

**Shri Hari Vishnu Kamath:** He said he was unavoidably detained. Let him explain.

**Mr. Speaker:** That is a different thing altogether. The Members were not attentive; I was. He has thought fit to criticise me. Leaving me aside—I do not mind if I am criticised, if the hon. Member feels that that is his choice—it is not usual to criticise the Committee in this manner, when the decision has been unanimous. Whatever be the circumstances under which the Member could not attend on the last day, though word was sent to him, it is for him.

**Shri Kapur Singh:** I am not criticising the Committee. I am criticising the illegal procedure adopted by the Committee in the interest of the procedure of this House. I have nothing to gain personally from criticising.

If you want the House to acquiesce in procedural illegalities of this kind I have nothing more to say.

**Mr. Speaker:** He has not criticised the Committee; he has criticised the illegal procedure the Committee has followed. All right, I take him at his word.

**Shri Hari Vishnu Kamath:** And accept the amendment.

**Mr. Speaker:** The question is:

"That the Fifth Report of the Committee of Privileges presented to the House on the 30th April 1966, be taken into consideration".

*The motion was adopted.*

**Shri Krishnamoorthy Rao:** I move:

"That this House agrees with the Fifth Report of the Committee of Privileges presented to the House on the 30th April, 1966".

**Mr. Speaker:** The question is:

"That this House agrees with the Fifth Report of the Commit-

tee of Privileges presented to the House on the 30th April 1966".

*The motion was adopted.*

14.15 hrs.

**MOTION RE: THIRD REPORT OF THE RULES COMMITTEE**

**Shri S. V. Krishnamoorthy Rao (Shimoga):** I beg to move:

"That this House agrees with the Third Report of the Rules Committee laid on the Table on the 14th May, 1966".

**Mr. Speaker:** Motion moved:

"That this House agrees with the Third Report of the Rules Committee laid on the Table on the 14th May, 1966".

**Shri Hari Vishnu Kamath (Hoshangabad):** The House is not going to discuss the Third Report of the Rules Committee laid on the Table on the 14th May. It has an antecedent report with which it is indissolubly connected, the Second Report, laid on the Table on the 30th April.

The Motion before the House deals with certain conclusions which the Rules Committee arrived at upon the amendments which I have suggested to the recommendations made by the Committee in their Second Report.

There were three recommendations made by the Rules Committee, one to incorporate a new definition in rule 2 which has been missing so far, the second to rule 170 and the third to rule 374. I had tabled three amendments, one each, to these three recommendations. As the one concerning rule 374 has been held over for consideration, I do not deal with that now. The other one, to rule 170, deals with notices of Private Members' Resolutions.

Since the emergency was proclaimed in October 1962, you have wisely enunciated a new rule according to

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which Members first of all ask their names to be balloted and then the Resolutions follow. Whoever gets the top place, second place, third place and fourth place—they come in that order with the right to table Resolutions. That has been going on, I believe, for the last three or four years.

**Shri Ranga (Chittoor):** It is good.

**Shri Hari Vishnu Kamath:** I am glad to hear from the leader of one of the biggest Opposition Groups that it is good. He agrees, and I feel it should continue henceforth also. But the Committee observe that there is some rule, old rule, which comes in the way, rule 31 or 34—I am not sure which—which prescribes only 3 Resolutions according to the old system. So it is contended that unless that is amended, it cannot be done.

**Mr. Speaker:** Should we spend time on that, whether it should be three or four? We hardly reach the second.

**Shri Hari Vishnu Kamath:** I am for expanding the rights, not for curtailing them, as a principle.

**Mr. Speaker:** Rights are not being restricted. But we hardly reach two. If there is a rule which conflicts with the procedure we are following, that has to be considered.

**Shri Hari Vishnu Kamath:** We will amend that rule in due course.

**Mr. Speaker:** Can he cite any instance when four Resolutions were taken up?

**Shri Hari Vishnu Kamath:** I will have to ask the Reference branch to do some research. I will bring it up next session. Whatever it may be, I was not in the House for 5-6 years; I was out of Parliament.

