

(b) the number of workmen discharged during the same years; and

(c) the number of these discharged workmen who are likely to be reabsorbed in the year 1953?

THE DEPUTY MINISTER FOR RAILWAYS AND TRANSPORT (SHRI O. V. ALAGESAN): A statement giving the information is laid on the Table of the Council. [See Appendix IV, Annexure No. 185.]

#### LEAVE OF ABSENCE TO MEMBERS

- (1) SHRI G. S. DHILLON
- (2) SHRI LAKSHMAN SINGHJI

MR. CHAIRMAN: There is a letter from Shri Guraj Singh Dhillon which reads:

"I am sick and therefore cannot attend the present session of the Council of States. I request you to kindly grant me leave of absence and oblige."

Is it the pleasure of the Council that permission be granted to Shri G. S. Dhillon for remaining absent from all meetings of the present session of the Council?

*(No hon. Member dissented.)*

MR. CHAIRMAN: Permission to remain absent is granted.

There is another letter from Shri Lakshman Singhji Bahadur which reads:

"I request for leave from this session of the Council due to the demise of my uncle and preoccupations connected therewith, necessitating my presence at home."

Is it the pleasure of the Council that permission be granted to Shri Lakshman Singhji for remaining absent from all meetings of the present session of the Council?

*(No hon. Member dissented.)*

MR. CHAIRMAN: Permission to remain absent is granted.

#### PAPER LAID ON THE TABLE

##### MINISTRY OF LABOUR NOTIFICATION

THE DEPUTY MINISTER FOR LABOUR (SHRI ABID ALI): I lay on the Table a copy of the Ministry of Labour Notification No. M-1 (17)51, dated the 31st December 1952, as required by sub-section (7) of Section 59 of the Mines Act, 1952. [Placed in Library, See No. S. 40/53.]

#### THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT BILL, 1953—*continued*

MR. CHAIRMAN: We proceed to the discussion of the Legislative Business— *i* the Salaries and Allowances of Officers of Parliament Bill, 1953.

*(The Vice -Chairman, Shri B. C. Ghose, in the Chair.)*

THE VICE-CHAIRMAN: Yes, Mr. Kishen Chand.

SHRI KISHEN CHAND (Hyderabad): Mr. Vice-Chairman, on the last day, i.e. on Friday I said that we want the Deputy Chairman and the Deputy Speaker to be non-party-men and therefore I would submit, Sir, that this question be looked at from a non-party point of view. In former years an Executive Councillor was paid Rs. 80,000 a year whereas an hon. Minister now gets a salary of Rs. 27,000 a year, and that is very nearly 1/3rd of what was paid to the Executive Councillor. When they have sacrificed so much, any question of further reduction will not look nice and, in particular, when we are considering the emoluments of an hon. Member of this House in his capacity as Deputy Chairman it becomes very delicate and so in discussing the matter we should be very careful that unnecessary questions are not brought in. With these words, Sir, I wholeheartedly support this motion.

SHRI K. S. HEGDE (Madras): I have very great pleasure in extending my heartiest support to the Bill in question. I am entirely in agreement with the observations made by the hon. Mr. Kishen Chand in so far as the quantum of the remuneration is concerned. I am afraid we are beginning to effect economy at the wrong end. Taking the position of the Speaker, the Deputy Speaker, the Chairman and the Deputy Chairman—and in this connection I may also say, taking the portion of the Ministers also—into consideration, the salaries that have been proposed for them are such that I do not think that the best in the country would ever offer their services to the country at that remuneration. It might be that in a flush of enthusiasm many patriotic and self-sacrificing countrymen of ours might come forward to serve as Ministers and as Speakers and Deputy Speakers and as Chairmen and Deputy Chairmen. But a time will come when this provision as regards salaries will be a damper and it will fail to attract the best men for the job. I am sorry that the Government of the day has yielded to the repeated pressure from certain quarters to reduce the salaries of persons who are in charge of the Government and of persons who are in charge of key positions to such niggardly lengths that it is bound to react on the efficiency of the services that are expected from these people. I fervently hope that it shall not be long before reasonable and attractive salaries are fixed at least for persons occupying positions of responsibility, persons from whom we expect a lot of service to the country.

Now, turning to certain criticisms that have been levelled from the Opposition, especially from my hon. friend Mr. Kishen Chand, I am surprised he has been trying to put the cart before the horse. He has been trying to persuade the House that the Speaker, the Deputy Speaker, the Chairman and the Deputy Chairman should be persons who do not owe any allegiance to any political party. He has based his case on the ground that these men are called upon to perform jobs which are

essentially judicial in character. To maintain that impartiality which is expected of them, he wants them to entirely dissociate themselves from anyone of the political parties. To a certain extent it is an attractive proposition—theoretically speaking. But I might tell the House that nowhere in the world has this dogma been put into practice. In fact, I may tell the House that in America, the Speaker of the House of Representatives and the Chairman of the Senate are active politicians who take part in the day-to-day political activities of the Party.

SHRI RAJAGOPALNAIDU (Madras): But we follow the British precedent.

SHRI K. S. HEGDE: I will come to that, Sir. Don't be in haste. That is the practice in other European countries also. My hon. friend Mr. Raja-gopal Naidu and, to some extent, myself are great admirers of the British jurisprudence and the British parliamentary system, but I may tell him that even in Britain there is no law whatsoever at all requiring either the Speaker or the Deputy Speaker to be not a member of any political party.

SHRI RAJAGOPAL NAIDU: It is a convention.

SHRI K. S. HEGDE: Sir, my learned friend interjects me and says, it is a convention. I would agree with him that these things must be matters of law, because if you formulate it in the manner of rules and regulations, it is incapable of implementation. Even in England there is no rule or regulation which requires either the Speaker or the Deputy Speaker not to associate himself with anyone of the political parties. So far as the Deputy Speaker is concerned, there is not even convention. In fact, the convention there is that the Deputy Speaker's name is proposed by one of the Ministers, and he is always a party candidate. For very good reasons they found it impossible to apply that convention to the Deputy Speaker. Now, even as regards the Speaker the convention has not been very uniform. But we must appreciate that with this convention there are a

[Shri K. S. Hegde.]

number of other conventions in England which are again incapable of being formulated into propositions of law. In England the convention is that once a man is elected as Speaker, he is a Speaker for life. Nobody opposes him in the general elections. He is elected unopposed and he is again elected as Speaker and so the thing goes on until he retires when a place in the House of Lords is generally given to him. That seems to have been the convention for a time. Now, this can never be a question which you can put in any Bill, much less in a Salaries Bill. Even this convention has not been uniformly followed in England. If I remember correctly, it was, I think in 1935, that the Labour Party refused to accept this convention. They said it was merely a manoeuvre on the part of the Conservatives to retain the Speakership in their hands, and that is why they opposed the Speaker in the general elections. So even in England this practice or this convention has not been uniform.

Now, may I just place before the House the difficulty of having a convention embodied in anyone of the legislative enactments? Supposing we ask the Speaker not to be a member of any political party, what is to happen to him in the next general election? Are my friends of the other party going to give any undertaking to him, and even if they give any undertaking is it capable of being implemented—that he is not going to be opposed in the general election? And we know in future elections no one can succeed except when he is backed up by one or the other of the political parties. So you cannot ask him to commit political *harakiri*. It is entirely out of place.

The second aspect that I would like to place before the House is this. Supposing you make a provision in the Bill as recommended by certain Members in the amendments given notice of by them, how exactly are you going to enforce it? Are you going to enforce it through courts of law? Is it

justiceable? Or is it only political morality that you are placing on the Statute Book? This House cannot be called upon to decide whether a person has taken part in political activities or not. Then you must necessarily have to go to courts and you must have a penal provision in it. We will be stultifying the House if we were to make a penal provision and ask the courts of law to adjudicate on the question whether the Speaker or the Chairman has taken part in political activity or not. Again, Sir, what is the meaning or connotation of the words 'political activity'? It is a word of very large import; it is capable of any and every meaning. Political activity may mean anything from our birth to death. Aristotle is once reported to have said that man is essentially a political being.

PROF. G. RANGA (Madras): Animal

SHRI K. S. HEGDE: Yes, Sir, political animal. So, Sir, is there any appropriate definition of political activities? So we are trying to put legal limitations on certain activities which are essentially incapable of being limited by legislative measures. There are many things in life which are not good and we must eschew them only by creating a moral atmosphere or by conventions that we set up and not by legal enactments.

I am also afraid, Sir, whether in a Bill of this nature where we are merely fixing the remuneration of these officials, it would be good, through the backdoor as it were, to put in measures regulating the duties and responsibilities of the officials of Parliament. Unfortunately, Sir, some of the Members who are dissatisfied for one reason or another have availed themselves of this occasion to cast a slur on the persons occupying these responsible positions. We must realise an\* we must increasingly realise that the respect we give to the Chair is the respect that we give to the House and that if you go on damaging the reputation of the Chair, we increasingly damage the reputation of the House. There can be no parliamentary system

•unless we give the utmost measure of respect to anyone who occupies the Chair and as such we must build up a convention that there should be no disparaging reference either directly or indirectly to the Chair. That must be discouraged, Sir. It may be in any manner. It may be in the manner of any one man saying "Brutus is an honourable man" and again and again •coming back and giving vent to his grievances, whatever they may be. It is impossible to please everybody, and any Speaker or Chairman who attempts to please everybody will certainly be a failure, and we should not avoid this ■opportunity in order to give vent to ■our feelings in this connection. I was extremely pained to hear some of the speeches. I hope these things will not foe repeated.

SHRI RAJAGOPAL NAIDU: Speeches only from the other side.

SHRI K. S. HEGDE: From whichever side they may be made. If a thing is ibad, it is bad whether it comes from this side or the other side.

I would not like to take the time of the House. In commending this Bill, I have no doubt at all that the Bill is one which deserves the support of •every one of us, and I expect unanimous support for this measure.

SHRI RAJAGOPAL NAIDU: Mr. "Vice-Chairman, I rise to support this Bill, but while supporting it I would like to make a few suggestions which in the opinion of the House might prove to be useful.

Sir, the Vice-President of India, according to our Constitution, shall be *ex-officio* Chairman of the Council of States. That is found in article 89 of ■the Constitution and also in another article, article 64. He is not paid a salary as Vice-President of India, but is paid a salary as *ex-officio* Chairman of the Council of States. Sir, it is very curious that when his main office is as Vice-President, he should be paid ■merely in his *ex-officio* capacity as Chairman of the Council of States. I tried to find out in the Constitution

any provision under which he is paid as Vice-President, but I do not find any such provision. No provision has been made for the Vice-President being paid any salary. He is paid only as *ex-officio* Chairman of the Council of States.

SHRI K. S. HEGDE: There is no prohibition.

SHRI RAJAGOPAL NAIDU: There is no provision. That means there is prohibition.

SHRI V. K. DHAGE (Hyderabad): Does it imply a prohibition?

PROF. G. RANGA; When there is n» provision, how can you justify it?

THE VICE-CHAIRMAN: Article 04 is the only provision under which he can draw a salary as Chairman of this Council.

SHRI KISHEN CHAND: This is the procedure followed in the U.S.A. I think the framers of our Constitution copied it from the U.S.A.

THE VICE-CHAIRMAN: We are not concerned with it.

SHRI RAJAGOPAL NAIDU: I tried to interpret the Constitution in my own way. Article 64 lays down:

"The Vice-President shall be *ex-officio* Chairman of the Council of States and shall not hold any other office of profit."

It is nowhere said that he is paid as Vice-President of India. Then, article 89 says:

"(1) The Vice-President of India shall be *ex-officio* Chairman of the Council of States."

It is only in these two articles that something is mentioned. Then, if you turn to Schedule II to the Constitution, paragraph 7 of Part C says:

"There shall be paid to the Speaker of the House of the People and tn\*

*rairi* najagopal Naidu.] Chairman of the Council of States such salaries and allowances as were payable to the Speaker of the Constituent Assembly of the Dominion of India immediately before the commencement of this Constitution, and there shall be paid to the Deputy Speaker of the House of the People and to the Deputy Chairman of the Council of States such salaries and allowances as were payable to the Deputy Speaker of the Constituent Assembly of the Dominion of India immediately before such commencement."

When the Vice-President acts as President, he is entitled to all the emoluments which the President is entitled to. That is the only provision we find in the Constitution as regards the pay of the Vice-President.

Sir, I feel that the Vice-President should be paid salary as Vice-President and not in his *ex-officio* capacity as Chairman of the Council of States. For that, the Constitution has to be amended. When the Vice-President acts as President, he does not act as Chairman.

There is another point which I would like to stress. When the Vice-President acts as President, he is entitled to all the emoluments of the President. But there is no provision in the Constitution that if the Deputy Chairman acts as Chairman when the Chairman is acting as President of India, the Deputy Chairman will be entitled to all the emoluments of the Chairman of the Council of States. I feel that this provision should find place in the Constitution.

Then, Sir, I find that the Chairman draws the same salary as the Speaker of the House of the People according to our Bill. In England, I find that the Lord Chancellor is placed in a higher position than the Speaker of the House of Commons. I ask: Why should not the Chairman of the Council of States be placed on a higher pedestal than the Speaker of the House of the People?

This is another point which has got to be seriously considered, because we follow British jurisprudence, we follow British precedents .....

PROF. G. RANGA: In his capacity of Vice-President?

SHRI K. S. HEGDE: The Lord Chancellor is a member of the Cabinet.

SHRI RAJAGOPAL NAIDU: But he presides over the House of Lords also. Whoever presides over the House of Lords is placed in a higher position, than the Speaker of the House of Commons. It is only that aspect which I wish to emphasise.

Coming to emoluments, according to the Bill, the Chairman of the Council of States and the Speaker of the House of the People are paid salaries which in my opinion are not commensurate with the positions which they occupy. For instance, under the Constitution we find that a sum of Rs. 10,000 is paid to the President, and the Governors of States get Rs. 5,500. The Chief Justice of India gets Rs. 5,000, and a Puisne Judge of the Supreme Court gets Rs. 4,000. The Chief Justice in a State High Court gets Rs. 4,000, and a Puisne Judge Rs. 3,500. The Comptroller and Auditor-General of India gets Rs. 4,000. Compared with the salaries of these officers, the pay which our Bill fixes for the Chairman and the Speaker is less than what one would expect these persons of high dignity and office to be paid. So far as the Deputy Speaker and the Deputy Chairman are concerned, it is certainly a hardship for these two officers, because they now become whole-time<sup>r</sup> officers. They become, in my language, whole-time officers because hitherto they were paid only when Parliament was in session, and now according to this Bill they are entitled to draw pay even when Parliament is not in session, just like any Cabinet Minister or the Chairman or the Speaker. For instance I know that so far as the Deputy Speaker of the House of the People is concerned, he is an eminent lawyer, and it is certainly a terrible loss for him in his present positions

as Deputy Speaker. I have peculiar knowledge of that particular person, and it is certainly a great loss for him, because as a leading member of the Bar of the place from where he hails he has been earning much more every month. In that view also I feel that these officers should draw a little more salary than what is prescribed in the Bill. I would also join hands with my friend Mr. Hegde on another point. There is no use of placing certain personal prejudices and jealousies and criticise the officers of Parliament. I was very much pained to hear from one hon. Member yesterday—probably he had something in his mind, but what he was saying was that for economy and other things the office of the Deputy Chairman of the Council of States should be abolished. Sir, there is no parallel in the history of any country where the office of Deputy Chairman is done away with. Every House should have the Chairman and the Deputy Chairman. Every House should have the Speaker and the Deputy Speaker. Take any Constitution in the world; take the British Constitution or any other Constitution. We have the office of the Deputy Speaker and the Deputy Chairman. So I wonder how that particular gentleman, though he is a lawyer himself, came forward with this kind of suggestion.

Then, Sir, the position of the Speaker of the House of Commons is one of strict impartiality and neutrality. He resigns from his party and discards his party colours as soon as he takes the Chair. He completely divests himself of his party character. He is prevented from advocating the claims of his constituents. This role which was established in the nineteenth century, as a sort of precedent in the British Parliament, is still followed in the British Parliament. Sir, I have already said that we follow the precedents of the British Parliament but unfortunately this precedent has not been followed.

SHRI K. S. HEGDE: No, no. In *tiilz* country also it has been followed.

SHRI RAJAGOPAL NAIDU: It has not.

(Interruption.)

Sir, in this connection, I would like to invite the attention of this House to the two divergent and exactly opposite views—the views of the Chairman of the Council of States when he was felicitated on the occasion when he was elevated to the Chair; and the speech of the Speaker of the House of the People when a similar felicitation was made in the other House.

Now, coming to the speech of the Chairman of the Council of States which is reported in the Council of States Official Report. Vol. I, No. 2 at column 42, he has said:

"I belong to no party, and that means I belong to every party in this House. It shall be my endeavour to uphold the traditions, the highest tradition, of parliamentary democracy and act towards every party with fairness and impartiality, with ill-will to none and good-will to all."

