

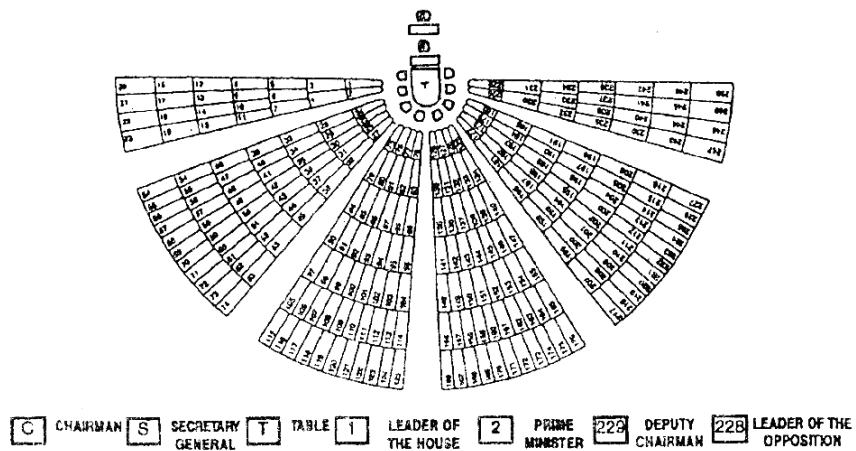
## CHAPTER 13

### Seating Arrangement in the Chamber

#### Seating capacity

The Rajya Sabha Chamber which is of semi-circular (or of horse-shoe) shape has a seating capacity for 250 members. It was the Chamber of Provinces and the Council of State prior to adoption of our Constitution. Originally, the Chamber had a seating capacity for 82 members only. The Chamber was remodelled to accommodate 216 members, the number fixed under the new Constitution. In 1957, when the Automatic Vote Recording (AVR) equipment was installed, the seating capacity was increased to 250, the maximum number provided under the Constitution as amended in 1956.<sup>1</sup> The Chamber is divided into six blocks (or slices of a cake) each with seven rows. The first and the sixth block consist of twenty-three seats each and each of the remaining blocks (two to five) consists of fifty-one seats. The seats are numbered consecutively block-wise starting from the first seat to the right of the Chair in the first block and then in the second block and so on. Till 1957, the numbering of seats was done by rows in semi-circle (instead of block-wise) starting from the right of the Chair. This arrangement was changed to suit the requirements of the indicator board of the AVR system, which has been connected block-wise.<sup>2</sup> The following diagram will give an idea of the general plan of the Chamber and seating arrangement.

SEATING ARRANGEMENT



### **Presiding Officer's Chair**

The Chair of the Chairman, Rajya Sabha, is placed at a higher elevation right at the centre of the Chamber connecting two ends of the semi-circle. On the wooden panel of the Chairman's Chair, there is an inscription "Heavens Light our Guide" (words from a Biblical prayer). Overlooking the Chamber and fixed on the wood work facing the Chairman's seat is a portrait of late Dr. S. Radhakrishnan, the first Chairman of the Rajya Sabha. In the pit of the Chamber, just below the Chair, is the seat of the Secretary-General along with other officers and official reporters who assist in the work at the Table.

To the right of the Chair is located the Official Gallery meant for the use of the officials required to be in attendance to assist Ministers in connection with the business of the House. To the left of the Chair is the Special Box reserved for the special guests and high personages like the members of the visiting parliamentary delegations from foreign countries whom the Chairman would, in his discretion, like to accommodate for watching the proceedings of the House.

On the first floor of the Chamber are located the various galleries (Public Gallery, Distinguished Visitors' Gallery, Diplomatic Gallery, Press Gallery and Lok Sabha Members' Gallery). Maroon colour of the floor coverings, upholstery and furnishing distinguishes the Rajya Sabha Chamber and its Lobbies from that of the Lok Sabha's green colour.

### **General seating arrangement**

Members sit in such order as the Chairman may determine.<sup>3</sup> According to the well-established convention, members belonging to the ruling party are given seats on the right side of the Chair and members belonging to the opposition parties are given seats on the left side of the Chair.

