

12.07 hrs.

ELECTION OF SPEAKER

MR. DEPUTY-SPEAKER: The Question Hour is over and we are now on the second subject of Motion for election of Speaker. Please take your seats now.

Shri Morarji Desai may please move his motion.

THE PRIME MINISTER (SHRI MORARJI DESAI): Sir, I beg to move:

"That Shri K. S. Hegde, a member of this House, be chosen as the Speaker of this House."

SHRI YESHWANTRAO CHAVAN (Satara): I support the motion moved by the Prime Minister that Shri K. S. Hegde be chosen as the Speaker of the House.

MR. DEPUTY-SPEAKER: The question is:

"That Shri K. S. Hegde, a member of this House, be chosen as the Speaker of this House".

The motion was adopted.

MR. DEPUTY-SPEAKER: Before I ask the Leader of the House and the Leader of the Opposition to conduct Shri K. S. Hegde to the Chair, I would like to congratulate Shri K. S. Hegde on his unanimous election as Speaker. As far as I am concerned, he can be sure of all the cooperation that is available and that should be given. I can assure him that in the conduct of his speakership, he will find me a very helping hand.

This chair is not a very comfortable chair, I can tell him. It is full of thorns, one who sits on this chair has to sit virtually on a seat of thorns. There are pressures, pulls and every other kind of thing from both sides of the House and when you are here, Mr. Hegde, as Speaker, you will have to contend with all these pulls and pressures, but I am sure that having been a judge and also a legislator and with all your varied experience, you

will know how to manage with these pulls and pressures.

Being in the chair, Sir, I can tell you that one should act only according to what he feels is right according to the practices in this Parliament and what is good for democratic functioning of the Parliament and not be swayed either by any subjective or political considerations. I am sure, Sir, that in the conduct of your speakership, you will uphold all these traditions built up in this House.

I now call upon the Leader of the House, our Prime Minister, and the Leader of the Opposition, to conduct you to the chair.

The Leader of the House and the Leader of the Opposition conducted Shri K. S. Hegde to the Chair.

12.07 hrs.

[MR. SPEAKER in the Chair]

FELICITATIONS TO THE SPEAKER

THE PRIME MINISTER (SHRI MORARJI DESAI): Sir, may I take this opportunity to say how happy we are and how fortunate we are in having you as the Speaker of this great House? You have shown remarkable intellectual integrity in all the work that you have done and have also left a distinct mark in the legal world by making sacrifices, when required, without any hesitation. We are also fortunate that not only you have eminent judicial experience, but you have also the experience of a legislator. Therefore, this happy combination of the two, I am sure, will convert this chair, which was described as a chair of thorns, into a chair of roses. Of course, the roses are never without thorns, but those thorns will not touch you, I have no doubt in my mind.

It is the Parliament, which is the repository of the majesty and sovereignty of the people; particularly this House is the repository of its expressed will and the Speaker is the

repository of the dignity, freedom and rights of not only the Parliament, but also of the Nation. And I have no doubt that all these three are safe in your able hands.

We have survived the onslaughts on democracy and we have come out stronger in democracy which also imposes both facilities and difficulties, facilities because now there will be no question of any undemocratic behaviour on the part of any of us and difficulties because passions and expectations have arisen as a result of suppression which may for some time create difficulties. But, I have no doubt that with your wisdom and sound judgment you will be able to smoothen all those difficulties and find out a very nice way for every occasion.

I can only assure you not only on my behalf and on behalf of this side but on behalf of the whole House with full confidence that we shall fully co-operate in your work which though difficult but is most essential, by giving you the fullest co-operation not only in everything that you say and do but also by carrying out your directions without raising even a murmur or any dissent from them.

I again felicitate you on occupying this Chair with full confidence that the dignity and freedom of the nation and also the Parliament are safe in your hands.

SHRI YESHWANTRAO CHAVAN (Satara): It is a great occasion for you, Sir, and I think it is also an occasion of happiness for us to congratulate you on your election to the high office of Speakership.

You are not a new person to any high office because in your life, you have held very many important offices. I have personally had association with you when you were the Chief Justice of Delhi High Court and I can say that I have the pleasant memories of those associations and, later on, you were promoted to the

highest Bench in the country. Now you have been chosen to another distinguished office of the democratic India and I think this is perhaps a unique honour any citizen of India can aspire for.

