

**RAJYA SABHA
(1984)**

Point of privilege

Alleged censoring of mail of a member

Facts of the case and ruling by the Chairman

On 8th March, 1984, Shri V. Gopalsamy, a member, while seeking to raise a question of privilege, stated' inter alia as follows :-

"Sir, I seek your indulgence for two minutes. I want to express views on the notice of privilege given against the Chief Secretary of the Tamil Nadu Government, Special Branch CIDSP Madras, Superintendent of Police, Tirunelveli. Sir, an order was passed, and in that order it is stated that 'in the interest of public security and tranquility, all postal articles addressed to me or emanating from me should be subjected to censorship'. When I raised it on 7th December 1983, the Deputy Chairman informed that remarks will be called from the concerned persons. I would like to know for what reasons the Tamil Nadu Government passed such orders".

2. The Chairman (Shri M. Hidayatullah) observed² I as follows:-

"You remember that sometime back there was a question raised about tapping of telephones and at that time I gave a ruling. So I again reiterate what I said then. 'I must, however, say that any malafide action or interference with the legitimate duties of the Hon. members of this House, if proved, will not have the protection of this ruling. I repeat with respect the observations of the hon. the Speaker:

'I would permit myself one observation before concluding this subject and that is about communications sent by my office including the Lok Sabha Secretariat to Members. I hope the concerned authorities realise that such communications would not attract the attention of the censoring authorities'.

The same will apply to this House Mutatis mutandis.

I must say that in America there is a provision in the Constitution itself against such searches and investigations. We should be very reluctant to do this in our country. The Law does allow it. But I hope the law will be administered very very carefully without causing any offence to Hon. Members. I think, with these remarks, your question is over".

1. R.S. Deb., dt. 8-3-1984.

2. *Ibid*