The first seat on the right side of the Chair is reserved for the Leader of the House and the second seat for the Prime Minister. The first seat to the left side of the Chair is reserved for the Deputy Chairman and the seat next is reserved for the Leader of the Opposition. Until the time, when there was no recognised Leader of the Opposition, the seat was allotted to the Leader of the Opposition group which had the largest number of members affiliated to it.<sup>4</sup>

In 1952, no definite rule was laid down as to the manner in which seats were to be allotted in the Council. For the sake of convenience and for enabling members belonging to particular groups to act in consultation with each other during the proceedings of the House, certain number of seats were allotted for those groups. At the same time, a few seats were allotted to some members in their individual

capacity whether representing a particular party or not, by virtue of their long standing in public life.<sup>5</sup> Certain opposition members were also allotted seats,<sup>6</sup> as far as possible, in the front row.<sup>7</sup> These seats were allotted to the members in their names and a card bearing the name of the member to whom the specific seat was allotted used to be affixed to the seat so allotted. The system of affixing the name labels of the members on their respective seats was changed since the monsoon session of 1957 and from then onwards the labels indicating the names of the groups to which the respective seats had been allotted were being affixed. Rest of the members of the opposition groups were, as far as possible, given seats in the rows immediately behind the seats of their leaders.<sup>8</sup> So far as the members of the ruling party and other members for whom seats were not specifically allotted were concerned, they occupied the remaining seats and continued to do so throughout a session.<sup>9</sup>

In 1957, after the installation of the AVR equipment, seats were numbered block-wise and allotted to the ruling party and three opposition groups (Communists-11, Democratic Group-8, and PSP Group-3) in consultation with the party/group leaders concerned (Deputy Chief Whip in case of Congress Party) and to independents and others as per the directions of the Chairman.<sup>10</sup>

The installation of AVR equipment for taking votes in a division in 1957 made it imperative that each member was allotted a specific seat which would also be his division number in the Chamber and that he occupied the allotted seat. Since then each member is now allotted a fixed seat from where he has to address the House,<sup>11</sup> unless otherwise permitted by the Chair. The Chair often permits members who are inaudible when speaking from their seats to come to the front or the seat from where they could be audible and address the House. But this facility is available only with the permission of the Chair.<sup>12</sup>

On one occasion, the Chair has observed that a member might be allowed by the presiding officer to speak from a place other than his seat. On 24 July 1974, the Deputy Chairman asked Shri S.A. Hashmi to come near the mike and speak. When Shri Raj Narain raised a point of order that it was not the seat of the member and by leaving his seat and coming nearer the mike he had shown disrespect to the House, the Deputy Chairman observed:

“I have permitted Shri Hashmi to speak from this place because the Reporters cannot hear him from his seat. This is no point of order. On several other occasions, people have been permitted to come near the mike from their seats and on several occasions, members of this House, both from the opposition and the ruling party, have been permitted to come near the mike so that the Reporters can hear them properly and taken down. Even if a seat

is not the seat of a particular member, it is up to the discretion of the Chair to allow him to speak from there. Sometimes, some members have been allowed to speak even while sitting also. So, there is no point of order in this.”

At the time of a division to record his/her vote, a member has to press the Vote Activation Button with one hand and one of the voting buttons of his/her choice as provided on the Voting Console in front of the seat with other hand otherwise the Individual Result Display Panel located on the either side of the Presiding Officer’s seat and the main board installed in the machine room would not present a true picture of his/her voting. After allotment of a seat, a member is informed of his/her division number by a letter and he/she is requested to memorise that number and quote the same in every notice/communication addressed to the Secretary-General. A paragraph is also issued in the Parliamentary Bulletin Part-II for the purpose.<sup>13</sup>

### **Allotment of seats**

Recognised parties and groups are allotted blocks of seats in proportion to their respective strength and the total number of seats available in the House. For the purpose of allotment of blocks of seats, recognised parties/groups are those which have minimum strength of five members.<sup>14</sup> Individual allotment of seats within a block of seats is made in consultation with the Leader/Whip of the party or group concerned. Seats to members belonging to small or unrecognised groups, independents or nominated members not belonging to any party/group, are allotted by the Chairman. Members of such groups who form an association for the purpose of floor functioning and who express a desire to sit together are, as far as possible, allotted contiguous seats.

In 1983, 22 members of the Rajya Sabha belonging to different political parties had requested the Chairman, for recognition of their association as United Association of Members (UAM). The Chairman accorded recognition for the limited purpose of functioning in the House, namely, allocation of time for participation in debates and allotment of contiguous seats in the Chamber.<sup>15</sup>

In 1990, six members of the Rajya Sabha belonging to different political parties had resolved to function as a group for the purpose of floor coordination and time sharing in the Rajya Sabha. The Chairman recognised them as a group to act as United Parliamentary Group (UPG). The strength of the group varied from time to time and with the retirement of those members on completion of their term of office the group ceased to exist.<sup>16</sup>

As mentioned earlier, the Deputy Chairman is allotted the first seat in the first row on the left of the Chair. The Leader of the Opposition is allotted a seat next to the Deputy Chairman.