Sir, then coming to the speech of the Speaker on a similar occasion, reported in Vol. I, No. 2, of the Official Report of the House of the People—Sir, it is very interesting to read the entire paragraph and the House will bear with me if I read this entire paragraph—it is said:

"I consider it necessary to say a few words about the non-party character of the Speaker in view of the practice in England. The position of the English Speaker is a matter of historical growth and it has been established, at the end of centuries of struggle of the Commons for independence. Its evolution to the present stage has taken place after the establishment of the full authority of the Commons. The position is undoubtedly an ideal *one*, provided it is accompanied by the other essential corollaries of democracy. While, therefore, I shall always strive for the establishment of that ideal, it is obviously not possible, in the present conditions of our political and parliamentary life, to remain as insular as the English Speaker so far as political life goes.

[Shri Rajagopal Naidu.]  
But the Indian Speaker acting as such will be absolutely a non-party-man, meaning thereby that he keeps aloof from party deliberations and controversies, he does not cease to be a politician merely by the fact of his being a Speaker..... "

SHRI GOVINDA REDDY (Mysore):  
Does?

SHRI RAJAGOPAL NAIDU: He does not cease to be.....

THE VICE-CHAIRMAN: Mr. Naidu, it will be better if you do not refer to the speeches in the other House, but make an observation on them.

SHRI RAJAGOPAL NAIDU: Sir, I feel it is very pertinent to the present Bill

THE VICE-CHAIRMAN: That is a usual convention.

SHRI RAJAGOPAL NAIDU: Because we are concerned now with the salary of the Speaker of the other House, I thought it would be better to know what the opinion of the Speaker is on such matters.

THE LEADER OF THE COUNCIL (SHRI C. C. BISWAS): Do not please quote the speech in the other House.

THE VICE-CHAIRMAN: You relate it in your own words.

SHRI B. RATH (Orissa): On a point of order, Sir. It has been the practice in this House as well as in the other House for the hon. Ministers to quote the speeches that they make in the other House and since the proceedings of the other House are also a public property, we can possibly quote them in order to emphasise our point.

THE VICE-CHAIRMAN: I am just saying that that should be the convention and we should try to observe it. There is nothing laid down in the rules.

SHRI RAJAGOPAL NAIDU: Sir, towards the end of his speech that he J

made, I And the hon. Speaker has observed that he does not cease to be a member of the Indian National Congress through which he has been elected as the Speaker of the House. Sir, I want only to narrate a few instances to show in what possible way the Deputy Speaker or the Deputy Chairman can be influenced by party affiliations.

SHRI K. S. HEGDE: Is it a fact, Mr. Naidu, that in England the Deputy Speakers are not party-men?

SHRI RAJAGOPAL NAIDU: They are party-men.

SHRI K. S. HEGDE: And they participate in the party politics?

SHRI RAJAGOPAL NAIDU: Whatever it is, my point is, Sir, that they should be above party politics and once they are elected, they should divest themselves completely from party politics.

Then, Sir, my friend Mr. Hegde has been referring to certain conventions which are followed in England, namely that nobody stands against the Speaker and that when once a Speaker is elected, he continues to remain a Speaker if he chooses to do so. Sir, it is a very healthy convention in one way; it has been followed during the last general elections in Madras. The Speaker of the Madras Legislative Assembly, though he belonged to the Congress Party, when he contested the elections, he contested as an independent candidate.

SHRI K. S. HEGDE: But he was opposed.

SHRI RAJAGOPAL NAIDU: He was opposed by some other parties. With all that, he stood as an independent candidate and he succeeded in the elections. There are some States in our country which are following this healthy convention and I would only request that this sort of convention should be followed.

Then, Sir, another point which I would like to stress, Sir, is that It

should be proper that at least the Deputy Speaker and the Deputy Chairman should be chosen from the Opposition so that it will show a sort of absolute impartiality so far as the Parliament is concerned. And I am glad, Sir, that you coming from Opposition are occupying the Chair now •but last time I was surprised that there was not one man from the Opposition parties .....

*(Interruption.)*

SHRI K. S. HEGDE: Acharya Narendra Deva was there. So it is not ^correct to say that a Member of the Opposition was not there on the panel of Vice-Chairmen.

SHRI RAJAGOPAL NAIDU: Sir, I >only want that as much opportunity should be given to the Opposition as possible. And I have nothing more to .say. Thank you, Sir.

PROF. N. R. MALKANI (Nominated): :Sir, I rise to support this Bill but I would like to make some observations with regard to some of the provisions •contained in it. I accept the increase in the salary of the Deputy Speaker as well as the Deputy Chairman. They are whole-time workers and they should be given that increase. I wish however to draw your attention to clause 4 of the Bill which relates to "Residence for officers of Parliament". It looks like a very innocuous clause; tmt it includes about half a doi:en Items. It includes for instance a house—a furnished house—stail' quarters and other buildings, a garden—maybe from one acre to four acres, and very well kept—payment of local rates and taxes and the provision of electricity and water. Sir, there are five items included in this very innocent-looking clause and, what is the cash value of these items? Has it any relation to the residence occupied by Members? *(Interruption.)* We as Members have only one or two rooms and we pay Rs. 100 and these are huge bungalows and I think the rental would not be less than a thousand rupees, if not more— if we were to calculate the rent for

the furniture, for the upkeep of tke garden, the value of the garden and the other charges paid it would be much more. I have tried my best to calculate the rental and cash value *ot* all these things. I went to the Research Officer the day before yesterday; and he said that he had no means of finding that out. He only guessed. And I am also only guessing and my guess is that it would cost really ia cash not less than Rs. 1,500. Maybe from Rs. 1,500 to Rs. 2,000. Sir, I say again, has it any bearing to the residence occupied by us, Members? Has it any bearing to the residence generally occupied by most of the Ministers when not in office? Has it any bearing to the officers of the same status and position in other countries, especially in modern countries like Japan, China or U.S.S.R.? I leant they have very modest flats, not fven bungalows. Has it any the least bearing to what Gandhiji used to occupy—\* small hut in Wardha and a hut in the Harijan Bhangi Colony here? Or has it some relation to the big palaces occupied by Seth Birla or Lala Sri Ram or other merchant princes? And I do think that much humbler residences would be far more proper for these good citizens of India. As it is, they are completely isolated from the general public. I have seen a military man standing there with a gun outside the gates. The gun may not fire but it is enough to keep the occupants within their bungalows, and I do not think the occupants of these residences ever enjoy the gardens in front of their houses; yet these are very expensive things. We must really provide typical Indian cottages, beautiful and aesthetically-built cottages, for these good citizens of India as an example for all of us.

One point more, Sir. Clause 7 makes provision for medical treatment for the officers of Parliament and their families. What they should be given are not doctors who increase the diseases but experts in physical culture to tell them what they should do and should not do, to tell them, "Please do not over-work, please do not over-



[Prof. N. R. Malkani.] eat. Please do not over-do things and please do not under-do other things. Please do not attend too many parties. Please do not keep too late hours."

PROF. G. RANGA: "Please commit suicide soon" also.

PROP. N. R. MALKANI: Instead of doctors, they should be given experts in physical culture to tell them about good harmonious and balanced living. Thank you, Sir.

SHRI H. N. KUNZRU (Uttar Pradesh): Mr. Chairman, I should like to say a few words about the principles that lie behind the Bill and its provisions. I shall take up the second point first. This Bill contains provisions identical with those in the Bill that we passed recently with regard to the salaries and allowances of Ministers. It does not therefore contain anything new. Yet I feel that I should say a few words about the clause relating to medical treatment. It has been provided in clause 7 as follows:

"Subject to any rules made in this behalf under section 11, an officer of Parliament and the members of his family shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to medical treatment."

If the provision were confined to the officer himself, I should not have objected to it at all, but if you extend this privilege to the members of his family, this is not desirable. This has been done in the case of the Ministers also, and no objection was unfortunately raised then. I myself raised no objection then, but it seems to me that the law ought to be changed in respect of both the Ministers and the officers of Parliament in regard to free medical treatment for their families. I do not know whether there are any countries in which such provisions exist, but so far as I know, in England, the officers of Parliament do not enjoy this privilege. The members of the

families of the officers of Parliament do not enjoy this privilege. Perhaps the members of the families of the Ministers too do not enjoy it.

SHRI J. S. BISHT (Uttar Pradesh): What are they paid?

SHRI H. N. KUNZRU: I did not hear the interruption, and I am therefore unable to reply to it.

Shri J. S. BISHT: They are paid from £5,000 to £10,000.

SHRI H. N. KUNZRU: The Prime Minister of England is paid £10,000, but he is paid this much because of the hospitality that he is expected to dispense. This was carefully considered for many years and it was decided to raise the salary of the Prime Minister only after it became clear that the Prime Minister could not discharge the social duties connected with his office on a salary of £5,000 a year. A salary of £5,000 a year in England is by no means too high, considering the cost of living there. It has stood at the same figure for years and years, and although prices have considerably risen, the salary has not been raised. No comparison can therefore be made between the salaries of the Ministers and the Speaker in England and the salaries of the Ministers and the Speaker and the Chairman in India. The position of the Speaker there seems to be in some respects better than in India, for he is paid £5,000 a year, clear of all deductions and taxes.

SHRI B. K. P. SINHA (Bihar): What is the position in India regarding the permanent civil servants, may I know?

SHRI H. N. KUNZRU: If he wants to make a comparison between the members of the permanent Civil Service\* and the Ministers, he should know that the highest salary to which a member of the I.C.S. can aspire to is higher than what can be received either by a Minister or by an officer of Parliament. I do not know whether the members of the families of the civil servants can be treated free of charge.

DR. P. C. MITRA (Bihar): They are treated free of charge.

SHRI GOVINDA REDDY: Does the Government bear half of the cost? I think they subsidise their medical treatment in full.

SHRI H. N. KUNZRU: There are special rules laid down with regard to this matter and they were allowed for the advantage of the British officers. They are part, I believe, of the Lee Concessions. When it was decided to raise the annual Indian recruitment to the I.C.S., the same concessions were at the same time made in favour of the existing members of the I.C.S. which consisted largely of British officers. That could therefore be no guide for our purposes.

For these reasons, Sir, I think that it is undesirable to extend the principle

- of free medical treatment to members of the families of Ministers or to those
- of the officers of Parliament.

Now, I shall say a few words, Sir, with regard to the principle that we have to bear in mind in discussing the Bill before us. Article 112 of the Constitution states what expenditure shall be regarded as expenditure charged on the Consolidated Fund of India. Now, among the items included in this expenditure are the emoluments and allowances of the President, the salaries and allowances of the Chairman and the Deputy Chairman of the Council of States and the Speaker and the Deputy Speaker of the House of the People, the salaries, allowances and pensions payable to or in respect of Judges of the Supreme Court, the pensions payable to Judges of any High Court, the salary, allowances and pensions payable to the Comptroller and Auditor General of India, etc. Expenditure relating to these items is charged on the Consolidated Fund of India because these officers are supposed to be above politics. The President is, by virtue of his position, regarded as belonging to no party. The theory underlying the provision made in article 112 of the Constitution is that the Chair-

man and the Deputy Chairman *zr.u* the Speaker and the Deputy Speaker also will be above politics. I have no doubt, Sir that in practice they do their very best to maintain the highest standards of impartiality in giving their rulings and in regulating the conduct of the Houses to which they belong. Nevertheless, there is a difference between the position as it is in this country and the position as it exists in England. Before I refer, Sir, to this. I should like to draw the attention of the House to the statement made by Shri Vithal-bhai Patel on his election as the first President of the Indian Legislative Assembly in August 1925. I hope it is permissible for me to quote from the proceedings of the Indian Legislative Assembly. Speaking after his election, Shri Vithalbhai Patel said, "From this moment I cease to be a party-man. I belong to no party. I belong to all parties. I belong to all of you and I hope and trust my hon. friend the Leader of the Swaraj Party will take immediate steps to absolve me from all the obligations of a Swarajist Member of the House if indeed it has not been done by implication in consequence of my election to this Chair". Sir, this was a very important pronouncement and it was held not merely in this country but also in England as foreshadowing a determination on the part of the President to maintain the highest traditions associated with the office of Speaker in the British Parliament. Now, we had to see, Sir, whether the present Speaker could say something on his election as Speaker in May 1952. He expressed the view that it was the Speaker's duty to maintain an attitude of complete impartiality and to protect the rights of the minorities. He evidently referred to the British practice and regretted that owing to the political conditions existing in this country the Speaker could not place himself exactly in the position of the Speaker of the British House of Commons.

In England, Sir, a Speaker, when elected, ceases to belong to any party. It is not merely morally that he be-

[Shri H. N. Kunzru.] longs to all parties but, as a matter of fact, he actually severs his connection with the party to which he belongs at the time of his election. Apart from this, Sir, he takes no part in politics **and** his re-election is not opposed either in his constituency or in Parliament. Now, it is obvious that we can establish the British tradition in this country only .....

SHRI K. S. HEGDE: As a point of information, was this practice uniform? Was not the Speaker opposed in the election?

SHRI H. N. KUNZRU: Opposition to a Speaker is an exception to the rule. Standard writers on this subject maintain that since 1835 the tradition has been firmly established that a Speaker should be allowed, as often as he wishes, to be elected uncontested both in his constituency and in Parliament. Some instances.....

SHRI B. B. SHARMA (Uttar Pradesh): If he is contested?

SHRI H. N. KUNZRU: There is no law debarring any party from breaking this convention. In 1935 and a few years later this convention was broken but, that has not prevented writers on this subject, for instance, Lord Campion, from saying that the tradition that a Speaker's election should not be contested survives. Sir, if we want to place the Speaker above politics as the Constitution does and as is undoubtedly desirable, it is necessary that we should follow the British practice in regard to the election of the Speaker. If this is done, the Speaker finding that he has not to depend for his election on the favour of any party will naturally maintain an attitude of complete impartiality in theory and in practice.

SHRI H. P. SAKSENA (Uttar Pradesh): Why does the hon. Member put it as the "favour of the party"? Why does he not put it as the strength of the party?

SHRI C. G. K. REDDY (Mysore): It is the same thing.

SHRI H. N. KUNZRU: My hon. friend is so little acquainted with the meaning of political phrases that he thinks that there is actually a difference between the two positions mentioned by him.

SHRI B. K. P. SINHA: He understands, but he is too enthusiastic.

SHRI H. N. KUNZRU: What he should know is that even when a Speaker belonging to a minority party in the House of Commons offers himself for re-election, his election is not opposed by the majority party; and that is the tradition that we have to establish here. I see no reason why it should not be established.

SHRI K. S. HEGDE: How can it be established? You cannot establish it. How are you going to prevent a party from putting up an opposition?

SHRI H. N. KUNZRU: If my hon. friend is really unable to understand this simple fact, I cannot help him. I have already stated .....

SHRI K. S. HEGDE: I can appreciate dreams, but I want facts.

SHRI H. N. KUNZRU: My hon. friend will understand facts only when he understands ideals. If he poots-poots ideals, he will not be able to understand the true meaning of even facts.

SHRI K. S. HEGDE: Even for ideals—there has to be some basis in reality. If they are only dreams.....

SHRI H. N. KUNZRU: I cannot allow my hon. friend to go on with his running commentary on what I have been stating. I think I have been sufficiently indulgent to him. But he may say once more for his satisfaction and for the satisfaction of those who have persuaded themselves to think like him, that no law can be passed preventing any party from contesting the Speaker's seat. But if a convention to that effect is established, breaches of that convention will be

rare, and this is the state of things in England. Sir, is there any reason why all the parties in India should not strive to establish the British tradition in respect of the Speaker's election? I see none. If the majority party itself were prepared to say that it would on its part observe this convention, I feel that there would be every chance of the other parties falling in line with it. But what I suspect is that the majority party itself is not prepared to follow this convention at the present time.

SHRI B. K. P. SINHA: No, no. We are.

SHRI H. N. KUNZRU: My hon. friend may say, "We are", but we know what is happening in the country.

SHRI K. S. HEGDE: Who opposes the Speaker? Unfortunately you do not belong to any party in the country.

SHRI H. N. KUNZRU: My hon. friend will not understand. The Speaker's words are before him and yet he refuses to understand their significance. It is clear from the Speaker's speech that he weighed every word of his carefully. He has not used a single superfluous word in replying to the felicitations offered to him on his election as Speaker, and if my hon. friends will read those words with care, they will understand that it is not only non-Congressmen but distinguished and ardent Congressmen also who feel that the political parties in this country have not yet done anything to establish the healthy tradition that exists in England.

10 A.M.

I was saying before I was needlessly interrupted that the tradition would be firmly established if the majority party sets an example. One can give no guarantee that all the other parties would be prepared to follow its example. It may be said, for the time being the majority party was trying to appear to be generous, because it knew that its own nominee would be elected. But we are thinking, Sir, not of this moment, but of the future. The

Congress Party may be unsuccessful for the time being in persuading the other parties to allow a Speaker to be elected uncontested. But I have no doubt that in course of time, indeed very soon, their example will come to be followed by the other parties.

