

## RAJYA SABHA

(1992)

### *Point of privilege*

#### *Attempt to influence some members of a Joint Parliamentary Committee by a Minister and a Government official*

#### Facts of the case and reference to the Committee of Privileges

On 4 September, 1992, Shri George Fernandes, a member, gave notice of a question of privilege against Shri Rameshwar Thakur, the then Minister of State for Finance, and Shri P. G. Lele, Additional Secretary in the Ministry of Finance, for allegedly attempting to influence some members of the Joint Parliamentary Committee probing into the securities scam with a view to obstructing the work of the Committee.

2. Shri George Fernandes stated inter alia in his notice that the Finance Ministry resorted to a patently clandestine operation by circulating to some selected members of the Joint Parliamentary Committee, a 22 page document in an unofficial envelope without any covering note and contended that if the Government's intentions were honourable, there would have been no question of suppressing the authorship of the note and it should have been sent to all members of the JPC through the JPC Secretariat. Shri Fernandes in his notice charged the Minister of State for Finance and the Additional Secretary (Finance) with committing gross breach of privilege by making attempts by improper means to influence members and of obstructing members in the discharge of their duties. The member further stated that a breach of privilege of a Committee of Parliament is tantamount to breach of privilege of the House. He requested the Speaker to refer the matter to Committee of Privileges.

3. On 11 September, 1992, the Speaker, in terms of the procedure laid down in the Report of the Joint Sitting of the Committees of Privileges of Lok Sabha and Rajya Sabha and adopted by both Houses of Parliament, forwarded the notice given by Shri Fernandes to the Chairman, Rajya Sabha, for "appropriate action" as Shri Rameshwar Thakur, the then Minister of State for Finance, was a member of Rajya Sabha.

4. On 16 November, 1992, the Chairman, Rajya Sabha, referred the matter to the Committee of Privileges for examination, investigation and report.

#### Findings and recommendation of the Committee.

5. The Committee of Privileges after considering the notice of question of privilege given by Shri George Fernandes, MP, and other relevant documents in their Thirty-second Report presented on 19 March, 1993, reported inter alia that the matter did not involve any breach of privilege.

#### Action taken by the House

6. No further action was taken by the House in the matter.