**Mr. Speaker:** Does he want this to be postponed to the next session?

**Shri Hari Vishnu Kamath:** Yes, I will bring it up next session. The most important proposal before the

House is in regard to the Leader of the House. I am sure everyone in this House, whether on this side, on the opposite side or on any other side, on all sides, is intimately interested and genuinely concerned with regard to this matter.

**Mr. Speaker:** Was it not discussed the other day here?

**Shri Hari Vishnu Kamath:** No, not at all.

**Mr. Speaker:** By a Resolution or Bill?

**Shri Hari Vishnu Kamath:** I had no Resolution to that effect. There was a Bill; that was concerning Prime Minister's membership of the Lok Sabha, not for leadership. Everybody supported it, but the House voted against it. As you know, this often happens here.

The Rules Committee in their Second Report had made this recommendation concerning a new definition to be incorporated in rule 2. It is:

“Leader of the House’ means the Prime Minister, if he . . .”.

—‘he’ in law includes ‘she’ also—

“is a member of the House, or a Minister who is a member of the House and is nominated by the Prime Minister to function as the Leader of the House”.

**Shri Ranga:** We saw the consequences of it yesterday.

**Shri Hari Vishnu Kamath:** I had in my humble way tabled an amendment to that recommendation, which was as follows:

For “nominated by the Prime Minister to function as the leader of the House”, the following be substituted:

‘Provided that where the Prime Minister is not a Member of the House, as senior Member of the Council of Ministers who is a Member of the House and

is nominated to function as such by the Prime Minister may function as the Leader of the House'.

The gist, the purport, of my amendment was to make it obligatory that whenever the Prime Minister is a Member of the House, he or she shall be the Leader of the House.

What is the *raison d'etre* for this amendment of mine? The Rules Committee itself is in my favour. Please listen, I hope the House too is listening.

The Rules Committee in its Second Report detailed very fully the functions of the Leader of the House, and what the Rules Committee has said will bear repetition:

"Rule 2—The Rules of Procedure and Conduct of Business in Lok Sabha do not at present contain any definition of the term "Leader of the House"."

**Mr. Speaker:** I would only remind him that at 2.30 we have to take up the other business.

**Shri Hari Vishnu Kamath:** Then this will go to the next session. You have never hustled business here, and I hope you will not now.

**Mr. Speaker:** There is no question.

**Shri Hari Vishnu Kamath:** In view of its importance, it should be discussed *in extenso*.

The Rules Committee went on to say:

"The Leader of the House is primarily responsible for the arrangement, direction and co-ordination of Government business in the House."

**Shri Ranga:** We had an exhibition yesterday.

**Shri Hari Vishnu Kamath:**

"He may also move procedural motions relating to the business of the House. In the absence of the Prime Minister (if he himself is not the Leader), the Leader of the House acts as the

spokesman of the House on ceremonial or formal occasions. He is responsible to the House as a whole and advises the House in every difficulty which may arise."

Not on stray occasions. Many difficulties have arisen in this House in the last three months, as you are aware, as the House is well aware.

The Rules Committee goes on:

"In Lok Sabha, the Prime Minister was the Leader of the House till the last session. During the current session, the Prime Minister nominated a Minister who is a member of the House to function as the Leader of the House. The Committee consider that the term "Leader of the House" may be defined in the Rules of Procedure of Lok Sabha accordingly, as in the proposed amendment."

The reasoning is good, but the tail piece is wrong. The conclusion they have come to is not in conformity with the reasoning that has gone before.

When the Leader of the House has got to perform such important, vital, essential functions, is it not obligatory that when the Prime Minister is a Member of the House, he or she must take upon himself or herself the functions of the Leader of the House?

