

CHAPTER—10

Political Complexion of Rajya Sabha

Chairman's Direction

The general principles on which recognition can be given to political parties or groups for their parliamentary functioning in the Rajya Sabha have been laid down in the following Directions issued by the Chairman in 1980 in pursuance of rule 266:

(1) The Chairman may recognise an association of members as a parliamentary party or a parliamentary group for the purpose of functioning in the Council and his decision in the matter shall be final.

(2) In recognising a Parliamentary Party or a Parliamentary Group the Chairman shall take into consideration the following principles:

- (i) An association of members who propose to form a parliamentary party—
 - (a) shall have a distinct ideology and a common programme of parliamentary work on which they have been elected to the Council;
 - (b) shall have an organisation both inside and outside the Council; and
 - (c) shall have at least a strength equal to the quorum fixed to constitute a sitting of the Council, that is, one-tenth of the total number of members of the Council.
- (ii) An association of members to form a parliamentary group shall satisfy the conditions specified in parts (a) and (b) of clause (i) and shall have at least a strength of fifteen Members.¹

Although till 1980, there was no Direction issued by the Chairman for recognition of a political party, for all practical purposes the principles embodied in the above Direction were being followed in the Rajya Sabha. For instance, even though there were "Parties" in opposition right from the inception of the Rajya Sabha, they were recognised as "Groups" and not "Parties" as their strength was less than the quorum of the House and the opposition parties and the Leader of the Opposition as such were not recognised until the Congress split in 1969, when for the first time the splinter group which fulfilled all the requirements laid down in the Direction

was recognised as the opposition party. In subsequent cases also the same criteria as laid down in the Direction for recognition of a Party was followed.

While the matter of issue of the Direction quoted above was under consideration, a point was considered in the context of section 2 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977, whether such a Direction could conflict with the provisions of that section. The Act of 1977 as well as the Rules of Procedure did not define a "party". It could, therefore, be argued that in the absence of statutory authority it was beyond the powers of the Presiding Officer to lay down criteria for recognition of a party as was sought to be done by the Direction and that the Presiding Officer was bound by the Act of 1977 to recognise as the Leader of the Opposition a member of the House who was the leader of a party in opposition to the Government having the greatest numerical strength even though it might not be equal to the quorum of the House. This argument was countered by pointing out that if it was carried to its logical conclusion, it would mean that even if a party in opposition consisted of only two members (the other members in the opposition being independent members) the Presiding Officer had to recognise the leader of this two-member party as the Leader of the Opposition for the purpose of the Act of 1977, which proposition would appear to be untenable. The criterion of quorum was based on the well-recognised parliamentary principle that the party in Opposition should be strong enough to form an alternate Government or at least to hold the House for transaction of business. It was, therefore, felt that even though the expression "party" had not been defined, the Act of 1977 did not prohibit or prevent the Presiding Officer from laying down the criteria for recognition of a party/group. The Ministry of Law which was consulted informally agreed with this view.²

In certain cases, even where the membership of an association of members is less than fifteen, it may be given the nomenclature of a group, under the orders of the Chairman, for the limited purpose of functioning in the House, without according it a formal recognition as such. The general practice is that a group which has a strength of five and more is recognised as a Parliamentary Group for functioning in the House. Members belonging to different political parties and unattached members who form an association with distinctive designation may also be termed as a Parliamentary Group for the purpose of functioning in the House, namely, allocation of time for participation in debates and allotment of contiguous seats in the Chamber.

In 1983, twenty-two members belonging to different political parties formed a "United Association of Members (UAM)" which was given recognition.³ In 1990, six members belonging to different political parties formed a "United Parliamentary Group (UPG)".⁴ Subsequently, the strength of the Group went on changing from time to time.

For the purpose of getting recognition, members concerned have to make a formal request to the Chairman with the signatures of all the members concerned.

The two words 'political party' have not been mentioned in the Constitution till the Constitution (Fifty-second Amendment) Act, 1985 came into force. It became the Tenth Schedule to the Constitution and it mentioned political party and its scope and thereby providing constitutional sanctity to it.

Therefore, after the coming into force of the Tenth Schedule to the Constitution of India with effect from 1 March 1985, and the Representation of the People (Amendment) Act, 1988 (which included section 29A providing for compulsory registration of all political parties), the concept of recognition of Parliamentary Parties/Groups has materially changed *vis-a-vis* the recognition of Parliamentary Party/Group by the Chairman, Rajya Sabha on the basis of the numerical strength of a party in the House. For the purpose of the Tenth Schedule, all the members of the Rajya Sabha belonging to a particular political party would be deemed to belong to the Legislature Party of that party in the House irrespective of the numerical strength of that Legislature Party. Even a lone member of a political party in the House would, therefore, have been a Legislature Party by that name.

