his speech. After that, will this left arm again begin to fight with the right arm, we want to know, because we want to adjust our business accordingly. We do not want to waste our time upon this funny show which is going on in this House, two factions fighting for loaves and fishes. We do not want to see this buffoonery to go on in this House. We do not want to be a party to this buffoonery. How long will this buffoonery go on between this side of the House and that side of the House? We want to adjust our business. We do not want to be a party to this. This is the point of order that I raise.

DR. BHAI MAHAVIR : I want to know from Mr. Chatterjee what he means by buffoonery.

SHRI A. P. CHATTERJEE : Two factions fighting for small loaves and fishes.

DR. BHAI MAHAVIR : After the Chair had called Mr. Dinesh Singh, he said he is not going to allow this buffoonery to go on. You permitted Mr. Bhupesh Gupta to stand up after you had called Mr. Dinesh Singh. If the attempt of Mr. Gupta is also a part of the buffoonery which Mr. Chatterjee does not want to allow I do not grudge him this privilege.

SHRI A. P. CHATTERJEE : How long? That is what we want to know.

(Interruptions) 5

p. 11.

MR. DEPUTY CHAIRMAN : Order please.

DR. BHAI MAHAVIR : They have become such saviours of the time of the House suddenly. They wasted hour* deliberately, intentionally...

(Interruptions)

SHRI A. P. CHATTERJEE : We know what your "seriousness" is; it is killing the minority. We are not so "serious" as that. (Interruptions) We want to know whether the next item of business will begin or not, because we have also other business, other programmes, and we want to adjust our programme accordingly. We want to have your ruling. We do not bother whether this question is settled or not. We are not concerned with that.

[Shri A. P. Chatterjee] It is the business of the two bourgeois factions. We want to know whether this business will begin or not. That is the whole thing. *(Interruptions)*

DR. BHAI MAHAVIR : Sir, Mr. Chatterjee has been unnecessarily dilating upon his view of Parliament. We know the respect in which he and his party hold Parliament and parliamentary procedure. That is not my point. It is for you to decide the point of order which he has raised. My submission is, no one on this side relishes all this waste of time. We deplore it, and I am not going to waste a minute more. I think it is essential merely to sum up. My submission is, here are friends..

(Interruptions)

SHRI K. P. SUBRAMANIA MENON : The American lobby in this House has brought these things to scuttle the foreign affairs debate.

(Interruptions)

SHRI A. P. CHATTERJEE : What we see is not democracy. It is charlatanism in the name of parliamentary democracy. There is no parliamentary democracy here. We have no faith in this kind of parliamentary democracy. We see that charlatanism is being carried on. *(Interruptions)* And Mr. Shah says that the time of the House is not being wasted.

SHRI K. K. SHAH: You are wrong. I referred to the time taken in taking a decision. I did not mean the time taken to-day in the House. What I said was about the time taken in taking a decision.

(Interruptions)

MR. DEPUTY CHAIRMAN : I find that the hon. Members are not anxious to take up other business. So there seems to be no point in continuing the House now. *(Interruptions)* If it is the desire of the House that we should continue to work, if the House wants that I should conduct the business in an orderly way, then I will try to do it. But if the hon. Members do not want it, we can adjourn and adjourn *sine die* also; I have no objection. I have not the slightest objection, to adjourning *sine die* if the hon. Members want that.

SHRI S. D. MISRA : But, Sir, that will not solve the problem.

MR. DEPUTY CHAIRMAN : I have already called Mr. Dinesh Singh to begin...

SHRI S. D. MISRA : No, no.

MR. DEPUTY CHAIRMAN : Then I have no other alternative but to adjourn the House now. I wanted to allow Dr. Bhai Mahavir to speak. He has spoken. Now, Mr. Dinesh Singh should be allowed to speak, or I adjourn the House.

SHRI BHUPESH GUPTA : Mr-Dinesh Singh should speak.

MR. DEPUTY CHAIRMAN : Let me know the desire of the House. Is it the desire of the House to hear Mr. Dinesh Singh ?

SOME HON. MEMBERS : Yes.

MR. DEPUTY CHAIRMAN : Then I will call him to speak.

DR. BHAI MAHAVIR : Sir, I protest against this. *(Interruptions)* You permitted me to speak.

MR. DEPUTY CHAIRMAN : I have allowed you and you have taken five minutes

DR. BHAI MAHAVIR : These friends like Mr. Chatterjee have not allowed me to say a word.

MR. DEPUTY CHAIRMAN : You have taken five minutes.

SHRI BHUPESH GUPTA : Either you give your ruling, or alternatively we will take the opinion of the House.

DR. BHAI MAHAVIR : Sir, it seems there are some favoured Members who can stand up at any time...

MR. DEPUTY CHAIRMAN : Now you can take one minute. You have already taken five minutes.

DR. BHAI MAHAVIR : But, Sir, Mr. Chatterjee raised a point of order which was only a point of disorder..

(Interruptions)

SHRI RAJNARAIN : Now, I will have to speak.

