

## APPENDIX

EXTRACTS FROM REPORTS OF COMMITTEE OF PRIVILEGES, CONTAINING RECOMMENDATIONS/OBSERVATIONS REGARDING UNION GOVERNMENT'S GUIDELINES/INSTRUCTIONS REGARDING OFFICIAL DEALINGS BETWEEN THE ADMINISTRATION AND MEMBERS OF PARLIAMENT AND STATE LEGISLATURES-

### First Report CPR (10 LS)

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As regards non-compliance by State Government and other authorities with the instructions issued by the Government of India from time to time, the Cabinet Secretary stated that fresh instructions could be issued or in the alternative, if the Committee made certain suggestions, the same could be taken into consideration by the Government.

The Chairman, Committee of Privileges, suggested that a draft of the revised comprehensive instructions covering and dealing with all matters like extending courtesy to Members of Parliament, replying promptly to their letters, etc. could be forwarded to the Lok Sabha Secretariat for being placed before the Committee. It was also suggested that the level at which the communications regarding complaint of arrest, detention etc. of Members of Parliament received in the Home Ministry from the Lok Sabha Secretariat ought to be dealt with should be fixed and the time-frame within which action on such communications ought to be taken in the Home Ministry, Government of India, should also be fixed.

The Cabinet Secretary agreed to look into the matter and submit a draft of revised comprehensive instructions for the perusal and approval of the Committee of Privileges.

The Cabinet Secretary also suggested that in cases where some information or a factual report regarding a complaint of arrest/detention of a Member of Parliament or misbehaviour with a member was to be called for from a State Government through the Home Ministry, a copy of the communication sent by the Lok Sabha Secretariat to the Home Ministry calling for the factual report could also be simultaneously endorsed to the concerned State Government to speed up the process of obtaining the factual report.

The draft of revised comprehensive instructions\* was accordingly forwarded by the Cabinet Secretary and considered by the Committee at their sitting held on 25 March, 1992.

The Committee decided that the draft instructions forwarded by the Cabinet Secretary be modified/amended in the light of the suggestions given by the members and placed before the Committee for their consideration at their next sitting to be held on 2 April, 1992.

The Committee also decided that all the instructions/guidelines issued by the Government of India regarding dealings between the Administration and Members of Parliament including the revised instructions proposed by the Cabinet Secretary, be published at one place by the Lok Sabha Secretariat and circulated to the members of the House for their information. It was also decided that the Warrant of Precedence be also incorporated in the proposed publication.

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### **Fifth Report CPR (10 LS)**

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The Committee, however, laments that time and again they have to perform the distasteful duty of reporting upon matters of misbehaviour by Government officers with Members of Parliament. This becomes all the more lamentable in view of the fact that the Government of India have laid down clear guidelines for official dealings between the Administration and Members of Parliament. It seems to the Committee that these guidelines are observed more in their breach rather than in their compliance. In a democratic set up like ours everybody must realise that it is the people who are sovereign. The bureaucrats and the peoples' representatives have to strive together for the uplift of the masses. With this commonality of purpose, there should hardly be an occasion for any confrontation between the peoples' representatives and the bureaucrats. The Committee feel that there is a great need to train officers at all levels of administration so that they show a little more tact and circumspection while dealing with MPs. After almost fifty years of independence, there is no place for colonial hangovers and an ethos needs to be developed where nobody flinches from extending unhesitating respect and courtesy to the peoples' representatives.

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\* These instructions were subsequently issued by the Union Government *vide* their OM dated 21,12,1992 (may be seen at pp. of the publication).