Membership of a political party under the Tenth Schedule to the Constitution

The Constitution (Fifty-second Amendment) Act, 1985, which came into force with effect from 1 March 1985, contains certain provisions in so far as the membership of a political party is concerned. An elected or nominated member belonging to any political party becomes disqualified from being a member of the House if he voluntarily gives up his membership of such political party.⁵ A nominated member can join a political party before the expiry of six months from the date on which he takes his seat in the House. If he joins a party after that period or having become a member within the stipulated time voluntarily gives up the membership thereafter, he becomes disqualified.⁶ An independent member (*i.e.*, a member who has been elected as such otherwise than as a candidate set up by any political party) becomes disqualified if he joins any political party after such election.⁷

The disqualification provision did not apply if a member claimed that a split had occurred in his original political party and the strength of the faction which had arisen as a result of such a split was not less than one-third of the members of the legislature party. Consequent upon the amendment to the Tenth Schedule *vide* the Constitution (Ninety-first Amendment) Act, 2003, this provision contained in paragraph 3 of the Schedule stands omitted.⁸

The disqualification provision also does not apply if a member's original political party merges with another political party and the member becomes a member of such other political party or of a new political party formed after such merger, provided that the strength of the group merging is not less than two-thirds of the members of the original legislature party.⁹ If the member claims that he and any other members of his original political party have not accepted the merger and opted to function as a separate group, he/she and such other members do not incur disqualification.¹⁰

The Constitution (Ninety-first Amendment) Act, 2003 has also inserted a new article 361B into the Constitution which provides that a member who is disqualified for being a member of the House under paragraph 2 of the Tenth Schedule shall also be disqualified to hold any remunerative political post for duration of the period commencing from the date of his disqualification till the date on which the term of his office as such member would expire or till the date on which he contests an election to a House and is declared elected, whichever is earlier.¹¹

The instances of cases over the years in the Rajya Sabha under the Tenth Schedule to the Constitution of India are as follows:

Disqualification

In the year 1989, Shri Mufti Mohamad Sayeed, an elected member of the Rajya Sabha from the State of Jammu and Kashmir, became disqualified from being a member of the Rajya Sabha in terms of paragraph 2(1)(a) of the Tenth Schedule to the Constitution of India for voluntarily giving up his membership of Congress (I)—his original political party.¹²

In the same year, Shri Satya Pal Malik, an elected member of the Rajya Sabha from the State of Uttar Pradesh, also became disqualified from being a member of the Rajya Sabha for voluntarily giving up his membership of Congress (I)—his original political party.¹³

In the year 2008, Shri Jai Narain Prasad Nishad, an elected member of the Rajya Sabha from the State of Bihar, became disqualified from being a member of the Rajya Sabha for voluntarily giving up his membership of the Bharatiya Janata Party (BJP)—his original political party.¹⁴

In the same year, Shri Isam Singh, an elected member of the Rajya Sabha from the State of Uttar Pradesh, became disqualified from being a member of the Rajya Sabha for voluntarily giving up his membership of the Bahujan Samaj Party (BSP)—his original political party.¹⁵

Merger

In the year 1986, the Congress (S) Party, which had a strength of 2 members in the House merged with Congress (I) Party in the Rajya Sabha in terms of para 4 of the Tenth Schedule to the Constitution.¹⁶

In the year 1988, the Janata (G) that had a strength of one member and Lok Dal (A) Party, which had a strength of 4 members in the House merged and formed a new party, namely Janata Party in the Rajya Sabha.¹⁷

In the year 1989, the Janata Party which had a strength of 17 members and Lok Dal that had a strength of 5 members in the House merged to form a new Party in the Rajya Sabha, namely, Janata Dal.¹⁸

In the year 1990, Shri M. Vincent, a lone member of A.I.A.D.M.K.-I merged his Party with A.I.A.D.M.K.-II Party in the Rajya Sabha.¹⁹

In the year 1991, Shri Thomas Kuthiravattom, a lone member of Kerala Congress Party merged his Party with Janata Dal (S) Party in the Rajya Sabha.²⁰

In the year 1992, Kumari Chandrika Premji Kenia, a lone member of Shiv Sena Party (Chhagan Bhujbal Group) merged her Party with Congress (I) Party in the Rajya Sabha.²¹

In the year 1992, Shri David Ledger, a lone member of the Natun Asom Gana Parishad merged his Party with Congress (I) Party in the Rajya Sabha.²²

In the year 1996, Shrimati Renuka Chowdhury, a lone member of Telugu Desam Party-II merged her Party with Telugu Desam (Naidu) Group in the Rajya Sabha.²³

In the year 1996, Shri Yerra Narayanswamy, a lone member of Telugu Desam Party-I merged his Party with Telugu Desam (Naidu) Group in the Rajya Sabha.²⁴

In the year 1998, the A.I.A.D.M.K.-III Group in the Rajya Sabha that had a strength of two members in Rajya Sabha merged with A.I.A.D.M.K.-I Group in the Rajya Sabha.²⁵

In the year 1998, Dr. D. Venkateshwar Rao, a lone member of Telugu Desam-I Party merged his Party with Bharatiya Janata Party in the Rajya Sabha.²⁶