MR. DEPUTY CHAIRMAN : I have called Dr. Mahavir.

डा० भाई महावीर : उपसभापति महोदय, मैं इस बात के लिये आपसे अपना खेद प्रकट करना अपना कर्तव्य समझता हूँ कि आज सदन का इतना समय एक ऐसे विषय पर खर्च हुआ जिसको कि दो मिनट के अन्दर हल कर लिया जाना चाहिये था। लेकिन यह क्यों हुआ ? इसलिये हुआ कि सरकार ने छः महीने पहले जो एक वायदा किया था, जो उसने एक वचन

दिया था, उस वचन को निभाने की चिन्ता सरकार ने नहीं की। मैं श्री शाह के इस कथन से सहमत नहीं हूँ कि छः महीने इस बात का फैसला करने में लगता है। जब सरकार ने किसी बात का फैसला करने का इरादा किया तो उन्होंने एक दिन भी इंतजार नहीं किया। ऐसे फैसले हमारे सामने हैं जिन फैसलों को करने के बाद सरकार को रिपोर्ट भी करना पड़ा।

महोदय, देखना यह है कि जब सरकार यह कहती है कि लीडर आफ दी अपोजीशन बनाने के कई इम्प्लीकेशन्स हैं तो जब लीडर आफ दी अपोजीशन को रिकग्नाइज किया जाता है, तभी वे इम्प्लीकेशन्स पैदा हो जाते हैं। लीडर आफ दी अपोजीशन को रिकग्नाइज करने के बाद यह विवाद उठाना ठीक नहीं है कि फैसलिटि भी देना है, या नहीं मूल फैसला करने के बाद इम्प्लीकेशन्स पर-फैसलिटि देना है या नहीं—इस पर झगड़ा करना क्या ठीक है? जब हमारे श्री भूपेश गुप्ता खड़े होते हैं और हमारे मस्टर चटर्जी खड़े होते हैं तो इनकी बात मैं समझ सकता हूँ क्योंकि ये जहाँ से प्रेरणा लेते हैं या जिस पद्धति या जिस आदर्श को सामने रखते हैं वहाँ कोई अपोजीशन लीडर होता नहीं और इसलिये वह सरकार ऐसे बदलती नहीं, अगर बदलती है तो बलेट से और नेताओं के लिक्वीडेशन के द्वारा ही बदलती हैं अगर एक सरकार नई आती है, तो पिछले प्रधान मंत्री का हटाना चाहते हैं तो स्टालिन की कब्र को खुदवाया करते हैं, उनकी कब्र को खुदवा कर उन्हें दण्ड दिया जाता है तो इस तरह की पार्टियों को तो हम समझ सकते हैं।

SHRI A. P. CHATTERJEE : Your hands are dyed with the blood of the citizens. You have started communal riots.

(Ink ructions)

DR. K. MATI IEW KLRIAN (Kerala): On a point of order.

MR. DEPUTY CHAIRMAN Please sit down.

GIPN—S3—34 R.S./70—26-12-70—570

डा० भाई महावीर : महोदय, इस सब को छोड़ कर मेरा निवेदन यह है कि शाह साहब यहाँ एक पार्टी के नेता हैं लेकिन यह सारा सदन शाह साहब को नेता सदन के रूप में स्वीकार करता है लेकिन अगर एक दूसरे विरोधी दल के नेता विरोधी नेता बनते हैं तो श्री भूपेश गुप्त और श्री चटर्जी के पेट में क्यों तकलीफ होती है, यह मैं समझ नहीं सकता। मैं यह मानता हूँ कि हमारे मतभेद आपस में होंगे लेकिन एक जो विरोधी दल है जो कि मिनिमम स्टैंडरड के आधार पर, जो न्यूनतम आवश्यक संख्या पूरी करता है और उस आधार पर, एक विरोधी दल है तो फिर उसको वह सब सुविधा मिलने में आपत्ति क्यों? अब अगर यह सारी बातें शुरू में ही कह देते कि इसका फैसला करने वाले हैं तो फिर इतना झगड़ा होने का कारण नहीं होता।

खैर, मुझे आखीर में यही कहना है कि शाह साहब ने जो यह कहा है कि इसको देखेंगे तो इतना सब होने के बाद यह नतीजा इसमें से जरूर निकलेगा कि वे इस मामले को जरूर ही शीघ्रता से तय कर देंगे।

श्री राजनारायण : श्रीमन् . . .

श्री उपसभापति : जरा आप बैठिये।

श्री राजनारायण : नहीं। आप कृपा कर के हमारी सुनिये।

श्री उपसभापति : आप बैठ जाइये।

श्री राजनारायण : नहीं।

श्री उपसभापति : नहीं तो मैं हाउस एडजर्न कर दूंगा।

श्री राजनारायण : आप कर दीजिये।

MR. DEPUTY CHAIRMAN : The House stands adjourned till 11 a. m tomorrow.

The House then adjourned at eight minutes past five of the clock till eleven of the clock on Friday, the 15th May, 1970.