

So, Sir, the President has appointed a *pro tem* Speaker to conduct the business of the House. Now, when can a Leader of the Opposition be appointed? The Leader of the Opposition can be appointed only when he takes the oath. Now, when did he take the oath? He took the oath on 22nd May...*(Interruptions)*

MR. SPEAKER : I am here. Why are you worried?

SHRI RAM NAIK : Sir, he took the oath only on 22nd May. When we, the Members, were being called to take the oath, the then Speaker from the Chair has said that the Prime Minister would take the oath first and then the Leader of the Opposition. That means, the Leader of the Opposition was appointed before taking the oath.

Now, the third important point is this. The precedent of taking the oath is that the Prime Minister has to take the oath first, then it is followed by the Cabinet Ministers and then by the Leader of the House.

MR. SPEAKER : I think, you have made your point.

SHRI RAM NAIK : That precedent was not followed here. Now, what remains is, from 22nd May he could have been appointed as the Leader of the Opposition after taking the oath. But he has been appointed with retrospective effect from 16th May when none had taken the oath. So, my point is that unless he has taken the oath, he cannot be the Leader of the Opposition.

Sir, my last point is that there is a difference between a Minister taking the oath and the Leader of the Opposition taking the oath. The President appoints a Minister. The Ministers are appointed. But, here the Leader of the Opposition is not to be appointed by the President but by the hon. Speaker. I know that you have not appointed him as such because you have taken the Chair only after that...*(Interruptions)*

SHRI SOMNATH CHATTERJEE (Bolspur) : He has not appointed him. He has recognised him...*(Interruptions)*

SHRI RAM NAIK : Sir, the point which is very relevant is whether from anti-date, that is from 16th May, the Leader of the Opposition can be appointed and from that point of view I am raising this. I hope that keeping in view in the traditions...*(Interruptions)*

[Translation]

KUMARI UMA BHARTI : Mr. Speaker, Sir, in Madhya Pradesh, a Dalit woman was stripped off and paraded...*(Interruptions)*

[English]

SHRI RAM NAIK : Keeping in view the best parliamentary traditions, keeping in view the Constitution and keeping in view the rules and

whatever has been practised, I feel that a clarification is required about the appointment of the Leader of the Opposition. I have no personal grudge against him, which I must clarify. But I thought that it is a valid point which has to be brought to your notice.

MR. SPEAKER : Please listen. This House has two sides—the treasury benches and the Opposition. The leader of the treasury benches is known as the Leader of the House. When does he become the Leader of the House? He becomes the Leader of the House when he has taken the oath as the Prime Minister of this country. The Speaker automatically recognises the Prime Minister as the Leader of the House.

The Prime Minister did not take the oath as a Member when he was taking the oath.

*(Interruptions)*

MR. SPEAKER : Please listen to me now. When I am giving my ruling, you please listen to me carefully. It is a very important point you have raised. I am grateful to you because there should not be any doubt in the minds of the people of the country. Therefore, as soon as the Prime Minister is sworn-in, the Speaker recognizes him as the Leader of the House and the Prime Minister is recognized as the Leader of the House before he has taken the oath or made affirmation as a Member of Parliament. The same analogy applies for the Leader of the Opposition. What happened in the Tenth Lok Sabha? I am not going to give you many arguments though I have not many

*(Interruptions)*

MR. SPEAKER : What happened in the Tenth Lok Sabha? We have a precedent. I am telling you. In the Tenth Lok Sabha, the P.V. Narasimha Rao Government was sworn-in on 21st of June, 1991. On 27th of June 1991, the BJP, which was the single largest Party after the Ruling Party, wrote a letter, a letter duly signed by Dr. L.M. Pandey, to the effect that Mr. L.K. Advani has been elected as a Leader of their Party and that he may be recognized as the Leader of the Opposition from the day the Prime Minister took oath, that is, 21st of June 1991. And the Speaker correctly recognized him. There is no change in the position of Tenth Lok Sabha and the Eleventh Lok Sabha.