Until 1977, the Leader of the Opposition in the Rajya Sabha was not enjoying any statutory status. The leader of the Communist Party, which functioned as a recognised group until the split in that party in 1964 was allotted a seat next to the Deputy Chairman and other members of that party were allotted contiguous seats behind the leader of that party. It lost its recognition later on with a diminution in its membership and its place was taken by Communist Party of India (Marxist). After the split in the Congress Party in November 1969, a new party called Congress (O) was formed by some members. It was recognised for the first time as the Opposition Party and its leader was allotted a seat next to the Deputy Chairman.<sup>17</sup>

Members who had been Leaders of the House are allotted seats in the front row facing the Chair. The first row of each of the three blocks to the right of the Chair is ordinarily reserved for the Ministers who are members of the Rajya Sabha. Seats are allotted to them in consultation with the Leader of the House or the Minister of Parliamentary Affairs. Ministers who are not members of the Rajya Sabha are not allotted seats. If any seats remain vacant in these rows, such seats may be occupied by them while they are present in the House for business.

The seat of Shri Mukul Roy (AITC) upon his appointment as Minister of State in the Ministry of Shipping, was changed from 173 to 84 on 3 June 2009.

When requests are received from more than one member for allotment of a particular seat, the request is examined before a decision is taken in the matter.

Shri D. Raja (CPI) had requested for allotment of seat No. 132 (second row) in 2008 as well as in the beginning of 2009. At the same time, the issue of allotment of a seat to Prof. Ram Gopal Yadav, who was elected to the Rajya Sabha in November, 2008, also came up. Taking into consideration the fact that Prof. Yadav was a senior member having two previous terms in the Rajya Sabha and one term in the Lok Sabha, and was also a former leader of the Samajwadi Party, and the fact that Shri D. Raja was a first time member, it was decided to allot seat No. 132 to Prof. Ram Gopal Yadav.<sup>18</sup>

There are twenty front seats in the first row. Out of them four seats are earmarked for the Leader of the House, the Prime Minister, the Deputy Chairman and the Leader of the Opposition as already mentioned.

The remaining sixteen seats are divided amongst different recognised parties/ groups in proportion to their numerical strength. The front row seats are primarily meant for the leaders of various groups in the Rajya Sabha having a strength of at least five members.<sup>19</sup> If, however, a seat is not available for the leader of such a group in the front row, he is allotted a seat in the next available row for the time being until a front row seat becomes available for allotment to him, and the strength of his group continues to be five or more members.

After biennial election in 1994, the Samajwadi Party emerged as a five member party but due to non-availability of a seat in the front row, its leader (Prof. Ram Gopal Yadav) continued to occupy a seat in the third row.<sup>20</sup>

After biennial election in 2002, the Bahujan Samaj Party emerged as five member party in Rajya Sabha but due to non-availability of a seat in the front row, its leader (Shri Kanshi Ram) continued to occupy a seat in the third row.<sup>21</sup>

Allotment of seats within the blocks reserved for the Government Party is done in consultation with the Government Chief Whip. Generally, members who are re-elected are allotted the seats which were occupied by them earlier as far as possible or seats nearby; former Ministers, Governors, etc. are allotted seats behind the seats of Ministers; prominent or active members are given seats in the front rows, new members are allotted seats according to their standing in public life, etc. Members who had been Leaders of the House at one time or another are also allotted front row seats irrespective of their party/group affiliation.

Shri Kamalapati Tripathi, Shri Lal K. Advani, Shri K.C. Pant, Shri Pranab Mukherjee, Shri V.P. Singh, Shri M.S. Gurupadaswamy and Shri P. Shiv Shanker, all former Leaders of the House were allotted front row seats in the Chamber.<sup>22</sup>

Requests of members returned in bye-elections for changes in the allocation of seats already made are dealt with by the Chief Whip and any changes agreed to by him are effected after the approval of the Chairman. Ordinarily, once seats are allotted to members, no changes are made during the currency of the session unless they are absolutely essential and even if few changes are made, care is taken that these changes do not upset the general seating arrangement till the end of the session.

