

**COMMITTEE OF PRIVILEGES  
(SEVENTEENTH LOK SABHA)**

6

**SIXTH REPORT**

Motion/resolution adopted by the House on 10 August, 2023 leading to suspension of Shri Adhir Ranjan Chowdhury MP from the service of the House for misconduct and referral of the matter to the Committee of Privileges for further investigation and report to the House.

[Presented to the Speaker, Lok Sabha on 30 August, 2023]

[Laid on the Table on 18 September, 2023]



सत्यमेव जयते

**AUTHENTICATED**

*[Signature]*  
Chairperson  
Committee of Privileges

**LOK SABHA SECRETARIAT  
NEW DELHI**

*September*, 2023/....., 1945 (Saka)

**COMMITTEE OF PRIVILEGES**

**(SEVENTEENTH LOK SABHA)**

**SIXTH REPORT**

**Motion/resolution adopted by the House on 10 August, 2023 leading to suspension of Shri Adhir Ranjan Chowdhury MP from the service of the House for misconduct and referring the matter to the Committee of Privileges for further investigation and report to the House.**

*[Presented to the Speaker, Lok Sabha on 30 August 2023]*

*[Laid on the Table on 18 September, 2023]*



सत्यमेव जयते

**LOK SABHA SECRETARIAT  
NEW DELHI**

*September, 2023/....., 1945 (Saka)*

## CONTENTS

	PAGE
Personnel of the Committee of Privileges . . . . .	(iv)
Report . . . . .	1
Minutes of sittings of Committee. . . . .	10
Appendix I.....	14

**COMPOSITION OF THE COMMITTEE OF PRIVILEGES  
(2022-2023)**

**Shri Sunil Kumar Singh - Chairperson**

**MEMBERS**

2. Shri T.R. Baalu
3. Shri Kalyan Banerjee
4. Shri Raju Bista
5. Shri Dilip Ghosh
6. Shri Chandra Prakash Joshi
7. Shri Naranbhai Bhikhabhai Kachhadiya
8. Shri Suresh Kodikunnil
9. Shri Omprakash Bhupalsinh *alias* Pawan Rajenimbalkar
10. Shri Talari Rangaiah
11. Shri Rajiv Pratap Rudy
12. Shri Achyutananda Samanta
13. Shri Janardan Singh Sigriwal
14. Shri Ganesh Singh

**Secretariat**

- |    |                      |   |                  |
|----|----------------------|---|------------------|
| 1. | Shri Raju Srivastava | - | Joint Secretary  |
| 2. | Shri Bala Guru G     | - | Deputy Secretary |

## **SIXTH REPORT OF COMMITTEE OF PRIVILEGES (SEVENTEENTH LOK SABHA)**

### **I. Introduction and Procedure**

I, the Chairperson of the Committee of Privileges, having been authorized by the Committee to submit the report on their behalf, present this Sixth Report to the Speaker, Lok Sabha on the motion/resolution adopted by the House on 10 August, 2023 leading to suspension of Shri Adhir Ranjan Chowdhury MP from the service of the House for misconduct and referral of the matter to the Committee of Privileges for further investigation and report to the House.

2. The Committee, in all, held two sittings in the matter. The relevant minutes of these sittings form part of the Report and are appended hereto.

3. The Committee, at their sitting held on 18 August, 2023, held detailed deliberations in the matter.

4. The Committee, at their second sitting held on the forenoon of 30 August, 2023, examined on oath, Shri Adhir Ranjan Chowdhury, MP. The Committee thereafter, resumed their meeting in the afternoon and considered and adopted the draft Report.

### **II. Facts of the Case**

5. During the Motion of 'No Confidence' that was discussed and debated in the House from 08 to 10 August, 2023, Shri Adhir Ranjan Chowdhury, MP deliberately tried to disturb the House and obstruct the proceedings whenever Hon'ble Prime Minister or any other Minister spoke/replied to the debate. In spite of repeated requests and repeated warnings from the Chair also, Shri Adhir Ranjan Chowdhury continued to make baseless charges and disturb the proceedings of the House. Though Shri Adhir was asked to apologize/withdraw his words, he did not apologize for such misconduct. Accordingly, on 10 August, 2023, at 1924 hours, the

following resolution/motion moved by Hon'ble Minister for Parliamentary Affairs, Coal and Mines, Shri Pralhad Joshi was adopted by the House:-

*"That this House, having taken serious note of the gross, deliberate and repeated misconduct of Shri Adhir Ranjan Chowdhury in utter disregard to the House and authority of the Chair, resolve that the matter of the misconduct of Shri Adhir Ranjan Chowdhury be referred to Committee of Privileges of the House for further investigation, and report to the House and Shri Adhir Ranjan Chowdhury be suspended from the service of the House till the Committee of Privileges submits its report."*

6. A copy of the relevant verbatim proceedings of the House dated 10 August, 2023, wherein Shri Adhir Ranjan Chowdhury was suspended is attached as Appendix-I for reference purpose.

