

COMMITTEE OF PRIVILEGES
(SEVENTEENTH LOK SABHA)

4

FOURTH REPORT

Notices of breach of privilege dated 14 May, 2020 given by Shri T.R. Baalu and Dr. Kalanidhi Veeraswamy, MPs and subsequent notice dated 16 May, 2020 against the Chief Secretary, Tamil Nadu for alleged disrespectful and insulting behaviour.

[Presented to the Speaker, Lok Sabha on *24. March, 2022*]

[Laid on the Table on *30. March, 2022*]



सत्यमेव जयते

AUTHENTICATED

LOK SABHA SECRETARIAT
NEW DELHI

.....*March, 2022*/Phalguna, 1943 (Saka)


Chairperson
Committee of Privileges

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COMPOSITION OF THE COMMITTEE OF PRIVILEGES

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
15. Vacant

SECRETARIAT

1. Shri P.C. Tripathy - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri Bala Guru G. - Deputy Secretary
4. Dr.Faiz Ahmad - Under Secretary

**FOURTH 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 Fourth Report to the Speaker, Lok Sabha on notices of breach of privilege dated 14 May, 2020 given by Shri T.R. Baalu and Dr. Kalanidhi Veeraswamy, MPs and subsequent notice dated 16 May, 2020 against the Chief Secretary, Tamil Nadu for alleged disrespectful and insulting behaviour.

2. The Committee, in all, held four 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 24 September, 2020 considered the Memorandum on the subject and also examined on oath Dr Kalanidhi Veeraswamy, MP.

4. The Committee at their second sitting held on 12 February, 2021, examined on oath Shri T R Baalu, MP.

5. At their third sitting held on 9 December, 2021, the Committee examined on oath Shri K Shanmugam, Ex Chief Secretary, Government of Tamil Nadu.

6. At the fourth sitting held on 9 March, 2022, the Committee considered the draft report and after some deliberations, adopted the same. The Committee then authorized the Chairperson to finalize the report and present the same to the Speaker, Lok Sabha and thereafter, to lay it on the Table of the House.

II. Facts of the Case

7. Shri T.R. Baalu and Dr. Kalanidhi Veeraswamy, MPs *vide* their similar notices dated 14 May 2020 had alleged 'breach of privilege' against the Chief Secretary, Government of Tamil Nadu for his alleged disrespectful and insulting behaviour. The Members had alleged that they along with three other Members of Lok Sabha, after getting appointment, met the Chief Secretary, Government of Tamil Nadu to submit one lakh representations received from the people of Tamil Nadu, urging the Government to provide timely relief to those hit by COVID19 pandemic. The Members, further, alleged that the Chief Secretary did not give the basic minimum courtesy and disrespected them with contemptuous behaviour which, according to them, amounted to 'contempt' and

'breach of privilege' and requested to initiate proceedings for breach of privilege and contemptuous behaviour against the above said officer. Shri T.R. Baalu, MP *vide* further letter dated 16.05.2020, in continuation to his notice of question of breach of privilege dated 14.05.2020, stated that the Chief Secretary, Government of Tamil Nadu, by his unprecedented behaviour, obstructed him and other MPs who were part of the delegation led by him. He further stated that the hostile attitude with which the Chief Secretary dealt with them during that meeting, unnerved them from the moment they entered his Chamber and made them to conclude the meeting desperately and without completing their work with him. The Hon'ble Member, therefore, requested for issuing necessary orders to treat the matter as a case of 'breach of privilege' and initiate due proceedings accordingly (Appendix-I).

8. As per well established practice, a 'Factual Note' was sought from the Government of Tamil Nadu in the matter through the Ministry of Personnel, Public Grievances and Pensions. The Ministry of Personnel, Public Grievances and Pensions forwarded a 'Factual Note' dated 30 June, 2020 (Appendix-II), wherein it was stated that the Chief Secretary of Tamil Nadu has not been disrespectful or insulting in his interaction with the Hon'ble Members of Parliament and that he has highest regard for the elected and public representatives.

9. As there were some contradictions in the averments/contentions mentioned in the privilege notices of the Members *vis-à-vis* the 'reply/explanation' furnished by the Government of Tamil Nadu in their 'Factual Note', the matter was put up to Hon'ble Speaker for his consideration and orders, who *vide* order dated 9 September, 2020 in exercise of powers under Rule 227 referred the matter to the Committee of Privileges for examination, investigation or report.

III. Evidence

Evidence of Dr Kalanidhi Veeraswamy, MP

10. During his evidence before the Committee on 24 September, 2020, Dr Kalanidhi Veeraswamy, *inter alia* stated as under:-

"Sir, as you are all aware, we were going through COVID-19 pandemic and during the lockdown, in Tamil Nadu, there were many people who were starving without availability of food; they could not get medicines; and they had hoped for some charity. So, our party leader had organised a programme where all the party members were asked to distribute food for those people who were starving and extend whatever help that the people would expect, because at that time,

most of the medical shops were closed, and so, people had difficulty in accessing medicines. Therefore, we were doing the best that we could and we had also created a number to which people can call, the concerned party person was given instructions that those people need relief. We also got a lot of information from other places. People from other States also called our Members of Parliament and we were trying to do our best. We were distributing food and medicines to the migrant labourers and other people who were in need and every one of us were involved in this cause. After distributing food and medicines to the best possible extent, we had a lot of requests where people had asked about travelling from one State to the other or travelling from outside the country to come back to the home country due to some death in the family or they were stranded there as they did not have enough money. In that case, we wrote to the Ministry of External Affairs Ministry to give enough support to those people because these were issues where only a Government can deal with as transporting people was something that is in the purview of the State and Central Governments. So, we sought an appointment with the Chief Secretary of Tamil Nadu and he had given us an appointment at 5 o'clock. We had gone there with petitions of huge communities who were looking for food support and for transport arrangement as they wanted to return back to India or Chennai. We had taken all these documents to him. When we went there, as we entered the room, the Chief Secretary got up from his chair and he came and sat in a sofa which was available there. Social distancing norm was in place. There was a three-seater sofa and a single-seater sofa. He sat in one of the chairs. Four of us were there and being a Medical Doctor, I was conscious about the social distancing norm and I was expecting that probably two people are going to be sitting in the three-seater sofa and another person was going to be sitting there. So, I dragged down a chair on my own – where I was not given any kind of support though there were enough orderlies available there – I pulled my own chair and when I was going to sit, the three MPs, to my surprise, sat in the three-seater sofa because they had no choice. They thought that this was going out of hand. So, I went and sat there. Subsequently, the Finance Secretary was also there and that day was the presentation of the Budget by the Hon'ble Finance Minister. The Budget presentation was going on and the Television was in full volume. We were all wearing masks and I was sitting farthest from the discussion between the Chief Secretary and our Party's Floor Leader, Shri T.R. Baalu. When they were sitting and talking, I could not even hear about what was being discussed. So, I requested the Finance Secretary, who was watching the television, and said, 'I could not hear what was transpiring over here, can you please reduce the volume?' The moment I said that and I said it in Tamil and he understood what I said, so went to reduce the volume. Then, the Finance Secretary said, do not reduce the volume as I am listening to it. I said okay as my senior party leader was there. So, I did not want to make an issue of that. Since I could not hear even a single word what was transpiring between the two of them, I requested saying that I would like to listen to whatever is happening here and you please

reduce the volume. I saw even the Chief Secretary off and on was looking at the Television even as the conversation was going on. So, I could see he was not giving us his undivided attention about the concerns that we were raising. As we were talking, our party leader, Mr. T.R. Baalu explained all the situation and he is in a customary habit of it that he asks the person to whom he has given a request about what should he tell the party leader and what should he tell the media because whenever we go for an event like this, the media asks us what happened and what Chief Secretary said. Four members of Parliament were there – Shri T.R. Baalu, Dayanidhi Maran, Dr. T. Sumathi and myself, Dr. Kalanidhi Veeraswamy. After explaining all the details to the Chief Secretary, our party floor leader asked the Chief Secretary, what should I tell the media as they expect that we have to take action in two days, one week or one month. Whatever reply they give, we pass it on to the media. So, he said: “we have so much of petitions, we do not have sufficient staff to see to these things immediately and they will give a response.” When Shri T.R. Baalu said that he has to give reply to the media and the party chief about what we are going to do, he said we do not have adequate staff due to COVID-19 pandemic and we are working on a skeletal staff. Shri T.R. Baalu said, should I inform the media that you are working on a skeletal staff? The moment he said that, the Chief Secretary said, this is the problem with you people. He shouted and got up and all of us were totally perplexed. Initially, when we came in, we were not received well, but we thought that we came there for a larger cause, so let us go through this. But all of a sudden, this outburst was totally uncalled for saying that this is the problem with you people. Shri T.R. Baalu Ji was shocked because he did not say anything to aggravate him and he got up and said, what you mean by saying that this is the problem with you people. He said, you politicians make an issue of all these kinds of things. Then we said that we only wanted to know what we should inform the media. He said you go and tell whatever you want to. So, that was a very rude way in which the meeting was concluded and we had no choice. He just turned away and went and sat on his chair. We had no choice, but to leave the room and we came out.”