Though you have held and sat on the Benches in the Judiciary, you are not a new person to the work of the legislature. Apart from your experience of the last three months in this House, I think you have got experience, for a longer period, as a Member of Parliament in the other House. Therefore, we are sure that we will have not only the judicious approach to the work that you will be taking but also you will have the political understanding of the problems and the political methods of dealing with the political beings here, because, as I was telling the other day, the most important thing for the Speaker is to deal with the Members, reflecting here the moods of the country. We have a responsibility to raise the problems of the people here. Sometimes they are pleasant and sometimes they are unpleasant, but we have to do our duty and I can assure you that we will certainly try to do that duty without any laxness. Even if it is unpleasant, we will have to do our duty.

Hon. Deputy Speaker, while congratulating you, has assured you that he will be helpful to you. Now I will make a request to you to please be helpful to the Opposition. I have said so, because if anybody needs any protection in the House it is the Opposition and, therefore, I am making this appeal to you. I would not make such appeal to the Government.

We will have to raise issues, argue with them, co-operate with them and if necessary confront with them as the occasion demands. It will go on. This is the democratic way of working in this House. Naturally, you will hold the scales even. I am sure of that and I look forward with that confidence and in that hope. I assure you on my behalf and on behalf of

[Shri Yeshwantrao Chavan] this party sitting in Opposition that as far as your authority in the House is concerned, it will be respected without any condition. As a judge, you were judging others. Now in days to come and in months to come, the people of India will judge all of us including yourself as to how we are functioning in this Sovereign House because this House is the mirror of Indian life, Indian people and Indian democracy. I, therefore, consider you to be a very fortunate person to have undertaken this onerous responsibility.

I wish you all good luck.

SHRI SAMAR MUKHERJEE (Howrah): I congratulate you on behalf of my party for being elected unanimously as the Speaker. This occasion of your being elected a Speaker in place of your predecessor is a very good occasion as your predecessor has been elevated to the highest position in the country.

In view of your past background as a Judge of the highest court of the country and a long career as a legislator I think in you there has been the combination to become a very good effective Speaker, particularly at a time when the situation in the country is not in normal condition, but in an abnormal condition. You have the experience of the moods that are reflected in this House. The question of thorns has come out of that. We represent the people. Our party in particular represents the toiling masses. They are very much in discontent now due to various factors. The rise in prices of essential commodities is creating a very big discontentment and tension outside. Simultaneously, new consciousness is growing among the masses. Whenever there is any torture against Harijans, as per new consciousness which was not there earlier, a new tendency of condemnation, a militant mood demanding immediate redressal, immediate stoppage, is arising outside. We being the leaders want to reflect their view-points here in the House immediately. If the scope is gauged here, generally this House becomes a place

for tension and turmoil, we will not be able to do our duty. So, you are becoming a Speaker at a time when the situation outside is such where the people's mood, their demands and grievances, must get immediate reflection in the House so that some immediate remedy is achieved.

Here the greatest consideration is demanded of the Speaker so that the people's voice is being properly reflected here. And that scope must be given to the Members. That is why your responsibilities are greater at a time when the country is heading towards further democratisation and the old forces who were opposed to democratisation, are very much alive and, in each State, they are opposing this advancement to democracy.

That is why the situation outside is becoming more and more tense and the reflection is bound to be in this forum, which is the highest forum for reflecting the demands grievances and viewpoints of the people

So, I hope that the expectation roused in the people after the victory of the Janata Party and the formation of the new Government, must get due consideration in your functioning. I hope you will prove yourself to be worthy of the new responsibilities in which you have been placed.

Sir, on behalf of my Party, I offer the fullest cooperation in your functioning as Speaker in this House and I wish every success in your functioning.

SHRI A. BALA PAJANOR (Pondicherry): Mr. Speaker, with great pleasure, I congratulate you on behalf of the Anna D. M. K. The post that you are now occupying is a fitting one as far as we feel and the whole world has appreciated the concept of consensus. In a democracy like ours the post of the Speaker is to be honoured as the Prime Minister correctly expressed it.

