

Precise figures on the run-off of pesticide, synthetic detergents and untreated domestic sewage being washed into the coastal waters are not available.

(c) The Central and State Pollution Control Boards and the National Institute of Oceanography are monitoring the coastal waters to determine the extent of marine pollution. The Central Government, through the State Governments has directed all significantly polluting units to conform to the emission and effluent standards by 31. 12. 1991.

The following steps have also been taken:

- (i) Effluent and emission standards have been prescribed under the Environment (Protection) Act, 1986;
- (ii) Networks of ambient air quality and ambient water quality monitoring stations have been set up;
- (iii) Environmental guidelines have been evolved for siting and operation of industries;
- (iv) Industries have been asked to comply with consent requirements of the State Pollution Control Boards to keep the discharge of effluents and emissions within the stipulated limits;
- (v) Fiscal incentives are provided for installation of pollution control equipment;
- (vi) A scheme has been initiated to give assistance to cluster of small scale industrial units for setting up common effluent treatment plants.

12.00 hrs

[English]

SHRI LAL K. ADVANI (GANDHI NAGAR) : Mr. Speaker, Sir, I rise to seek a clarification from you in respect of a matter pertaining to the functioning of the House.

Under Rule 2 of the Rules of Procedure & Conduct of Business in Lok Sabha, which relates to definitions of various posts, the Leader of the House has been defined to mean the Prime Minister, if he 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. I am aware of background of this Rule. Earlier it was only the Prime Minister who could be the Leader of the House. But in 1966 when we had, as the country's Prime Minister, a member of the other House, this Rule was incorporated in order to enable the House to function effectively even though the Prime Minister belonged to the other House.

After the elections, we had a leader of the majority party, who did not belong to the House, and obviously this particular Rule was availed of and a senior Minister of the Government was appointed as the Leader of the House. I hold that proper interpretation of this Rule would mean what Kaul and Shukdhakar have specifically stated. I quote Kaul and Shukdhakar page 127 it says:

"The Prime Minister, who is the Leader of the majority party in Lok Sabha functions as the Leader of the House in Lok Sabha except when he is not a member of the Lok Sabha."

So, the only exception is that when he is not a member of the Lok Sabha, then another senior Minister of the House would be appointed as the Leader of the House. This is the burden and an essential concern of

Rule 2 which was brought in in 1966. Of course, literally speaking, it can be interpreted to bypass that spirit of the Rule. I would concede that.

My submission is that this matter needs to be clarified. In the House of Commons, the Leader of the House is another Minister, almost invariably, and they do not have this kind of a provision that the Leader of the House is the Prime Minister, which we have, and that has been the precedent all among in the Indian Parliament for the last 42,44 years except for a brief period, as I said when the Prime Minister belonged to the other House and on one occasion when the Prime Minister went abroad and named someone as the Leader of the House.

I have raised this without bringing in any personalities. I am not concerned with that. I have certainly seen the ruling party members, Members of Parliament, and spokesmen speaking in different voices—one saying that now automatically Shri P.V. Narasimha Rao is the Leader of the House.

I would say that whatever happens, an announcement needs to be made in the House. If the ruling party has any other proposal to offer to the House, necessary amendment in the rules also should be made to see that both the letter and the spirit of the Rules of Procedure are adhered to.

This is the submission I wanted to make and I would think that a clarification from the chair in this regard would be in order.

SHRI JASWANT SINGH (Chittorgarh):
Without bringing in the personalities or the procedure adopted by the treasury benches, it is the question of the functional responsibility of who ever is designated as the Leader

of the House. And here again like Advaniji did by referring to page 127 of Kaul and Shakhder, as it is such an important question, I would seek your indulgence, for example, to refer also to page 128 of Kaul and Shakhder:

"The Leader of the House is an important parliamentary functionary and exercises direct influence on the course of business. The whole policy of the Government, especially so far as it is expressed in the inner life of the House and in measures dealing with the course of its business, is concentrated in his person."

Without going into all the elaborate aspects of the functioning of the Leader of the House, there is the aspect, for example, of the arrangement of the Government business. Now arrangement of the Government business which is quite often delegated into the very capable hands of the current Minister for Parliamentary Affairs, is, in effect, the responsibility of the Leader of the House.

Then there is a very important aspect which is at page 129. It says:

"The Leader of the House shapes the course and content of legislation inasmuch as his is often the final voice in deciding as to what amendments will be acceptable, what Private Members' Bill will receive support from the Government, and whether a question should be left to a free vote. Leader of the House may, therefore, be said to be perhaps the most influential figure in the entire legislative process."

The reason why we are saying this is that the session has only just started. The treasury benches have an ambitious legislative programme ahead of them. We would

like to know under whose leadership this legislative programme is going to be implemented.