Although, Sir, this Bill is not concerned with the Speakers of the State Legislatures, yet, I think it will not be out of place to say that the tradition—for the establishment of which I am pleading in connection with the office of the Speaker in Parliament should be established in the States too. If there is any difference between the Centre and the States, I think that it is in favour of the Centre. There are, I understand, some Speakers of the State Legislative Assemblies, who have striven to maintain a position of complete independence. All honour to them for the courage that they have shown in the difficult situation in which they must have found themselves. But I fear that in many of the States, the position of the Speaker is far from enviable. I think everyone here knows that they are under the pressure of the executive. They may resist this pressure so far as giving rulings is concerned; but the fact that they feel this pressure, that they wish that they could be free from it, shows how far we have to go in order to establish the independence of the Chair. Unless, Sir, this principle is observed both in theory and in practice, unless all the parties recognise its fundamental importance in relation to the duties of the Speaker, I fear that vigorous, democratic government will not be possible.

What I have said with regard to the Speaker applies in a lesser degree to the Chairman. The Chairman of this House will be the Vice-President of India. The present Chairman.....

SHRI RAJAGOPAL NAIDU: NO, it is the other way.

SHRI H. P. SAKSENA: It is the other way round. The position is, the Vice-President of Indian Union will be the Chairman of the Council of States.

SHRI H. N. KUNZRU: That is I think, what I have said.

SHRI H. P. SAKSENA: No. it was the other way about, if my hon. friend would not mind being reminded of What he said.

SHRI H. N. KUNZRU: Well, I am not being reminded of the good things that I have said any number of times. I do not think I am ignorant of this elementary fact that the Vice-President of India, ipso facto, is the Chairman of the Council of States. The present Chairman happily belongs to no political party but the Vice-Presidents in the future may belong to a political party and we have therefore in their cases also to establish the tradition that I have referred to in connection with the Speaker. I am not sure whether the salary and allowances of the Vice-President are charged on the Consolidated Fund of India.

THE VICE-CHAIRMAN: He does not get it.

SHRI K. S. HEGDE: His salary as Chairman is provided.

SHRI H. N. KUNZRU: That is there. He gets no salary as Vice-President. He gets salary only as Chairman. Bu-t in his case too while he is in office, the same tradition should be established and I suppose there should be no difficulty in this connection. What is the position in America? Perhaps the Vice-President of the United States is a party-man because the system of Government there and the principle on which the Legislature functions are different from that prevailing in this country. We should therefore not follow the American example. It may be said that in the case of England the Lord Chancellor who presides over the House of Lords is a party-roan but the Lord Chancellor cannot be regarded as guiding and directing the proceedings of the House. His position is entirely different from that of the Speaker in the House of Commons. The position of the Chairman here is, I think, more important and more onerous than that of the Lord Chancellor as the presid-

ing officer of the House of Lords in England.

SHRI K. S. HEGDE: On a point of information. Is it the desire of the speaker that the office of the ViceJ-President should not be contested?

SHRI H. N. KUNZRU: I think I have been as courteous as I could be to Mr. Hegde but if his object is merely to interrupt me every now and then and to distract the attention of the House from the main points that I am urging, I am sorry that I cannot oblige him any more.

SHRI K. S. HEGDE: That is not the object. I wanted your views.

SHRI H. N. KUNZRU: I have not said a word about his re-election. The question is not about the re-election at all. It is the Vice-President of India that will be elected and not the Chairman of the Council.

SHRI K. S. HEGDE: How could he be a non-party man?

SHRI H. N. KUNZRU: Once he is elected, he should become a non-party man. I said myself that a Vice-President when he is elected will probably belong to a political party but once he is elected, he should cease to belong to any political party and it was on that basis that I put forward my arguments. The matter is so important that I hope that the spokes-' man of the Government will not satis- fy himself with the technical and rather jejune reply that he gave in another place to the observations made in this connection. As we are all interested in the future of democratic parliamentary government and as the relation between this form of government and the positions of the Speaker and Chairman are obvious, I hope that he will tell us really what the intentions of the party from which the Government of the day is drawn, are. I think if a reassuring statement can be made on that subject, we shall feel that a great step has been taken towards the establishment of those

healthy traditions on which the full maintenance of parliamentary life depends.

SHRI J. R. KAPOOR (Uttar Pradesh): Mr. Vice-Chairman, Sir, while extending my support to this Bill I have a few observations to make. The first observation that I have to make is with regard to the financial memorandum that has been attached to this Bill. The object of the financial memorandum obviously is to give us as far as possible an accurate idea of the financial implications of the Bill. What I find here stated is that "the financial expenditure on their salaries and allowances," meaning thereby the salaries and allowances of the officers of Parliament mentioned in this Bill, "will be about Rs. 1,14,000 recurring". Now I have never been very strong at mathematics and I had to give up this subject when I joined the University classes but with the help of the little of arithmetic that still remember, I have made a little calculation and I find that the salary and the sumptuary allowances of the officers of Parliament alone would absorb the entire amount of Rs. 1,14,000. What then about the expenditure that will have to be incurred on account of housing, taxes, electricity, maintenance of gardens, T.A. and D.A. and last though not least, free medical aid? Are we not entitled to know as to what is likely to be the expenditure incurred on these various heads? It is for you to consider. Mr. Vice-Chairman, as to whether it is fair to this House that the Ministry concerned—I don't know whether it is the Finance Ministry or the Law Ministry that is concerned—should not have given us a more correct idea of the expenditure that will be involved if we pass this Bill. I point out this, not to expose that if these figures were mentioned herein that the total amount would have been very much higher than Rs. 1,14,000 but only to point out that whenever we are considering a measure like this, we are naturally anxious to know the full financial implications thereof. This is not the first occasion when we find that such incomplete statements are 37 C.S.D.

made whether they are in the financial memorandum or in the aims and objects of the Bill, and proper care is not given by the draftsmen concerned. I do hope that hereafter a little more care will be given when these memoranda are presented before us.

SHRI C. G. K. REDDY: This is deliberate.

SHRI C. C. BISWAS: This is not a case of lack of care. The usual practice has been followed.

SHRI B. RATH: It is also not possible to ascertain the number of family members of the future Chairmen and Speakers and how much assistance they will have.

SHRI J. R. KAPOOR: Well, I may assure my hon. friends who have interrupted with the object of helping me that I know my business well enough and without their assistance on this point I can place my point well enough for the consideration of the House.

The second point, Sir, that I would like to deal with is the question as to whether officers of Parliament should cut off their party affiliations or not. This, Sir, is a very important question and though it is not within the scope of this Bill, certainly it is relevant on this occasion. I have no doubt in my mind, Sir, that this aspect not being specifically within the scope of this Bill, no party in this House whether it is the Government party or the majority party or any minority party is definitely committed to any particular point of view. We should, therefore, try to bring to bear on this subject an impartial and an absolutely independent outlook. Our democracy, Sir, is in its very infancy and we must therefore be very careful to see that we start with very healthy conventions and practices. Much has been said as to what conventions in this respect obtain in Western democracies. Of course, we must profit by what has been happening in the other democratic countries of the world but I should

[Shri J. R. Kapoor] think that we should not confine ourselves in any hard and fast manner to already established conventions. After all new pages of history can yet be written and we. Sir. must be prepared to lay down new healthy conventions, conventions which appear healthy and proper to us, even if those conventions are not to be found obtaining in any other part of the world. We can even take the lead in some matters. We need not necessarily be slavishly following what has been happening in the rest of the world. My submission therefore is that when considering this subject, we must have before us all that has been happening in other parts of the world in this regard, and we should not confine our consideration only with reference to them, and we must consider this subject in an absolutely independent and open-minded manner. I have given considerable thought to this subject and my considered view for what it is worth—I know it is not worth much as it is of a humble being like myself—is that it may not be possible or it may not be necessary even to insist that officers of Parliament must necessarily dissociate themselves from the political parties to which they belong. A political party has certain ideals before it, certain aims and objectives before it, for the propagation of which it works and it would be too harsh for us to insist in the case of a member who is elected as an officer of Parliament, that he should give up all those aims and objectives and all those ideals for which he might have been working and may be working all his life before he was elevated to the office of the Parliament. But then, Sir, this is one aspect of the case. Another aspect of the question is whether he could keep himself closely associated with his party affairs in the Parliament. My view is that we can go neither to the one extreme nor to the other extreme; neither could we insist, contrary to what the established convention is, that the officer of the Parliament must dissociate himself from party politics nor should we let him continue to be an active member of his party in the Legislature. I em- -

phasise the phrase 'in the Legislature' and I make a distinction between party politics, 'outside the Legislature' and politics, of a political party 'inside the Legislature'.....

SHRI H. P. SAKSENA: There is no party politics 'inside the Legislature' if I may remind him.

SHRI J. R. KAPOOR: Well, my hon. friend need not tell me things which are contrary to facts. If he bears with me for a couple of minutes I will just explain my position and I am sure I will be able to carry conviction with him. My submission is that when a person is elected an officer of the Parliament, well, he may, outside the Parliament continue to be a member of the political party to which he belonged prior to his election as such, but subsequent to his election he should cut off his connections with that political party 'in the Legislature'. Otherwise, Sir, he is likely to find himself in an embarrassing position on some occasions. May I, Sir, in this connection, to make my point clear, refer you to article 100 of the Constitution which says: "The Chairman or Speaker, or person acting as such, shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes". So although the person presiding does not cast his vote in the first instance, if there is an equality of votes in regard to any measure, then he is to exercise his casting vote.

Now the question arises as to whether an officer of Parliament, if he belongs to a political party in the Legislature, is subject to party discipline or not and whether the party whips are binding on him or not. This is the delicate question. Sir, that is to be seriously considered. Well, I do not think, Sir, any hon. Member in this House will ever suggest that the decision of the Legislature party in the House and the whip issued by it should be binding on the Speaker or the Deputy Speaker or the Chairman or the Deputy Chairman when he has

to cast his vote; on the other hand, I am sure that everybody will seriously contend that the Speaker or the Deputy Speaker or the Chairman or the Deputy Chairman, as the case may be, when he is called upon to exercise his casting vote as laid down in the Constitution, must bring to bear upon the subject an entirely independent non-party outlook. He must before casting his vote, be guided absolutely by the merits of the proposition before him and he must entirely forget what the party whip is and what the decision of any particular party in the House is. Now, Sir, that is the point which must be seriously considered and if he is to brush aside all the party whips, then the only natural conclusion that it leads us to is that he should not be actively associated with the party in the Parliament; outside he may be; there is no harm in that according to me. Therefore, Sir, my submission is that this question must be seriously considered. Of course we have not to take a decision in this matter here because there is no provision in regard to this question in the Bill before us nor could there be. a fact to which my hon. friend, Mr. Hegde, has so repeatedly drawn our attention .....

PRINCIPAL DEVAPRASAD GHOSH  
(West Bengal): There is an amendment to this effect.

SHRI J. R. KAPOOR: That would be declared out of order as it is outside the scope of the Bill. The mere tabling of an amendment does not make it admissible.

My submission, therefore, is that we should seriously consider this question though we have not to take a decision in this respect.

It may be argued, Sir, that in the absence of the Speaker or the Deputy Speaker, or the Chairman or the Deputy Chairman, somebody from the Panel of Chairmen might be presiding on some such occasion. True, Sir, the same embarrassing position will have to be faced by the acting Chairman or the acting Speaker also. But, then.

Sir, such occasions rarely ever arise. Whenever there are controversial matters under discussion in Parliament, surely, either the Chairman or the Speaker or the Deputy Speaker or the Deputy Chairman would be there, but even if there are some such rare occasions, well. I think, it is not always possible for us to provide for every possible contingency and on such rare occasions, I hope and trust that whoever might be presiding will exercise his right of casting vote irrespective of his party affiliations. I hope, Sir, that in respect of that also we might, have a convention to the effect 'that no disciplinary action shall be taken by the party to which that particular hon. gentleman might be belonging, if he has cast his vote contrary to the wishes of the party to which he belongs.

Sir, the third point that I have to make some submission about is with regard to the buildings that are to be occupied by officers of Parliament and the furnishing thereof. Sir, I would suggest, since the hon. the Finance Minister is also present here—he is very anxious to effect economy in every possible direction—to see whether some economies could not also be effected in this respect. Sir, it has been my experience in the matter of furnishing of bungalows—whether they be of officers of Parliament or Members or Cabinet Ministers or Members of the Houses of Parliament—not only is there no economy, but there is a little extravagance. I am sure, Sir, that hon. Members who have personal experience in this respect would support me when I submit that a little too unnecessarily costly furniture is being supplied even to Members of Parliament and they are being replaced sometimes unnecessarily. During the last two or three years, I have been observing that curtains are being renewed, sofa sets are being replaced, chairs are being replaced, for which there was no necessity. We had pretty good sofa sets in our bungalows but they were replaced by very much superior sofa sets; the same with regard to beds; the same with regard to curtains and I do submit, Sir, that per-



[Shri J. R. Kapoor.] haps we would have been satisfied with the sofa sets and the furniture that we had two or three years ago. The same perhaps is the case with regard to the houses occupied by the Ministers and the officers of Parliament. Perhaps a little economy in this respect would be appreciated by all of us, I am sure, even by the hon. Ministers, concerned and the officers of Parliament. I am sure everyone will appreciate if a little economy is effected in this respect.

Lastly, Sir, may I refer to the sumptuary allowance? And I am tempted to refer to this, particularly because of the presence of the hon. the Finance Minister here. Allowances, Sir, must cover only the actual expenditure and are never intended to be a source of saving. I therefore submit, for the serious consideration of the hon. the Finance Minister whether we should not have a rule to the effect that the sumptuary allowance should be limited to the actual expenditure incurred on that account subject, of course, to the maximum of Rs. 500. In making this suggestion, I do not claim any originality and if I am not to be accused of giving out any secrets, I may mention with apologies to my hon. friend the Finance Minister that he has set a very noble example in this respect. If my information is not incorrect. I believe he charges on account of sumptuary allowance not the entire sum of Rs. 500 every month, but only such amount as he actually spends every month.

THE MINISTER FOR FINANCE (SHRI C. D. DESHMUKH): I had to give that up.

SHRI J. R. KAPOOR: Sir, I could not follow.

THE VICE-CHAIRMAN: He said he had to give it up.

SHRI J. R. KAPOOR: Oh, good, you are not charging any sumptuary allowance at all?

SHRI C. D. DESHMUKH: No, no. I could not manage with that.

SHRI J. R. KAPOOR: Then, Sir, he is charging what is provided in the Act. However, for some time at least he had set "a very noble example and I only wish that he had continued to follow that practice and had set that noble example to be followed by others also. Probably, Sir, it may be that by adopting that practice he might be placing some others in a little embarrassing position. I know he is a gentleman of very fine sentiments and he does not want to place anyone else in any embarrassing and awkward position and actuated by those considerations, on second thought, he might have given up that practice to which he originally had resorted, and which, as a matter of fact, for some time he did follow. Sir, this is my submission for his consideration and for the consideration of other hon. Ministers and Members and officers of Parliament.

Lastly, Sir, I have a certain clarification to seek. Are there any rules with regard to the amount that is spent on medical treatment of Cabinet Ministers and members of their families?

THE VICE-CHAIRMAN: This does not arise.

SHRI J. R. KAPOOR: No, Sir, clause 7 says that medical facilities to officers of Parliament shall be provided free. This is practically—I speak subject to correction—a reproduction of the section in the Act dealing with salaries and allowances of Ministers. Now, Sir, I would like to know whether there are any prescribed rules relating to it and if the hon. the Finance Minister could give us any idea as to what generally is the amount spent.

THE VICE-CHAIRMAN: You can put down a Question.

SHRI C. C. BISWAS: The Rules were laid on the Table of the House.

SHRI J. R. KAPOOR: Well, Sir, I would not trouble the Finance Minister to find out what has been spent in the past, but am I not entitled, Sir, to know what is likely to be the financial

implication of this clause 7 of the Bill<sup>1</sup> How is clause 7 going to be actually operated in practice? How much expenditure is likely to be incurred and will his Ministry prescribe any guiding rules or principles? That is all the submission I have to make with regard to this Bill and with these submissions. I support it.

SHRI S. MAHANTY (Orissa): Mr. Vice-Chairman. I am perfectly aware of the very delicate situation that one finds oneself in in offering comments on this Bill. It is merely because of the fact that we hold no one in greater esteem than our Chairman and the Deputy Chairman, Speaker and the Deputy Speaker and therefore when it comes to the question of their emoluments or other facilities, one is naturally in an embarrassing situation. Sir, I do not take exception to this Bill in so far as the quantum of remuneration which is being sought to be given to these officers of the Parliament but my exception comes because of a lacuna in the Bill inasmuch as it does not lay down any specific qualification for the officers of Parliament, namely, that, they should disaffiliate themselves from all political parties and activities as soon as they are elected to such offices of Parliament.

THE VICE-CHAIRMAN: Under the Constitution that is not possible. There may be a convention.