As far as we are concerned, we would like to tel you very clearly that the present Government is very much interested in decentralising the powers and, at the same time, encouraging the democratic forces in this country. I feel, Sir, that you will decentralise the powers here in this House also and see that Article 14 is very well applied in this House and equal opportunities are given to Members in this august House as they have their responsibility to their constituencies.

So far as my Party is concerned, we are the third largest Group in this House—we may be small in number of 19—but, as you know, as a judge you have expressed that it is not the number that counts but its the ideas and qualities that count. When you were elevated to this Chair, I was really proud to see in this august House, the Leader of the Opposition, Shri Chavan expressed or gave his views that you ceased to be a politician and when you occupied the Chair here, he made a remark that you continue to be a politician there too! I was happy that a judge is also a politician. The only thing is that he should not be a politician while delivering judgment.

So, I was happy that you continue to be a politician. But, I am sure you, as Speaker, will continue to be a judge politician also. This is a happy combination which can do good to this House. I am reminded of my arguments in a court—I do not want to name that particular judge—where that particular judge was speaking throughout; there, as advocates, when we address, the judges are supposed to listen. But, in that court, the judge was speaking throughout and he was not allowing us to speak. I said that this was the first occasion that I had come across wherein the arguments, were not permitted to be placed by the advocates whereas the judge was pressing his arguments and imposing the judgement on me. The term Speaker suggests that you won't speak

throughout. That does not mean that you won't speak at all. You will speak and under your guidance many will speak. In the courts you have had the experience of seeing only two advocates, arguing one at a time and the other afterwards. Unfortunately, in this House, there is a beautiful experience of five talking at the same time and sometimes the Speaker has the problem. We do not follow the language of the other Member, because we come from the Southern State. When I say that, I am not speaking in the concept of North and South. In this House the position is that some of us who mostly come from the Southern States do not know Hindi or any other language except their mother-tongue. I appreciate at the same time, that you have great affection and love for your mother-tongue and we hope you will speak in your mother-tongue. When you speak in your mother-tongue, you must realise that we too have affection and love towards our mother-tongue. But, unfortunately, Hindi is not our mother-tongue and we cannot follow that.

Just one hour back the Health Minister was answering a certain question in Hindi. I was really admiring that. He was making a jest

in Hindi. But, unfortunately, I could not follow a single joke of his to-day. I do not blame the translation. I myself sometimes speak fast but the speed at which he speaks nobody can translate. I understand that he was very humorous. Humour is good for health and that too when it comes from the Health Minister. We want this humour also to come to us. So I take this opportunity while felicitating you that you please see to it that most of us on this side are given an opportunity, not of time but I feel of understanding and expressing our views which can contribute to the progress and welfare of the nation. So, Sir, once again on behalf of my party and Members I felicitate you.

At the same time I may say, Sir, that many of us are quite young. Unfortunately, thirteen of us are

[Shri A. Bala Pajanor]

advocates and we feel we are well qualified also. So, our request to you, Sir, is that please give us correct time and opportunity to express our views.

Sir, I have read a great number of your judgements. You have held that high office with great dignity and also laid down your office in the correct spirit. I congratulated you even at that time. Before the Bar Association of Madras High Court I spoke high of you. Sir, men of integrity some time lack courage. But I think at that time you stood up and had taken the position with courage. I appreciate the Prime Minister for having selected you and it is a unanimous choice of the whole House.

SHRI M. N. GOVINDAN NAIR (Trivandrum): Sir, I congratulate you on behalf of my party for your unanimous election. You have been a Member of this House for the last few weeks and you were also in the Rajya Sabha earlier. Therefore, you are very well familiar with the way in which those two Houses are functioning. Whether we call it a Chair of roses or thorns probably it depends on the mental attitude one takes. Since you are a renowned Judge, we expect from you a judicial treatment. One thing about the judges is that they should hear the arguments of all sides and as long as that quality is there in you we believe that we will get ample opportunity to express ourselves. And, Sir, when the House gets so hot that no body will understand what other people are saying you will kindly intervene and see that normalcy is restored. So, I am quite sure that your experience as judge for the last 20 years will stand in good stead in functioning as Speaker of the House. Your integrity and ability is well-known throughout the country.

May I also say a word about the language difficulty. Of course, we are enjoying the feats of most of our friends from that side as most of them get heated. At that time I quiet-

ly enjoy their speeches. Translation arrangements require to be improved.