11. On being asked about the date and time when he had sought appointment of the Chief Secretary for the meeting to be held on 14 May, 2020, the member stated as under:-

“I am not sure exactly. I do not remember whether it was on 13th or 14th May. But I remember it was on the day when the Finance Minister, Shrimati Nirmala Sitharaman was giving speech and was announcing the economic package due to COVID-19. We had not asked for an appointment for that day. We had asked for an appointment and we had been given that day.”

12. On being asked whether he had sought appointment one day before the meeting and whether it was a fact that he gave the time to meet him immediately, he replied as under:-

"Sir, the appointment was asked by my Parliamentary Party leader, Shri T.R. Baalu and I was aware that he had asked it for the previous day, but we did not say that we want to meet them tomorrow itself. We said that we would like to come and meet them to explain about the problems. The appointment was given by them. If it was given on another day, we would have been happy to go there that day because when we went there, we wanted to present our case."

13. On being asked to confirm if he got the appointment the same day, he replied as under:-

"No, he called us and they said that we can come at around 5 PM and we went there. He himself had given a press statement which is available on Television where you can see that he agrees to the fact that the Television was on and there was the Finance Secretary sitting and taking notes in his room. Our contention was that, as we all four Members of Parliament are going there, what was the need for the Finance Secretary to sit there? He could have gone to his room and he could have his meeting. His presence over there was absolutely of no necessity and especially when we have a conversation where we are not able to hear one another. I thought it was absolutely an insulting behaviour to the elected representatives."

14. When asked whether he along with others had taken more than one lakh petitions with him and whether on those petitions, he was asking for a reply and time for execution, Dr. Kalanidhi Veeraswamy replied as under:-

"These were the petitions regarding the requirement of the people in terms of either food or travel from different places. These kinds of assistance were the ones which were asked. There were probably one lakh petitions, but we did not press for it as to how soon they can take action. We said that people are starving, so we expect you to act on these things as we cannot spend weeks or months because people are dying of hunger. So, we requested them to kindly make sure that these people are taken care of. We did not say that they have to do this immediately or the next day because basically it was about food. I am sure that the whole county was going through this problem and everybody is aware of it. Every State has gone through this problem."

15. On being enquired as to how the alleged disrespectful behaviour of Chief Secretary amounted to breach of his privilege and also that how it amounted to obstruction in performance of his parliamentary duties as a Member, he replied that -

"Personally, if you ask me, if in this room when we are having this conversation, if some Secretary is going to put the volume of the Television loud, then we cannot have a conversation. I do not know whether you would look at it as a breach of privilege. Especially when I am asking them and if you look at the press statement which the Chief Secretary had given, he had given an explanatory statement in which he said that the Television was on and I did ask for the volume to be reduced. But he said that the financial package announcement was very important and hence it had to be listened to by the Finance Secretary. I am sure the Finance Secretary would have had a room in the Secretariat. So, what was the need for him to be there when we were having a discussion? We are talking about the millions of people, who are suffering from starvation and who are languishing. We had so many calls coming from different parts of the world where parents were talking about bringing their students/children back home safely. In fact, we were also in contact with the Ministry of External Affairs. They have done a fantastic job of bringing our students back. I also personally arranged to bring in more than 400 students from different parts of the world to Chennai. My submission is that the Finance Secretary was sitting there, and the Television volume was so loud enough that I could not hear as to what was happening over there."

16. On being asked whether he meant to say that the Chief Secretary of the Government of Tamil Nadu did not display the behaviour or attitude that should have been done with the Hon'ble MP and he ignored his point, he replied as under:-

"Sir, I am a first-time Member of Parliament. So, I do not know how Members of Parliament are expected to be treated."

17. On being apprised that it did not matter whether he was a first-time Member of Parliament and that he could explain the position, he stated that -

"Sir, if you ask me personally, I am a Doctor, but I feel that no human being should be shouted at in that way. He said, 'this is the problem with you people'. He said it in such a loud voice when there was absolutely no altercation. We were not shouting. We were politely submitting whatever our request was for the people. The only question asked was: 'Can you tell me, what I should tell to the people?' I would like to explain a little bit about Shri T.R. Baalu. Whenever we meet the party President on any issues, he generally asks for the comment, which he needs to handover to the press/media. Being with him, I have always seen that he asks everybody: 'So, what shall I tell the Press?' So, the moment when he asked: "what shall I tell the Press?", the Chief Secretary could have said: "Give me two days time; I would give you a reply." Anyway, I am just speculating it. But he said: "We do not have enough staff over here; we are

working with a skeleton staff. Because of the COVID-19, a lot of people are not here. So, I would not be able to give you the reply, right now." So, Shri T.R. Baalu asked him: "See, I have asked you a question. Shall I tell them that you are working with a skeleton staff, and because of COVID-19, you do not have adequate staff over here?" Just after that, the Chief Secretary started shouting: "There is a problem with you people." Shri T.R. Baalu asked a question, and that was the reply given by the Chief Secretary. Shri T.R. Baalu just wanted to clarify saying: "Is this the statement that you want me to inform the public and my party President?" But the Chief Secretary started shouting. Sir, I feel that there was absolutely no necessity for the outburst against anybody, especially against a senior Member of Parliament, who has been a former Minister. I feel that he was very much slighted. This is my opinion."

18. On being asked whether he arranged proper seating for him when he entered the room, he replied that -

"No, Sir. I explained it to you. There are even pictures, which were taken at that point of time. I do not have them with me right now. But I am sure, it can be accessed. You can see that there was a three-seater where three Members of Parliament were made to sit next to each other without following any social distancing. The Chief Secretary of his experience and ranking should have made arrangements for us because we had made it clear that 'four of us are going to be coming there.' But no proper seating arrangement was made. In fact, I was dragging a chair to sit over there so that they can sit separately. But I was shocked to see that three Members of Parliament were sitting together and I had to go and sit in the other remaining seat."

19. When asked whether he had to carry his own chair, he replied in the affirmative.

20. On being enquired whether there was no arrangement for him to sit over there, he stated that -

"Sir, as I told you, there were four chairs - one was the three-seater, and one was the single-seater. So, I was assuming that people were going to maintain social distancing and sit. In the three-seater, I thought, two people were going to sit. Then, one seat was there. I dragged down a chair so that these three Members could sit there and I could sit a little away from them."

21. On being pointed out that if there was no seating arrangement according to social distancing and he brought his own chair, didn't the Chief Secretary intervene and didn't he ask anyone to bring a chair for him, he replied that -

"No, Sir. Nobody asked it. Neither the Finance Secretary nor the Chief Secretary said it. I just pulled the chair and brought it near the table. When the three Members of Parliament sat on the three-seater, I went and sat on the other chair, which was left free."

22. When asked if he had something else to state before the Committee and if some other persons had come along with him with the petitions, he stated that -

"Sir, when we went there, as I said, there were about one lakh petitions. This was brought by a few people; obviously, we could not carry all the one lakh petitions on our own. We have our party office in the same building. Our party workers, who were working there, brought the petitions. They submitted the petitions and then left. When they were there, a few people were trying to take photographs to which the Chief Secretary objected. So, we said, 'no photographs should be taken.', and we asked them to leave."

23. On being enquired whether before getting appointment, he had informed the Chief Secretary that he was going to bring the people carrying the petitions, he replied that -

"When we fixed the appointment, I do not know, whether Shri T.R. Baalu had informed him that people were coming to give petitions. I am, honestly, not aware of it."

24. On being asked whether he had told him that he wanted to give petitions when had gone to meet him, he replied in the affirmative adding that when these people came in, we said that these people have come to give the petitions and they left.