SHRI S. MAHANTY: Yes, Sir, that is my regret, and, therefore, I urge that a convention should be established. I would not have raised this point, and I would not have repeated the arguments, if only in the other House as well as in this House Members of the treasury benches had convinced us that in the present circumstances the desirability of establishing such conventions was not warranted. They were clear, but they were clear in their vagueness.

In this connection I may say that only in the United States the Speaker of the House of Representatives is blatantly and openly a party-man.

Though the U.S.A. Constitution derived its main inspiration from the British Constitution, though they have followed British conventions, yet they differ in one major respect, namely, that the Speaker of the House of Representatives of the United States is a party-man. The argument might have been adduced that since the Speaker of the House of Representatives is a party-man and makes no secret of it, there is no reason why the Indian Speaker or other officers of Parliament should be subjected to such a restriction. But why does the Speaker of the House of Representatives remain a party-man? In this connection, I would invite the attention of the hon. Members to a standard work on the Government of the United States by Johnson, where an explanation has been offered why the Speaker of the House of Representatives should be a party-man :

"The explanation is rather in the fact that in the English system of government practically all of the party leaders sit in the House of Commons, thus making it possible for a party to detach the Speaker, while our system does not permit executive officers, a number of whom are invariably important party leaders, to sit in Congress, thus making it highly desirable that the Speaker be left free to use his office in the interests of his party's legislative projects."

So, that is the position. In the British House of Commons, most of the eminent party leaders are members of the House of Commons and sit in the House of Commons. Therefore, they can afford to lose the Speaker from the party soon after he is elected as the Speaker of the House of Commons. But in the case of the House of Representatives, most of the eminent party executives are generally not elected to the House of Representatives. Therefore senior party-men in the United States of America are usually elected as Speakers of

[Shri S. Mahanty.] the House of Representatives and under such circumstances he has to use his office in the interests of his party's legislative projects. Sir, I quote again the authority of Mr. Johnson who says that only mediocre persons are elected as the Speaker of the House of Representatives.

SHRI B. K. P. SINHA: Who is the author? Jana Sangh?

SHRI S. MAHANTY: Campbell Johnson. Not Jana Sangh. You see the ghost of Jana Sangh everywhere.

If we look through the records of the United States Congress, we find that on a number of occasions many Speakers have made blatant assertions that they were there to promote the legislative interests of the party to which they belonged. Here is Speaker Longworth.

The late Speaker Longworth thus stated his and the American conception of his office:

"I believe it to be the duty of the Speaker, standing squarely on the platform of his party, to assist in so far as he properly can, enactment of legislation in accordance with the declared principles and policies of his party, and, by the same token, to resist the enactment of legislation in violation thereof."

If the position had been like this, and if you had made an honest statement of fact that being the majority party you wanted to put your nominees as the officers of Parliament, then probably I would not have taken any exception for we are at a disadvantage in being a minority. But when the Government benches or the majority party rise to paint before us a psychathenic personality with a split mind that the officers of the Indian Parliament are said to be—that they will be partisans outside and as soon as they enter Parliament will turn non-partisans—the conception of such a psychathenic personality however I could not unfortunately

imagine—I rise to protest. It is no use urging insulation when circumstances are to one's own advantage and urging, transcendence at other times. I was listening to the very lucid speech made by our much esteemed friend Mr. Kapoor. His whole answer to the suggestion that the officers of Parliament should be non-partisans, was that we should not follow what the Western democracies prescribe. In this particular case he urged insulation. But as a member of the Constituent Assembly he could have also urged the same thing, that there should not be specific provisions in the Constitution to follow the conventions of the British House of Commons.

SHRI J. R. KAPOOR: Most, not all.

SHRI S. MAHANTY: What are the conventions of the House of the Commons? It is so obvious a subject that I need not make any further reference to it. There is no gainsaying the fact that the British House of Commons is the Mother of Parliaments, because it has established many a healthy tradition which is reverentially followed by others. I for one do not believe that parliamentary democracy has been newly experimented in this country. Students of ancient Indian history who have made a detailed study of Buddhist culture might have found that the whole basis of Buddhist Sanghas was in this parliamentary form of democracy that we are experimenting today. It would be beside the point and would appear irrelevant if I were to quote from those traditions. And yet, Sir, what were those traditions? Those traditions were that the man who will preside over the deliberations of the Sangha should not be a partisan and should be a free man and should be guided only by the tenets of the Tripitikas. Nowhere you find the presiding officer wedded to a particular school or faction.

My next point is this. I would not have urged this point if certain very

ugly and undesirable incidents had not taken place on the floors of our Legislatures in recent times. As newspaper reports tell us, many angry scenes have been enacted in many a State Legislature, and many a time Marshals have been called in to remove bodily some Members of the Opposition. Some time back we were pained to find the repetition of those scenes on the floor of the House of the People itself. Sir, I am speaking with all objectivity. It need not be construed that I am making a specific reference with a sinister purpose.

SHRI B. K. P. SINHA: What about the House of Commons?

THE VICE-CHAIRMAN: Order, order.

SHRI S. MAHANTY: Sir, these angry scenes, these undesirable episodes are only the effects. But what is the cause? The cause is more deep-rooted because there is a persistent feeling in certain sections of the House that their rights or privileges are not properly protected. And why does that feeling come? Sir, I can say that that feeling is a mental phenomenon which cannot be explained away by any rational process. There is a feeling that the rights and privileges of a certain section or sections of the House are not safeguarded and are not protected by the Chair.

THE VICE-CHAIRMAN: Mr. Mahanty, I suppose you are not referring to anyone in this House.

SHRI S. MAHANTY: No, Sir, That thing I have made perfectly clear in the very beginning. So the feeling *is* there; inasmuch as the presiding officers or officers are partisans, the interests, the party interests, are safeguarded and the question of protection of the privileges and the rights of Opposition Members is made *MIU*-servient to the party interests. I further clarify my stand that a feeling cannot conform to any rational examination or to any empirical analysis, which can prove that two

plus two makes four. No hon. Member in this House can deny that such scenes have not been or are not being enacted. I have not the least intention to "take advantage of this occasion to give a bit of my mind to any officer of Parliament, who might have offended me. Not in the least. My anxiety comes in because I think that in the popularly elected Legislatures we should build some healthy traditions and such scenes should not be enacted which are definitely a slur on the Legislatures. But this is *s* mere platitudinous thinking. So long as that feeling exists, so long *as* certain sections of the House feel that their rights and privileges are not being protected because the presiding officers are partisans, these scenes are bound to continue. But let us leave it at that.

My opposition is more fundamental. Now in the course of the speeches of some eminent Members of the treasury benches in the other House on this topic, a point has been *nriiile* that while it may be desirable that the officers of Parliament should divest themselves of all partisanship, the Congress Party by virtue of its majority should not be made to sacrifice *or* be a sufferer. Well, that is no argument. And then it has been said that as soon as Mr. X *is* elevated to the office of the Speaker or the Chairman, he becomes a non-partisan. Sir, I endorse it. Of course I need not say about our Chairman because he is a non-partisan. We of course can bear an eloquent testimony to the non-party spirit in which our Deputy Chairman has conducted the business of the House. Every Member in Opposition knows perfectly well as to what height of impartiality our Deputy Chairman would soar; I myself can bear an eloquent testimony to it, but it need not be said that our Deputy Chairman should be in perpetuity in the Chair. (Interruption). You need not interrupt me. Your cap shows your colour. Now, Sir, suppose Mr. Y tomorrow may occupy that .....

SHRI J. R. KAPOOR: Was a reference made to cat or cap?

SHRI S. MAHANTY: Both. I am sorry that.....

SHRI C. C. BISWAS: If a man is of that kind, he may sever all connections with his party and still behave as a party man.

SHRI S. MAHANTY: Sir, I welcome the Leader of the House for his newly acquired zeal for the party to which he belongs. I do not expect that, he should divest himself entirely of any partisanship. Well, the choice is before you. Either you continue in your party or don't aspire for these high offices. Nobody forces upon you the choice to accept this office. If your first and last loyalty is to the party, then certainly you can continue in the party without occupying the Chair. But, you cannot sacrifice the traditions, the conventions, for your own narrow interests.

So, Sir, what I was saying before I was interrupted unfortunately by our friend, Mr. Abid Ali, was this. I was trying to argue that human nature, as it is, cannot avoid partisanship while within the folds of a party. A split mind, if it is fit for anything else, it is fit for the lunatic asylums and not for the Legislatures. You cannot imagine of a man.....

THE VICE-CHAIRMAN: Mr Mahanty, you are not referring to the present Speaker or the Chairman?

SHRI S. MAHANTY: No, Sir. I am speaking with all objectivity.

SHRI GOVINDA REDDY: Because he is thinking of asylums.

SHRI S. MAHANTY: When I see friends like you.

SHRI V. K. DHAGE: You are reminded of the asylum.

SHRI S. MAHANTY: Yes. Let us not indulge in any frivolity. What I

am trying to urge is that no convincing arguments have been adduced in that House as well as in this House as to why the officers of the Parliament should not be non-partisans. As I cited the American precedent, there, only very lesser type of persons occupy the Chair of the Speaker and the Deputy Speaker. Because most of the eminent party executives remain outside, they require the help of the Speaker to promote the legislative interests of the party in power. I have already quoted authorities in that behalf. But in our case, in India, we find that if in the House of the People, the Speakers and Deputy Speakers are absolved of their party affiliations, the party is not going to suffer on any account. The voting strength of the party is not going to diminish. Similar is the case in our House. Therefore why not at least for once rise above your predilections and prejudices and create healthy traditions following the footprints of the late Vithalbai Patel.....(Inter ruption). Therefore, Sir, I need not press this point any more and I should most humbly urge that the officers of the Parliament should divest themselves of all partisanship as soon as they are elevated to their high offices.

And then, Sir, I would come to another point. It is with regard to the medical facilities to officers of Parliament. Sir, when we expect that the officers of the Parliament should maintain a certain amount of efficiency, we must provide them with these medical facilities. I do not belong to that school of thought—the Gandhian school of thought—which holds that nature is the best doctor. When we expect that our officers of Parliament should discharge their functions more effectively and efficiently, we must provide them with medical facilities. But the question is that the officers of the Parliament are the fruits of a tree, the tree being the Members of the Parliament. If the Members of the Parliament are all alive, then only they can occupy those Chairs. But what happens? Sir, you

will be amazed that I live in a big *I dharannshala* called the Constitution House, and many a time I have been in need of a doctor whom I could not find readily. Therefore I do not object to medical facilities being provided for the officers of Parliament, but have a little mercy on the Members of Parliament also. If they are bodily eliminated, how do you think that the officers of the Parliament could function? In order that the officers of the Parliament can function effectively, in order that the Ministers might function properly, the Members of Parliament should be kept bodily alive. Therefore, while I endorse the provision of medical facilities to the officers of Parliament.....

SHRI J. R. KAPOOR: May I make a suggestion to my hon. friend. We can say that the word "family" in this Bill shall include the Members of Parliament.

SHRI S. MAHANTY: Sir, I look forward to the day when the entire health services will be nationalised, but in the meantime, may I urge on the Government and the Minister who is piloting this Bill to give some consideration to the health of the Members of Parliament and their families? I do not take any exception to this provision, because it is only proper that the officers of Parliament should be provided with some kind of medical facilities.

As regards their salaries, when it comes to our Chairman, I think he is worth his weight in gold. But I am sorry that the speakers from the Treasury Benches have made reference to the present incumbents of the office of Deputy Speaker or Deputy Chairman and said they were eminent lawyers enjoying roaring practice. I do not object to it, but what I mean is that you provide a salary of Rs. 2,000 because the amount that we provide is commensurate with the work that they are performing. I take strong objection when you try to defend the provision of a Rs. 2000 salary on the ground that the Deputy

Speaker or the Deputy Chairman is an eminent lawyer. They are eminent lawyers no doubt. There is no gainsaying it, but we should not make this provision keeping in view Mr. Ananthasayanam Ayyangar or Mr. Krishnamurthy Rao, I think sometimes that the salaries that we are going to give to these officers of Parliament are entirely inadequate because they are just like High Court Judges, as has been pointed out already, but the High Court Judges get double the amount which is being provided for here. Therefore, my opposition to this Bill is more fundamental. I have got nothing more to say. Thank you.

SHRI H. P. SAKSENA: Sir, I rise to support the Salaries and Allowances of the Officers of Parliament Bill, 1953. I find that this Bill has been given some special importance by the hon. the Finance Minister taking the trouble of being personally present here in seeing this Bill through.

PROF. G. RANGA: I do not think he is here for this purpose.

n A.M.

SHRI H. P. SAKSENA: The question of the salaries and allowances to be given to the officers of Parliament has been thoroughly thrashed out and discussed, and there is agreement on all hands that the proposed salaries and allowances are in no way extravagant or extraordinary. Even my hon. friend, Mr. Kapoor, who was inclined to think that the amounts were excessive, did not succeed in his attempt to prove his point.

SHRI J. R. KAPOOR: I never suggested anything of the sort.

SHRI H. P. SAKSENA: I gathered, by implication, from his speech that he was explicitly against the sumptuary allowances that are being allowed.

SHRI J. R. KAPOOR: Nothing of the sort. Let me not be misrepresented.

SHRI H. P. SAKSENA: Anyway, there is nothing extraordinary or uncommon with regard to the money

[Shri H. P. Saksena.] that is proposed for the salaries of four important officers of Parliament on whom the entire proceedings of the Parliament hinge, the Speaker and the Deputy Speaker of the House of the People and the Chairman and the Deputy Chairman of the Council of States. "I feel, however, that I should emphasise that this top-heavy administration is not in consonance with Gandhiji's ideals. Some day or other we shall have to revise our mechanism of administration in order to make it conform more and more to what the Father of the Nation taught us. I admit that the times are not propitious and opportune, but then the fact should not be lost sight of that our objective is to establish a form of administration which conforms to the rule of "plain living and high thinking."

I will deal with the last speech to begin with, the speech made by my hon. friend. Mr. Mahanty. It was a very disappointing performance. It was a bundle of contradictions. On the one hand, he was praising the impartiality of the Deputy Chairman and of the other officers of Parliament and on the other hand he was criticising the fact that they belonged to a certain party. I know it is very irksome to these hon. friends that the Congress Party is in an overwhelming majority. That overwhelming majority is there. It is an established fact. You will have to take it philosophically. You need not kill yourself by this frustration that the Congress Party is in a majority. For some time to come, you shall have to wait, but the future prospects also are not very bright for you and you have to take it for granted that for a very very long time to come things will go *on* as they are going on now, with due respect to you, Sir. Mr. Vice-Chairman.

My hon. friend, Dr. Kunzru. quoted Lord A, Lord B and Lord C. I have got no Lords to quote. The only person I can quote is the late Vit-

halbhai Patel who established glowing practices of parliamentary impartiality during his term as Speaker. That Speakership has been the sheet anchor and the guiding beacon-light of all Congressmen whenever they occupy positions of importance in the Parliament or in the Provincial Legislatures. Here. I may also mention the impartiality, which was universally appreciated, of our revered Ex-President of the Congress, Shri Purushottam Das Tandon. who presided over the destinies of the U.P. Legislature for a number of years, and there was not one word ever even whispered, let alone questioned, on the floor of the House, regarding his impartiality. With these traditions of the Congressmen before us, I don't see any reason why these friends of mine on the opposite Benches are getting so shaky and so nervous of what may happen tomorrow. Nothing, I assure them, is going to happen so long as a Congressman occupies the Chair. He knows he has got to be impartial when he is occupying the Chair in the House.

THE VICE-CHAIRMAN Mr. Saksena, whoever is in the Chair and to whichever party he belongs, he is impartial—not merely Congressmen.

SHRI H. P. SAKSENA: I stand corrected. The very fact that one is in the Chair guarantees his impartiality. What you said, Sir, only strengthens my point that whenever a Congressman occupies the Chair, it is a guarantee that he is going to act like an impartial judge.

Sir, much stress was laid on this point that once a person is elected to an office, he should act like a nonparty man. Verily, verily Sir, he does not act like a non-party man whenever he is occupying that Chair. He does in no way allow his belonging to a party to come in the way of his actions in the Legislature but it would be unjust and ungenerous to ask him to disaffiliate himself from the

party to which he happens to belong or to cut off his relations with that party, and why should he do it? May I ask most emphatically why he should be asked to cut off his relations from the party to which he belongs? Because when he has taken that place of responsibility he has allowed himself to believe that he will never, while functioning as the Chairman, allow his party affiliations to come in the way of his rulings, findings and judgments.

My hon. friend Mr. Kapcor rightly said that it would be too harsh to ask any of these dignitaries to give up their party or to resign from that party. I may enlighten my hon. friend Mr. Kapoor that that man who allows himself to be dictated by others, will not be worth his salt and no one can be so foolish as to ask him to give up his party. He will simply not agree to it because belonging to a party is more precious and more valuable to him than the accident of occupying the Chair.

Then another point was raised by the same hon. friend that he should not be an active member of the party. Why should he not be an active member of the party?

SHRI J. R. KAPOOR: The party in the Legislature.