In the year 1999, Shri Suresh Kalmadi, a lone member of Maharashtra Vikas Aghadi Party merged his Party with Indian National Congress Party in the Rajya Sabha.²⁷

In the year 2001, Shri R. K. Anand, a lone member of Jharkhand Mukti Morcha Party merged his Party with Indian National Congress Party in the Rajya Sabha.²⁸

In the year 2003, the Tamil Manila Congress (Moopanar) Group that had a strength of two members in the House merged with the Indian National Congress Party in the Rajya Sabha.²⁹

In the year 2010, Dr. Kanwar Deep Singh, a lone member of the Jharkhand Mukti Morcha Party merged his party with the All India Trinamool Congress Party in the Rajya Sabha.³⁰

In the year 2014, Shri Ram Kripal Yadav, a lone member of the Rashtriya Janata Dal Party merged his party with the Bharatiya Janata Party in the Rajya Sabha.³¹

Splits

In the year 1988, the A.I.A.D.M.K. Party, that had a strength of 11 members in the House, split into two groups and redesignated by Chairman, Rajya Sabha as A.I.A.D.M.K.-I (with the strength of five members) and A.I.A.D.M.K.-II (with the strength of 6 members), for the floor functioning.³²

In the year 1990, the Janata Dal, that had a strength of 39 members in the House, had a split in the Party and a new faction named Janata Dal (Socialist) consisting of 15 members was recognised by the Chairman, Rajya Sabha for the floor functioning.³³

In the year 1991, the Asom Gana Parishad Party, that had a strength of 4 members had a split in the Party and a new faction named Natun Asom Gana Parishad consisting of 2 members was recognised by Chairman, Rajya Sabha for floor functioning.³⁴

In the year 1992, the Janata Party, that had a strength of 2 members, had a split and a new faction named Samajwadi Party was recognised by the Chairman, Rajya Sabha for floor functioning.³⁵

In the year 1994, the Janata Party (Socialist) that had a strength of 8 members, had a split in the Party and a new faction named Rashtriya Janata Dal consisting of 3 members was recognised by the Chairman, Rajya Sabha for floor functioning.³⁶

In the year 1994, the Telugu Desam Party, that had a strength of 3 members had a split and the Chairman, Rajya Sabha redesignated each faction as Telugu Desam-I (with one member—Shrimati Renuka Chowdhury) and Telugu Desam-II (with two members) for floor functioning.³⁷

In the year 1997, the A.I.A.D.M.K. Party that had a strength of 14 members had a split and the Chairman, Rajya Sabha redesignated each faction as A.I.A.D.M.K.-I and A.I.A.D.M.K.-II (with 7 members each) for floor functioning.³⁸

In the year 1997, the Janata Dal, that had a strength of 13 members in the Council, had a split in the Party and a new faction named Rashtriya Janata Dal consisting of 5 members was recognised by the Chairman, Rajya Sabha for floor functioning.³⁹

In the year 1997, the A.I.A.D.M.K.-II faction, which had a strength of 5 members at that time, again had a split and a new faction A.I.A.D.M.K.-III, consisting of 2 members was recognised by the Chairman, Rajya Sabha for floor functioning.⁴⁰

In the year 1998, the Janata Dal, that had a strength of 13 members in the House, again had a split in the Party and a new faction named Biju Janata Dal consisting of 5 members was recognised by the Chairman, Rajya Sabha for floor functioning.⁴¹

Expulsion and its effect on the status of a member

The Constitution (Fifty-second Amendment) Act, 1985 does not make any provision for meeting a situation when a member is expelled by his/her party. When the Constitution (Fifty-second Amendment) Bill was introduced in the Lok Sabha, there was a provision for disqualifying an expelled member.⁴² However, on reconsideration, it was felt that expulsion being a political matter should be left out of the scope of the proposed law. Hence, that provision was deleted at the passing stage of the Bill in the Lok Sabha. It will be seen from this background that in the case of an expelled member from a political party by which he was elected there is no adverse effect on the status of that member in the House.

However, for the purposes of record, members who have been expelled from their original political parties are shown as members without party affiliation (Independent). For instance, Shri Pranab Mukherjee,⁴³ Shri Vishwanath Pratap Singh,⁴⁴ Shri P. Upendra,⁴⁵ Shri Chimanbhai Mehta and Shri V. Gopalsamy,⁴⁶ members, who were expelled from their original political parties, as per communications received from the Leaders/Whips of the concerned parties, were shown as Independent in the Rajya Sabha Secretariat records and the concerned members were informed accordingly. However, in the case of expulsion of three members belonging to Lok Dal (Shri S.P. Malviya, Shri Rashid Masood and Shri Ajit Singh), since they contested the expulsion and claimed a split in the party, the two factions of Lok Dal were designated as Lok Dal (I) and Lok Dal (II) for the limited purpose of functioning in the House.⁴⁷ But in the case of expulsion of three members belonging to R.J.D. namely, Shri Ranjan Prasad Yadav, Ven'ble Dhammaviriyo and Shri Mahendra Prasad, in May 2001, it was decided to show them as "Members without party-affiliation" and they were shown under the heading "Independents and Others" in the records of Rajya Sabha Secretariat and the concerned members were informed accordingly.⁴⁸