Evidence of Shri T R Baalu, MP

25. During his evidence before the Committee on 12 February, 2021, Shri T R Baalu, MP *inter alia* stated as under:-

"I am very sorry I have weathered out a shameful incident when I was carrying out my duty as a Member of Parliament on 13.5.2020. Myself, Shri Dayanidhi Maran, MP, Dr. Kalanidhi Veeraswamy, MP, Dr. T. Thamizhachi Thangapandian, MP got the permission from the Chief Secretary of Tamil Nadu and we have been asked to meet him by 5 P.M. on 13.5.2020. We went five minutes earlier. In fact, when we reached the place, it was only one minute left. We went inside and very casually, the Chief Secretary saw us and he was sitting in the chair, on our own we have gone there, we sat on the sofa and slowly came out after two or three minutes. He has not even extended any courtesy. He has not even shaken our hands or extended any pleasantries. We know him. He was working under our

regime for many years. I know him personally but he has not even shown simple courtesy that I was his old friend.

We came here on the suggestion made by my leader, Shri M.K. Stalin because he has collected more than 15 lakh petitions during the Corona for relief. Out of 15 lakh, 14 lakh petitions we ourselves, all the party men more than 1.5 or two lakh office bearers, they opened offices then and there throughout Tamil Nadu. Many centres were opened during the Corona period. We helped them. For your information, I myself have extended support to the tune of more than Rs.35 lakh. My son as an MLA has spent about Rs.40 lakh in his own MLA constituency. Even the MPs, MLAs, Divisional Secretaries, Constituency Secretary, District Secretary and everybody spent crores and crores of rupees, from their own funds and spent like anything. More than crores and crores of rupees worth of essential items like groceries, rice, cooked food, vegetables, oils, and so on were supplied to the needy people. It has happened for about four or five months. Actually, when we went there and expressed the matter that fourteen lakh petitions were disposed of by the Party itself, we brought only one lakh petitions to him. These one-lakh petitions could have been distributed through the Collector's office, they would have managed as to how to sort out and the problem would have been solved so quickly. The Government has to do it. Whatever we could do we did on our part. We told him that it was his duty to see that the things are transferred to the Collectorate or somewhere else so that decision could be taken. Things should happen for the public. But during that time, he was watching the Television only. He did not lend his ears to hear our complaint. He was looking at us but his ears were to the Television. The Television was so loud. Mr. Kalanidhi, who is an M.P., was there, and he requested the Chief Secretary, "Sir, kindly ask somebody to lower the volume". Hearing this, his assistant came to put down the volume. The Chief Secretary instructed him not to reduce the volume which is very surprising. I requested Kalanidhi ji to sit down. I pursued the Chief Secretary and said, "Sir, it does not matter. These are all the petitions kept on your table. Kindly see them. There should be a time bound action on them because it is a public issue and moreover, it was pandemic, people were suffering a lot". I asked him to have a look into it and requested him for a quick disposal. I said it like that. I also asked him about his response to my request so that I could go back and convey that to my leader because he only sent us there. Suddenly, he yelled at us saying that this is a problem with 'you people'. If you want, you can go out, meet the press, tell them and go. This is what he said. Sir, what does it mean? 'You people' just not refers to an individual like T R Baalu, Kalanidhi or XYZ, 'You people' means Members of Parliament and it means he denigrated not only the image and stature of the Member of Parliament, but also the Majesty of Parliament. That is where I am worried. Sir, I will quote some of their circulars which the Government of India has issued. I will quote it one by one. I would not take much time. This is the Office Memorandum dated 23.05.2000, OM no. 11013/2/2000 Estt(a). I quote: "that while they should consider carefully and listen

patiently to what the Members of Parliament and the State Legislatures may have to say, they should always act according to their own best judgment". This is the matter I am bringing to you because it talks about lending ears. I further quote: "The officer should be meticulously correct and courteous and rise to receive and see off the Member visiting him". The next one is about the time bound action. There is a Circular issued by the Cabinet Secretariat on 8th November, 1974 on 'how an officer has to receive a Member'. It says, "When a Member of Parliament or a State Legislature comes to see him, an officer should rise in his seat to see the Member and to see him off. Small gestures have symbolic value and an officer should therefore be meticulously correct and courteous in their dealings with Members of Parliament and State Legislatures. This is how the officers are supposed to receive MPs. However, he was very casual about the whole thing. He did not receive us properly. The third one is the time limit. There are instructions as to in how many days the Members grievances are supposed to be responded to. D.O.No.30011/3/97/Om dated 31st March 1997 says, "Time limit should be fixed for sending the final replies to the Members as far as possible and this should be ensured by regular monitoring. All reports to be replied by agencies and the State Governments." This is what your circular and other documents say. What I want to say before I conclude my submission is that he has not only denigrated our image but also denigrated the majesty of Parliament. This is what I want to say. So, proper action should be taken against the particular officer. He is already retired and has been reappointed as Advisor to Tamil Nadu Government. There should be a lesson in this for the other officers, whether you punish him or not. There should be a written warning so that the officers who are working in that office would follow proper procedures in future when Members of Parliament and State Legislatures visit them. This is what I want to say."

26. On being asked as to what he means by appropriate behaviour and how did the officer fall short of the expected behaviour, the Hon'ble Member replied as under:-

"He did not say anything about his views. That is not proper. When we were moving around, he was simply sitting there. He never stood up and welcomed us by saying Vanakkam, etc. It is usual practice in Tamil Nadu to wish people Vanakkam, Sir; how are you, this and that. No pleasantries were exchanged. He did not even courteously wish us. All the four of us simply entered his office and sat in the sofas. He was looking at the Television for about two minutes or one and a half minutes and then came and sat. Kalanidhi requested him to please reduce the volume. One assistant went there to reduce. But the officer asked him not to reduce the volume. He was lending his ears to the Television while he was looking at us just bluntly. He did not even smile."

27. When asked whether he had taken appointment before he went to meet the said officer, the Hon'ble Member stated that -

"Yes. He had already told the press. We got the permission to meet him at 5 o'clock and we went there about 4:54. But we reached before 5 o'clock."

28. When asked as to what he meant by saying 'you all people are like this' and what exactly had he said, the Member replied as under:-

"He addressed all the MPs as 'you people'. I feel it is not only denigration of MPs who sat there for public welfare, but he has denigrated the majesty of the institution of Parliament."

29. When apprised by the Committee that according to the 'Factual Note' furnished by the Chief Secretary, more than one lakh petitions were being carried along and response of petitions was sought, and asked as to what actually is the position, he replied as under:-

"We went there with one lakh individual applications from people who had sent them to my leader Shri M.K. Stalin. Wherever people ask for relief which our party men could do, he sends these applications to our party's men to district office. Those applications on which either the Central Government or the State Government has to take action, he sends to us. Such petitions have been compiled and provided to the Chief Secretary. But he replied, "We do not have that much staff." Actually, he shouted at us. I have been in Parliament for more than 25 years and I have been a Minister in Central Government thrice. My image has been tarnished in front my own people. All the other three MPs are first-timers. In their presence, he yelled at me. Do you mean to say yelling is correct on the part of a senior officer like Chief Secretary? I do not care whether he has yelled at me or not. But the image of the majesty of the parliamentary system is in question now. Please take whatever action you deem fit. The Chief Secretary is no more a Chief Secretary; he is adviser to the Government. Chief Secretary's term has been extended twice; now he is an Advisor. Just to get the extension, he scolded us because it has to come in the newspaper. Voluntarily he was telling: 'No. You go out. You tell the Press'. He said you go out and tell the Press whatever you want. In front of all the four MPs, boldly he shouted like anything, raising his voice. That has insinuated like anything. Simply we came out. He had not even seen us off. He had gone and sat there and saw the TV once again."

30. When asked whether there was no sitting arrangement made despite the fact that he had informed him about his arrival, the Member stated as under:-

"Seating arrangement was there, Sir. There were sofas. Sofa was put there. It is just for the visitors. There is no name board or anything. Just like that, we had gone and sat there."

31. On being asked what he was watching on TV at a high volume while he approached him, he stated that -

"Sir, he was watching the Budget on the Budget day, it seems. There was a budget discussion or something. It was not a budget but the budget discussion, it seems."

32. When asked as to how many people had come along with him, he replied that -

"There were not 20 people. He is totally lying. Nine bundles were there. Nine people, just one by one, came. When social distancing is adopted, how can the peon outside will allow all the nine people or ten people, whomsoever it may be? The person who was standing outside had got a clear-cut instruction. Even we were entered only one by one. Just like that, the person who was bringing the bundle, one by one they had been allowed. One by one, they came in; they put it on the table and went out. Then, another person will come."