I am quite sure that as far as you are concerned, you may not have time and other things. But we have absolutely no doubt that you will have a judicial mind in your observations. I congratulate you once again.

SHRI K. RAGHU RAMIAH (Guntur): Sir, I am very grateful to you for having given me this opportunity of adding my own rose to the bouquet which has been given to you by the Leader of the House and the Leader of the Opposition. May I say, as Mr Chavan has said that the Opposition needs protection but if there is one sector that needs protection more than any, it is independent Members. And We deserve it too because we are not a party to any pulls and pressures stated by the hon. Deputy Speaker. We will be good members and well behaved Sir, a reference has been made to your experience as judge and as a politician. May I say, having had the privilege of knowing you personally over the years, that you have also a third quality? It is said that a Speaker does not require a rare quality, but he requires a common quality in a rare measure, that is common sense. And that you have in abundance. I am sure that will stand you in good stead in making your seat a seat of dignity coupled with justice.

Now, everyone knows, at least those who have studied the history of Speakers in the world, that in American system, the Speaker is supposed to have more power than prestige. In the British system, the Speaker is supposed to have more prestige than power. I hope when your term ends we would tell of you that you have made the office of Speaker in this country an office of powerful prestige.

Two more things I would like to mention here. One is that whatever your personal views and predilections prior to the elevation to the Chair, might have been towards men and matters, I am sure hereafter you will render even justice to one and

all. As one of the senior Members of this House, I hope it may not be impertinent of me if I quote a few words from the observations of President, Patel, on the office of Speaker. He said.

"Anyone who aspires to fill this great office with any hope of success must lay aside all that is personal, all that is of party, all that savours of political predilection and learn to subordinate everything to the great interests of the House as a whole. Not that it is possible for anyone to divert himself so completely of the influence of his political associations and the teachings of a lifetime. He may have his political opinions, he may retain them; he may have his prejudices; but in his general decisions and in his treatment of individual Members no trace of them should find any place."

I am quite sure you will follow this. In the end, Sir, I may remind you, and you might recollect that of what one hon'ble lady Member sitting behind me in this central row remarked once "Mr. Speaker, Sir, you always look to the right and left. Why don't you look straight? I hope you will kindly remember this.

SHRI P. K. DEO (Kalahandi): Mr. Speaker, Sir, we all feel proud that you have occupied the Chair of this House with the unique distinction with a combination of vast experience both in the Legislature and in the country's highest forum of justice. Sir, you were a victim of injustice while in the Supreme Court, as a result of an executive fiat. In the highest tradition of public life, you resigned and exposed to the world to which way our country has been drifting and to what limit nepotism can go.

It is a corollary to dictatorship. You showed the beginning of the end. Though we were in the Opposition at that time, we expressed our resentment but our resentment was drowned in the noise of the majority. The electorate has fully vindicated your

stand and has sent you here. We feel proud that you are occupying this august chair. You are now going to regulate the proceedings of this highest law making body in this country. Its power and sovereignty as stated by Mr. Chavan has been over emphasised by abrogating the supremacy of the judiciary, barring any constitutional amendments from judicial review and slamming the door of the High Court for redress for any other purpose under article 226 of the Constitution. As you know the legislature, judiciary and the executive are the three main pillars on which the edifice of democracy stands. If any pillar is weakened the entire edifice will fall. We independent members, however insignificant we may be in number, at times do contribute to the proceedings of the House and I request that you should give more time so that we could have our say. With these words, I join the sentiments and felicitations that have been offered to you from all sides.

SHRI GEORGE MATHEW (Muvat-tupuzha): On behalf of the Kerala Congress Parliamentary group and myself I congratulate you on being elected to this exalted office. You are new to this office but you are well known as an eminent and fair minded judge. Your experience in the Supreme Court as a judge will surely help you to become a great Speaker. I think the controversy over the role of the Supreme Court and Parliament as regards their supremacy has somewhat been settled by your election as Speaker of this House.

You have fought for your rights at the Supreme Court and I am sure you will understand when we the small groups in Parliament fight for our rights. Recognised state parties like ours hardly get a chance to express our independent views. Though we are small in number, I think we have our importance when matters of our State come up here. Please be good enough to give us a patient hearing especially when matters of our State, Kerala, come up for dis-

[SHRI GEORGE MATHEW]

cussion. I hope you will have a soft corner for us, the small groups in Parliament.