The 70<sup>th</sup> Session of the Rajya Sabha commenced on 17 November 1969. There was a split in the Congress Party on 18 November 1969. The seating arrangement plan in the Chamber was accordingly changed.<sup>23</sup>

In 1990, during the second part of the 153<sup>rd</sup> session, 69 members who were elected in biennial elections made and subscribed oath or affirmation on 9 and 10 April 1990 and thereafter took their seats in the Chamber. The seating arrangement plan in the Chamber was accordingly changed twice.<sup>24</sup>

On 5 November 1990, Shri V.P. Singh, Leader of the Janata Dal in Parliament, had stated that five members of that Party had been expelled for anti-party activities. Thereafter, the said five members along with ten other party members claimed a split in the original party which occurred on 5 November 1990 and formation of a new party called Janata Dal (Samajwadi). The Chairman recognised Janata Dal (Samajwadi) as a group for the purpose of functioning in the House and members were informed about the new party Janata Dal (Samajwadi) since that party happened to be the ruling party then. Seating arrangements in the Chamber were changed accordingly.<sup>25</sup>

As announced in the House by the Chairman on 2 January 1991, the Congress(I) ceased to be the main opposition party in the Rajya Sabha. Consequently, suitable revision in the seating arrangements in the House were made in consultation with the leaders of parties with effect from 7 January 1991, to their satisfaction. A member of the opposition while putting a supplementary to a question on that day said "...before I ask my supplementary may I be allowed to say that we are all deeply satisfied with the new seating arrangements in the House".<sup>26</sup>

Parties and groups in the Opposition are allotted blocks of contiguous seats in proportion to their strength, starting from the left of the Chair. A party or group having the largest membership is allotted seats to the extreme left, the party or group having the next largest membership to the left of that party or group and so on. Senior members of the House are allotted prominent seats and in appropriate cases, in the front rows without consideration of party or group to which they belong.<sup>27</sup>

Where the numerical strength of a party or group undergoes a change, the seats are reallocated to it in proportion to its new strength. However, if such a change comes about a few days before the conclusion of the session or the party is likely to regain its strength in the impending biennial elections, *status quo* is maintained in the seating arrangement.

Six members of the Rajya Sabha from the State of West Bengal retired on 9 July 1993. The 168<sup>th</sup> Session commenced on 26 July 1993. The strength of the CPI(M) was reduced to eleven and the strength of Janata Dal (Samajwadi) was twelve. *Status quo* was maintained in the seating arrangement till the impending biennial election in that State.<sup>28</sup>

Individual members of smaller groups are allotted seats by the Chairman. They may, in the discretion of the Chairman, be allotted contiguous seats or, on a request made in that behalf, be permitted to swap their seats.

So far as nominated members are concerned, seats are allotted to them ordinarily in the fourth and the fifth blocks facing the Chair, except to those who belong to a political party in which case they are accommodated in the blocks reserved to that party.

Before coming into force of the Constitution (Fifty-second Amendment) Act, 1985 and the rules made thereunder, out of eleven nominated members, nine had joined Congress(I) (Dr. Lokesh Chandra, Shri Scato Swu, Shri V.C. Ganesan, Shri Thindivanam K. Ramamurthy, Shri Madan Bhatia, Shri Purshottam Kakodkar, Shri H.L. Kapur, Shri Ghulam Rasool Kar and Shri Hayat Ulla Ansari). They were allotted seats in the Congress(I) block.<sup>29</sup> Similarly, in the year 2003, out of the seven nominated members, three joined Bharatiya Janata Party (Shrimati Hema Malini, Dr. Narayan Singh Manaklao and Shri Dara Singh) and they were allotted seats in the BJP block.<sup>30</sup>

In the year 2010, out of the five nominated members, three joined Indian National Congress (Dr. Ram Dayal Munda, Dr. Bhalchandra Mungekar and Shri Mani Shankar Aiyar) and they were allotted seats in the INC block.<sup>31</sup>

When a member had been returned in a bye-election or nominated in the midst of a session comes to make and subscribe the oath or affirmation in the Rajya Sabha Chamber, is seated in the seat either in the block where colleagues are sitting or in case no seat is available in that block, in a seat adjacent to that block temporarily.

When any new party or group is formed due to split or merger in terms of paragraphs 327b and 4 of the Tenth Schedule to the Constitution, re-arrangement of seats is made accordingly.