Similarly, in the cases of expulsion of Shri Isam Singh from the Bahujan Samaj Party, to which he belonged, in September 2006;⁴⁹ Shri Amar Singh from the Samajwadi Party, in February 2010;⁵⁰ Shri Pyarimohan Mohapatra from the Biju Janata Dal, in March 2013;⁵¹ and

Shri Ram Jethmalani from the Bharatiya Janata Party in September 2013⁵², it was decided to show them as “Member without party affiliation” and they were shown under the heading “Independents and Others” in the records of the Rajya Sabha Secretariat and the concerned members were informed accordingly.

On the issue of expulsion of a member from his political party, a question was posed to the Attorney-General as to whether a member who was declared “Unattached” by the Speaker consequent upon his expulsion from the original political party was free to form a new party or join another party without incurring disqualification. The opinion given by the Attorney-General was as follows:

The Tenth Schedule introduced by the Constitution (Fifty-second Amendment) Act provides for disqualification on ground of defection in para 2. None of these provisions provides that upon expulsion from the original political party, a member who is declared unattached incurs any disqualification notwithstanding the fact that he forms a new party or joins another party. However, on that ground alone an expelled member who forms a new party or joins another party cannot be held not to incur disqualification in terms of the Constitution (Fifty-second Amendment) Act.

It is true that an expelled member ceases to be a member of that party to which he belonged but that is for the purpose of party discipline. In the interest of democracy the matter should be approached from a broader perspective. A person belonging to a particular political party must owe allegiance to that party. He is bound by the discipline of that party. Not only is there a moral and political compulsion but so long as he belongs to that party, he has a duty to see that nothing he does prejudices in any manner the effective functioning of that party as a political party.

The provisions for disqualification have to be strictly construed. A member cannot voluntarily give up membership of his political party except under peril of incurring constitutional disqualification under para 2(a) of the Tenth Schedule. It may be possible to interpret the relevant provisions that an expelled member of a party, who does not incur disqualification because he did not voluntarily give up membership of his original political party though he suffers expulsion, cannot any more belong to the political party from which he was expelled. So, unless he can bring himself within the scope of a split of the original political party which group consists of not less than one-third of the members of such legislature party he cannot belong to any other party. While he can, therefore, continue to be a member but is declared unattached, he cannot on the basis of the expulsion from the original political party form a new party or join a new party without incurring disqualification. An elected member of a House who has been elected otherwise than as a candidate set up by any

political party, *i.e.*, who was elected as an independent candidate, will incur disqualification for being a member of the House if he joins any political party after such an election. If so, an expelled member from a political party cannot stand on a better footing than an independent member. While he will not incur disqualification as he has not voluntarily given up his membership but has been expelled, he will nevertheless incur disqualification if when functioning as an unattached member he forms a new party or joins another party. However, it is not as if, the contrary position cannot be argued at all.⁵³

In this connection, the Supreme Court has observed:

If a person belonging to a political party that had set him up as a candidate, gets elected to the House and thereafter joins another political party for whatever reasons, either because of his expulsion from the party or otherwise, he voluntarily gives up his membership of the political party and incurs the disqualification. Being treated as 'unattached' is a matter of mere convenience outside the Tenth Schedule and does not alter the fact to be assumed under the explanation to paragraph 2(1). Such an arrangement and labeling has no legal bearing so far as the Tenth Schedule is concerned. The deeming fiction in explanation (a) in para 2(1) of Sch. 10 must be given full effect for otherwise the expelled member would escape the rigour of the law which was intended to curb the evil of defections which had polluted our democratic polity.

...Paragraph 1(b) in referring to the Legislative Party in relation to a member of a House belonging to any political party, refers to the provisions of paragraphs 2, 3 and 4, as the case may be, to mean the group consisting of all members of that House for the time being belonging to that political party in accordance with the said provisions, namely, paragraphs 2, 3 and 4, as the case may be. Paragraph 2(1) read with the explanation clearly points out that an elected member shall continue to belong to that political party by which he was set up as a candidate for election as such member. This is so notwithstanding that he was thrown out or expelled from that party. That is a matter between the member and his party and has nothing to do so far as deeming clause in the Tenth Schedule is concerned. The action of a political party *qua* its member has no significance and cannot impinge on the fiction of law under the Tenth Schedule.⁵⁴

The issue of disqualification under the Tenth Schedule of the Constitution can be referred to the Chairman by a member. As per the law established by the Supreme Court of India in 2013 even non-legislator can initiate disqualification proceedings against a legislator for deserting the party on whose ticket he/she was elected and joining another political party. The details regarding this have been dealt with in Chapter 3 on 'Membership of Rajya Sabha'.