Written submissions of Shri K. Shanmugam, Ex-Chief Secretary, Government of Tamil Nadu:

33. Shri K Shanmugam, Ex Chief Secretary vide his reply dated 15 September, 2020 stated as under:-

"I am in receipt of the D.O letters of Shri Lok Ranjan, Additional Secretary to Government of India, Department of Personnel & Training, dated 9th September 2021, addressed to Chief Secretary, directing me to appear before the Committee of Privileges on 23.09.2021. I had served the State as a committed IAS officer with an unblemished record for the last 35 years and retired from service on 31.1.2021 as Chief Secretary. Throughout my career, I have never shown any disrespect to anybody including elected representatives. It is unfortunate to learn that the Hon'ble Members of Parliament have sought to bring a breach of privilege notice against me. In fact, I have great respect and regard to all the delegates particularly the Hon'ble Member of Parliament Shri T.R. Baalu, with whom I had several interactions earlier and in no occasion, we had such misunderstanding. Therefore, I would like to narrate the sequence of events that took place on 13.5.2020, which will give the factual accounts from my side. On 12.5.2020, my Private Secretary received an oral request from Shri M. Athiseshan, Special PA to the Hon'ble Leader of Opposition, Tamil Nadu and sought an appointment for the delegation of Hon'ble Members of Parliament headed by Shri T.R. Baalu, M.P, to meet me. As the Collectors' Conference was scheduled on 13.5.2020, I asked my Private Secretary to obtain a letter with a detail of the purpose of meeting, so as to fix suitable time for the appointment. On 13.5.2020 morning, Shri Athiseshan, Special PA to the Hon'ble Leader of

Opposition Tamil Nadu handed over a letter indicating that a group of Members of Parliament headed by Shri T.R. Baalu, M.P., were proposing to hand over petitions received from public under a scheme organized by DMK viz., "Come let us Unite". Despite heavy work pressure of pandemic containment and mitigation activities, I immediately allotted time to meet the group of Members of Parliament at 5.00 P.M on 13.05.2020 itself. This prompt response to the request itself is evidence that I never had any intention of showing disrespect to any elected representatives. In the evening on 13.5.2020, the Hon'ble Union Minister of Finance was announcing the details of financial package, subsequent to the announcement made by Hon'ble Prime Minister on measures for revival of Indian Economy. Hon'ble Union Minister of Finance was giving details of package of relief measures to boost the economy in a nationwide telecast and as the Chief Secretary myself and the Additional Chief Secretary, Finance Department, Government of Tamil Nadu were taking notes on the salient features of the announcements. At that point of time, the team of Members of Parliament had arrived. Immediately, I asked the Additional Chief Secretary, Finance, to continue with taking of notes and moved to the sofa to receive the delegation of MP's. On their arrival, I welcomed the delegation and provided them seating on sofa, as it used to be the normal practice to receive and seat high dignitaries on the sofa. While the Hon'ble Members were being seated, 15 to 20 persons also entered my chamber and brought bundles of petitions. Due to the Covid-19 pandemic, though there were restrictions on the movement of large number of persons, I politely requested them to keep the petitions in the room and avoid taking photos and videos. However, despite my request, a group of persons who accompanied the Hon'ble Members took photos and videos. Hon'ble Member of Parliament Shri T.R. Baalu, informed me that more than a lakh petitions have been received by their party leader under their party's programme "Come let us Unite" and presented these petitions to me for necessary action. He also insisted on the deadline before which date these petitions will be disposed off. I tried to explain him that it is not possible for me to give a time limit for the resolution of one lakh petitions, as these grievance petitions will have to be sorted and sent to the District Collectors District- wise/Department-wise. As the pandemic is at its peak, only limited officers are working, I assured them to take action on all these petitions. I genuinely believed that these petitions are gathered from field, seeking redressal of grievances on different issues relating to different Departments. But later only I came to know that these petitions are all generated through computer and seeking only dry ration like rice and dhal. However, the Hon'ble Members of Parliament continue to insist on a specific time frame and a date by which all the petitions would be resolved. I again explained that due to the lockdown, the Government Machinery is working overtime with minimal staff, and indicated that a precise date cannot be indicated while at the same time assuring the Hon'ble Members of Parliament that immediate action would be taken on the petitions brought by them. When Hon'ble Member of Parliament Shri T.R. Baalu, and Shri Dhayanidhi Maran, and other Hon'ble Members of Parliament repeatedly

demanded to indicate a deadline, I have politely indicated to them that, even if the Members were in my position, they would not be able to accurately give a deadline. The Hon'ble Members of Parliament said that as responsible public representatives they would require a deadline. At this juncture, I have responded stating that I am also a responsible Government servant and the entire Government machinery is working with full devotion and commitment to control the pandemic. Shri T.R.Baalu, M.P., asked me whether he could inform his leader that the Chief Secretary refused to commit on the disposal date of the one lakh petitions due to paucity of staff. But I again reiterated my assurance that action would be taken expeditiously on the one lakh petitions. This discussion was going on very smoothly for more than half-an-hour. It is therefore very clear that I had absolutely no intention whatsoever of disrespecting the Hon'ble Members of Parliament but explained the difficulties in times of pandemic as our focus was fully on managing the pandemic, while assuring the Hon'ble Members that action on the petitions brought by them would be expedited. Hon'ble Members who have long years in Public services should have understood that an unprecedented crisis in the form of a pandemic is being faced by the Government and doing its best with its available resources to overcome the crisis. Instead, the delegation informed me that they will inform their Leader that no deadline will be given, for which I said that they can respond as they please. However, the delegation thereafter left my room and met the Press, made the allegations of disrespect. Therefore, I was also forced to issue a rebuttal in the Press on 14.5.2020. The allegation that I was watching the T.V when Hon'ble Members were speaking with me is totally incorrect as even a cursory glance at the photographs published in the leading Tamil dailies indicates otherwise. The Hon'ble Members have been comfortably seated in the sofa and as per the layout of the room it is not possible for me to watch the T.V. while seated in the sofa. The Additional Chief Secretary, Finance who was also with me in the room continued to take notes from the announcements made by Hon'ble Union Finance Minister and the volume of the T.V. was low and was not a hindrance for the conversation between the Chief Secretary and the Hon'ble Members of Parliament. On the contrary, the discussion was going on for more than half-an-hour. The Hon'ble Members of the Parliament instead of appreciating the gesture of Chief Secretary in having immediately fixed an appointment soon after getting their request and received, spent time to meet them in order to resolve the public issues raised by them, had chosen to issue a statement to the media. Further, soon after receiving the one lakh petitions, I had immediately directed the concerned Government's Special Grievances Redressal Wing viz., Chief Minister's Special Cell to sort out the petitions officer-wise, Department-wise duly scanning them and transmitted them electronically to the concerned Officials, for speedy resolution and disposal. On opening the petition bundles, it was noticed that all petitions were computer generated and seeking for rice and dhaal only. There is not even a single petition related to other issue. In fact, the Government of Tamil Nadu has provided free ration for all card holders during pandemic time. I had given time to meet Hon'ble

Members when they had asked for, despite the extraordinary situation, received them with respect and seated them appropriately, listened to them carefully and promised to take action on the one lakh petitions and also initiated immediate action to resolve the grievances. In my Press Release dated 14.5.2020, I have also categorically stated that at no point of time I have never shown any act of insulting or disrespecting any one."