Permit me to say in this context that the first Prime Minister of our country, Shri Jawaharlal Nehru, whatever his faults or defects of character—which great man has been free of such or similar foibles—had a genuine interest in, and love for, Parliament and parliamentary institutions, and he assumed all the functions of the Leader of the House and carried them on very wisely and well. His successor, Shri Lal Bahadur Shastri, also tried to emulate his example, but unfortunately now the Prime Minister is not a Member of the House. We accept that position now. We had all been supporting the

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proposition that she should fight a by-election, now that the emergency has been partially revoked, and come to the House, but the Government, for its own reasons, for reasons best known to themselves, do not want to hold elections. We do not go into that matter at all now, but when in future, in the near future, or distant future, the Prime Minister becomes Member of the House, I do say with all the emphasis at my command that no one else but the Prime Minister should function as the Leader of the House, considering the important duties and obligations that have been cast upon the Leader, in the words of the Rules Committee itself.

I therefore move that the amendment moved by me, which has been unfortunately negatived by the Rules Committee, to that particular recommendation be accepted by the House.

**Shri Ranga:** I wish to support the amendment moved by my hon. friend Shri Kamath. If any justification is needed, that was provided by what has happened yesterday. If, according to his amendment, the Leader of the House had been chosen as being the most senior among the Members of the Cabinet and he enjoyed the complete confidence of the Prime Minister and exercised just that sense of responsibility towards the House as is expected of him, as was needed on that occasion, what happened yesterday could have been avoided.

What happened yesterday is not an ordinary thing. As you know only too well, that very important Bill, the Constitution Amendment Bill, had to be shifted to the next session, and it met with that evil, unfortunate, fate yesterday just because the Leader was not able to steer the business, arrange the business of this House with that sense of responsibility as could be expected of him, with that sense of duty towards this House as could be expected of him. It was such a serious blunder on the part of the Government as a whole that it does not at all redound to the credit

of the democratic professions and democratic practices and capabilities of this Ministry. That they should have brought forward a Constitution Amendment Bill and not understood the usual significance that ought to be attached to it and realised that there should be at least 256 Members present and voting in this House, that they should have chosen to change the order of business also abruptly and at the last moment in such an irresponsible manner, is something which does not redound to the credit of this Government.

**Shri Hari Vishnu Kamath:** What a fiasco!

**Shri Ranga:** Any other Government with a higher sense of responsibility would have come forward this morning before this House and offered an apology itself. Yesterday they offered, I am told. Today you were good enough to make that offer, to give that assurance to this House, that this Bill is going to be taken up at the earliest possible opportunity, that it is going to be discussed in a special session of Parliament. It would have certainly redounded to the credit of the Government as a whole if the Prime Minister and her Leader came forward and offered a complete and unqualified apology for what had happened yesterday and expressed their regret and given an assurance to the House that such things would not be allowed to happen in future. No such thing comes forward from this Government, because they have somehow or other forgotten their elementary duties towards our democracy. Therefore, it is all the more reason why the amendment suggested by my hon. friend Shri Kamath should be accepted by this House.

**Shri C. K. Bhattacharyya (Raiganj):** If you permit me, one thing has to be stated. The Leader of the House stated yesterday that he offered his apologies to the House.

**Shri Banga:** What about the Prime Minister? Why did she not say anything at all in support of what the Speaker himself was good enough to say?

14.29 hrs.