I have nothing much to add now. Finally I want to extend to you on behalf of my party and myself our fullest cooperation and wish you all success.

SHRI P. G. MAVALANKAR (Gandhinagar): Mr. Speaker, Sir, I deem it a great privilege to congratulate you and felicitate you most respectfully and warmly on your occupying the honourable and historic Chair in this House. Your unanimous choice today reflects a mood of unity in the midst of acute differences and I think it augurs well for this House in the days, weeks and months ahead. The fact that you have been elected unanimously and so warmly will also help solve the problems that we may encounter. It is also pleasant to see how you were led from your seat—I was glad, incidentally, that a little before 12 O' clock you left this row and went further—by the hon. Leader of the House, the Prime Minister and the hon. Leader of the Opposition. It was very pleasant to see both of them taking you to the Chair. When you seemed hesitant to go and when both the Prime Minister and the Leader of the Opposition gently and persuasively pushed you to the Chair, I was reminded of the tradition in the British House of Commons where this institution had functioned for centuries. The Speaker of the House, although he wants to go there, hesitates to go there because it is a seat which requires so many qualities and it has so many responsibilities to discharge. It is the highest office that we Members of this House can afford to give to any one of us. The fact that you are one of us makes us respect you and love you and give you our loyalty and support. Many distinguished predecessors of yours in this Chair have added dignity and respect not only to the Chair and to this House

but, if I may say so, to parliamentary democracy in this country.

All of them have been good Speakers. Some of them have been outstanding and a few have also been world-famous. I am quite sure that you will also add to that great lustre which is there in the Chair. Your experience as a former Judge should of course, come as a great support. But I am quite sure you know that it is one thing to be a judge of the Supreme Court but quite another to be Speaker of this House. But with your tact, ability, competence and parliamentary experience, I am sure you will make a good Speaker.

The qualities of impartiality and fairplay, and particularly the qualities of tact, vision, consideration and courtesy which I am sure you will reflect in your sayings and doings in this House will greatly assist the deliberations of this august and free House of India's democratic republic. We all in this House and outside in public life need the qualities of independence, integrity and impartiality. But if there is any one person who needs it to the utmost extent, it is perhaps your good self—the hon. Speaker—because your office is pivotal in parliamentary democracy. We are happy that that pivotal and crucial role is going to be played by an eminent jurist, a distinguished parliamentarian and above all a great humanist and a gentleman.

With these words, I congratulate you once again. I do not need to say that the independent voice and free voice, wherever it comes from, will never be stifled or suppressed by the Speaker. With these words I offer you my sincere congratulations

SHRI A. E. T. BARROW (Nominat ed—Anglo-Indians): Sir, my speech will be brief but my happiness a your election shall not be brief. You stand upon the threshold of a new office, a new office to which you have been chosen unanimously by the members of this House because of your great wisdom, your integrity and your

sence of responsibility to guide and sustain the work of this House. My prayer and plea to the members is this: May we use the lamp of your wisdom to light the path of our deliberations!

SHRI TRIDIB CHAUDHURI (Berhampore): Sir, on behalf of my small group, I rise to congratulate you and associate myself with the sentiments that have been expressed here when you assume the august office of Speaker. It is a good augury that the office of the Presiding Officer of this august House has come to be selected or elected unanimously by consensus and I think that points to a good future. With these words, I congratulate you once again.

SHRI CHITTA BASU (Barasat): Sir, I rise to join the Leader of the House, the Leader of the Opposition and other hon. member in conveying my feelings of felicitation to you on this great occasion of your assumption of the office of Speakership of this great House. You as Speaker occupy a very important position in the notional life of our country, which has chosen this Parliament to be one of the principal instruments in bringing about social change and economic freedom. Naturally, as Speaker, you also occupy an important position in framing that policy which leads us to that goal. You would also permit me to mention at this stage that the last Lok Sabha election and the Vidhan Sabha elections which have been recently held have brought out unmistakably a phenomenon, namely, that there is plurality in our political life of today. Plurality of the political forces has become a reality in our country. That phenomenon of plurality is bound to be reflected in this House, because we represent one of the single units of the plural identity. Naturally, as a member of the Forward Bloc, a tiny group in this big august House, I would expect that you should also see that the plurality which has been accepted by the country should also be respected in due way under your guidance in this big House.