There is a further aspect. That further aspect relates to matters not just dealing with the procedural aspect but all matters relating to the House, the aspect of personal statement etc. Now if a Member wants to come up with a personal statement, he needs not just your consent. Ordinarily the Leader of the House would also go through that personal statement and would have something to say on that personal statement. That is the aspect-begging your pardon-of the inter-relationship between you high office and the Leader of the House. May I read out that aspect?

MR. SPEAKER: No, we do not need anything of this kind. We are very clear on this point.

SHRI JASWANT SINGH: There is another aspect. The Leader of the House has to have a relationship with the opposition. He is, in fact, if I may say so, as much preserver of the Opposition's rights and functioning and prerogatives inside the House as he is of the totality of the House. That is why he is called the Leader of the House.

MR. SPEAKER: I have gone through these pages. I just want to know whether you are putting any special interpretation of anything which is stated in the book.

SHRI JASWANT SINGH: No, I am saying this because it is so important. Therefore, the observations of the Page Committee...*(Interruptions)*

SHRI CHANDRA SHEKHAR BALLIA: How is it all relevant?

SHRI JASWANT SINGH: It is all relevant.

SHRI CHANDRA SHEKHAR: No, it is not at all relevant.

SHRI JASWANT SINGH: If it were not relevant, then anyone could be the Leader of the House. The Prime Minister could well determine that not X, Y or Z Minister, anyone could be the Leader of the House. You should change the rules. The relevance is, in fact, a proper designation and announcement of the Leader of the House.

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, I think it is the responsibility and duty of the ruling party to elect its own leader. Rules do not preclude that any other Member excepting the Prime Minister cannot be the Leader of the House. It is another thing that if the Leader of the Opposition finds the Prime Minister to be more convenient Leader of the House instead of the Present Leader of the House, then I have nothing to say about it. But the Opposition should wait for the announcement from the ruling party. It is hardly a matter whether one is the Leader or the other is the Leader of the House.

SHRI JASWANT SINGH: That is not the point at all. Sir, I yielded the floor to a former Prime Minister of the country, hon. Chandra Shekharji only because I thought there would be a substantial aspects of it. I do not think that there was any rule is, in fact, specific. Chandra Shekharji said that the rule enables the ruling party to do what it wishes. It is not a question of the Leader of the Opposition's convenience or inconvenience, or who is more preferable or who is less preferable. In fact, I do not think the Treasury Benches have that option available. Rule(2) might

lend itself to a certain flexibility of interpretation but thereafter the authoritative commentary of Kaul and Shakdhar is specific. The option available under Rule (2) is not available in the elaboration that Kaul and Shakdhar has said. It is not a question of convenience of the Leader of the Opposition or inconvenience. It is only a functional aspect of it that we are asking you to see.

SHRI SOMNATH CHATTERJEE (Bolpur) : Half a minute, Sir. Speaking for ourselves, we are quite happy with Mr. Arjun Singh as the Leader of the House. It seems the Leader of the Opposition has close proximity with the ruling party. He has some special information about the fall-out of the Guinness Book result on the ruling party. I do not know if that may happen. He may be anticipating something as to what may happen there. He has now special information these days. We find a close proximity and a collaboration with which the ruling party and BJP are working these days (*Interruptions*). But, Sir, let Mr. Arjun Singh continue as the leader of the House and I want him to have the distinction of declaring that the industrial policy and the trade policy will not be given effect to.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH) : Respected Sir, it is not for the first time that inadvertently or deliberately I have become the centre of some opinions. But I would like to make one thing very clear.. (*Interruptions*).

SHRI LAL. K. ADVANI: It is not individual at all. It has been already explained.

SHRI ARJUN SINGH: Have I said anything on that score. I do not think one should be too sensitive on that. What I want to say

is that if I am here, it is not on anybody's recommendation and not because somebody wants me to be or not to be here. I am here functioning as the Leader of this House because I have the privilege to enjoy the confidence of my leader, Shri Narasimha Raoji, the Prime Minister. Secondly, I would like to make it very clear that this was done by him in the circumstances that he was placed when he assumed the office of the Prime Minister. He was not an elected Member of the House and, therefore, he thought fit to designate me to function in the House as the Leader of the House. I may or may not have functioned in the House as many Members like, or perhaps the House would not appreciate something I have done. If I have done anything which I should not have done, I certainly would like to apologise for it. But, with all sincerity I have tried to do what is within my capacity in the Office. Which my leader gave me. On the question that has now been raised I understand the anxiety of Shri Advani to stick to procedure and policy, and I do not have any doubt on that—I would like to inform the House that since the Prime Minister has now been elected to this House—because he was going abroad, he asked me to continue in the mean time—on his return, Shri Narasimha Rao will be the Leader of the House.

MR. SPEAKER: Well, the matter has been set at rest and very clearly explained by Shri Arjun Singh I must say that all the Leaders of different parties have conducted themselves admirably in the House and Shri Arjun Singh has conducted himself very admirably as the Leader of the House. It is for the Congress Party to decide who would be the Leader in the House and whatever they decide will be acceptable to all of us.