Oral Evidence of Shri K Shanmugam, Ex-Chief Secretary, Government of Tamil Nadu:

34. During his deposition before the Committee on 9 December, 2021, the Ex Chief Secretary stated as under:-

"I would like to submit before you all that on 12/05/2020 I was the Chief Secretary and pandemic was at its peak. At that time, there was a message for my PS from the PS of the Opposition Leader at that time -- and present Chief Minister -- that they want to send a team to meet me. So, I asked my PS to please get the purpose of the meeting in writing so that I can apprise the Chief Minister about it. Accordingly, on 12/05/2020 they gave in writing that the team of Hon'ble Parliamentary Members want to meet me to hand over petitions received by their Leader from the public during the pandemic period. Next day there was a Collectors Conference in the morning, which I attended and after that I got the clearance from the Hon'ble Chief Minister. After getting due approval from the Hon'ble Chief Minister, I gave the time of 5 o'clock on the same day for the meeting. On the evening of the same day there was an announcement by the hon. Union Finance Minister on the rehabilitation package for COVID-19 impact. So, I and the Finance Secretary of our State were listening to the news and taking down notes. In the meantime, around 5 o'clock I got the message that the team has arrived. So, I went to the centre of my room to receive them, and accommodated them on the sofa in the usual manner when the VIPs come. They are all familiar to me as we have been discussing without any hesitation. After brief introduction, the Hon'ble Parliament Member, Shri T. R. Baalu, told me that they have brought one lakh petitions received by the Opposition Leader. I was not generally allowing anybody to enter into my room because of the pandemic, but because they are all public representatives, I met them. In the meantime, a few people brought bundles of petitions inside and it was a big crowd. Hence, I requested them not to take any photograph, etc., and leave the bundles as such in the room. Then he told me that one lakh petitions have been received and he is handing them over to the Government, and he wants resolution on these petitions. I said, Sir, it is one lakh petitions and the request must be involving various Departments. I have to sort it out and separate them officer-wise and I have to send it to the concerned officers and get their replies and then only I will be able to take a final call and give you the results regarding these petitions. It is known that it was pandemic period where we were working with skeleton-staff. At

that time, myself and a few Secretaries were only working and the supporting staff were also very minimum. I said, it would be very difficult for me to give a final commitment on date. But I can assure that as quickly as possible, I would resolve all these petitions and I can take action. When he asked, what should I tell to our leader. I said, you kindly tell him, Sir, the Chief Secretary has assured to take action and as quickly as possible, it would be resolved. They kept on repeating the same thing. They insisted that whether it will be done within a week or 15 days. I said, I cannot give any confirmed date with this kind of a situation. You say that the number is more than one lakh petitions. I can only assure you that I will take prompt action. I also said that if you are in my position also, it may not be possible for you to give such a commitment. This discussion was going on for more than half an hour and it was going on well. And again, when they insisted, and said, should I say that you are not able to take action. I said, as you please you can tell. No problem about that. This is what has happened. Then, they went outside and had a press conference, in which, they alleged that I have been disrespectful to them. I know about this only from the press statement. Then, I had no other choice but to give a rebuttal also on the next day. This is what has happened. I have served for more than 35 years in government, very sincerely and with commitment, I worked. I have an unblemished record. I never had any problem with anybody. I have served the State with devotion; I never disrespected anybody; I never had any intention to do that also. I have submitted a detailed report to the Hon'ble Chairperson and the Committee. **I have brought another supplementary reply, in which I have mentioned that though I never had any intention of disrespecting anybody, if something has been wrongly construed by the Hon'ble Members, I am ready to tender my unconditional apology. I have retired in January. So, this is my submission.**"

35. When asked whether he did not make any arrangements for their sitting, he replied as under:-

"Sir, we were all comfortably sitting. In fact, this discussion was going on for more than half an hour. I received them standing in the centre of the hall, and took them to the sofa room, they were all seated there."

36. When enquired whether the location, where they conducted their press conference after the meeting, was around his office, he stated that it was at the entrance of the Secretariat.

37. When enquired as to whether the Members of Parliament reacted because he did not talk to them for some time and therefore they felt bound to react, he stated that -

"Sir, first of all, I would like to submit that I have been neutral all along my career. In fact, I maintained a good relationship with the other parties also. Irrespective of

the party, all the people would come and meet me. We had very good relations with the DMK people. At that time, there were in the Opposition. Even, on many occasions, their delegation came and met me when I was a Finance Secretary, and when I was a Chief Secretary, they met me at that time also. I never had any such difference with the party people. Actually, the request came from the PS to the Leader of the Opposition who is sitting here in the Secretariat. Only he gave the request. It was not from an M.P. In fact, I never thought that one lakh petitions will come. They said that they wanted to bring the petitions and hand over to the Government. I gave the appointment immediately on the same day. If I had had that kind of difference, I would have said that, because of this pandemic, I am busy and I cannot meet. I did not do it. In fact, I took the permission from the Chief Minister and told him that they are coming. I have to meet them. He said, "Okay. You meet them". That is how it happened. It is not correct that I did not ask them to sit. I asked them, "please, be seated on the sofa". They were all sitting. A little bit of pandemic kind of things were going on because of petitions but I managed it. I said, you leave it and I will handle it. Then the usual conversation took place. They were telling me about the petitions. Then the usual conversation took place. They spoke about this petition and all that. In fact, I genuinely believed these are different types of petitions from different Departments. Immediately after they left, I referred all the petitions to the CM Grievances Cell. When they opened it, they found that all the one lakh petitions were for dry ration. I did not know about it. Otherwise, I would have replied immediately within a week or so. Genuinely I believed that these were all different petitions."

IV. Findings and Conclusions

38. The main issues before the Committee are to determine:-

- (i) Whether the Ex. Chief Secretary of Tamil Nadu displayed/showed an insulting and disrespectful behaviour towards the Members as alleged by them at the time of their meeting at 5 P.M. on 13 May, 2020;
- (ii) Whether the alleged insulting and disrespectful behaviour towards the Members, as alleged by the Members, amounted to breach of their privilege;
- (iii) Whether a delay in reply to the communications of Lok Sabha Secretariat to the concerned Authorities of the Government of Tamil Nadu for furnishing the factual note in the matter amounted to 'breach of privilege'.

Issue No. 1: Whether the Ex-Chief Secretary displayed/showed an insulting and disrespectful behaviour towards the Members as alleged by them.

39. In his reply, the Ex Chief Secretary submitted that throughout his career, he had never shown any disrespect to anybody including the elected representatives and that he had great respect and regard to all the delegates particularly the Hon'ble Members of Parliament. That, he had several interactions earlier with Shri T.R. Baalu and with whom he never had any such misunderstanding on any occasion. That, his prompt response to the request for the meeting itself is evidence that he never had any intention of showing disrespect to any elected representatives. That, when the team of Members of Parliament had arrived, he immediately asked the Additional Chief Secretary, Finance to continue with taking of notes on the Budget and moved to the sofa to receive the delegation of MPs. On their arrival, he welcomed the delegation and provided them seating on sofa, as it used to be the normal practice to receive and seat high dignitaries on the sofa and assured them to take action on all these petitions. During his deposition before the Committee, he reiterated that he gave an appointment to them for a meeting at their request on the same day and received them with due respect and offered them seats to sit despite COVID precautions when he was not having meetings with others but because the request was received from the Members of Parliament, he immediately met them. In his final submissions before the Committee, he stated that he served for more than 35 years in Government, very sincerely and with commitment and had an unblemished record. He never had any problem with anybody and had served the State with devotion and never disrespected anybody. He never had any intention to do that also. He also mentioned that though he never had any intention of disrespecting anybody, if something has been wrongly construed by the Hon'ble Members, he was ready to **tender unconditional apology**.

40. The Committee note that the Ex-Chief Secretary, Government of Tamil Nadu had given the requested appointment immediately and had also extended proper treatment to the Members and offered them seats to sit during the meeting and also assured them of action on the petitions after receiving replies from the concerned Departments. It was also noted that he had an unblemished record of service and had no past precedents of extending disrespectful behaviour to the public representatives.

41. The Committee also note that despite COVID situation prevailing all over during that period of time, he immediately agreed to give an appointment to the Members of Parliament which reflects on his befitting behaviour as the senior most officer of the Government of a State. The Committee, therefore, observe that there does not appear to be any categorized display of disrespectful and insulting behaviour and the matter was carried to this stage because it was perhaps misconstrued by the Members owing to the circumstances. The Chief Secretary was also under a misconception as to the nature of the one lakh petitions.

Issue No. 2: Whether the alleged insulting and disrespectful behaviour towards the Members, as alleged by the Members, amounted to breach of their privilege.

42. The Committee take note of aforementioned observation wherein, the Ex-Chief Secretary does not appear to be at a wrong footing and, therefore, finds no reason to disagree with his contentions in his defence made *vide* his written reply and also during his deposition before the Committee.

43. The Committee also take note of the well established position that "In interpreting privileges, regard must be had to the general principle that the privileges of Parliament are granted to members in order that "they may be able to perform their duties in Parliament without let or hindrance."

44. The Committee also find that privileges are available to Members only when they are obstructed or, in any way, molested while discharging their duties as a Member of Parliament. Thus, it would be a breach of privilege and contempt of the House to obstruct or molest a Member while in the execution of his duties as a Member, i.e., while attending the House or any sittings of its Committees or when coming to, or going from the House, or any of its Committees. The privilege, however, is not available in a case when a Member is not performing any parliamentary duty. The alleged act of misbehaviour on the part of Ex-Chief Secretary does not seem to cause any hindrance or obstruction in the legislative/parliamentary discharge of duties as a Member of Parliament so as to attract breach of their Parliamentary privileges. Further the members while meeting the Ex-Chief Secretary were apparently not performing any parliamentary duty.

