

## RAJYA SABHA

(1974)

### Point of privilege

Alleged assault on a member by police

### Facts of the case and ruling by the Chair

On the 19th February, 1974, Shri Niren Ghosh, a member, complained that the police had assaulted him while he was visiting a labour colony in West Bengal, on the 2nd February, 1974. Shri Niren Ghosh also stated inter alia as follows: -

"During the jute strike when Section 144 was imposed in vast areas of the industrial belt, I was touring the residential areas of the workers because I could not hold public meetings. These residential quarters are private places. On the 2nd February, in such a residential quarter of Jute Mill when I was talking to the workers in their residential quarters, suddenly the police swooped down on us. I told them who I was; they also knew who I was. I told them I am Niren Ghosh, member of Parliament.... I stood stock still, but they physically assaulted me with lathies. I would like to know whether they can do it and whether the privileges of members of Parliament are not affected.... Is it not the duty of the Chairman of the House as well to secure an unconditional apology from the Government of West Bengal? ..... A Circle Inspector of that area said to certain other arrested persons: 'If I can beat an M.P., who are you?' that is the

attitude . . . . ."

2. The Deputy Chairman (Shri Godey Murahari), who was then in the Chair, observed inter alia as follows :-

"We have already sent a telegram to the Government of West Bengal. From the Home Minister here, we are getting information."

3. On the 14th May, 1974, when some members sought to raise the matter again, the Chairman (Shri G.S. Pathak) disallowed the question of privilege and ruled inter alia as follows :-

"Now, so far as Mr. Niren Ghosh's matter is concerned it was raised during the last session. He was arrested and whatever action was taken against him was in connection with some criminal matter.....Mr. Niren Ghosh was informed that no action was being taken by me because it was not a matter connected with the privileges of this House."

1. R.S. Deb., dt. 19.2.1974
2. Ibid