

RAJYA SABHA

(1983)

Point of privilege

Alleged exclusion of members of Rajya Sabha from certain Committees of a State Government.

Facts of the case and ruling by the Chairman.

On 16th August, 1983 the Chairman (Shri M. Hidayatullah) observed¹ as follows:

"The House may recall that on August 9, 1983 Shri S.S. Mohapatra and several other members raised a matter regarding the exclusion of members of the Rajya Sabha from certain committees of the Government of Orissa. Earlier Shri Mohapatra, Dr. Mallick and Shri Satya Pal Malik and other members had given notices of breach of privilege in the matter. On the basis of Shri Mohapatra's letter I had directed that the comments of the Government of Orissa be obtained, I have received the comments of the Chief Secretary to the Government of Orissa on August 12, 1983, though late in the day. The Chief Secretary has pointed out as follows and I am now quoting the exact words of the Chief Secretary:

'It is not a fact that honourable members of the Rajya Sabha have been excluded from various Government District Committees. They continue to be members of such Committees alongwith honourable members of the Lok Sabha. The State Government has the highest respect and regard for honourable members of the Rajya Sabha and has always treated them at par with the honourable members of Lok Sabha in the matter of giving representation on the State Level Committees/Sub-Committees and District Level Committees as evidenced from the list of Committees given in Annexure-A alongwith copies of relevant Government Resolutions/Orders. However, in respect of the Works Supervision Committees at the Block Level provision has been made for the honourable members of Lok Sabha, who have territorial constituencies, to have a local nominee as a member in these Block Level Works Supervision Committees. This has been done purely from functional point of view as the honourable members of Rajya Sabha do not have any territorial constituency and no disrespect and discrimination whatsoever was intended while clarifying the position in the Government letter No. 7268/CD dated 6th May, 1983 referred to in the enclosure. However, the State Government had since taken a decision to include the nominee of each honourable member of Rajya Sabha as a member in the Works Supervision Committee of the Block in which he or she has permanent residence¹.

A list of Committees on which honourable members of our House are represented is also sent. There are two at State level and five at District level.

From this clarification, which I have just read out, it is quite apparent that there was no intention on the part of the Government of Orissa to discriminate against the members of our House. The misunderstanding arises, because of vague and confusing wording of the letter to which Shri Mohapatra and others had objected. Now in view of the clarification offered that Members of the Rajya Sabha can also

send their nominees to those Committees, I do not think the House should occupy itself any further with this matter. Nonetheless I am directing that the proceedings of the House of August 9, 1983, be forwarded to the Government of Orissa."

1 R.S. Deb., dt. 16-8-1983.