45. The Committee are, however, distressed that, of late, there have been numerous cases of assault on members of Parliament and use of insulting language and abusive remarks against them by concerned Authorities. The Committee are unable to discern the reasons for such increasing incidents by the Administrative/Police Authorities. The Committee express their utter unhappiness over such frequent incidents of insulting and disrespectful treatment on and abuse with the elected representatives of the people by Administrative/Police Authorities.

46. The Committee emphasise that Members of Parliament are entitled to utmost respect and consideration at the hands of public servants. The concerned Authorities should not act in a manner which hampers the Members in their functioning as public

representatives. The concerned Authorities should act with great circumspection and show all courtesies which are legitimately due to the Member.

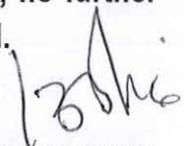
Issue No 3. Whether a delay in reply to the communications from Lok Sabha Secretariat to the concerned Authorities of the Government of Tamil Nadu for furnishing the factual note in the matter amounted to breach of privilege.

47. In so far as the delay in furnishing of the reply to the communication sent by this Committee Secretariat is concerned, the Committee take a stern view of the fact that the required response from the Authorities concerned of the Government of Tamil Nadu had been received only after lapse of about more than five months and observe that such an act amounted to disobedience to the rules/orders of the Committee which wields powers in the capacity of a 'Mini-Parliament' and its orders carry the same weight as the House itself.

48. The Committee, therefore, deprecate inaction on the part of the Authorities concerned of the Government of Tamil Nadu by way of not responding promptly to the communication of Lok Sabha Secretariat and express its unhappiness in this regard and insist on the need for the Authorities concerned to take immediate note of the communications sent by this Secretariat.

V. Recommendations

49. The Committee in the light of their findings and conclusions, recommend that in view of the unconditional apology tendered by the Ex-Chief Secretary of Tamil Nadu during his deposition before the Committee in the matter, no further action is called for in the matter and the same may be treated as closed.


SHRI SUNIL KUMAR SINGH
CHAIRPERSON
COMMITTEE OF PRIVILEGES

New Delhi
Dated: 09.03.2022

Minutes of Sitings

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

The Committee met on Thursday, 24 September, 2020 from 1130 hrs. to 1348 hrs. in Committee Room No. 3, Block 'A', Parliament House Annexe Extension, New Delhi.

PRESENT

Shri Sunil Kumar Singh – Hon'ble Chairperson

MEMBERS

2. Shri Raju Bista
3. Shri Dilip Ghosh
4. Shri Chandra Prakash Joshi
5. Shri Naranbhai Bhikhabhai Kachhadiya
6. Shri Omprakash Bhupalsinh Rajenimbalkar *alias* Pawan
7. Shri Talari Rangaiah
8. Shri Janardan Singh Sigriwal

SECRETARIAT

Shri P.C. Tripathy	-	Joint Secretary
Shi S.R. Mishra	-	Additional Director
Shri Bala Guru G.	-	Deputy Secretary

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee. The Hon'ble Chairperson informed the Committee that Shri T.R. Baalu, MP and Dr. Kalanidhi Veeraswamy, MP have given notices of question of Privilege dated 14 May, 2020 against the Chief Secretary, Government of Tamil Nadu for alleged disrespectful and insulting behaviour. Hon'ble Chairperson further informed the Committee that Shri T.R. Baalu, MP who had been requested to depose before the Committee as a witness had to go out of Delhi due to some urgent work and, therefore, he would not be able to appear for the oral evidence.

[Dr. Kalanidhi Veeraswamy, MP was ushered in]

3. The Hon'ble Chairperson informed the witness that under Rule 275 of the Rules of Procedure and Conduct of Business in Lok Sabha, the evidence before the Committee is to be treated as confidential till the report of the Committee and its proceedings are presented to Lok Sabha. The witness Dr. Kalanidhi Veeraswamy, MP was examined on oath.

[The witness, then, withdrew].

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7. Hon'ble Chairperson, thereafter, thanked all the Members who attended the meeting in spite of various Covid-19 related problems.

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

The Committee, then, adjourned.

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

The Committee met on Friday, 12 February, 2021 from 1130 hrs. to 1418 hrs. in Committee Room No. 3, Block 'A', Parliament House Annexe Extension, New Delhi.

PRESENT

Shri Sunil Kumar Singh – Hon'ble Chairperson

MEMBERS

2. Shri T R Baalu
3. Shri Chandra Prakash Joshi
4. Shri Suresh Kodikunnil
5. Smt. Meenakashi Lekhi
6. Shri Omprakash Bhupalsinh Rajenimbalkar *alias* Pawan
7. Shri Achyutananda Samanta
8. Shri Janardan Singh Sigriwal
9. Shri Ganesh Singh

SECRETARIAT

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

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee. The Hon'ble Chairperson, thereafter, took up the item pertaining to notices of question of breach of Privilege dated 14 May, 2020 against the Chief Secretary, Government of Tamil Nadu for alleged disrespectful and insulting behaviour and reminded the Members of the Committee of the fact that the evidence of Dr. Kalanidhi Veeraswamy, MP had already been taken in the matter and that evidence of Shri T.R. Baalu, MP is to be taken.

[Shri T R Baalu, MP, was called in and examined on oath (Verbatim record of the evidence was kept)

(The member, then, withdrew)

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

The Committee, then, adjourned.

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

The Committee met on Thursday, 09 December, 2021 from 1500 hrs. to 1545 hrs. in Committee Room C, Parliament House Annexe, New Delhi.

PRESENT

Shri Sunil Kumar Singh – Hon'ble Chairperson

MEMBERS

2. Shri Dilip Ghosh
3. Shri Chandra Prakash Joshi
4. Shri Talari Rangaiah
5. Shri Rajiv Pratap Rudy
6. Shri Achyutananda Samanta
7. Shri Janardan Singh Sigriwal
8. Shri Ganesh Singh

SECRETARIAT

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

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee. The Committee, thereafter, took up for consideration the notices of question of privilege dated 14 May, 2020 given by Shri T.R. Baalu and Dr. Kalanidhi Veeraswamy, MPs and subsequent notice dated 16 May, 2020 against the Chief Secretary, Tamil Nadu for alleged disrespectful and insulting behaviour.

3. *Thereafter, the witness in this matter, Shri K. Shanmugam, Chief Secretary (Retired) was called in and examined on oath.*

(The witness, then, withdrew)

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 TWENTY FIRST SITTING OF THE COMMITTEE OF PRIVILEGES (SEVENTEENTH LOK SABHA)

The Committee met on Wednesday, 09 March, 2022 from 1200 hours to 1432 hours in Committee Room 3, Parliament House Annexe Extension, New Delhi.

PRESENT

Shri Sunil Kumar Singh – Hon'ble Chairperson

MEMBERS

2. Shri Kalyan Banerjee
3. Shri Raju Bista
4. Shri Dilip Ghosh
5. Shri Suresh Kodikunnil
6. Shri Janardan Singh Sigriwal
7. Shri Ganesh Singh

SECRETARIAT

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

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee.

8. The Committee, thereafter, considered the Draft Report pertaining to notices of question of privilege dated 14 May, 2020 given by Shri T.R. Baalu and Dr. Kalanidhi Veeraswamy, MPs and subsequent notice dated 16 May, 2020 against the Chief Secretary, Tamil Nadu for alleged disrespectful and insulting behaviour. After some deliberation in the matter, the Report was adopted by the Committee.

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

The Committee, then, adjourned.

14/05/2020

To,
Shri Om Birlaji,
Hon'ble Speaker,
Lok Sabha,
New Delhi.

Subject: Notice of Privilege against Shri Shanmugam, Chief Secretary, Government of Tamil Nadu for disrespectful and humiliating treatment on 13.05.2020.

Respected Sir, Vanakkam,

The undersigned along with three other Members of Lok Sabha, namely, Shri Dayanidhi Maran, Dr. Kalanidhi Veerasamy and Shriniathi Sumathi *alias* Tamizhachchi Tangapandiyan representing the Central, North and South Lok Sabha Constituencies of Chennai respectively, met the Chief Secretary of Tamil Nadu Government at his office in the Secretariat in Chennai yesterday evening *i.e.* 13th May 2020 at 17.00 hrs. It was a duly fixed appointment.