### **III. Factual and Legal Analysis:**

7. In the above context, it may be pertinent to refer to relevant extract of Article 105 of the Constitution, which is reproduced as under:-

*"Powers, Privileges and Immunities of Parliament and its Members:-*

105. *Powers, privileges, etc., of the Houses of Parliament and of the members and Committees thereof.*

- (1) *Subject to the provisions of this Constitution and to the rules and standing orders regulating the procedure of Parliament, there shall be freedom of speech in Parliament.*
- (2) *No member of Parliament shall be liable to any proceedings in any court in respect of anything said or any vote given by him in Parliament or any Committee thereof, and no person shall be so liable in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings.*

- (3) *In other respects, the powers, privileges and immunities of each House of Parliament, and of the members and the Committees of each House, shall be such as may from time to time be defined by Parliament by law, and, until so defined, shall be those of that House and of its members and Committees immediately before the coming into force of section 15 of the Constitution (Forty-fourth Amendment) Act, 1978.*

8. In the above context, it may also be pertinent to refer to relevant extracts of Rules 349 & 374 of the Rules of Procedure and Conduct of Business in Lok Sabha, which are reproduced as under:-

*“349. Whilst the House is sitting, a member—*

- (ii) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;*
- (ix) shall not obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when another member is speaking...*

*374. (1) The Speaker, may, if deems it necessary, name a member who disregards the authority of the Chair or abuses the rules of the House by persistently and willfully obstructing the business thereof. (2) If a member is so named by the Speaker, the Speaker shall, on a motion being made forthwith put the question that the member (naming such member) be suspended from the service of the House for a period not exceeding the remainder of the session: Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.”*

9. The well established practice and procedure of Parliament in respect of misconduct of Members in the presence of the House *vide* Practice and Procedure of Parliament by M.N. Kaul & S. L. Shaktiher, 7<sup>th</sup> Edn. (Page No. 302-303), is reproduced as under:-

*“Disrespect to the House collectively is the original and fundamental form of breach of privilege, and almost all breaches can be reduced to it; Any misconduct in the presence of the House or a Committee thereof, whether by Members of Parliament or by members of the public who have been admitted to the galleries of the House or to sittings of Committees as witnesses, will constitute a contempt of the House; Such misconduct may be defined as a disorderly, contumacious, disrespectful or contemptuous behaviour in the presence of the House.*

*Some typical instances of misconduct .... in the presence of the House or Committees thereof, which have been treated as constituting contempt of the House, are –*

*interrupting or disturbing the proceedings of the House or of Committees thereof...*

*... Disobedience to the orders of the House, whether such orders are of general application or require a particular individual to do or abstain from doing a particular act is a contempt of the House.”*

#### **IV. Deliberations of the Committee held on 18 August, 2023:-**

10. The Committee, at its sitting held on 18 August 2023, *inter alia* observed the following:-

*“Parliament has suspended its members from the service of the House in the past as well, but this suspension has always been for the remaining days of that particular session; If we look at some recent examples, Shri Bhagwant Mann was suspended from the House on 9 December, 2016, but this suspension was only for the remaining days of that particular session; Similarly, Shri Gaurav Gogoi and six other members were suspended from the service of the House on March 5, 2020, but this suspension was also for the remaining days of that particular session; Shri Manickam Tagore and three other members were suspended from the service of the House on 25 July 2022, but this suspension was also for the remaining days of the session; Similarly,*



*Sushil Kumar Rinku was suspended in this session on August 3, 2023; But this also happened only till the remaining days of the session...*

*In this context, Rule 374(2) of the Rules of Procedure and Conduct of Business in Lok Sabha provides that a member can be suspended from the service of the House only for the remainder of the session.*

*In the year 2021, 12 MLAs were suspended for a period of one year by the Chair in the Maharashtra Legislative Assembly; When this matter reached the Supreme Court of India, the Hon'ble Supreme Court, in its judgment dated January 28, 2022, quashed the decision regarding the suspension of these MLAs beyond the remaining days of the session..."*