SHRI H. P. SAKSENA: In the Legislature there is no party. I take it that there is no party in the Legislature so far as the Chairman, or the Legislature is concerned. When he is occupying the Chair as the Head of the Legislature, he does not belong to any party. My friend went to the length of suggesting that, the Party Whip will be sent to the Chairman. I don't think any Whip will be foolish enough to send a direction to the Chairman to do this and not do that. No man, I may assure my dear friend, will be foolish enough to do that.

PROF. G. RANGA: To the Deputy Chairman and the Deputy Speaker.

SHRI H. P. SAKSENA: Sir, the amount of money that is going to be spent for the residence of the officers of Parliament .....

*(Interruptions.)*

Although I have been used to interruptions, I have myself disturbed hundreds of meetings, have organized anti-meetings in my life and have been disturbed and turned out from meetings so many times, presently I am disposed to ignore all these interruptions that are being made from this side or from that side.

Sir, I find that some money is allotted for providing residential quarters to the four officers whose salary Bill we are considering. I don't think there will be any objection to that item of expenditure because after all we are providing dwelling places and houses even to lakhs of those unfortunate brothers and sisters of ours, who have been displaced and have gone to the various parts of the country. When we are looking after them, there is no earthly reason why decent accommodation should not be provided for these officers. They are not displaced persons but all the same they also need accommodation.

I invite the attention of my hon. friend Mr. Mahanty to.....

AN HON. MEMBER: He is not here.

SHRI H. P. SAKSENA: You can convey it to him.

SHRI S. MAHANTY: I am here.

SHRI H. P. SAKSENA: I r.m glad. Mr. Mahanty admitted or denied—I don't know because he was moving in a contradictory fashion. He spoke of the rulings of the Speaker of the House of People and the findings of the Chairman of the Council of States. If he has not yet been convinced of the impartiality .....

THE VICE-CHAIRMAN: He did not say anything about it.



SHRI H. P. SAKSKNA: Without making any pointed reference to him. I say generally that if anybody is not yet convinced of the impartiality of the Congressmen as such who are occupying these Chairs, I invite those gentlemen, those unbelievers and doubters.....

THE VICE-CHAIRMAN: The Chairman here is not a Congressman.

SHRI H. P. SAKSENA: I take him to be a Congressman because when he is not a man of the other side, whosoever is presiding, is a Congressman. I invite the doubters and unbelievers of the impartiality of the Congressmen to the rulings and findings of the hon. Speaker of the House of the People and the hon. Chairman of the Council of States and then they will be convinced that there is no necessity for these people, if they happen to belong to Congress, to resign their membership of that party. That is my whole point.

My hon. friend Mr. Mahanty did refer—of which I have no doubt—to the Marshal being called and to some unhappy and unpleasant scenes.....

SHRI S. MAHANTY: May I offer some personal explanation?

THE VICE-CHAIRMAN: No.

SHRI H. P. SAKSENA: I don't know - whether I was in any way disrespectful to my friend. I was simply going to refer to a statement that he made that the Marshal had to be called in, in the House of the People some time ago or in some other provincial Legislatures. Now if you make it impossible for the proceedings of the House to be conducted, if in spite of all the concessions allowed to you, you continue to disturb the proceedings, after all a moment comes when even the most patient and tolerant Chairman of the Legislature feels that in the interest of the proceedings of the House, it will be advisable to put a check on that sort of obstruction.

SHRI K. C. GEORGE (Travancore-Cochin): Is he in order?

THE VICE-CHAIRMAN: He is quite in order.

SHRI H. P. SAKSENA: What I would advise my hon. friends who are still not convinced is this, that they should have faith in the integrity and the impartiality of the officers concerned, and then they will be saved from this mental worry for which an asylum is being sought and then things will go right with them also. They will, in addition, be able to see things in their true perspective. This present-day defeatist mentality and inferiority complex is simply killing. Please shake it off and take things as they are.

Sir, the amount covered by this Bill is only Rs. 1,14,000 and looking at the importance of the officers concerned, I do not think there can be any kind or manner of opposition to the grant of this amount and I hope that this Bill will be passed with the best of grace.

SHRI H. C. MATHUR (Rajasthan): Mr. Vice-Chairman, this Bill that has come before us. I feel, lacks the courage of conviction and I am afraid its provisions are not based on any sound criteria. The hon. Minister who moved this Bill endeavoured to convince us that the proposals for salaries and allowances were based on the dignity and status attached to the high posts to which those salaries are attached. I do not accept that principle and I think it is foreign to our Indian culture and foreign to our traditions. It makes no appeal to the Indian heart. Our highest dignitaries to whom we have given the greatest respect- and the greatest love are only the ascetics and half-naked *fakirs*.

SHRI B. B. SHARMA: You cannot follow them.

SHRI H. C. MATHUR: If it is really too difficult for us to follow that

example and that principle, then I would submit, let us be honest about it and let us say that we are ordinary human beings and we follow the principles which apply to the ordinary man. In that case, certainly I would have no quarrel and I would concede that the salaries should be fixed in conformity with the dignity and the status of the posts.

Let us examine if this Bill fulfils even this criterion that I have just now mentioned, the criterion that was laid before us by the hon. Minister who is in charge of the Bill. If we want to examine and ascertain the status and the dignity attached to a particular office, then I think the best way or the best guide would be the Warrant of Precedence. Sir, if you look at the Warrant of Precedence you will find that the Speaker of the House is bracketed together with the Chief Justice of India in item 7 who gets a salary of Rs. 5,000. In all-India context the Governors and the Rajpramukhs come next. They are in item No. 8. The Chief Justices of the State Governments and the High Courts, they are in item 18, as low as that. The Attorney-General and the Comptroller and Auditor-General also find a place somewhere there. The High Court Judges who receive a salary of Rs. 4,000 are at item No. 27. Sir, I ask, what justification is there for us to say that the salaries to be laid down for these high dignitaries should be as low as Rs. 2,250 for the Speaker and the Chairman while it will be Rs. 2,000 for the Deputy Chairman and the Deputy Speaker? We must follow some principle. Even if you leave apart these special posts with which only a proper comparison would be relevant, and if you examine the pay structure which has been accepted by the Government—I am not referring, Sir, to the salaries of the I.C.S. group for which there might be an argument that these salaries had been guaranteed in the Constitution and that they should

not be equated as something which is accepted by the present Government—I am only referring to those salaries and pay structures which have been adopted by the Government of India as late as 1950. A Government notification issued by the Home Ministry in 1950 fixes the salaries of our I.A.S. officers, the maximum of which goes up to Rs. 3,000. I think, if that is the pay structure which we are accepting for the present, there is absolutely no justification for the salaries of these high dignitaries so low, and for the salaries of the Ministers to be fixed at a lower level. I feel that there is a fundamental objection to it. If you fix the salaries of the Ministers and the Speaker and the Deputy Speaker lower than that, you are developing very false values in the official *raj* and I consider that these false values which are likely to be attached to lower posts will do considerable damage to the principles which we want to establish.

I should very much like to ask the hon. the Finance Minister, if he is to make the reply to this debate, what justification there is for these inconsistencies and the inconsistencies which are so real and palpable and which are likely to have a very adverse effect.

PROF. G. RANGA: On whom?

SHRI H. C. MATHUR: Sir, apart from this, I just wanted to mention a word about the Chairman. I find no place given to the Vice-President or the Chairman in the Warrant of Precedence. I pointed this .....

THE VICE-CHAIRMAN: It is there.

SHRI H. C. MATHUR: No, Sir, it is not.

THE VICE-CHAIRMAN: There was an amendment issued.

SHRI H. C. MATHUR: The post of the Speaker is mentioned. I asked

[Shri H. C. Mathur.] for a copy of the Warrant of Precedence from the Home Ministry and the copy which was supplied to me did not contain this and so I wrote back to the Home Ministry and invited their attention to it and the reply which I received was that the matter was under consideration and that I will hear in due course. I have not heard to this minute. This is on the basis of information which has been supplied to me and I do not know what place has been accorded to the Chairman and the Vice-President of India.

SHRI B. K. P. SINHA: The Vice-President takes precedence after the Prime Minister.

SHRI H. C. MATHUR: I do wish that that should be definitely taken into consideration when we are fixing the salaries in consonance with the dignity and the status of the post. The hon. Minister who introduced this Bill tried to explain to the House that the salaries which are being fixed are very much in the spirit of the Karachi Resolution where a maximum of Rs. 500 had been mentioned and his line of argument, as usual, was that the price index has gone up four times since then and, naturally, therefore Rs. 500 at that time would be Rs. 2,000 today. Let us be very honest about this Resolution and it would be better if our Ministers would admit that. That Resolution is not practicable and we cannot adopt it today because if you want to justify that Resolution and if you want to satisfy us that the salaries today, the salaries of the Ministers and the Speaker, are being fixed in consonance or in conformity with that resolution, immediately a pointed question is asked, Sir, "What are you doing about those people who were at that time getting Rs. 500 or less? Have you raised their salaries four times?" Can anybody with any justification say that the Government servants who were drawing anywhere

near Rs. 150 or Rs. 200 at that time have had their salaries raised to Rs. 800 or Rs. 1,000? It is not. We have not been able to double that. It is not my argument that if we had not allowed these salaries to the Ministers and others we will be able to direct a saving to give benefit to the other Government servants. Certainly not. I only submit, Sir, that the argument is wrong, it is not practicable and is not being followed. It is possible that our finances are such that we cannot adopt it and I at once admit and concede and I do not ask that the salaries should be raised four times. Our finances do not permit and we cannot do it but, at the same time, others cannot take advantage of this argument and say that their salaries are fixed at a higher level simply because the prices have gone up four times. We should not take any advantage or benefit because we are not pursuing, we are not following the formula of "four times prices, four times *Aie* salaries." If we do not adopt that in all cases, if we cannot adopt it in the case of the lower grade of servants certainly it would not be very much becoming for anyone to adopt it for the other Ministers. So, Sir, my point is that we should be very clear in our mind about it. We should be honest. We should be strong and we should be frank and we should say that in the present conditions, in the present state of affairs and in the present financial position we are not in a position to give effect to that formula and that the salaries are being fixed in the context of present pay structure. Going a step further from there, if we could not fix our salaries in the context of that pay structure, it would definitely be an insult to say that the salaries and the allowances for the Chairman and the Speaker are being fixed in conformity with the status and dignity which their posts demand. We are not doing it. Far from it. If it is going to be in conformity with the **status** and dignity and if it is going to be in conformity with the present pay structure, it should be definitely much

more. There is no reason why we should give to the Chairman anything less than Rs. 5,000 and anything less than Rs. 3,500 to the Deputy Speaker and the Deputy Chairman.

Sir, another thing which I would like to stress is that another hon. friend here unfortunately remarked that the post of the Deputy Chairman need not be permanent. I take a very strong exception to it and I am very clear in my mind that this post should definitely be permanent and the emoluments which are being allowed are in no case extravagant. They are being paid, as I have already signed, very niggardly. There are reasons, Sir, and the first reason is that anybody who is supposed to discharge the responsibility of the Deputy Speaker or the Deputy Chairman and is cut away from his profession for a fairly long time cannot keep his profession properly. He will have to be dishonest to his profession; as a matter of fact he cannot do it. Don't you find, Sir, even in both the Houses that those who are active in business, who are doing really very good are absent here for most of the time? Then, Sir, another argument is that these officers definitely carry about them an air of very great importance and in spite of their wishing not to exercise their influence—I don't even wish to suggest in the remotest sense that they try to make use of their influence in their profession, but human nature being what it is—other people who come to them will come for one reason because they are the high dignitaries and consciously or unconsciously they have that power that will carry a definite weight, and it is absolutely wrong to lay our high dignitaries to whom we want to give the greatest respect, to be placed in that embarrassing position.

Sir, a word was said—I was quite surprised—by the hon. Dr. Kunzru about medical facilities to the members of their families. To me it appears as only a routine and an usual

thing. I can never see anything extraordinary about it. You will find that such facilities are being allowed (to all the Government servants, at least the civil servants, and almost to all the officers on the Railway Department. I am not aware of the facilities which are being allowed here to the subordinate staff. But I know that in the State from where I come, these facilities are given and given in abundance to even the subordinate staff. There are no charges even for their X-Rays, I mean for the subordinate staff getting less than Rs. 250/-. If any member of the family goes to the hospital, he is not to pay for the X-Ray, he is not to pay for the laboratories and he is not to pay for anything, and it was therefore to my mind quite extraordinary that any objection should have been taken to these medical facilities being given to the members of the family in this case.

Sir, a point which in a strict sense of course is outside the scope of this Bill but which has occupied most of the time in the Lower House as well as in this House about the Speaker casting off his party affiliations as soon as he takes the Chair, has been argued in a most convincing manner by the hon. Pandit Hriday Nath Kunzru and I only want to associate myself fully with the views he has expressed adding a word by saying that this country still remembers the late lamented Vithalbhai Patel as one of the greatest Indians, who was highly respected in the Chair and who laid the best of our traditions. Thank you, Sir.

DR. W. S. BARLINGAY (Madhya Pradesh):

डा० डब्लू० एस० बार्लिंगे (मध्य प्रदेश) :  
उपसभापति महोदय, अभी तक जो भाषण हुए हैं वे अंग्रेजी में हुए हैं। मैं इस बिल पर हिन्दी में भाषण करने की कोशिश करूंगा। अगर व्यवहारिक दृष्टि से देखा जाय तो इस

[Dr. W. S. Barlingay.]

बिल में मुझे कोई त्रुटि नहीं मालूम पड़ती और इसलिये ही इस बिल का समर्थन करने के लिये मैं खड़ा हुआ हूँ। लेकिन अगर तत्व की दृष्टि से कोई यह समझता हो कि यह बिल बिल्कुल ठीक है तो मैं उस से बिल्कुल सहमत नहीं हूँ। अभी श्री रानावत जी ने जो कुछ कहा वे सभी करीब करीब मेरे ही मुद्दे थे और मुझे बहुत मुख हुआ कि जो कुछ मैं कहने वाला था करीब करीब वही बातें उन्होंने ने कही।

THE VICE-CHAIRMAN: He is Mr. Mathur, not Mr. Ranawat.

DR. W. S. BARLINGAY:

डा० डब्लू० एस० बार्लिंगे : I am sorry. इसलिये मैं आप का और हाउस का ज्यादा समय नहीं लूंगा। लेकिन, कुछ मुद्दे ऐसे हैं जिन को उन्होंने ने आपके सामने नहीं रखे अतः केवल उन्हीं के बारे में एक दो बातें कहने की कोशिश करूंगा।

इस देश का सदा ही यह ध्येय रहा है कि हम बुद्धि को ज्यादा प्रधानता दें और लक्ष्मी को उतनी प्रधानता न दें। यदि इस देश की राज्य व्यवस्था को हमें ठीक करना है तो यह आवश्यक है कि जो जनता के नुमाइंदे हों वे लक्ष्मी केवश में कभी न हों और अपनी बुद्धिमत्ता के द्वारा ही लोगों का नायकत्व करें। परन्तु यहां के कुछ सभासदों ने जो भाषण दिये उन से तो मुझे यही मालूम पड़ा और मुझे यह बहुत दुख के साथ कहना पड़ता है कि वे तो केवल लक्ष्मी के दास हैं। यहां यह कहा गया कि चूंकि इन अफसरों को पहले बहुत ज्यादा तनखाह मिलती थी और अब उन की तनखाह कम कर दी गई है इसलिये एक बड़ा उपकार समाज के ऊपर हो गया है। मैं इस को कोई बुरी बात तो नहीं

मानता लेकिन मैं यह जरूर कहूंगा कि जनता पर यह कोई खास उपकार नहीं है। इस देश का जो जनता है वह बहुत गरीब है इसलिये अफसर लोग जो तनखाह पायें या जो सैलरी (salary) और एलाउंस (allowance) वगैरह पायें वह द्रव्य की दृष्टि से जनता का जो स्तर है उस के मुताबिक और उस के प्रोपोर्शन (proportion) में होना चाहिये।

दूसरी बात जो मैं आप से कहना चाहता हूँ वह यह है कि इस बिल में एक बड़ा भारी भेद किया हुआ है और वह बहुत ही सिगनिफिकेंट (significant) है बहुत ही अर्थपूर्ण है। आप देखेंगे कि इस में स्पीकर की जो सैलरी है वह सवा दो हजार रुपया महीना है और डिप्टी स्पीकर की जो सैलरी है वह दो हजार रुपया महीना है। इसी तरह इस हाउस के चेयरमैन को सवा दो हजार रुपया महीना और डिप्टी चेयरमैन को दो हजार रुपया महीना मिलेगा। अब आप देखें कि उस का तत्व क्या है। यदि केवल जीवन की दृष्टि से देखा जाय तो ऐसा तो हो नहीं सकता कि जो चेयरमैन हैं और जो स्पीकर हैं उन को जीवन के लिये ज्यादा पैसा चाहिये और जो डिप्टी चेयरमैन हैं और डिप्टी स्पीकर हैं उन को कम पैसा चाहिये। ऐसा तो आप कहेंगे नहीं, तो फिर यह जो २५० रुपया ज्यादा दे रहे हैं वह क्यों दे रहे हैं? इस का एक ही कारण हो सकता है कि आप यह समझते हैं कि जो आदमी ज्यादा पैसा पाता है उस का स्टेटस (status) और उस की डिगनिटी (dignity) उस आदमी से ज्यादा है जो कि कम पैसा पाता है। मैं आप के सामने बड़ी नम्रता से कहना चाहता हूँ कि व्यावहारिकता से भले ही आप इस का समर्थन करें लेकिन तत्व की दृष्टि से अगर आप देखें तो इस का समर्थन किसी भी हालत में नहीं हो सकता। उस का अर्थ यह होगा कि