Facilities on recognition

A parliamentary party or group gets certain facilities. An association of members which does not fulfill the conditions for recognition as parliamentary party or group may also be granted some facilities.

A recognised parliamentary party is generally granted the following facilities:

(i) Allotment of blocks of seats in the House in proportion to the strength of the party and the total number of seats available in the Chamber.

(ii) *Allotment of accommodation in the Parliament House for parliamentary work of the party/group*: This is done by the Speaker, Lok Sabha.

A point was raised in the Rajya Sabha by some members regarding the sealing of Parliamentary Party Offices of Congress (I), Lok Dal and DMK in the Parliament House. The Chairman observed, *inter alia*, “allotment of accommodation in Parliament House is under the authority of the Speaker.” The Chairman also stated that he had taken up the matter with the Speaker and was forwarding the concerned member’s letter in the matter to the Speaker.⁵⁵

(iii) *Allotment of committee rooms or other available accommodation for holding party meetings*: This is also regulated by the Speaker, Lok Sabha, so far as the Central Hall and committee rooms which are under the administrative jurisdiction of the Lok Sabha Secretariat are concerned. As regards the committee rooms which are under the administrative jurisdiction of the Rajya Sabha Secretariat, they are made available by the Secretariat on written requests from parties/groups for holding party or other meetings connected with parliamentary work.

(iv) *Supply of parliamentary papers*: Parliamentary papers such as questions list, list of business, etc. are supplied to a party/group on a regular basis.

(v) *Nomination to a Parliamentary Committee*: With a view to nominating members on Parliamentary Committees, names are obtained from the leaders of parties in the House, for consideration of the Chairman. While it is the prerogative of the Chairman to nominate members to the Parliamentary Committees, recommendations made by the leaders concerned are normally accepted by the Chairman. The representation of parties/groups on Committees where members are to be nominated by the Chairman is more or less in proportion to the respective strength of the parties/groups in the House. Usually, when the Committees are to be reconstituted annually, the Leader of the House convenes an informal meeting of leaders of various parties/groups to decide allocation of seats

in the various Committees and their Chairmanship amongst them, which facilitates the process of nomination by the Chairman.

(vi) *Nomination to various Bodies:* There are Committees, Councils, Boards, etc. which are constituted by the Government. Members of both the Houses are also represented on them. Members of the Rajya Sabha thereon are nominated by the Chairman, in consultation with the leaders of parties/groups on request from the Minister concerned.

(vii) *Nomination to parliamentary delegations going abroad:* Members of the Rajya Sabha who are to form part of a delegation going abroad are selected by the Chairman in consultation with the Minister of Parliamentary Affairs and leaders of opposition parties/groups in the Rajya Sabha. Generally, members are selected party-wise for inclusion in the delegations on rotation and for this purpose a roster is maintained to decide annual quota of allocation amongst various parties/groups in proportion to their strength in the House.

(viii) *List of speakers:* Leaders of parties/groups are usually given preference in the selection of speakers to participate in the deliberations of the House. The Leaders also supply names of members from their parties/groups who may be called to speak in debates by the Chair.

(ix) *Consultation in the arrangement of business:* As and when necessary, leaders of parties/groups are consulted on important matters coming up before the House or whenever a situation arises in the House in respect of any matter required to be defused. On a number of occasions, consultations have taken place in informal meetings of the Chairman/Deputy Chairman with the leaders of parties/groups on matters of procedure in the House:

At a meeting held by the Chairman with the leaders of various parties/groups on 12 November 1962, it was decided to limit the number of starred and unstarred questions to five per member per sitting and to regroup Ministries in four instead of existing three for answering questions.⁵⁶ Later, at a meeting held by the Minister of Parliamentary Affairs with leaders of various parties/groups, it was agreed unanimously that with effect from 26 November 1962, Question Hour might be suspended (during the 41st Session). The Minister made an announcement accordingly.⁵⁷

The Chairman held a meeting of leaders of various parties/groups in the Rajya Sabha in 1965 to consider a proposal to appoint a Committee to scrutinise Budget estimates of the Rajya Sabha.⁵⁸

At a meeting of leaders of various parties/groups held on 23 December 1969, which was presided over by the Chairman, a decision was taken to replace the then existing form of summons to the members by the present one.⁵⁹

At the suggestion of the Deputy Chairman, a meeting of leaders with the Chairman was held on 5 December 1974, to consider the demand made in the House for laying the CBI Report on Pondicherry Licence Case.⁶⁰

The Chairman held two meetings with leaders of parties on 8 and 27 March 1979, regarding procedure to be followed in the matter of use of languages other than English and Hindi during Question Hour.⁶¹

At meetings held on 3 and 21 August 1970 and 19 June 1980, the practice and procedure regarding calling attention and special mention were considered and decisions taken thereon. At another meeting held on 15 September 1981, it was agreed that the Minister would reply at the end to all the clarifications on a calling attention.⁶²

A meeting of leaders of various parties/groups was held by the Chairman to rationalise Question Hour.⁶³