2. The purpose of the meeting was to submit 1 lakh representations received from people all over the State of Tamil Nadu asking for succour and assistance and to urge the Government to provide timely relief to the petitioners who are severely hit by the COVID 19 pandemic. In fact over 15 lakh petitions have been received by my leader and DMK Party President and Opposition Leader in Tamil Nadu Legislative Assembly Dr. M. K. Stalin, in response to the action plan launched by him titled "Ondrinaivoam Vaa"(COME, LET US UNITE) recently. Under this scheme, our Party leader Hon'ble Shri M. K. Stalin had issued a call asking the people of Tamil Nadu to come up with their requests for help and support from all those who have been affected by the deadly CORONA Virus. Immediately necessary actions to provide appropriate relief to the petitioners were taken by our DMK Party units across the State in respect of 14 lakh petitions on which we act upon and provide relief. The remaining 1 lakh petitions were pertaining to matters requiring action by Government of Tamil Nadu through its various Departments and Offices. Therefore, my leader Dr. M. K. Stalin had directed me to take a delegation of Parliamentarians, comprising the above mentioned Members of Parliament from Lok Sabha, as you know, as I am the Leader of the DMK Parliamentary Party. This was the back drop of our meeting with the Chief Secretary of Tamil Nadu Government yesterday.

3. As I mentioned herein before, it was a previously set up meeting after following due procedure. Nevertheless, the way this highest ranking official of Tamil Nadu and the senior most member of IAS in the State, received us and treated us, to say the least, was nothing

short of contempt and humiliation. First of all, he didn't even give a hint of recognition of the arrival of a senior delegation of Members of Parliament, that too two of us, myself and Shri Dayanidhi Maran, besides being MPs for several terms, had been Cabinet Ministers in NDA/UPA Governments at Centre. He didn't even have the basic minimum courtesy of asking us to come and seated. Instead he, after getting up from his seat, went across the Chamber and sat down on the Sofa settee. We had to go there and get seated on the Sofa on our own.

4. Unmindful of the uncivilized behaviour of the Chief Secretary we presented the 1 lakh petitions received from people across the State seeking all sorts of aid and assistance, which were taken by us in 14 huge boxes. We explained to him with patience, overcoming the sense of irritation caused by the demeaning conduct of the Chief Secretary, the purpose of our visit and requested him to take urgent action on the petitions of the people which all pertained to the poor people lives and livelihood issues. But the official was showing least concern and Interest in the matter and was seen keenly watching/listening the TV which was in its full throated voice. Responding to the gesture of our colleague Dr. Kalanidhi, M.P., a staff present there went to reduce the volume of TV sound but the Chief Secretary ordered him not to decrease the sound. We had to put up with such an indecent action. I had asked the Chief Secretary to let us know the time frame by which he would cause actions on the petitions of the people submitted to the Government through us so that the people could be informed. The Chief Secretary retorted curtly and said that he didn't have sufficient staff for this work and hence he could not say categorically as to when and what actions would be taken by Government.

5. We got an unmistakable feeling of being unwelcome guests and got up to protect the left out respect and regard. While leaving, I again made a humble request to Shri. Shanmugam, Chief Secretary by saying these words: "Sir, kindly look into the papers for priority actions as lakhs of people of the State are looking up to the Government for urgent relief" But, this official, in utter ignorance of how to behave with elected representatives of people and that too with us, the four MPs collectively representing over 1 Crore people, yelled at us in a humiliating manner. I quote what he said: "This is the problem with you people. While going out you want to meet the media and say something. Go and say whatever you want to say to the press. We are least bothered." We were really shocked by such a hostile and humiliating behaviour of a senior official who heads the administration of the State of Tamil Nadu.

6. Sir, I would vouch that I have not seen such a disrespectful conduct and behaviour even in my innumerable number of meetings with officers who are much more highly placed in India.

7. Respected Speaker Sir, I am constrained to bring to your kind attention the rash behaviour of Chief Secretary, Tamil Nadu encountered by us, the four MPs representing various Lok Sabha Constituencies of Chennai area, on 13.5.2020 when we met him for a public cause and interest. I hope you would appreciate the above issue with all seriousness it deserves lest elected representatives of people are treated with contempt and high handedness by bureaucrats who are insensitive to the dictats of democratic institutions and values.

8. Immediately after the meeting, we met the media and explained in detail the shabby treatment meted out to us at the hands of Chief Secretary of Tamil Nadu Shri. Shanmugam. Subsequently, I had placed the entire facts in front of the people of the State through a Press Release wherein I apart from condemning the inappropriate behavior of the said Officer, demanded regret and apology immediately, failing which we would raise the issue before your good self for appropriate action as it is not a case of misbehavior borne out of contempt against personally as individuals but clearly a wanton act of contempt of privilege of Members of Parliament. But, as expected, this high ranking official of Government of Tamil Nadu who is supposed to be an example to be emulated by the whole bureaucracy of the State has not yet expressed even a word of regret till now.

9. Sir, in view of the facts and circumstances set out in detail above, I appeal to you to have due consideration of the matter and initiate proceedings of contempt of privilege against Shri. Shanmugam, Chief Secretary, Government of Tamil Nadu at the earliest so that it would not only ensure the privilege and honour of Members of Parliament and be a deterrent to the bureaucrats who have scant regard for the authority of Parliamentary democracy.

Thanking you and with highest regards.

Yours sincerely,
(T.R. BAALU, M.P)
LEADER OF DMK PARTY IN PARLIAMENT

14/05/2020

To
Shri Om Birla,
Hon'ble Speaker,
Lok Sabha,
New Delhi.

Respected Shri Om Birla ji,

Subject: Notice of Privilege against Shri Shanmugam, Chief Secretary, Government of Tamil Nadu for disrespectful and humiliating treatment of 4 MPs on 13.05.2020, reg...

1. The undersigned along with three other Members of Lok Sabha, namely, Shri T.R.Baalu (Leader of Parliamentary Party), Shri Dayanidhi Maran and Shrimathi Sumathi alias Tamizhachchi Tangapandiyan representing the Sriperumbudur, Central and South Chennai Lok Sabha Constituencies respectively, met the Chief Secretary of Tamil Nadu Government at his office in the Secretariat in Chennai yesterday evening i.e. 13th May 2020 at 17.00 hrs. It was a duly fixed appointment.

2. The purpose of the meeting was to submit 1 lakh of more than 15 lakh representations received from people all over the State of Tamil Nadu asking for relief and assistance to provide timely relief to the petitioners who are severely hit by the COVID 19 pandemic. In fact over 15 lakh petitions were received by our leader and DMK Party President and Opposition Leader in Tamil Nadu Legislative Assembly Shri M. K. Stalin, in response to the action plan launched by him titled "Ondrinaivoam Vaa "(COME, LET'S UNITE) recently. Under this Scheme, our Party leader Hon'ble Shri M. K. Stalin had issued a call asking the people of Tamil Nadu to come up with their requests for help and support from all those who have been affected by the deadly CORONA Virus. Immediately necessary actions to provide appropriate relief to the petitioners were taken by our DMK Party units across the State in respect of 14 lakh petitions on which we acted upon and provided relief. The remaining 1 lakh petitions were pertaining to matters requiring action by Government of Tamil Nadu and petitioners were taken by our DMK Party units across the State in respect of 14 lakh petitions on which we acted upon and provided relief. The remaining 1 lakh petitions were pertaining to matters requiring action by Government of Tamil Nadu and Government of India through its various Departments and Offices. Therefore, our leader Shri M. K. Stalin had directed a delegation of Parliamentarians, comprising the above mentioned Members of Parliament from Lok Sabha and me. This was the back drop of our meeting with the Chief Secretary of Tamil Nadu Government yesterday.

3. As mentioned above, it was a meeting setup following due procedure. Nevertheless, process this highest ranking official of Tamil Nadu and the senior most member of IAS in the State, received us and treated us with contempt and humiliation. First of all, he didn't even give a hint of recognition of the arrival of a senior delegation of Members of Parliament, notably Shri T. R. Baalu and Shri Dayanidhi Maran, besides being MPs for several terms, had been Cabinet Ministers in NDA/UPA Governments at Centre. He didn't even have the basic minimum courtesy of asking us to come and be seated, instead he, after getting up from his seat, went across the Chamber and sat down on the Sofa settee. We had to go there and get seated on the Sofa on our own.