In conclusion, I once again extend my felicitations to you as Speaker of the House and seek your guidance and instruction, so that we can also contribute our mite for the formulation of this great country and defending parliamentary democracy.

SHRI N. SREEKANTAN NAIR (Quilon): Sir, as an independent member, let me also raise my feeble voice to felicitate you. I have been a member of this House for 21 years and in spite of that, I cannot understand anything spoken by the other side. Perhaps it may be due to my prejudice regarding the imposition of Hindi on the south and on me. Anyhow, I cannot understand it. I request you to permit me to place before you that when questions of language came up, in the past, this House used to a rush through and hustle the opposition. As a matter of fact, I myself had the sad experience of breaking the doors of the Parliament lobby because the parliamentary practice of opening the doors and letting out and letting in people for every voting was not followed. They wanted to rush through the whole thing. But thanks to members on both sides, a privilege motion against me was not taken up and I was not punished. But I hope under your able guidance, this sensitive problem will get sufficient attention from you, so as not to compel people like me—I am an old man now; younger people have come in—to resort to such things. I once again offer my congratulations to you.

MR. SPEAKER: Some members of the ruling party and some members of the opposition parties have also sent their names but I am told there is no convention to do it. I am sorry I will not be able to call upon them to speak.

Hon. Members, I sincerely thank you for bestowing your confidence in me by unanimously electing me to this high office. I am overwhelmed by the very kind words that have been

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spoken of me by the Leader of the House, the Leader of the Opposition and the leaders of various groups and other hon. members. I shall endeavour to deserve them.

From now onwards, I belong to the whole House and every section of the House has a claim on me. I request your willing cooperation, understanding, and if I may ask, even your indulgence sometimes, but above all your firm support to preserve and sustain the Chair's authority, not because it is desirable but because it represents your collective will. Today you have constituted me as the guardian of the rights of the House. I assure one and all of you that I will make no distinction between a member and a member, between a party and a party and between a region and a region. I shall hold the balance even. I shall discharge my duties without fear or favour, affection or ill-will. My past record as a Judge is a guarantee for this assurance.)

This is the occasion when I look to the traditions of the House and beyond it. We had eminent Speakers like Shri Vithalbai Patel, whose portrait is here before us to inspire us. We had equally eminent Speakers like Shri Mavalankar and not the least of all, his successors including my immediate predecessor, Dr. Reddy. Let us all march together from progress to progress and let this Parliament be a model for others. Let us try to achieve the dream of the greatest man of this century, Gandhiji. God help us in this direction. The task you have entrusted to me is full of difficulties. It is a challenging one. I am proud of the fact that you chose me to meet this challenge. I am sure with your cooperation, I will surmount all difficulties.

I am conscious of the fact that my lack of proficiency of Hindi is a handicap for the efficient discharge of my duties. But I am determined to make good that deficiency soon. I would be needing your goodwill and under-

standing in furthering the common endeavour and in maintaining a climate of cordiality and mutual responsiveness in this House, so that our proceedings may become a constructive exercise in realising our substantive goal of a democratic people and a better life for the common man.

The role of a Member of Parliament during Question Hour is very important. It is an instrument to control the working of the Government. We have to enlarge the scope of that role and make it more effective. Hence, I propose to call a meeting of the leaders of parties and groups at an early date to consider how we can achieve that objective.

Our rules of procedure were framed 25 years back. The functions of Parliament were also conceived at the same time. The period is a fairly long period for a fast-moving society. All of us desire to make Parliament an effective instrument for achieving the socio-economic revolution, a task that brooks no delay. Therefore, it may be necessary for us to consider what changes we should make in our rules of procedure and method of functioning. This is a big task and it calls for co-operation of all the sections of the people.

May I, once again, express my grateful thanks to all of you for the great honour you have done me by electing me unanimously? I assure you of my unfailing devotion and loyalty to the service of this House? Jai Hind.

SHRI R. MOHANARANGAM (Chengalapatu): Sir, on a point of clarification. Though you, I would like to say a few words,

MR SPEAKER: I am sorry, this is not the occasion for that. I will give you another occasion.