## **V. Evidence:**

### **Evidence of Shri Adhir Ranjan Chowdhury, MP**

11. During his evidence before the Committee on 30 August, 2023, Shri Adhir Ranjan Chowdhury, regretted for interrupting the speech of Hon'ble Prime Minister during the debate in the House on 10 August, 2023 and *inter alia* stated the following:-

*"...in the House, during the discussion, I did not deliberately intend to hurt the feelings of any Honourable Member of Parliament. ...I did not have even any remote intention to hurt any Honourable Member of Parliament. We have reposed full faith on the Hon'ble Speaker, who is the custodian of the House. Hon'ble Speaker can, in his exercise of powers, expunge any of my unparliamentary words; I am not seeking to restore the expunged words; since I have taken an oath before this Committee, today, I wish to point out again that I have not intended to hurt anyone....."*

## **VI. Findings and Conclusions**

12. The main issues before the Committee are to determine –

- (i) Whether the conduct of Adhir Ranjan Chowdhury deliberately trying to interrupt/disturb the proceedings of the House during the speech of

Hon'ble Prime Minister or any other Minister amounted to 'Breach of Privilege' and 'Contempt of the House'?

- (ii) Whether the Member be treated as 'suspended' from the service of the House/Committee(s), till a Report of the Committee is presented/laid on the Table of the House?

**Issue No. 1:                    Whether the conduct of Shri Adhir Ranjan Chowdhury in deliberately trying to interrupt/disturb the House proceedings, during the speech of Hon'ble Prime Minister or any other Minister amounted to 'Breach of Privilege' and 'Contempt of the House'.**

13. The Committee note that Shri Adhir Ranjan Chowdhury deliberately tried to disturb/interrupt the House and obstruct the proceedings whenever Hon'ble Prime Minister or any other Minister spoke/replied to the debate during the discussion on No Confidence Motion in the House from 8 August to 10 August, 2023. In spite of repeated requests and repeated warnings from the Chair also, Shri Adhir Ranjan Chowdhury continue to make baseless charges and disturb the proceedings of the House. The Committee are of the view that any misconduct in the presence of the House or a Committee thereof, by Members of Parliament will constitute a contempt of the House. The Committee further observe that interrupting or disturbing the proceedings of the House or of Committees thereof is a clear case of contempt of the House and accordingly, the motion/resolution adopted by the House on 10 August, 2023 leading to suspension of Shri Adhir Ranjan Chowdhury MP from the service of the House for misconduct will instil high standards of decorum and ethical behaviour amongst some Members of the House who frequently disturb/interrupt/obstruct the proceedings the House in future. There has to be zero accommodation for disruption and disturbance of the proceedings of the House.

**Issue No. 2:                    Whether the Member be treated as 'suspended' from the service of the House/Committees, till a Report of the Committee is presented/laid on the Table of the House.**

14. The Committee note that in terms of Rule 374 of the Rules of Procedure and Conduct of Business in the House and as per the past Parliamentary precedents,

Members have been suspended only for the remainder of that particular Session for unruly conduct in the House. This position has also been reiterated by a recent judgment of Supreme Court of India dated 28 January, 2022 in the Maharashtra Legislative Assembly case. However, in some other cases, Members were suspended only for four or five consecutive sittings in a particular Session. The Committee also note that apart from suspension of Shri Adhir Ranjan Chowdhury, some of the derogatory/defamatory words used by him in the House on 10 August, 2023 at the time of his obstructing the Hon'ble Prime Minister's speech have also been expunged by the Chair/Speaker. The Committee are, therefore, of the view that it may not be desirable to treat the Member as 'suspended' from the service of the House/Committees, till a Report of the Committee is presented/laid on the Table of the House.

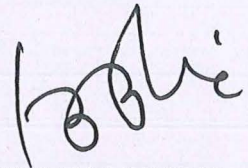
15. As mentioned above, Shri Adhir Ranjan Chowdhury has expressed regrets in the matter. In this regard, it may also be stated that it is the well-established tradition for the Committee of Privileges, Lok Sabha to take due cognizance of all such regrets/apologies which have been tendered with genuine remorse. In the instant case, the regrets tendered by Shri Adhir Ranjan Chowdhury exhibits that he was not having any express intention to hurt the feelings of any other Member of Parliament.

16. The Committee further note that it is the tradition of the House that regrets sincerely expressed by Members/persons guilty of 'Breach of Privilege' and 'Contempt of the House' are accepted by the House and the House normally decides in such cases by taking no further punitive action in such matters. The Committee is of the view that the suspension suffered by Shri Adhir Ranjan Chowdhury so far, be taken as sufficient punishment and the House may consider discontinuance/revoking the suspension of Shri Adhir Ranjan Chowdhury, Member of Parliament at the earliest.