The Leader of the Lok Dal group in the Rajya Sabha intimated about the expulsion of three members belonging to it. Since the three expelled members had contested the expulsion and did not claim a split, the two factions were informally recognised as Lok Dal-I and Lok Dal-II, and seats were allotted accordingly.<sup>32</sup> During the 143<sup>rd</sup> Session (27 July 1987 to 31 August 1987) the Leader of the Lok Dal-I was allotted a front row seat.<sup>33</sup>

In 1988, the Lok Dal (A) (corresponding to Lok Dal-II in the Rajya Sabha) merged with the Janata Party. Thereafter, Shri Virendra Verma, Leader, Lok Dal-I was allotted a front row seat.<sup>34</sup>



In 1988, the AIADMK group in the Rajya Sabha consisted of eleven members. A faction of that group claimed a split in the group. Since the claim of split fulfilled the requirements of paragraph 3 of the Tenth Schedule to the Constitution, the two factions of AIADMK were designated as AIADMK-I and AIADMK-II for limited purpose of functioning in the House. Leaders of both the factions were allotted front row seats.<sup>35</sup>

In 1994, three members belonging to Janata Dal (S) which consisted of eight members informed the Chairman that there was a split in the Party and the new Party was called Rashtriya Janata Dal. This was noted and the new faction of three members was allotted seats in a separate block.<sup>36</sup>

In 1994, Telugu Desam Party had three members. Shrimati Renuka Chowdhury claimed a split in that Party while its leader maintained that she was expelled from the Party. The Chairman designated the Telugu Desam Party of two members as TDP-I and that of Shrimati Renuka Chowdhury as TDP-II for limited purpose of functioning in the House and her seat was also changed in the midst of the session.<sup>37</sup>

In 1997, the Leader of the AIADMK group in the Rajya Sabha intimated about the expulsion of seven members belonging to it. Seven members had contested the expulsion and did not claim a split, the two factions were designated as AIADMK-I and AIADMK-II. Subsequently, AIADMK-II got split into two and the faction was designated as AIADMK-III. seating arrangements in the Chamber were changed accordingly.<sup>38</sup>

In 1997, the Janata Dal in the Rajya Sabha consisted of 23 members. A faction of that group claimed a split. Since the claim of split fulfilled the requirements of paragraph 3 of the Tenth Schedule to the Constitution, the two factions were designated as the Janata Dal and the Rashtriya Janata Dal. The leader of both the groups were allotted front row seats.<sup>39</sup>

In 1998, Shri Dilip Ray, member of the Janata Dal from Orissa, along with four other members claimed a split in that party. Since the claim fulfilled all the requirements under the Tenth Schedule, the party was recognised as 'Biju Janata Dal' and accordingly, allocation of seats were made.<sup>40</sup>

In 1998, a lone member of the Telugu Desam-I, Dr. D. Venkateshwara Rao, merged his party with BJP. Similarly, other lone member of AIADMK- III, Shri P. Soundararajan, merged his party with AIADMK-I. After respective merger of these parties, the seats were allotted to these members in the blocks earmarked to respective parties.<sup>41</sup>

In 1999, Shri Suresh Kalmadi, a lone member of the Maharashtra Vikas Aghadi Party merged his party with the Indian National Congress and was accordingly, allotted a seat in the INC block.<sup>42</sup>

In 2001, three Rashtriya Janata Dal members, Shri Ranjan Prasad Yadav, Ven'ble Dhammaviriyo and Shri Mahendra Prasad had been expelled from the party. With the expulsion of these members the strength of Rashtriya Janata Dal had been reduced to seven from ten, which was less than Samajwadi Party, which had nine members. This was noted and the seats of both these parties were swapped in the Chamber.<sup>43</sup>

In 2001, Shri R.K. Anand, a lone member of the Jharkhand Mukti Morcha, merged his party with the Indian National Congress and was accordingly allotted a seat in the INC block.<sup>44</sup>

In 2003, the Tamil Maanila Congress Party (Moopanar) merged with the Indian National Congress in the Rajya Sabha which had two members (Shri G.K. Vasana and Shri B.S. Gnanadesikan). This was noted and they were allotted seats in the INC block.<sup>45</sup>

The seat of Dr. Anbumani Ramadoss, member belonging to Pattali Makkal Katchi (PMK) Party was changed from 30 to 136, on 3 June 2009 following the separation of his party from the ruling United Progressive Alliance.<sup>46</sup>

The Jharkhand Mukti Morcha (JMM) merged with the All India Trinamool Congress (AITC) w.e.f. 15 November 2010. Accordingly, the seat of Dr. Kanwar Deep Singh who was the lone member from the JMM party, was changed from 224 to 122 to bring him closer to other members of the AITC party.<sup>47</sup>

In cases when individual requests are received from member(s) for change of seat on medical grounds, the issue is taken up with the Leader of the Party concerned, if required, and decided accordingly.