पंडित जी जो कि आज प्राइम मिनिस्टर हैं और जो कि लाखों रुपया कमा सकते हैं वे चूंकि आज अपने सेक्रेटरीज से कम तनखाह पाते हैं इसलिये उन की डिगनिटी, उन का स्टेटस, उन की महत्ता कम हो गई, क्या इस सिद्धांत को आप बर्दाश्त कर सकेंगे, व भी नहीं कर सकेंगे। मैं बड़ी नम्रता से कहूंगा कि इस बिल के बारे में मुझे अगर कोई शिकायत है तो वह यह नहीं है कि व्यावहारिक दृष्टि से यह बिल ठीक नहीं है बल्कि शिकायत यह है कि इस बिल के पीछे कोई तत्कालीनता नहीं है। अगर आप को यह देखना है कि लक्ष्मी को कोई विशेष महत्व न दिया जाय तो यह करना चाहिये था कि जो स्पीकर महोदय हैं उन की कम तनखाह रखते और जो डिप्टी स्पीकर महोदय हैं उन की आवश्यकतानुसार ज्यादा तनखाह रखते। क्या उन के सेक्रेटरीज को उन से ज्यादा तनखाह नहीं मिलती? ये बातें जो मैं कह रहा हूं वे केवल बिल से ही मर्यादित नहीं है परन्तु मैं कहना चाहता हूं कि आप जरा दूर दृष्टि से और व्यापक दृष्टि से इस प्रश्न पर विचार करें। हम लोगों को इस देश में ऐसे नायक चाहिये जो कि बुद्धिमान हों और किसी भी हालत में धन के बश में न हों। इस तरीके के लोग और इस तरीके की राज्य व्यवस्था हम को चाहिये। वह कैसे मिले? मैं किसी के खिलाफ बोलना नहीं चाहता लेकिन जो मिनिस्टर और स्पीकर बनने की पद्धति है, जिस पद्धति से वे चुने जाते हैं, उस पद्धति का यदि आप ठीक तरीके से विश्लेषण करें तो आप को नालून होगा कि केवल चुनाव द्वारा ही ये लोग अपनी अपनी गाइयों पर बैठते हैं। तो ये चुनने वाले कौन हैं? ये चुनने वाले वे लोग हैं जो कि अनपढ़ हैं। उस का स्पष्ट नतीजा आप देखें तो यह है कि स्टेट्स में ऐसे ऐसे लोग मिनिस्टर हो गये हैं जिन के लिये यदि आप कह सकें तो सचमुच में यही

कहेंगे कि वे मिनिस्ट्री की गद्दी के लायक नहीं हैं। इस का कारण यह है कि इस देश का आदमी समझता है कि मैं तो एक वोटर (voter) हूँ मेरी राज्य की दृष्टि से जो कीमत है वह केवल एक है और वह अनपढ़ है तो भी एक है और अगर विद्वान् है तो भी एक है। "Everyone to count for one and not more than one." श्री बेथम ने जो यह कहा था उसी के ऊपर आज की राज्य व्यवस्था अवलम्बित है। इसलिये आज धन के लिये और पावर (power) के लिये जो पागलपन की दौड़ है, मॅड रेस (mad race) है, उस में, आज की व्यवस्था में, ऐसे ही लोग सामने आ जाते हैं जो कि कैरेक्टर (character) की दृष्टि से और इंटेलेक्ट (intellect) की दृष्टि से, बुद्धिमता की दृष्टि से, बिल्कुल लायक नहीं होते।

दो बातें हैं जिनमें कि फर्क करना है। आप सोचिये कि अगर मिनिस्टर बनाने के लिये एक पब्लिक सर्विस कमीशन (Public Service Commission) की नियुक्ति कर दें तो कितनी भद्दी बात होगी। जो नियम पब्लिक सर्विस कमीशन का गवर्न-मेंट सर्वेन्ट्स (Government servants) पर लगाते हैं वह नियम अगर आप राज्य की जो इंस्टीट्यूशंस (institutions) हैं उन पर भी लागू करें तो आप बड़े खतरे में पड़ने वाले हैं, वह ठीक नहीं है। इसलिये मैं बहुत नम्रता से कहना चाहता हूँ कि माथुर साहब ने जो बातें कहीं वे सचमुच में ठीक हैं और अगर मैं इस के बाद भी इस बिल को सपोर्ट करता हूँ, इस बिल का समर्थन करता हूँ, तो वह इसी कारण से है, क्योंकि मैं जानता हूँ कि आज की परिस्थिति में कोई दूसरा चारा नहीं है। यह जो बिल है वह केवल एक काम्प्रोमाइज (compromise) है और इसी दृष्टि से इस बिल को मैं सपोर्ट (support) कर

[Dr. W. S. Barlingay.]

सकता हूँ, इसलिये नहीं सपोर्ट करता कि इसके पीछे कोई तत्त्व-निष्ठा है। इतना कह कर मैं समाप्त करता हूँ। आपने जो मुझे बोलने का अवसर दिया उसके लिये मैं अपना बहुत-बहुत शुक्रिया अदा करता हूँ।

[For English translation, see Appendix IV, Annexure No. 186.]

SHRI B. RATH: Mr. Vice-Chairman, I know the limitations that I have to impose on myself while discussing this Bill and before going into the scope of the Bill itself, I want to discuss a minor point that has been raised, that is, whether the scope of the Bill allows any amendments relating to putting restrictions regarding the political affiliation of the Speaker or the Deputy Speaker or the Deputy Chairman. Sir, the Constitution nowhere says.....

THE VICE-CHAIRMAN: Mr. Rath, you may take up that point when we come to that amendment.

SHRI B. RATH: Because that point has been raised and it has been said that it is inadmissible.

THE VICE-CHAIRMAN: It has not been stated that.....

SHRI B. RATH: It has been stated by Mr. Kapoor, Sir.

SHRI J. R. KAPOOR: The subject is not within the scope, yet it is relevant.

THE VICE-CHAIRMAN: There is an amendment and we shall take that point up when we take up the amendment.

SHRI B. HATH: But the way in which he put it, Sir, \_\_\_\_\_

THE VICE-CHAIRMAN: When the amendment comes up, I will allow

what you have to say about its admissibility.

SHRI B. RATH: All that I want to submit is, Sir, although this Bill has been framed according to article 97 which provides for salary and allowances of officers of Parliament, it is not, in so many words, said that there should be provision for residence of the officers of Parliament or for medical facilities in that because salaries and allowances are always to be considered in terms of money and therefore no other facilities have been included in that article. But I do not object that because that article does not mention it, we should not provide these facilities. Just as there is no restriction in giving other facilities to the officers of Parliament by the Constitution as such, so also there is no restriction by the Constitution itself as to limiting the qualification or disqualification of the officers of Parliament.

Now, with regard to this Salaries and Allowances of Officers of Parliament Bill, I have to submit that it is a confused mess. There is no principle behind the Bill and there is no reason why the Chairman and the Speaker should be bracketed with the Ministers. It has been considered expedient by the Minister in charge to bracket them because the functions of the *ex-officio* Chairman of the Council of States who is the Vice-President of India and which office he holds because he is not only elected by Members of this House or the Parliament but.....

SHRI K. S. HEGDE: He is not elected as Chairman.

SHRI B. RATH: I mentioned *ex-officio*. My hon. friend should follow and not interrupt after hearing words in between.

Because here we find the Chairman has been bracketed with the Speaker, the Chairman who is elected, not as Chairman of the Council of States, but as the Vice-President of India,

not only by both Houses of Parliament but by all Members of all Houses in the Centre as well as in the States.....

SHRI K. S. HEGDE: No, Sir, only House of the People and the Council of States.

SHRI B. RATH: My State having only one House, I forget of the other House in other States.

SHRI K. S. HEGDE: No, it is only the Members of the House of the People and the Members of the Council of States who elect the Vice-President.

SHRI B. RATH: Now, Sir, with regard to the method of election of the Speaker he is to be elected by the Members of the House of the People; as regards the Deputy Speaker, he is to be elected by the Members of that House and the Deputy Chairman by the Members of this House. So, Sir, these persons who hold different offices are elected by either restricted or slightly expanded constituencies and as such they derive their dignity from the constituents who elect them. So I submit that the Chairman of the Council of States, by virtue of his office as the Vice-President of India, must be considered as having more dignity than persons who are elected by the House of the People or the Council of States. Now, Sir, if the proposition is made that the remuneration of the officers should be in proportion to the dignity they carry behind them, that is, the dignity of having been elected by different constituencies, then I submit that if that principle is followed, then the Chairman of the Council of States must carry more remuneration than the Speaker of the House of the People. It is not on principle that I am discussing, because we are placed in such circumstances today that "when we discuss things on the basis of certain principles, certain people try to attribute it to the circumstances in which we are placed. I am not discussing from that angle. Therefore, my submission is that if

the pay and allowances must be fixed according to the dignity of the offices they hold, the pay of the Chairman of the Council of States should be more than that of the Speaker of the House of the People.

There is another aspect. What should be the pay of the officers of Parliament? Here the question of status arises. The question of the amount that is necessary for them also arises. Our friends go to the extent of telling us what a particular officer would have earned through his other profession had he not accepted this office. I submit that such observations are not relevant to the proposition. If the dignity in which he is placed is not more valuable to the officer, no amount of money will satisfy him, because everybody will claim that he can earn more than he is earning in Parliament. In these circumstances I submit, and I submit it in consistency with the principle which I enunciate, that no dignitary or officer of this Union should draw such pay or allowance as to be widely divergent from the earning of a common man. I submit there should be a limit to the maximum amount that can be paid to any officer. Considering it from that point of view, I feel that the amount that was being paid previously was unusually high the amount that is being proposed now is also high. Let it not be understood that when I say that it is high I agree to the amounts that are being paid to other officers or other dignitaries of this Union and also the officers appointed by the Government; whether they are I.C.S. or I.A.S.; or I.P.S. or any other "S" officers, because I submit that this country cannot make experiments like this to find out what should be the maximum amount that can be paid to any particular man. We must once for all settle the maximum amount, and no officer should get beyond that. Attempt should be in that direction. In that context I submit that the salaries of the officers that have been proposed are unnecessarily high and should be reduced.



[Shri B. Rath.] Now, as regards the other point whether the Speaker or the Deputy Speaker should have political affiliations or not, I need not go into a consideration of that theoretical aspect. We know some attempts have been made to cite the example of the United States and the example of Britain, and we know that our Constitution is a product which has taken something from everything and has thus made a mess of itself, as a result of which we And very often amendments are proposed to the Constitution, although it is held sacrosanct. But on this point I have 12 NOON to say that if the Members of the Government Benches are interested in having the Speaker and the Deputy Speaker and the Deputy Chairman of the Council as members of their political party because they are the majority party today, let them have them; I have no objection; but let them be very clear about it; let them say, "We want to have the Speaker and the Deputy Speaker as members of our political party." My hon. friend has said that for some time to come—for a long time to come, he afterwards corrected himself—they are going to rule. Since they expect they will be rulers for a long time, they must have the Speaker and the Deputy Speaker as members of their party in order to help them. Unless that is the attitude, such statements would not e out. That only shows that in spite of the enormous powers in their hands they are still shaking in their shoes, they cannot do with a Speaker and a Deputy Speaker who does not belong to their party. That is why I say that if they are interested in having them, let them be frank about it. SHRI K. S. HEGDE: What is the principle or the philosophy of your p

SHRI B. RATH: Please hear me. Don't be impatient.

SHRI H. P. SAKSENA: My friend ought to have sense and understand-jng enough to think that what I sug- i

gested was that if a desirable man was found in the majority party, he would no doubt be taken, but on the other hand there was no ban on any other party man being taken as Chairman or Speaker if in the estimation of the majority party also he was considered to be desirable.

SHRI B. RATH: I am very glad that my friend has now qualified his earlier statement by "ifs" and "buts". I am not going to reply to these "ifs" and "buts", because other "ifs" and "buts" will come in. All that I say is that if our friends are interested in having members from their party as Speaker and Deputy Speaker or Deputy Chairman, all that will happen, and it will be no secret that such officers will not command such respect as they are expected to do. That respect will not be forthcoming because the officers belong to the ruling political party. Before the last election there was a Speakers' Conference-in which all the Speakers of State-Assemblies and the Central Legislature met and discussed what would be the best method of getting them, elected. In that discussion the Speakers were not unanimous on the question whether they should stand on a party ticket or on a non-party ticket. Because of that, in some State Assemblies attempts were made to get a resolution passed in the House itself so that the Speaker's seat would not be contested. The attempt, however, was inopportune because in those Houses the Speakers had conducted the business in such a way as to show that they were partisans of the party to which they belonged. So those resolutions fell through. If a decision is taken that the Speaker's seat will not be contested, I submit there will be no harm in that. Why? Because the political parties who will support this decision will be morally bound not to contest the seat of the-Speaker. Of course that tradition has not developed. But I submit that if all the political parties agree to such a proposal. I submit there will be no force outside which can defeat the Speaker in the election?. There

might be one or two persons who might like to contest the Speaker's seat, but having the support of all the parties behind him, the Speaker will undoubtedly be elected. Of course there are other complications. It may be used as a convenient handle by some persons to change very often the seat of the Speaker from one constituency to the other and there has been some such experience in the past. But, if the Speaker is elected from one constituency and that constituency becomes the Speaker's constituency, I feel that a healthy tradition will be developed through which that constituency will never be contested by any other political party and every political party will try to see that that constituency is left uncontested. If my friends are prepared to accept that proposition .....

SHRI K. S. HEGDE: From whom?

SHRI B. RATH: I belong to a political party. I can guarantee and.....  
(Interruptions)

SHRI B. K. MUKERJEE (Uttar Pradesh): On a point of clarification, Sir. Does the hon. Member speak on behalf of all the political parties in the country?

THE VICE-CHAIRMAN: Mr. Muker-jee, he is making a suggestion to the political parties. There is nothing wrong in that.

SHRI B. RATH: I speak on behalf of my political party and all the political parties interested in having the office of the Speaker not being contested. I give you a lead. If you are anxious, join me. That is the proposition I place before you.

SHRI K. S. HEGDE: What is the practice of your party in other countries ?

SHRI B. RATH: Sir, the practice of my party in other countries has been something which will not be intelligent to my friend.

SHRI K. S. HEGDE: It is not intelligent to anybody,

SHRI B. RATH: He has moulded his mental make-up in such a way that only that thing which suits him is acceptable to him. I will just submit, Sir, that when you talk of Soviet Russia, do not think in terms of elections only, but see the social conditions and the social make-up of that State and how that State has built itself up, and also see how the list that is prepared does not consist of members of that particular political party, but of all the best brains in the country. That must be admitted. Here my friend thinks that it is only the Congress Party which can have all the best brains of the country, but in Soviet Russia, I might enlighten him, the Communist Party never thinks that people cannot remain outside the Communist Party possessing the best brains and that is .....(Interruption). We find that in the Supreme Soviet of U.S.S.R. there are persons who are not Communists but persons who are decidedly the best persons in that country.

SHRI B. K. P. SINHA: May I point out, Sir, that such eminent persons are found apart from the Soviet, in Siberia also?

THE VICE-CHAIRMAN: Order, order.

SHRI B. RATH: Then, Sir, I want some clarification with regard to some of the points in the Bill. We find here that the salary and allowances will be charged, according to the Constitution, to the Consolidated Fund of the State. I want to know whether the money that will be paid for the residence of the officers of the Parliament and also the money that will be spent for giving medical facilities to them, will be voted by Parliament or not.

THE VICE-CHAIRMAN: No. They are allowances.

SHRI B. RATH: They cannot be allowances. They are other facilities. They may be included as other facilities and the money that is going to be disbursed, I want to know whether it will be a Charged-item or a Voted item. On that point. I want some clarification.