[Translation]

SHRI AMAR PAL SINGH : Mr. Speaker, Sir, it is a very important matter regarding economic condition of the sugarcane growers. Please allow me to speak for two minutes...*(Interruptions)*

KUMARI UMA BHARTI : Mr. Speaker, Sir, in the Bhand district of Madhya Pradesh a woman of Koiri caste was stripped off and paraded in the entire village. She was beaten. This is not the first incident

Ever since the Digvijay Singh Government came to power, this has become common. The honour of Dalits, Adivasis and of their women is not safe in Madhya Pradesh. Hence, it is my demand that the Madhya Pradesh Government should be dismissed and security be provided to the Harijans and Adivasis of Madhya Pradesh...*(Interruptions)*

[English]

MR. SPEAKER : Okay, Mr. Home Minister, please take note of what Umaji is saying.

Hon. Members, I have one more notice to be disposed of under Rule 357. This notice is given by hon. Member, Shri Mallikarjun.

DR. MALLIKARJUN (Mahbubnagar) : Sir, when the august House is sitting I felt it is my moral responsibility to clarify about the reported news items in Hindustan Times. Sir, a decision was taken to remake the submarine 877 EKM Sindhuveer in September 1995. The decision does not mean negotiations were completed, negotiations had commenced. Finally this file was submitted to me on 27th March, 1996.

THE MINISTER OF FINANCE (SHRI JASWANT SINGH) : One minute please. I entirely appreciate what he is trying to say. *(Interruptions)* He is referring to a newspaper statement in the House. *(Interruptions)* You just listen to me.

DR. MALLIKARJUN (Mahbubnagar) : I am not making a statement. Mr. Speaker, I want a clarification.

MR. SPEAKER : I think nothing is good enough. *(Interruptions)*

MR. SPEAKER : I do not think the House can take cognizance of what has been written in the newspaper and Mallikarjunji, we cannot do that.

SHRI SOMNATH CHATTERJEE (Bolpur) : The House cannot take cognizance of what is written in the newspaper. *(Interruptions)*

MR. SPEAKER : You do not worry about that.

DR. MALLIKARJUN : You kindly hear one sentence. On 27th March, the file was submitted to me. I deferred the decision which should be taken by the new Government, as by that time, elections had been announced. *(Interruptions)* When I found that the price negotiation was not final, I had asked the Negotiating Committee to review the price terms by 12 per cent.

MR. SPEAKER : I do not think that the House can take cognizance of what you have said.

SHRI JASWANT SINGH : This is mentioned by a newspaper. *(Interruptions)*

MR. SPEAKER : I entirely agree with you. I agree with Somnathji.

DR. MALLIKARJUN : When I saw the paper, I said that I had asked the negotiating committee to revise the price.

MR. SPEAKER : No. It is enough. We cannot take cognizance of what the newspapers are writing.

THE MINISTER OF HOME AFFAIRS (DR. MURLI MANOHAR JOSHI) : Sir, this should be removed from the records.

MR. SPEAKER : I will go through it.

*(Interruptions)*

MR. SPEAKER : Not today. I have taken the permission of the House right in the beginning.

*(Interruptions)*

PROF. PREM SINGH CHANDUMAJRA (Patiala) : I have given a notice in writing. It is a very important issue regarding Punjab.

MR. SPEAKER : All right, another five minutes. If the text has been approved by the Secretariat I will honour that though in the beginning I said that we would proceed with the discussion.

SHRI SOMNATH CHATTERJEE : After all, your decision is there. You have said that after two or three mentions the discussion will be taken up. What is this going on? It is a make believe situation in this country. There is no Government with a majority. *(Interruptions)* What is this going on here?

MR. SPEAKER : That is why I requested right in the morning, at the commencement of this Session, for cooperation in order to gain time. Now we should stick to that. The House did not object to my announcement at that time. You all leaders should stick to that decision.

Mr. Home Minister

*(Interruptions)*

MR. SPEAKER : I have ruled it out. It will not be taken up today.

*(Interruptions)*

PROF. P. J. KURIEN (Mavelikara) : Mr. Speaker. *(Interruptions)*

MR. SPEAKER : Shri Kurien, you cannot go against the consensus of the House. The House has agreed that it will not be taken up. The House, at the beginning itself, has agreed that it cannot be taken up. Why are you creating this problem? Please sit down.