A meeting of leaders was held to decide about the playing of National Anthem/National Song at the commencement and the conclusion of the session respectively.⁶⁴

A meeting of leaders was held on 21 August 1995, to decide about the mode of discussion of the situation arising out of the railway accident between Kalindi Express and Purushottam Express on the previous night.⁶⁵

A meeting of leaders of various parties/groups held on 20 March 1997 agreed to the introduction, consideration and passing of the Aquaculture Authority Bill, 1997 on the same day in view of the urgency for the said legislation.⁶⁶

A meeting of leaders of various parties/groups was held on 29 November 2012, to decide on the admissibility of a discussion on the Motion on FDI in Multi-brand Retail Sector to facilitate smooth functioning of the Parliament. It was decided that discussion may be held after conclusion of the said discussion in the Lok Sabha.⁶⁷

A meeting of leaders of various parties/groups was held on 16 December 2013 on the passing of the Lokpal and Lokayuktas Bill, 2011 on 17 December 2013.⁶⁸

A meeting of leaders of various parties/groups with the Hon'ble Chairman was held at 11.30 a.m. on the 28 July 2015, wherein it was decided that there will be no sitting of the Rajya Sabha on the 29 July 2015, to enable members to attend the funeral of former President of India, Dr. A.P.J. Abdul Kalam.⁶⁹

(x) *Representation in the Business Advisory Committee:* All major parties/groups are represented in the Business Advisory Committee which allots time to various items of Government and other business to be transacted by the House. As the strength of the Committee is limited to eleven members including the Chairman and the Deputy Chairman, representatives of recognised groups which are not represented are invited to attend the meetings of this Committee.

(xi) *Allotment of a seat in the front row in the Central Hall:* The Lok Sabha Secretariat allots front row seats to leaders of recognised parties and groups having strength of five members and more in the Rajya Sabha on the occasion of the President's Address or other important functions.⁷⁰

(xii) The leaders, deputy leaders and chief whips of recognised parties/groups in Parliament are generally granted the following telephone and secretarial facilities:

(a) *Telephone Facilities:* Each leader, each deputy leader and each chief whip of a recognised party or group shall not be liable to make any payment in respect of the installation and rental of one telephone installed either at his office or residence in Delhi or New Delhi and he shall not be liable to make any payment in respect of any calls made from that telephone during his tenure as such leader, deputy leader and chief whip subject to his certifying that the calls were made in the discharge of his duties as such leader, deputy leader and chief whip. These calls are in addition to any free calls admissible to them as Members of Parliament.

(b) *Secretarial Facilities:* Each leader, each deputy leader and each chief whip of a recognised party or group shall be entitled to get a stenographer in the grade of Private Secretary (Gr. III) for Secretarial assistance.⁷¹

However, telephone and secretarial facilities admissible under the Act are temporary and co-terminus with the tenure as the leader, deputy leader or chief whip of the recognised party or group.

Moreover, these facilities will not be provided to such leader, deputy leader or chief whip, as the case may be, who holds an office of Minister, Leader of the Opposition or any other officer having same facilities, set up by Government or local authority.

Changing party position in Rajya Sabha

One-third members of the Rajya Sabha retire after every second year and biennial elections are held for filling the seats so vacated in accordance with the system of proportional representation by means of the single transferable vote. Party position in the Rajya Sabha undergoes changes from time to time not only due to biennial elections but also due to bye-elections.

Tables below indicate the strength of political parties which secured representation in the Rajya Sabha biennially since 1952.

TABLE-I
PARTY-WISE BREAK-UP OF SEATS WON BY DIFFERENT POLITICAL PARTIES IN RAJYA SABHA
(YEARS 1952-1976)

Sl.No.	Name of the Party	1952	1952-54	1954-56	1956-58	1958-60	1960-62	1962-64	1964-66	1966-68	1968-70	1970-72	1972-74	1974-76
1.	Congress	146	164	186	177	173	164	162	166	140	99	107	128	146
2.	Communist	9	10	9	11	8	8	8	8	8	9	—	—	—
3.	Socialist	6	6	3	8	11	—	—	—	—	—	—	—	—
4.	Jan Sangh	1	—	—	—	1	2	4	6	11	10	15	14	12
5.	Swatantra	—	—	—	—	1	8	11	10	16	13	11	9	—
6.	Kashmir National Conference	4	4	4	4	4	—	—	—	—	—	—	—	—
7.	KMPP	2	—	—	—	—	—	—	—	—	—	—	—	—
8.	Gantantra Parishad	—	2	2	3	4	—	—	—	—	—	—	—	—
9.	Samyukta Socialist	—	—	—	2	2	—	—	—	—	—	—	—	—
10.	P.S.P.	—	—	—	—	—	12	10	6	4	4	—	—	—
11.	Congress (O)	—	—	—	—	—	—	—	—	—	42	25	14	7
12.	S.S.P.	—	—	—	—	—	—	—	—	9	—	—	—	—
13.	C.P.I.	—	—	—	—	—	—	—	—	—	—	10	10	12
14.	S.P.	—	—	—	—	—	—	—	—	—	—	9	3	2
15.	C.P.I. (M)	—	—	—	—	—	—	—	—	—	—	8	8	5
16.	D.M.K.	—	—	—	—	—	—	—	—	—	—	7	10	9
17.	Independent	—	10	9	9	11	14	13	10	9	13	12	15	15
18.	Nominated	12	12	12	12	12	12	12	12	12	11	12	11	8
19.	Others	36	11	7	10	9	16	14	16	21	36	18	21	24
20.	Vacancies	—	—	—	—	—	—	4	4	10	3	9	—	4
TOTAL:		216	219	232	236	236	236	238	238	240	240	243	243	244