SHRI B. B. SHARMA:

श्री बी० बी० शर्मा : श्रीमान् वाइस चैयरमैन महोदय, मैं इस बिल की बातों का समर्थन करता हूँ। उस के दो प्रधान कारण हैं। हमारे मित्रों की ओर से इस बिल में जो बहुत से संशोधन किये गये हैं, उनका मैं विरोध करता हूँ। विरोध का भी प्रधान कारण यह है कि जो बातें उन लोगों ने कही हैं उनके बुरे परिणामों का उन लोगों ने विचार नहीं किया। जो संशोधन पेश किये गये हैं उनमें दो बातें कही गई हैं, एक तो यह कि यहाँ इस बात का उदाहरण होना चाहिये कि जो हमारे अध्यक्ष हों, चाहे वह हाउस आफ दि पीपुल्स के हों या कौंसिल आफ स्टेट्स के हों, वह एक नान पार्टी मैन (non-party man) हों। इस सदन का कोई भी व्यक्ति चाहे इस सदन की कांग्रेस पार्टी का हो, या विरोधी पार्टी का हो, इस बात का कोई विरोध नहीं करता है। अगर हमारे लायक दोस्त इस सिद्धान्त को लागू करना चाहते हैं तो उसके जो नतीजे हैं, जो परिणाम हैं, उनका भी यहाँ पर पालन होना चाहिये। हमारे मित्र श्री रथ ने अभी यह बतलाया है कि वह इस बात के लिये तैयार हैं कि यह सिद्धान्त यहाँ पर लागू कर दिया जाय कि स्पीकर, डिप्टी स्पीकर, चैयरमैन और डिप्टी चैयरमैन के स्थान को नान पार्टी लाइन (line) पर लड़ा जाय, किसी पार्टी द्वारा उसका विरोध न किया जाय और पहले से ही उनके लिये वह स्थान सुरक्षित कर दिया जाय जहाँ से

वे सदा स खड़े होते रहे हैं और दूसरी पार्टी के लोग इन स्थानों के लिए अपने उम्मीदवार खड़े न करें। जहाँ तक इस सिद्धान्त का सम्बन्ध है, कांग्रेस का कोई भी व्यक्ति इसका विरोध नहीं करता है। मगर जो कुछ भी शंकायें या भय किसी प्रकार से इस सिद्धान्त के बारे में होगा वह विरोधी पार्टी की ओर से ही होगा क्योंकि विरोधी पार्टी अपने वचनों पर कभी भी कायम नहीं रहती है; उनकी पार्टी के सिद्धान्त हमेशा बदलते ही रहते हैं। उनकी तरफ से जो बातें कही गई हैं उसका भविष्य में पूरी तरह से पालन होगा या नहीं, इस में हमें शंका है।

SHRI B. RATH: Sir, am I to understand that the Congress leadership is static?

SHRI B. B. SHARMA: Yes it is static and there is no doubt about it; whereas your leadership is working in secret and changing its tactics very often.

इस वास्ते, श्रीमान्, मेरा यह कहना है कि हम उनकी आशंकाओं को समझ रहे हैं फिर भी हम उनके इस प्रस्ताव को सहर्ष मानने के लिए तैयार होते हुए भी, उनकी जो भय और शंका है उसको मानने में समर्थ नहीं हैं।

दूसरी बात जो मुझे कहनी है वह यह है कि यह एक ऐसी बात है जिससे इस बिल का कोई ताल्लुक नहीं है, कोई सरोकार नहीं है क्योंकि हम इस पद पर कोई भी व्यक्ति हो, चाहे वह किसी भी पार्टी का क्यों न हो, उसका इमोल्यूमेंट (emolument) ही निश्चित करने जा रहे हैं। वह कैसे चुना जायेगा, कब चुना जायेगा और यह सिद्धान्त

कब लागू होगा और किस तरह इन स्थानों को रिक्त रखा जाय, इन बातों से इस बिल का कोई सम्बन्ध नहीं है। यह बातें तो हमारे नेताओं की विचारधारा पर निर्भर हैं। यदि लोग आइन्दा भविष्य के बारे में इस सिद्धान्त को मानते हुये कोई नीति निर्धारित करते हैं तो उसको कांग्रेस जन सहर्ष स्वीकार करने में कभी भी हिचकेंगे नहीं। ऐसी सूरत में यह मुझाव असामयिक है और इसका इस बिल में कोई ताल्लुक नहीं है। किसी भी विरोधी पार्टी को अब तक यह मौका नहीं मिला है और न मिलने की आशा है कि कोई भी उक्त पदाधिकारी ऐसा कार्य करें जिससे कि किसी भी पार्टी को सन्तोष न हो सके। यह कहा जाता है कि पार्टी में रहते हुये भी अब तक उन्होंने ऐसा कोई कार्य नहीं किया है जिससे किसी को असन्तोष रहा हो। तो इस बात पर उनको आपत्ति नहीं होनी चाहिये कि वे पार्टी में रहें या न रहें। यदि वे ईमानदार आदमी हैं, तो पार्टी में रहते हुये भी उस स्थान पर बैठ कर जो कुछ कार्य करेंगे वह निष्पक्ष भाव से करेंगे। लेकिन यदि कोई आदमी ऐसा है जिसकी बातों का विश्वास नहीं किया जा सकता, जिसके कार्य को कोई सैद्धान्तिक बल नहीं है; जो कि सदैव अपने मत को बदलता रहता है, वह जो कि कहता कुछ है और करता कुछ है, यदि कोई ऐसा आदमी उस पद पर नियुक्त किया गया तो क्या विश्वास है कि वह इस बात को कहते हुये भी कि हम किसी पार्टी को बिलांग (belong) नहीं करते हैं, पक्षपात न करे। मेरी समझ में यह तो केवल व्यक्तिगत बात है, और निष्पक्षता के अभाव की बात है। कोई आदमी पार्टी में रहते हुए भी निष्पक्ष रह सकता है और कोई आदमी इस बात को कहते हुये भी कि हम किसी पार्टी को बिलांग नहीं करते हैं, हम किसी पार्टी के सदस्य नहीं हैं पक्षपात कर सकता है।

तो ऐसी सूरत में इसमें कोई तथ्य नहीं कि एक होलसम ट्रेडीशन (wholesome tradition) बनायें जिस के लिये मेरे लायक दोस्त उत्सुक हैं। इसका कोई फल नहीं निकलेगा। यदि उसी स्थान पर कोई कम्युनिस्ट पार्टी का सदस्य रख दिया गया तो हम लोगों को इस बात का सदा भय बना रहेगा कि अपने को निष्पक्ष करते हुए भी हमेशा पक्षपात करेगा, जैसा कि हम लोगों का तजुर्बा है कि वे लोग कहते कुछ हैं और करते कुछ और हैं। अब तक का कम्युनिस्ट पार्टी के मुताल्लिक जो हमारा अनुभव है वह यही है कि उनका कहना कुछ है और करना कुछ है।

SHP.1 S. -N. MAZUMDAR (West Bengal): You see in your own lights.

SHRI B. B. SHARMA: Yes. We have seen it and the world has seen how glaringly you have failed to discharge your professions. That also has been seen by the world.

SHRI S. N. MAZUMDAR: Take up your own resolutions and check up.

SHRI B. B. SHARMA: I believe India is checking up.

श्रीमान् जी, दूसरी बात मुझे जो कहनी है वह यह है कि कुछ लोगों ने सैलरी (salary) के बारे में भी प्रश्न उठाये हैं। कुछ लोगों का कहना है कि यह अधिक है और कुछ लोगों का कहना है कि यह कम है। मैं तो यही कहूंगा कि जहाँ तक गवर्नमेंट की सारी मशीनरी (machinery) की तनख्वाह का प्रश्न है उसके सम्बन्ध में गवर्नमेंट विचार करे, चाहे तो किसी कमेटी या कमीशन द्वारा विचार करावे या स्वयं विचार कर लेवे कि समस्त भारतवर्ष की जनता की आर्थिक स्थिति को ध्यान में रखते हुये, सैलरी का क्या स्केल (scale) होना चाहिये, तनख्वाह का क्या स्केल होना चाहिये? एक मामूली साधारण गवर्नमेंट इम्प्लोयी (employee) का क्या स्केल होना

[Shri B. B. Sharma.]

चाहिये इस पर गौर के साथ विचार करे और ऐसा स्केल बनाये जो कि प्रत्येक व्यक्ति के स्थान और डिगनिटी (dignity) के उपयुक्त हो, और साथ ही साथ किसी को अधिकार न हो, किसी को इस बात का अवसर न मिले कि वह कह सके कि वह किसी व्यक्ति को तनख्वाह से असन्तुष्ट है। मेरे कहने का तात्पर्य यह है कि प्रेसीडेंट (President) की सैलरी क्या हो और एक चौकीदार की सैलरी क्या हो, उसमें क्या समानता हो पद का विचार रखते हुए और उसके स्थान का विचार रखते हुये एक कमेटी द्वारा इन सब बातों पर विचार होना चाहिये और तभी उसको निर्धारित किया जावे। जो उदाहरण पं० जवाहरलाल नेहरू ने अपनी तनख्वाह को कम कर के दिया है वह उदाहरण उनके अनुयायी या उनके हुक्म पर चलने वाले जो पदाधिकारी हैं उन्होंने अभी तक नहीं दिया है और मेरा ख्याल है कि वे इस बात को विचारने के लिये भी तैयार नहीं हैं कि वे अभी अपनी सैलरी का कोई हिस्सा स्वतः कटवावें और गवर्नमेंट को सौंप दें। तो इन सब बातों को ध्यान में रखते हुए उपयुक्त रीति से हम बात पर विचार होना चाहिये कि हमारे भारतवर्ष में प्रत्येक पदाधिकारी की क्या तनख्वाह हो और उसके लिये क्या आवश्यक तनख्वाह होनी चाहिये जो कि न तो उसके पद के विपरीत हो और न ऐसी हो कि वह अपनी जीविका भी न चला सके। इतना कहने के बाद मैं आपको धन्यवाद देता हूँ।

[For English translation, see Appendix IV, Annexure No. 187.]

SHRI M. MANJURAN (Travancore-Cochin): Sir, I am surprised at the very long debate that has been going on about this Bill.

SHRI GOVINDA REDDY: And you are helping to make it longer.

SHRI M. MANJURAN: Yes, I am helping, but by pointing out a few relevant facts. What is stated in the Statement of Objects and Reasons for this Bill is.

"The present Bill has been drafted in pursuance of article 97 and equates the position of the Speaker and the Chairman to that of Q. Cabinet Minister with respect to their salaries, allowances and other facilities as envisaged in the Salaries and Allowances of Ministers Act. 1952 "

If it was only a mere equation that was contemplated in the Constitution, they need have stated as much and we could have avoided this very luxurious debate on this point, if the Constitution only contemplated this equation and this was all that should have been done, I think this debate which costs about fifty per cent, of the total amount contemplated in the Bill itself is a mere waste in terms of real democracy. I think the time taken in the two Houses, the Secretariat charges thereon, the stationery and printing involved and all that is an enormous amount, coming up to Rs. 65,000 whereas the total amount with which this Bill is concerned is only Rs. 1,14,000. As pointed out by this Bill, the Constitution is defective and that is my contention.

SHRI K. S. HEGDE: On a point of explanation, Sir.

SHRI M. MANJURAN: Yes, yes. While the eminent people were writing the Constitution they had the idea that there should be some distinction between the ministerial position as well as .....

SHRI K. S. HEGDE: On a point of explanation, Sir. My learned friend is misreading the article. Article 97 of the Constitution provides for the Parliament's fixing the remuneration or salaries of the officers. Nowhere in article 97 or in any other article in the Constitution is it stated that

the salary should be equated with that of the Speaker. Ke is mixing up the two things.

SHRI M. MANJURAN: I know. It has been definitely stated but, in practice, they were given only what was being paid to the Ministers.

SHRI K. S. HEGDE: That is the fallacy. Therefore .....

SHRI M. MANJURAN: I don't want to hear any more arguments. You have had enough of your say, please be patient now. I quite understand that some of these formalities are necessary, but the needlessness of this particular aspect is astounding.

I have got one word to say about the desire to strictly adhere to the Constitution. If you refer to the relevant article in the Constitution, you find there the Chairman, the Deputy Chairman, and then comes the Speaker and then the Deputy Speaker. But here in the Statement of Objects and Reasons, you find this order reversed. If they had a correct perspective of this matter, they would have mentioned the Chairman first, and this, Sir, is a matter of great importance, as Mr. Rath pointed out. What is the order of precedence? There should be some meaning in all these things. In the Constitution, the Chairman is mentioned first but he is mentioned second in the Statement of Objects and Reasons of this Bill. I am reminded of this now especially because of the incidence that have been taking place recently with regard to the equality and otherwise // both the Houses and the enormous amount of criticisms that have come up in the press. We have had the remarkable spectacle of editors giving advice to the representatives of this country to do things in a particular manner. A single editor with a particular opinion flouts in this land the opinions of 713 Members of both Houses of Parliament and suggests easy remedies for constitutional problems. But the cause is provided by the drafter, of such Bills as this. I am afraid there is a malicious intention behind even this procedure that they have adopted.

SHRI B. K. P. SINHA: It is unparliamentary.

SHRI M. MANJURAN: No, it is not.

SHRI B. K. P. SINHA: It is unparliamentary.

SHRI M. MANJURAN: No, it is not. So many things are coming out in the Press and in a democracy we know sometimes that when there is trouble the Press might be voicing somebody's opinion. Here is a question of apportionment of money and you say that dignity is maintained by money. That is the Finance Minister's argument. If dignity is maintained by money in everything that can be obtained in the world is maintained by money, then all these things have got some relevance because there is a proverb in Malayalam which says that even if you acquire money shamelessly the shamelessness will be covered by the money that is acquired. But, in my place I have never heard that money installs a man with any amount of dignity because many of the black-marketeers are moneyed men. I don't think there is a national order or a statute by which they are installed with dignity. Money and dignity are inconsistent terms, having no relation to each other. When a man sees in this Bill that the Chairman and the Speaker have agreed to reduce their salary, there is a suggestion that they have done a good thing and I very much like every man who preaches would take to himself to give an example to the nation. Recently, I have been reading the Prime Minister exhorting the people all over to put in voluntary labour for capital formation in this country and when a question of money comes in, when associated with it is the question of dignity, what would these people divested of their dignity do except volunteer themselves to unprofitable tasks? These are, therefore, very inconsistent doctrines according to me. What you preach should be what you practice exactly. The Finance Minister states that Rs. 2,250 a month will keep the Chairman of the Council of

[Shri M. Manjuran.] States in a very dignified condition. But I thought that when we elected him he was a very dignified man and we all agreed to elect him without a contest. We knew that he maintained great dignity about him and we naturally elected him. I think that that argument of Rs. 2,250 and certain additional facilities to maintain the Chairman of the Council of States as a very dignified person is very difficult to understand because some Secretaries are getting 4,000 rupees. If money were the basis of dignity these Secretaries precede in status our Chairman which, as a matter of fact, I don't like. I do not actually object to payments to these officers of the Parliament but what I object is the idea behind it enunciated by the Finance Minister that dignity is vested in a person. Because he throws a pittance at him. I think we have to grow a little bigger than all these and take this Bill in clearer light. It should not have been debated very seriously. That is my whole purpose to show. After all, what is the matter that is involved in the Bill? It only states that the Chairman and these other people should get as much as the Ministers get and, what is there to debate upon it? The Ministers do get and we were not able to pull them away from their parties; we were not able to do anything with them when they were allotted the salaries. What should we do with the Chairman and the Speaker? Whatever they do we have to keep them on. So without insisting on this or that aspect we should actually pass this Bill. The observations made in this Council and in the House of the People would only amount to a certain perspective that we should take in regard to matters of national importance, in which case I agree entirely with Mr. Rath that the Chairman of the Council of States should have been treated as a much more dignified man than the Speaker of the House of the People. He was elected by the Nation as a whole because it is the Nation that sent the representatives to every Legislature,

and every legislature is a constituency for him whereas (the Speaker of the House of the People is only elected by a comparatively smaller electorate. Naturally, if dignities are to be understood in their proper perspective, the Chairman of the Council of States discharging the functions also of the Vice President of India, should have been placed on a very much higher plane than the Speaker of the House of the People and Mr. Naidu quoted reliably the practice in England in this regard. Never in my life was I enamoured of the British people and I shall not quote their practices as there has been great opposition against them for having perpetuated a scheme of exploitation for over 200 years in this country, but unfortunately our Constitution in many respects follows theirs. Wherever we are in doubt we are not to judge ourselves. Unfortunately judgment is vested in the people against whom we became militantly antagonistic in the course of a history under their domination. But at the moment they were to leave this place we suddenly became lovers of the British system. This system which is based on an unwritten Constitution, provides a lot of relaxation and flexibility. Our Constitution does not provide that. Therefore it was quite necessary, when the Constitution was drafted, to clearly enunciate the conventions and the traditions which are there and which are not clear enough here. Going through the Statement of Objects and Reasons, I would again emphasize that the Constitution is ill-written. So the first effort should have been to amend the Constitution and to get article 97 re-drafted to say that the Chairman and the Speaker of the respective Houses will be equated with Ministers and the Deputy Chairman and the Deputy Speaker will be equated with somebody else, in which case this Bill would not have been necessary at all. As I have pointed out, it is nothing but a waste of time and giving people opportunities to indulge in all kinds of political controversy. We have known that the

Speaker of the House of the People definitely stated that he belonged to the Congress Party and he insisted on belonging to that party. This is something more than what is allowed by the British traditions and Constitution and according to the conditions in this country it is not an acceptable proposition. However much advocates on Congress side would like the Speaker to be a Congressman, a remarkable impartiality is expected of him for which he should formally renounce his partiality for the Congress. I think of Raj Dharma in the Puranas and Sastras that is what is said, namely, the man who governs should be impartial. Even when the Ministers are administered the oath I think there is the condition that they should discharge their obligation: without ill-will or favour to anybody and act towards everyone in the same manner. That is what is implied. When the Speaker is not going to give that assurance which the Ministers are giving by virtue of their oath, how can we trust that condition? Although it is not there in the Constitution, I do not know why it should not be in the Constitution. We could write in our Constitution anything which we consider desirable. Nothing need be out of the bounds of Constitution. Nobody has made any prescription about the Constitution as to what it should contain and what it should not contain. If anybody argues that there is such a prescription I would say that our Constitution contains many things like 'Directive Principles' which other people did not want to have in their Constitutions. There is no limitation to a Constitution. So the whole thing could have been very easy if our Constitution were intelligently framed as to avoid all these unnecessary complications. The first thing to be done is to look into the Constitution and see what are to be changed before Bill after Bill is thrown before this House, which means not only time wasted on the discussions but also money wasted over salaries and allowances. We have been pointing out that this country cannot indulge

in all these luxurious habits of democracy. It is so in England because the national wealth in England is very much more and they can afford to spend a lot of money over these which they will earn from outside, whereas people here are without employment. Here people are without dignity, without status, without anything and what is the use of putting four people with dignity and status in this country? It is not necessary. I would have very much liked that these people took it into their mind that they should work in an honorary capacity for the country. I would have admired it. As Mr. Naidu was pointing out that these gentlemen were eminent practitioners at Bar and used to get lot of money every month, I only came to this conclusion that they might have accumulated sufficient wealth during the course of their life in order to keep them well off. I say, why should these wealthy people be provided with further facilities? I should have accepted their free service as a very good example, when even the Finance Minister is sometimes interested to teach us lessons through the Planning Commission and its Report that people should work voluntarily and free. They should have set an example and we would have understood it. Every time we are teased with these salary Bills, these remuneration Bills, but what big things are being done here? What if we pass these Bills or do not pass them? That is what I sometimes think: everytime this thing comes up, it is something to tease us. The moment we do not indulge in these habits and we make ourselves austere and stern for the purpose of better administration of this country—not by debating on these few rupees, which I think does not matter even if you give; it is just the same—but the principles behind them should be very clearly noted.