Shri Ravi Shankar Prasad, had requested on 2 July 2009 for allotment of an aisle seat with arm rest due to medical reasons. This request was acceded to and he was allotted seat no. 186, an aisle seat on mutual exchange with Shri N. Balaganga.<sup>48</sup>

In cases when a member is expelled from his party and is shown as a 'Member without Party Affiliation' in the records, a different seat away from that political party is allotted to him.

Shri Isam Singh, a member belonging to the Bahujan Samaj Party was expelled from the party w.e.f. the 3 September 2006. On a written request for allotting him a different seat, he was allotted a new seat.<sup>49</sup>

Shri Amar Singh was expelled from the Samajwadi Party on 23 February 2010. Following this, his seat was changed from 13 to 82 w.e.f. that date. Later, on 29 July 2010 his seat was again changed from 82 to 160, close to other independent members.<sup>50</sup>

Upon a request received from Shri Shashi Bhusan Behera, Leader of the Biju Janata Dal (BJD) in the Rajya Sabha, the seat of Shri Pyarimohan Mohapatra was changed from 130 to 156 following his expulsion from the party.<sup>51</sup>

Similarly, the seat of Shri Ram Jethmalani was changed from 182 to 161 following his expulsion from the Bharatiya Janata Party (BJP).<sup>52</sup>

## NOTES AND REFERENCES

1. F. Nos. CS./13/52-GA and 38/1/57-T.
2. F. No. 38/1/57-T.
3. R. 4.
4. F. No. CS/13/52-GA.
5. *Ibid.*
6. *Ibid.*, and Bn. (II), 14.7.1952.
7. F. No. 35/1/57-T.
8. F. No. 10/1/57-T.
9. F. No. CS/13/52-GA/T.
10. F. No. 35/1/57-T.
11. R. 237.
12. R.S. Deb., 31.3.1970, c. 186; and 23.3.1982, c. 372-73.
13. For instance, Bn. (II), 15.4.1994.
14. F. Nos. 13/87-T, 13/89-T and 13/90-T.
15. F. No. 11/83-T.
16. F. No. 11/90-T.
17. R.S. Deb., 17.11.1969, c. 107-12.
18. F. No. RS.13/2009-T.
19. F. Nos. 13/87-T, 13/89-T and 13/90-T.
20. F. No. 13/94-T.
21. F. No. 13/2002-T.
22. F. Nos. 13/82-T, 13/85-T, 13/86-T, 13/87-T, 13/90-T and 13/91-T.
23. R.S. Deb., 17.11.1969, c. 124.
24. F. No. 13/90-T.
25. F. Nos. 46/90-T, 13/90-T; and Bn. (II), 24.12.1990.
26. F. No. 13/91-T; R.S. Deb., 2.1.1991, c. 835-43; and 7.1.1991, c. 28.
27. F. No. 13/87-T.
28. F. No. 13/93-T.
29. F. No. 11/85-T.
30. F. No. 11/2003-T.
31. Paragraph 3 of the Tenth Schedule to the Constitution pertaining to the exemption from disqualification in case of split in a Legislature Party was omitted *vide* the Constitution (Ninety-first Amendment) Act, 2003.
32. F. No. 11/87-T.
33. F. No. 13/87-T.
34. F. No. 13/88-T.
35. F. No. 13/88-T.
36. F. No. 13/94-T. and Bn. (II), 6.5.1994.
37. *Ibid.*, and Bn. (II), 5.8.1994.
38. F. No. 46/97-T.
39. *Ibid.*
40. F. No. 46/98-T.
41. *Ibid.*

42. F. No. 46/99-T.
43. F. No. 11/2001-T.
44. F. No. 46/2001-T.
45. F. No. 46/2003-T.
46. F. No. RS.13/2009-T.
47. F. No. RS.13/2010-T.
48. F. No. RS.13/2009-T.
49. F. No. RS.13/2006-T.
50. F. No. RS.13/2010-T.
51. F. Nos. RS.13/2012-T *and* RS.11/2012-T.
52. F. No. RS.13/2013-T.