TABLE-II
PARTY-WISE BREAK-UP OF SEATS WON BY DIFFERENT POLITICAL PARTIES IN RAJYA SABHA
(YEARS 1976-1996)

Sl. No.	Name of the Party	1976-78	1978-80	1980-82	1982-84	1984-86	1986-88	1988-90	1990-92	1992-94	1994-96 (Oct. 30, 1996)
1.	Congress	72	65	—	—	—	—	—	—	—	—
2.	Congress (O)	64	48	—	—	—	—	—	—	—	—
3.	Congress (I)	—	—	124	152	159	141	108	99	95	85
4.	B.J.P.	—	—	14	8	8	8	17	30	45	41
5.	C.P.I.	11	9	5	5	6	3	3	6	6	5
6.	C.P.I. (M)	5	8	14	13	12	15	17	16	14	15
7.	D.M.K.	3	3	4	3	3	3	10	9	8	—
8.	Janata	42	70	14	9	9	20	—	—	—	—
9.	A.I.A.D.M.K.	10	9	9	11	11	—	4	6	6	€14
10.	Janata Dal	—	—	—	—	—	—	38	27	28	23
11.	Janata Dal (S)	—	—	—	—	—	—	—	14	5	—
12.	Telugu Desam	—	—	—	5	5	14	10	5	3	##8
13.	Samajwadi Party	—	—	—	—	—	—	—	—	—	5
14.	Independents	20	15	9	6	6	2	2	5	8	7
15.	Nominated	8	8	7	6	3	6	5	4	4	%1
16.	Others	®8	#9	§43	%21	€20	£28	*19	@14	**13	\$\$15
17.	Vacancies	1	—	1	5	2	5	12	10	5	26
TOTAL:		244	244	244	244	244	245	245	245	245	245

® Includes M.L., B.K.D., Jharkhand, P.W.P., R.P.P., K.M.B.
Includes M.L., Akali Dal, R.P.I., P.W.D., R.S.P., Forward Bloc, P.C.
\$ Includes Forward Bloc, K.C., M.L., Lok Tantrik Lok Dal, Lok Dal, Congress (S), Akali Dal., R.P.I. (Khobragade), Socialist, U.D.F. (Nagaland), N.C., D.S.P., Indian National Cong. (Antony), R.S.P.
% Includes National Democratic Party, Lok Dal (C), National Conference, K.C., M.L., Janata (G), Congress (S), Naga National Democratic Party, Akali Dal, Janavadi, F.B., R.S.P.
€ Includes National Democratic Party of India, Lok Dal, National Conference, Kerala Congress, M.L., Janata (G), Congress (S), Naga National Democratic Party, Akali Dal, Janavadi, Lok Dal (C), F.B., R.S.P.
£ Includes A.I.A.D.M.K. (I), A.I.A.D.M.K. (II), A.G.P., R.S.P., Akali Dal, F.B., N.C., M.L., Kerala Congress, Lok Dal, S.S.P.
* Includes A.G.P., R.S.P., N.C., Janata, Lok Dal, Akali Dal, M.L., Kerala Congress, F.B., S.S.P., Indian Congress (S), Hill State People's Democratic Party, Shiv Sena.
** Includes R.S.P., N.C., Janata Party, Asom Gana Parishad, Natun Asom Gana Parishad, Shiv Sena, M.L., F.B., S.S.P., Hill State People's Democratic Party, Nagaland People's Council.
Chandrababu Naidu Group.
%% Four other nominated members belong to Congress (I).
\$\$ Includes Shiv Sena, M.L., F.B., Asom Gana Parishad, R.S.P., Telugu Desam, Kerala Congress (M), Nagaland People's Council, Sikkim Sangram Parishad, Autonomous State Demand Committee.