SHRI K. S. HEGDE: Physician, health himself.

SHRI M. MANJURAN: I do not understand you. What is that?



SHRI GOVINDA REDDY: The example of sacrifice must come from you.

SHRI M. MANJURAN: What is it?

HIE VICE-CHAIRMAN: It is not relevant.

SHRI M. MANJURAN: I knew he would be irrelevant. Well, Sir, our Constitution must be made a very understandable and intelligible affair. I think it has got a lot of things which either contradict or are superfluous. For a poor country and practically illiterate country with several disadvantages, the Constitution raises all the troubles over which lawyers are gloating today as Mr. Hegde and Mr. Naidu. It should be made understandable to the common man.

THE VICE-CHAIRMAN: No personal remark, please.

SHRI M. MANJURAN: It is not, Sir; and, if at all, it is without any offence. And thank you, Sir.

MAJOR-GENERAL S. S. SOKHEY (Nominated): Mr. Vice-Chairman, I rise to discuss briefly the question of provision of free medical aid to officers of Parliament raised in this Bill, but before doing so, I should like, in passing, to make a few remarks regarding salaries in general. The size of salaries is a very complex subject and I would take a great deal of time to reduce that very complex subject into any coherent order. We must, first of all, realise that salaries have no particular rational basis for their determination. First there is the relationship between the size of salaries paid by Government and commercial organisations. The salaries of Government servants who are paid by Government and who are always short of money and some even on the verge of bankruptcy, are relatively smaller than those paid by commercial firms. On the contrary commercial firms, who by various means get large sums of money, usually pay high salaries to their employees. Therefore, in the present social order this

distinction between commercial salaries and the salaries of Government servants is creating confusion. We cannot therefore assume that the salaries have any relationship either to the intellectual capacity or the value of the work done by the people drawing those salaries. In today's discussion the size of salaries has somehow been connected to the dignity of the office. I have listened to the debate very carefully but without understanding what was intended to be made out. I should have thought the dignity of office is determined by the excellence of work done by the office holder. It is not possible to judge it by the size of the car he drives in, or by the size of the bungalow he lives in, or by the clothes which his wife wears or he himself wears.

Let us therefore be clear about what we are talking about. This mixing up of dignity and salaries will not do. As I said before, Government cannot pay as good salaries as commercial firms. Therefore, are we to take it for granted that representatives of commercial firms are much more dignified, and so on and so forth? The very notion would be absurd. However, we must realise that in the present social order we still have no means of measuring the relative values of work done in various occupations. But I feel that this lack of measure is not a very great handicap. There are other means which can be used to determine salaries. The first, and the most important method is to determine priorities for different types of work the country wishes to have done. Take, for instance our own country. We have got to develop our country, to break the back of poverty and ignorance and to give our people a civilised and cultured life. For that reason we must do everything possible to give scientific activities a high priority. Intelligence demands that we must attract our best talent and in large numbers to take up scientific activities. We should try and fix most attractive salaries for scientific work. We must consider the importance of each type of work and fix the

salaries commensurate with the importance of the work to the country. In the present case we want a Speaker for the House of the People. Each one of the 400 or 500 Members is fit to be a Speaker. You can almost choose anybody and not pay a large salary: the supply is greater than the demand. On the contrary, take, the case of scientific workers. Here we are going right round the world importing experts at large salaries because we have not got enough scientific workers in this country; we must therefore pay high salaries in order to attract the best talent to scientific work. At present our practice is just the opposite. The other day I was listening to the radio and I heard something to this effect. The Government of India needed a physicist with post-graduate qualifications and with 15 years' experience of research. And what was the pay offered? Rs. 800, while the superintendent of the office in the same department, who was only a matriculate, was being paid Rs. 1,000. This brings out the fact that we attach more importance to a man who knows the office routine. We have got to make up our mind one way or the other. If we want this country to develop, we must fix salaries so that the activities that are of very great value to the country attract the best talent available.

The second point is that the size of salary must be determined with a view to provide the office-holder with all the facilities he needs to do his work properly. To bring this about the major part of the salary should be paid in kind.

Now, Sir, to come to the point which I really want to talk about; it is the medical aid for officers of the Parliament. I personally want to support the provision very strongly. To do so in the hope the free medical aid being offered to the officers drawing Rs. 2,000 and more is a clear understanding on the part of Government that they realise that medical aid is just as important, if not more, for all the people, and that the Government

will do their best to provide free medical aid to all men and women of this country without distinction of the salary they get. It is obvious that if a man drawing Rs. 2,000 and over needs free medical aid, the man earning Rs. 40 or Rs. 50 or any similar sum needs free medical aid even more urgently than highly paid officials.

The other point that I wanted to raise is this. The party in power has been subsidising the Ayurvedic and Unani medicines. A large amount of money is being spent on building hospitals and dispensaries for Ayurvedic and Unani systems of medicine.

If Government believe that the Ayurvedic and Unani medicines are effective methods of relieving disease and ill-health, then they must act by-it and I suggest that officers of the Parliament and other Government servants should be given Ayurvedic and Unani medical aid. That would be more in keeping with their point of view. If this is too cruel a suggestion, then at least effort should be made to keep records of the type of medical aid Government servants call for, Ayurvedic or Unani or the scientific medicines. If at the end of the year we find that none of the Government servants including officers of the Parliament ask for the Ayurvedic or Unani medicines, it will make the issue clear. If we do not consider the Ayurvedic or Unani systems good enough for ourselves, then they are not good enough for anybody else.

Coming to the question of lowering of standards, my main point is that this trucking to so called indigenous system is lowering intellectual standards. It would be agreed that if any one speaks on law, he must be one who is very well up in the subject. If one speaks on malaria, some one must be fully aware of the present scientific knowledge on the subject of what are the causes including its prevention and treatment. Take any subject, and it has been our boast that we

[Major-General S. S. Sokhey.]

have great talents in the country and we always look up to people who are authorities on the subject to express an opinion on subjects on which they are authorities, but for some reason or other for some time now it has been happening that people have begun to speak about subjects that they do not understand. Take for instance appendicitis. There is a great deal of medical knowledge available on appendicitis and its pathology and its treatment. Yet in the face of this knowledge some people are popularising cure of the disease by putting a little mud in the navel. This sort of thing is going on, and wonder of wonders, these people are respected instead of being hounded out. I think it is time that we take note of this and not allow it to happen still. This is lowering our intellectual standards. The same is happening in the field of aesthetics. Leaders who should be giving lead in aesthetics, go about in ugly garments and make a virtue of ugly garments. This is a lowering of cultural standards. I can give a large number of examples. We simply cannot permit the lowering of our intellectual and cultural standards. It is happening and we must cry halt; otherwise the results will be disastrous.

SHRI LAVJI LAKHAMSHI (Kutch):

Mr. Vice-Chairman. I rise to support *fills* Bill. Expressed in terms of money value, the salaries proposed in the Bill will come to this: The purchasing power of the rupee in the year 1939 was four or five times that of its purchasing power today. In 1930-31 I understand that it was one and a half times more than what it was in 1939. This means that the purchasing power of the rupee in 1930-31 was six to eight times more than what it is today. Taken on that basis the 1 p m salaries that are proposed i.e., *lis.* 2,500 and Rs. 2,000 *come* to much less than the sum of Rs. 500 that was resolved in 1930-31 Karachi Congress.

It is suggested that the salaries proposed should have some relation to the normal living standard that is available in the country. I might remind the House that when the Congress passed that Resolution, the Father of the Nation was there and I might also suggest that the national income was computed by the various Indian economists, I mean Prof. V. G. Kale and Prof. K. T. Shah—and they put our national income anywhere between Rs. 30 and Rs. 45 per year. The national income according to one European economist—I mean Mr. Finlay Shiran—was somewhere near Rs. 120. I might submit that the figure suggested by our Indian economists was more correct. Now even at that ! when the Resolution was passed providing a salary of Rs. 500—of course there was no question of providing at that time and it was only recommended—they took into account the national income that was prevailing then. Today our national income is Rs. 250. I am computing this from the Five Year Plan which gives the figure of national wealth as Rs. 9,000 crores and we have 36 crores of people and so we get the figure of Rs. 250 per year. From this we find that at any rate the salary which is being provided or proposed in the Bill is in complete conformity, if not, it is to some extent on the lesser side—with the Resolution that was passed then. Some of the Members suggested that if you cannot keep on to that level of Rs. 500, why don't you do away with it? My submission is that the figures before this hon. House are completely within the scope of that Resolution. I would further submit that I was really surprised that a seasoned Parliamentarian like Dr. Kunzru should grudge the small amount of facility that is ought to be provided as medical aid for the members of the family of the officials of Parliament. I would submit that if he very carefully considered the figures, I mean the economic aspect of it, the salary of Rs. 500 of 1930/31 is much more than Rs. 2,000 and Rs. 2,250 which are

being provided for the officials of the Parliament and also for our Ministers. I would therefore submit that in view of this we should not grudge this small extra facility and I wonder with all respect to him, how he could come to distinguish between the officers of Parliament and the members of their family. One hon. Member<sup>^</sup> suggested that they have been provided with residential bungalows, gardens and other things; and he put the guess—and it was a guess I might say—at Rs. 1,500. I am also entitled to make a guess and I put it at Rs. 650 and in terms of conditions during 1930/31 it comes to Rs. 100 and that is next to nothing. I would submit that one of the hon. Members suggested that we are starting it at the wrong end. Probably in his mind at that time the right end was the salaries that we are paying to our permanent service people and probably I think the privy purse that is being paid to so many ex-Rulers. Rightly, it is no doubt so. When the leaders in whose hands the destiny of the nation is placed set for themselves a salary which is so meagre, certainly it is a polite hint to them—all persons who are taking more salaries—that they should voluntarily offer themselves to cut down their salaries. After all the money that will be saved will go to the financing of our national plan ensuring bright future for our country. It is at any rate an indication of as to which way the wind blows, which way the country expects them to act, which way we should set our economic standards, and that is all. We do not want to force them to do anything. It is just what we are trying to indicate, what our leaders, our Ministers, the persons in whose hands the destiny of the country is placed, we want to indicate which way everyone in the country should shape himself in the matter of basing economic standards.

Sir, then I come to the question of whether the Speaker, the Deputy Speaker, the Chairman and the

Deputy Chairman, should be party men. Should they be party men? I would submit that I entirely agree with what has been said on this point. Sir, man has been variously defined. Aristotle defined him as a social animal. Logic defines him as a rational animal and some others define him as a political animal. I would say he is all this. All the same he is a political animal. When we consider politics as defined by great writers like Leacock and Harold Laski, we certainly feel that man is a political animal. Men taking to politics fighting elections etc., they are politicians. And a politician at least in our country means an ideologist, a person who has an ideology and an ideology is an article of faith. How really can we expect a gentleman who has been elected with certain political ideologies to behave? As a political animal, he is bound to have certain ideologies. It is an article of faith. On being elevated to the position of Chairmanship or Speakership how can you expect him to give it up? They certainly won't give it up and we know it. There is no question of giving it up. Articles of faith are not, we know, given up like that. Therefore, all the while they have their ideology, the political ideology, but all the same, they will be presiding. So really what we are quarrelling about is not political ideology or political affiliations. We are quarrelling about the possibility of their being partial or impartial. Therefore, my submission is that the emphasis should be not on the political ideology or the article of faith of the high dignitary, but whether he is partial or impartial. That is the principle on which we should emphasise and not his party affiliation or political ideology, again, I submit, in our scheme of things, the Speaker, the Deputy Speaker, the Chairman and Deputy Chairman are never amenable to any party discipline. Therefore such a dignitary that way comes from the party, as the fact remains that he has got his political ideology. 1.

[Shri Lavji Lakhamsi.] however, I submit that we have had only five years—only a little over four years—experience of working parliamentary democracy and therefore we should rather go very slow in forming conventions. It was suggested that this thing should not be provided by law but that it should be under a convention.

My submission is this: let us gather little more experience and then formulate our conventions in the light of the experience that we may have in future. So far, I might submit. I am very proud to submit, that there has not been any occasion whatsoever to suggest that simply because these dignitaries happen to be belonging to any political party, either to the State Legislatures or anywhere else, they were in any way partial. They have maintained the dignity; therefore, there is no question whatsoever at present before us to formulate any such conventions. That question does not arise at the present moment. That is all, Sir.

#### MESSAGE FROM THE HOUSE OF THE PEOPLE

##### THE PATIALA AND EAST PUNJAB STATES UNION APPROPRIATION (No. 2) BILL, 1953

SECRETARY: Sir, I have to report to the Council the following message received from the House of the People, signed by the Secretary to the House:

"In accordance with the provisions of Rule 115 of the Rules of Procedure and Conduct of Business in the House of the People, I am directed to enclose herewith a copy of the Patiala and East Punjab States Union Appropriation (No. 2) Bill, 1953 which has been passed by the House at its sitting held on the 2nd May 1953

2. The Speaker has certified that the Bill is a Money Bill within the

meaning of article 110 of the Constitution of India."

I lay the Bill on the Table.

#### THE SALARIES AND ALLOWANCES-OF OFFICERS OF PARLIAMENT BILL, 1953—continued.

PANDIT S. S. N. TANKHA (Uttar Pradesh): Mr. Vice-Chairman, Sir, while lending support to this Bill, I have to submit, Sir, that on going through the Statement of Objects and Reasons of this Bill, I find that an attempt has been made to equate the position of the Speaker and the Chairman to the position of Cabinet Ministers. This equation of position, at least in so far as it relates to the office of the Chairman is concerned, is to my mind wholly wrong and unjustified. We must remember, Sir, that under the Constitution the Chairman enjoys a unique position because of his holding the exalted office of Vice President of India, therefore, Sir, to equate him with the hon. Ministers of the Government is, to my mind, a very wrong thing to do. By saying this, I should not be understood to mean any disrespect to the hon. Ministers. I hold them, Sir, in the greatest respect and fully recognise the dignity of their high office but, all the same, Sir, we must not forget the fact that according to our Constitution it is the Vice President of India who acts as the *ex-officio* Chairman of the Council of States and not that the Chairman of the Council of States acts as the Vice President of India and, as such, to place the position of the Vice President of India on the level of the hon. Ministers is not quite the right thing to do. We must, further, remember, Sir, that even according to the official Warrant of Precedence the Vice President of India takes his place only after the President of India and, certainly much above the order of precedence enjoyed by the hon. Ministers. Taking this fact into consideration, Sir, I am sure the House will agree with me that the equation of the Chairman's position with that of the hon. Ministers is