## **VII. Recommendations**

17. The Committee, in the light of their findings and conclusions, observe that deliberate attempt on the part of Shri Adhir Ranjan Chowdhury, Member of Parliament, Lok Sabha by way of frequently interrupting or disturbing the proceedings of the House during the speech of Hon'ble Prime Minister or other Minister(s) thereof is a clear case of 'Contempt of the House'. Nevertheless, in view of the regrets expressed by Shri Adhir Ranjan Chowdhury, Member of

Parliament during his evidence before the Committee, the Committee recommend that no further punitive action is called for in the matter. The Committee, therefore, recommend that the suspension suffered by Shri Adhir Ranjan Chowdhury so far, be regarded as sufficient punishment and the Hon'ble Speaker, Lok Sabha may consider discontinuance/revoking the suspension of Shri Adhir Ranjan Chowdhury, Member of Parliament, Lok Sabha at the earliest, even without waiting for the House to re-assemble for the forthcoming Winter Session in November/December 2023.



SUNIL KUMAR SINGH  
CHAIRPERSON  
COMMITTEE OF PRIVILEGES

Chairperson  
Committee of Privileges

New Delhi  
Dated: 30 August, 2023

**AUTHENTICATED**

**MINUTES**

**MINUTES OF THE THIRTY FOURTH SITTING OF THE COMMITTEE OF  
PRIVILEGES  
(SEVENTEENTH LOK SABHA)**

The Committee met on Friday, 18 August, 2023 from 1230 hrs. to 1344 hrs. in Committee Room '2', EPHA, New Delhi.

**PRESENT**

Shri Sunil Kumar Singh – Hon'ble Chairperson

**MEMBERS**

1. Shri T. R. Baalu
2. Shri Kalyan Banerjee
3. Shri Raju Bista
4. Shri Dilip Ghosh
5. Shri Suresh Kuddikunnil
6. Shri Omprakash Bhupalsinh *alias* Pawan Rajenimbalkar
7. Shri Rajiv Pratap Rudy
8. Shri Janardan Singh Sigriwal
9. Shri Ganesh Singh

**SECRETARIAT**

Shi Raju Srivastava	-	Joint Secretary
Shri Bala Guru G.	-	Deputy Secretary

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee. Thereafter, the Committee took up for consideration, the motion/resolution adopted by the House on 10 August, 2023 leading to suspension of Shri Adhir Ranjan Chowdhury MP from the service of the House for misconduct and referral of the matter to the Committee of Privileges for further investigation and report to the House. Members expressed their views in the matter. The Committee thereafter decided to hear Shri Adhir Ranjan Chowdhury in the next sitting, in tune with the Law of Natural Justice.

3. XXXXX

XXXXX

XXXXX

4. A copy of the verbatim of the proceedings of the sitting of the Committee has been kept.

The Committee, then, adjourned.

\*\*\*

**MINUTES OF THE THIRTY FIFTH SITTING OF THE COMMITTEE OF PRIVILEGES  
(SEVENTEENTH LOK SABHA)**

The Committee met on Wednesday, 30 August, 2023 from 1230 hrs. to 1345 hrs. in Committee Room '2', EPHA, New Delhi.

**PRESENT**

Shri Sunil Kumar Singh – Hon'ble Chairperson

**MEMBERS**

1. Shri T. R. Baalu
2. Shri Kalyan Banerjee
3. Shri Raju Bista
4. Shri Omprakash Bhupalsinh *alias* Pawan Rajenimbalkar
5. Shri Rajiv Pratap Rudy
6. Shri Achyutananda Samanta
7. Shri Janardan Singh Sigriwal
8. Shri Suresh Kodikunnil

**SECRETARIAT**

Shi Raju Srivastava - Joint Secretary  
Shri Bala Guru G. - Deputy Secretary

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee. Thereafter, the Committee took up for consideration, the motion/resolution adopted by the House on 10 August, 2023 leading to suspension of Shri Adhir Ranjan Chowdhury MP from the service of the House for misconduct and referral of the matter to the Committee of Privileges for further investigation and report to the House.

3. Shri Adhir Ranjan Chowdhury was examined on oath.

*(the witness then withdrew)*

4. XXXXX XXXXX XXXXX



5. XXXXX XXXXX XXXXX

6. XXXXX XXXXX XXXXX

7. The Committee thereafter took up for consideration the draft report on the motion/resolution adopted by the House on 10 August, 2023 leading to suspension of Shri Adhir Ranjan Chowdhury MP from the service of the House for misconduct and referral of the matter to the Committee of Privileges for further investigation and report to the House. The Committee after some discussion adopted the draft report.

