

Leader of Opposition in the Parliament

Why in News?

The 2024 general election is historic as it resulted in the numerically largest Opposition in the Lok Sabha and also saw the debate on the Leader of the Opposition (LoP) come alive.

Who is leader of opposition?

- **Historical background** - Though the leader of the Opposition are *not mentioned in the Constitution* of India, they are mentioned in the Parliamentary Statute.
- The post of the Leader of the Opposition in the Indian Parliament has been a *statutory position since 1977*.
- However, this statute does *not define the functions* of the Leader of the Opposition.
- Traditionally, he will be a very *senior member of the principal Opposition in the House* who commands great respect and has wider acceptability among the parties in the Opposition.
- **Official recognition** - The position of Leader of Opposition was officially described in ***The Salary and Allowances of Leaders of Opposition in Parliament Act, 1977***.
- For the first time, it *defined the term* Leader of the Opposition.
- **Leader of opposition** - He/she is "the Leader in that House of the party in opposition to the Government having the *greatest numerical strength* and *recognised as such by the Chairman* of the Council of States *or the Speaker* of the House of the People, as the case may be".
- **Criteria for recognition** - There are *two conditions* that need to be fulfilled to recognise a person as LoP.
 - The party should be *numerically the biggest one* in opposition to the government.
 - The party should be recognised by the Speaker as a party, as such if it has *10% of the strength* of the House.
- But this provisions is a direction issues to Speaker *to recognise the party in a Parliament* and *not about the Leader of Opposition*.

Recognition of an Party in Lok Sabha

- Under a direction of the Speaker issued in the 1950s, in (Direction 121).
- **Directions 121** - This direction was issued in 1950s, for the *recognition and categorisation of parliamentary parties* for the sake of providing them certain facilities in Parliament.
- In order to get recognition as a party in the House, it should have a *minimum of 10% members in that House*.
- **Concerns** - Some say that, only a party which has 10% of the strength of the House can put forth its claim to the post of LoP.
- But this direction *does not deal with the recognition of the LoP* rather it recognises the party in the house.
- **10th Schedule of Indian Constitution** - With this enactment, the categorisation of parties into parties and groups by the Speaker/Chairman (Lok Sabha/Rajya Sabha) irrelevant.
- Under this schedule, all political parties, irrespective of the number of Members that they have in the Houses, are “parties”.
- The *term ‘group’ is not recognised* by the Schedule.

To know about **Tenth Schedule (10th schedule)**, click [here](#)

What position does the Leader of Opposition have in India?

- He/she enjoys the status of a minister and is paid by the government.
- **Seating in the house** - The Leader of Opposition sits in the *front row to the left of the Chair*.
- **Special privileges** - He/ she enjoys certain privileges on ceremonial occasions like *escorting the Speaker-elect* to the rostrum.
- The Leader of Opposition is also entitled to a *seat in the front row* during *the Address by the President* to both Houses of Parliament.
- **In order of precedence** - The Leaders of Opposition in Lok Sabha and Rajya Sabha **come at No. 7**, along with Union Cabinet Ministers, the National Security Advisor, the Principal Secretary to the PM, the Vice-Chairperson of the NITI Aayog, former PMs, and Chief Ministers.
- **Role** - The main duty of the Leader of Opposition is to serve as the *voice of the opposition* in the House.

An official booklet on Parliament published in 2012 says the Leader of Opposition in Lok Sabha “is considered as a shadow Prime Minister with a shadow Cabinet, ready to take over the administration if the Government resigns or is defeated on the floor of the House”.

- **Representative in selection committee** - The Leader of Opposition is the opposition’s *representative in the high-powered committees* headed by the Prime Minister *for appointment* to key posts such as the
 - Director of CBI
 - Central Vigilance Commissioner
 - Chief Information Commissioner
 - Chairperson and Members of the National Human Rights Commission

- Lokpal

Where the Leader of Opposition in the Lok Sabha has not been recognized as such, the Leader of the single largest group in opposition of the Government in the Lok Sabha shall be deemed to be the Leader of the Opposition.

What are significance of having a strong opposition in the parliament?

- **Improves quality of governing** - Strong opposition would be reflected in improved quality in the
 - Admission of questions
 - Content of the answers
 - Debate on Bills
 - General debates such as the debate on the motion of thanks, urgent matters of public interest
 - Admission of adjournment motions
 - Reference of Bills to the committees for detailed scrutiny, and so on
- **Bringing awareness to civilians** - As the prime minister in waiting, he has the responsibility to inform the nation about the failures of the government based on truth and with a great sense of responsibility.
- **Promotes discussion and deliberation** - In the House he has primacy in debates and other interventions.
- He can demand the presence of the Prime Minister in the House when it debates serious issues.
- **Channel of communication** - According to the British tradition, the Prime Minister directly informs the Leader of the Opposition about major policy initiatives.
- **Upheld accountability of the government** - It is the well-accepted parliamentary tradition that the Speaker permits the Leader of the Opposition to make interventions on any matter without any notice.

Status of LoP in recent times

- **Vacancy in the 16th & 17th Lok Sabhas** - There was no LoP because of following 10% criteria.
- The Congress, the largest opposition party, won 44 and 52 seats in the 543-member House after the elections of 2014 and 2019 respectively.
- Thus it got less than 54 seats which is the threshold to secure the post of LoP
- **2024 general election** - It is perhaps for the first time that the Lok Sabha has such a huge number in the Opposition.
- With over 234 Members in the Opposition benches, the House is almost evenly divided.
- This has, no doubt, boosted the morale of the Opposition which, to a great extent, can influence the running of the House.

What lies ahead?

- The people of India have given the political class a great opportunity to restore normalcy in Parliament.
- The Leader of the Opposition should constantly remind the ruling Benches of the need

to normalise Parliament.

Ivor Jennings described the leader of Opposition as the 'alternative Prime Minister'.

References

1. [The Hindu| The Leader of Opposition sworn an oath in 18th Lok Sabha](#)
2. [The Indian Express| Roles and Responsibilities of LoP](#)