TABLE-III
PARTY-WISE BREAK-UP OF SEATS WON BY DIFFERENT POLITICAL PARTIES IN RAJYA SABHA (YEARS 1996-2004)

Sl. No.	Name of the Party	1996-98	1998-2000	2000-2002	2002-2004 (January)
1.	I.N.C.	65	57	58	64
2.	B.J.P.	45	47	49	45
3.	C.P.I.(M)	17	15	14	12
4.	Telugu Desam	11	13	13	13
5.	Janata Dal	9	6	6	2
6.	Samajwadi Party	9	9	9	9
7.	Rashtriya Janata Dal	9	10	7	8
8.	C.P.I.	7	6	6	5
9.	D.M.K.	7	9	9	7
10.	A.I.A.D.M.K.	6	5	7	9
11.	Shiv Sena	5	5	5	5
12.	Shiromani Akali Dal	5	5	5	4
13.	Independents	13	13	%14	φ13
14.	Nominated	@8	@@11	@@11	11
15.	Others	*29	**34	%%30	φφ33
16.	Vacancies	—	—	2	5
TOTAL:		245	245	245	245

φ Three nominated members belong to INC and one nominated member belongs to Samajwadi Party.

* Includes B.J.D., T.M.C., J&K-NC, M.L., F.B., A.G.P., A.I.A.D.M.K.-II, S.S.P., A.S.D.C., R.S.P., H.V.C., Kerala Congress, J.M.M., Maharashtra Vikas Aghadi, Haryana Lok Dal (Rashtriya), Haryana Vikas Party.

@ One nominated member belongs to Samajwadi Party.

** Includes B.S.P., B.J.D., T.M.C.(M), J&K-NC, R.S.P., M.L., A.G.P., J.M.M., I.N.L.D., F.B., A.S.D.C., H.V.C., Kerala Congress, Haryana Vikas Party, S.D.F., Samata Party, R.P.I., N.C.P., A.B.L.C.

% Includes three expelled members from R.J.D.

%% Includes B.S.P., B.J.D., J&K-NC, R.S.P., T.M.C.(M), M.L., I.N.L.D., A.G.P., F.B., A.S.D.C., H.V.C., Kerala Congress, Haryana Vikas Party, Samata Party, R.P.I., N.C.P., A.B.L.C., A.D.F.

φ Includes one member without party affiliation.

φφ Includes B.J.D., N.C.P., R.S.P., J&K-NC, A.G.P., H.V.C., A.I.F.B., K.C., R.P.I., A.B.L.C.P., A.I.I.C., M.N.F., P.D.P.

TABLE-IV
PARTY-WISE BREAK-UP OF SEATS WON BY DIFFERENT POLITICAL PARTIES IN RAJYA SABHA (YEARS 2004-2014)

Sl. No.	Name of the Party	2004-2006	2006-2008	2008-2010	2010-2012	2012-2014
1.	I.N.C.	73	72	71	*71	*72
2.	B.J.P.	#47	#46	44	51	47
3.	Bahujan Samaj Party	6	6	12	18	15
4.	C.P.I.(M)	12	14	15	13	11
5.	A.I.T.C.	2	3	2	6	9
6.	Samajwadi Party	12	16	12	5	9
7.	Janata Dal (United)	2	5	7	8	9
8.	D.M.K.	2	3	4	7	7
9.	Biju Janata Dal	5	4	4	6	6
10.	Nationalist Congress Party	5	5	6	7	65
11.	A.I.A.D.M.K.	12	10	7	5	6
12.	Telugu Desam Party	9	6	2	4	4
13.	C.P.I.	-	3	5	5	2
14.	Rashtriya Janata Dal	8	6	4	4	2
15.	Independents	\$12	9	7	6	9
16.	Nominated	%4	%9	6	@8	@9
17.	Others	€26	¥25	∞24	z19	β19
18.	Vacancies	8	3	13	2	3
TOTAL:		245	245	245	245	245

* Including two nominated Members.

Including three nominated Members.

\$ Includes One Member without Party Affiliation.

% Excluding three nominated Members who belong to B.J.P.

@ Excluding two nominated Members who belong to I.N.C.

€ Includes I.N.L.D., S.S., R.S.P., M.L., S.A.D., Samata Party, J&K-NC, A.I.F.B., R.P.I., A.B.L.C., S.D.F., M.N.F., P.D.P., N.P.F., S.B.P., P.M.K., J.D(S).

¥ Includes S.S., S.A.D., I.N.L.D., A.I.F.B., J.D.(S), M.L., R.S.P., Samata Party, J&K-NC, S.D.F., M.N.F., P.D.P., N.P.F., S.B.P., P.M.K., R.L.D., A.G.P.

∞ Includes S.S., S.A.D., J.D(S), A.G.P., J&K-NC, M.L., R.S.P., S.D.F., M.N.F., S.B.P., P.M.K., R.L.D., B.P.F., L.J.P., M.P(F), A.I.F.B.

z Includes S.S., S.A.D., A.G.P., J&K-NC, L.J.P., S.D.F., M.N.F., R.L.D., B.P.F., N.P.F., A.I.F.B., I.N.L.D.

β Includes S.S., S.A.D., A.G.P., J&K-NC, L.J.P., S.D.F., M.N.F., B.P.F., N.P.F., A.I.F.B., I.N.L.D., J.M.M., K.C.(M).

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7. *Ibid.*, para. 2(2).
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12. F. No. RS. 46/89-T. and Bn. (II), 28.7.1989.
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