8. A copy of the verbatim of the proceedings of the sitting of the Committee has been kept.

The Committee, then, adjourned.

\*\*\*

**माननीय अध्यक्ष :** आज की चर्चा में माननीय श्री अधीर रंजन चौधरी और श्री वीरेन्द्र सिंह जी का व्यवहार सदन की मर्यादाओं के अनुरूप नहीं रहा।

श्री वीरेन्द्र सिंह जी, क्या आप कुछ बोलना चाहते हैं?

**श्री वीरेन्द्र सिंह (बलिया):** माननीय अध्यक्ष जी, मैं हमेशा सदन के सम्मान का ध्यान रखता हूँ, आपके अध्यक्षीय पीठ का भी ध्यान रखता हूँ जो भी और जिस व्यवहार से सदन की कार्यवाही में मुझसे जो व्यवधान उत्पन्न हुआ, उसके लिए मैं आपके अध्यक्षीय पीठ से क्षमा चाहता हूँ हम अपने नेता के अपमान को बर्दाश्त नहीं कर पाए। इसके लिए मैं आपसे क्षमा चाहता हूँ।

**माननीय अध्यक्ष :** संसदीय कार्य मंत्री जी, क्या आप कुछ कहना चाहते हैं?

**MOTION RE: REFERRING QUESTION OF PRIVILEGE AGAINST  
SHRI ADHIR RANJAN CHOWDHURY TO COMMITTEE OF PRIVILEGES  
AND  
SUSPENSION OF MEMBER**

1924 hours

**संसदीय कार्य मंत्री; कोयला मंत्री तथा खान मंत्री (श्री प्रहलाद जोशी):** सर, मैंने उसी समय पॉइंट ऑफ ऑर्डर भी उठाया था। But the most unfortunate thing is this. The leader of the Congress party, whenever the hon. Prime Minister speaks, whenever other Ministers speak, whenever they reply, or whenever there is a debate, every time, he tries to disturb deliberately. ये हैबिचुअल हो गये हैं। And, it is most unfortunate because he is the leader of Congress party, which is the largest opposition party in this House. In spite of repeated requests and repeated warnings from the Chair also, he has not improved himself. And, always in his debates, he makes baseless charges.

यह व्यवहार देश और देश की सरकार की छवि को भी कम करने की कोशिश करता है। उसके लिए कोई भी आधार नहीं रहता है, कोई भी तथ्य नहीं रहता है। इसके बावजूद, वे क्षमा प्रार्थना नहीं करते हैं। उसी समय हमने डिमांड की कि आप क्षमा प्रार्थना कीजिए। कल जब गृह मंत्री जी बोल रहे थे, तब भी उन्होंने ऐसा व्यवहार किया। वे हर समय ऐसा व्यवहार करते हैं, इसलिए मैं आपकी अनुमति से एक रिजॉल्यूशन मूव करना चाहता हूँ।

Sir, I beg to move:

“That this House, having taken serious note of the gross, deliberate and repeated misconduct of Shri Adhir Ranjan Chowdhury in utter disregard to the House and authority of the Chair, resolve that the matter of the misconduct of Shri Adhir Ranjan Chowdhury be referred to Committee of Privileges of the House for further investigation, and report to the House and Shri Adhir Ranjan Chowdhury be suspended from the service of the House till the Committee of Privileges submits its report.”

माननीय अध्यक्ष : प्रश्न यह है :

\*“That this House, having taken serious note of the gross, deliberate and repeated misconduct of Shri Adhir Ranjan Chowdhury in utter disregard to the House and authority of the Chair, resolve that the matter of the misconduct of Shri Adhir Ranjan Chowdhury be referred to Committee of Privileges of the House for further investigation, and report to the House and Shri Adhir Ranjan Chowdhury be suspended from the service of the House till the Committee of Privileges submits its report.”

प्रस्ताव स्वीकृत हुआ।

.....

(1925/PC/AK)

माननीय अध्यक्ष: सभा की कार्यवाही शुक्रवार, दिनांक 11 अगस्त 2023 को प्रातः ग्यारह बजे तक के लिए स्थगित की जाती है।

1925 बजे

तत्पश्चात् लोक सभा शुक्रवार, 11 अगस्त 2023 / 20 श्रावण 1945 (शक)  
के ग्यारह बजे तक के लिए स्थगित हुई।

---

\* Original in Hindi.