**श्री श्रीनारायण बास (दरभंगा) :** अध्यक्ष महोदय, सदन के सामने इस समय जो रूल्स कमेटी की रिपोर्ट है उसके सम्बन्ध में मैं दो बातें कहना चाहता हूँ। जहाँ तक माननीय श्री कामत का प्रस्ताव है, मैं समझता हूँ कि वह बहुत अच्छा है, लेकिन किस समय में क्या परिस्थिति पैदा होगी, यह कोई नहीं कह सकता है। इसलिए ऐसा बन्धन प्रधान मंत्री के ऊपर रखना कि इसी नियम के मुताबिक प्रधान मंत्री जब मौका मिले सदन के नेता को चुनें, मैं समझता हूँ उचित नहीं होगा। जो प्रधान मंत्री है वह हों या जो आगे होंगे वह हों, उन सबों के ऊपर यह जिम्मेदारी होगी कि सदन का नेता ऐसा चुना जाये जो अनुभवही भी हो और जिस के प्रति सदन के सदस्यों का आदर भी हो। हो सकता है कि ऐसा भी समय आये कि कोई मीनिस्टर मिनिस्टर हों लेकिन उनके प्रति सदन के सदस्यों का विचार यह श्रद्धा बीमो न हो जितनी दूसरे मिनिस्टर के प्रति हो। इसलिए मैं समझता हूँ कि प्रधान मंत्री के ऊपर यह छाड़ा जाना चाहिए, उन्हीं को यह अधिकार रहना चाहिए कि सदन के जिस माननीय सदस्य को वह ठीक समझें, वह मिनिस्टर भी हो सकता है और मैं तो समझता हूँ कि अगर मिनिस्टर न भी हो तो सदन का नेता बनाया जाय तो मेरे विचार से कुछ हर्ज नहीं होगा। इसलिए कामत माहब के प्रस्ताव को गृह करने हुए, प्रधान मंत्री जी को यह जो अधिकार नियम समिति ने रखा है, मैं समझता हूँ कि उसका समर्थन होना चाहिए और मैं उसका समर्थन करता हूँ।

दूसरी बात मैं रूल 170 के बारे में कहना चाहता हूँ। उसकी जो आज स्थिति है वह मेरे विचार से ठीक नहीं है। पहले

यह होता था कि जितने माननीय सदस्य जो भी संकल्प चाहते थे उसकी सूचना सदन के लिए देते थे और उनके नाम पर जब बैलट होता था जिसके नाम पर बैलट होता था उसका प्रस्ताव रखते थे। इधर चलकर के नियम में संशोधन कर दिया और अब बैलट निकलता है तो उसमें से चार प्रावधानों को सूचना देने का अधिकार होता है। मैं तो समझता हूँ कि जब माननीय सदस्य कोई प्रस्ताव या संकल्प रखते हैं तो वह यह नहीं सोचते हैं कि हमें मौका मिलेगा, वह सोचते हैं कि गवर्नमेंट के सामने इस प्रस्ताव के द्वारा महत्वपूर्ण विषयों की ओर उनका ध्यान खींचा जाय। मैं समझता हूँ कि पहले जो स्थिति थी नियम में वह जारी होनी चाहिए कि जो भी माननीय सदस्य चाहे गैर-सरकारी संकल्प की सूचना वह लोक सभा के मंत्रालय को देते चले जाय और जिनके नाम से बैलट आवे उनका प्रस्ताव विचारायण रखा जाय। इसलिए मैं निवेदन करूँगा कि इसके ऊपर फिर विचार करें और जो माननीय सदस्य का प्रस्ताव है उसका तो मैं समर्थन करता हूँ लेकिन उसके आगे भी मैं कहना चाहता हूँ कि यह जो रोक लगाई गई थी कि जिनकी वा नाम बैलट में आयेगा, उन्हीं के प्रस्ताव लोक सभा मंत्रालय में स्वीकृत किये जायेंगे, यह उचित नहीं है। सभी माननीय सदस्यों को अधिकार रहना चाहिए कि जिस प्रस्ताव की सूचना दें, वह लोक सभा मंत्रालय में उसकी सूचना रहे। जिसके नाम पर बैलट आवे उसका प्रस्ताव रखने का अधिकार दिया जाय। इन शब्दों के माध्यम से नियम समिति का प्रस्ताव है उसका मैं समर्थन करता हूँ।

14.32 hrs.

**Shri S. M. Banerjee (Kanpur)**  
rose—

**Mr. Speaker:** There is the discussion under rule 193 at 2.30.

**Shri S. M. Banerjee:** It will remain pending; it would not be passed?

**Mr. Speaker:** No how can it be passed. Shrimati Renu Chakravartty.