4. Unmindful of the uncivilized behaviour of the Chief Secretary we presented the 1 lakh petitions received from people across the State seeking all sorts of aid and assistance, which were taken by us in 14 huge boxes. We explained to him with patience, overcoming the sense of irritation caused by the demeaning conduct of the Chief Secretary, the purpose of our visit and requested him to take urgent action on the petitions of the people which all pertained to the poor people lives and livelihood issues .But the official was showing least concern and interest in the matter and was seen keenly watching/listening to the TV which was in its full volume. When I requested for the TV volume to be reduced as the discussion was inaudible, a staff present there went to reduce the volume of TV but the Chief Secretary and his colleague Shri Krishnan ordered him not to decrease the volume. We had to put up with such an indecent action. Shri T. R. Baalu asked the Chief Secretary to let us know the time frame by which he would initiate actions on the petitions of the people submitted to the Government through us so that our party leader and the people could be informed. The Chief Secretary retorted curtly and said that he didn't have sufficient staff for this work and hence he could not say categorically as to when and what actions would be taken by Government.

5. We got an unmistakable feeling of being unwelcome guests and got up to leave. While leaving, I again made a humble request to Shri Shanmugam, Chief Secretary by saying these words: " Sir, kindly look into the papers for priority actions as lakhs of people of the State are looking up to the Government for urgent relief" But, this official, in utter ignorance of how to behave with elected representatives of people and that too with us, the four MPs collectively representing over 1 Crore people, yelled at us in a humiliating manner. I quote what he said: "This is the problem with you people". While going out you want to meet the media and say something. Go and say whatever you want to say to the press. We are least bothered. "We were really shocked by such a hostile and humiliating behaviour of a senior official who heads the Administration of the State of Tamil Nadu. Sir, I feel that this kind of behaviour should not be meted out to ordinary citizens leave alone 4 Parliamentarians, two of whom are seniors and have been Central Ministers in both UPA and NDA Governments.

6. Respected Speaker Sir, I am constrained to bring to your kind attention the rash behaviour of Chief Secretary, Tamil Nadu encountered by us, the four MPs representing various Lok Sabha Constituencies of Chennai and Sriperumbudur on 13.5.2020 when we met him for a public cause and interest. I hope you would appreciate the above issue with all seriousness it deserves lest elected representatives of people are treated with contempt and high handedness by bureaucrats who are insensitive to the dictats of democratic institutions and values.

7. Immediately after the meeting, we met the media and explained in detail the shabby treatment meted out to us at the hands of Chief Secretary of Tamil Nadu Shri Shanmugam. Subsequently, Shri T. R. Baalu had placed the entire facts in front of the people of the State through a Press Release wherein he apart from condemning the inappropriate behaviour of the said Officer, demanded regret and apology immediately, failing which we would raise the issue before your good self for appropriate action for it is not a case of misbehavior borne out of contempt for individuals but clearly a wanton act of contempt of privilege of Members of Parliament. But, as expected, this high ranking official of Government of Tamil Nadu who is supposed to be an example to be emulated by the whole bureaucracy of the State has not yet expressed even a word of regret till now.

8. Sir, in view of the facts and circumstances set out in detail above , I appeal to you to have due consideration of the matter and initiate proceedings of contempt of privilege against Shri Shanmugam, Chief Secretary Government of Tamil Nadu at the earliest so that it would not only ensure the privilege and honour of Members of Parliament and be a deterrent to the bureaucrats who have utter disregard for the authority of Parliamentary democracy.

Thanking you and with highest regards.

(Dr. KALANIDHI VEERASWAMY)
MEMBER OF PARLIAMENT NORTH CHENNAI

DATE: 16/05/2020

To
Shri Om Birla Ji,
Hon'ble Speaker,
Lok Sabha,
New Delhi.

Respected Sir, Vanakkam,

Kindly refer to my letter dated 14th May, 2020 addressed to you on the subject mentioned above.

2. I had explained to you in detail the facts and circumstances wherein I and three other Members of Parliament in Lok Sabha, namely, Shri Dayanidhi Maran, M.P., Dr. Kalanidhi Veerasamy, M. P. and Smt. Sumathi *alias* Tamizhachchi Tangapandiyam, M.P. suffered humiliating treatment at the hands of Shri Shanmugam, IAS Chief Secretary, Tamil Nadu Government at an official meeting with the said official on 13th May 2020 at his office in Tamil Nadu Government Secretariat in Chennai.

3. In continuation of what I have stated in my earlier letter referred to above I would like to point out further that by his unprecedented behavior which was not just contemptuous but also with an unmistakable and clear intention of obstructing me and the other MPs who were members of the delegation led by me from doing our work assigned to us as MPs and peoples representatives.

4. The hostile attitude with which he dealt with us during that rushed up meeting unnerved us from the moment we entered his Chamber and made us to conclude the meeting desperately and without completing our work with him. In fact, apart from heaping humiliation on us, the Chief Secretary was successful in obstructing us from discharging fully our function as Member of Parliament.

5. I would appeal to you Sir, to kindly take into account the fact mentioned above and issue necessary orders treating the matter as a case of breach of Privilege and initiation of due proceedings accordingly, by the Lok Sabha of India.

Thanking you and with highest regards.

Yours Sincerely,
(T. R. Baalu, MP)
LEADER OF DMK PARTY IN PARLIAMENT

Immediate/Confidential

F.No.124/13/2020-AVD-IA

Government of India
Ministry of Personnel & Public Grievances & Pensions
(Department of Personnel & Training)

Room No.270, North Block, New Delhi

Dated, the 17 July, 2020

OFFICE MEMORANDUM

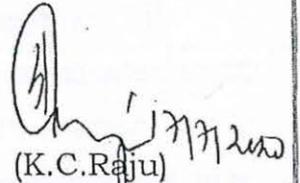
Subject: Notice of question of privilege dated 14 and 16 May, 2020 given by Shri T.R.Baalu, MP against the Chief Secretary, Tamil Nadu for alleged disrespectful and insulting behavior.

The undersigned is directed to refer to the Lok Sabha Secretariat UO No.4/15/2020/P&E dated 29.05.2020 on the subject cited above. The matter has been examined. A copy of report received from the Government of Tamil Nadu vide letter No. Nil dated 30.06.2020, is enclosed.

2. This Department has no objection if a copy of the above reports is made available to the Hon'ble Member of Parliament.

3. This issues with the approval of the Hon'ble Minister of State for Personnel, Public Grievances & Pensions.

Encl: Copy of Report dated 30.06.2020.


(K.C.Raju)

Under Secretary to the Government of India
23094799

To

Lok Sabha Secretariat,
(Privileges & Ethics Branch)
(Kind Attention: Shri Bala Guru G., Deputy Secretary)
Room No. 142-A, Parliament House, 3rd floor,
New Delhi.

SAI KUMAR, I.A.S.,
Principal Secretary-I to Chief Minister



Office : 044 - 2567 5163
Fax : 044 - 2567 6209

30.6.2020

Dear Shri. Lok Ranjan,

Sub: Factual Report – Complaint – Reg.

Ref: 1. D.O. Letter No. 124/13/2020-AVD-IA/ dated,
9th June, 2020.

2. D.O. Letter No. 124/14/2020-AVD-IA/ dated,
9th June, 2020.

I am in receipt of your D.O. letters dated, 9th June, 2020. As both the letters concern the same issue, I am sending a combined factual report.

Thiru K. Shanmugam, IAS., is one of the senior most officers of Tamil Nadu. He has been serving the State with distinction for the last 35 years and is a very well respected officer in the cadre. It is unfortunate to learn that the Hon'ble Members of Parliament have sought to bring a breach of privilege notice against such an officer.

In response to the media reports, Chief Secretary has issued a press release to the media on 14.5.2020. Based on the report, I would like to narrate the sequence of events and place the following details for your kind consideration.

On 12.5.2020 Chief Secretary's Private Secretary received a message from Thiru M. Athiseshan, Special PA to the Hon'ble Leader of Opposition, Tamil Nadu. He sought an appointment for a delegation of Hon'ble Members of Parliament headed by Thiru T.R. Balu, M.P., to meet the Chief Secretary. As Collectors Conference was scheduled on 13.5.2020, the Chief Secretary asked his Private Secretary to obtain a letter with details of the purpose of the meeting so as to fix the appointment. On 13.5.2020, Thiru M. Athiseshan, Special PA to the Hon'ble Leader of Opposition Tamil Nadu handed over a letter indicating that a group of Members of Parliament headed by Thiru T.R. Balu, M.P.,

were proposing to hand over petitions received from Public under a scheme organised by DMK viz., "Come let us Unite". Despite heavy work pressure of pandemic containment and mitigation activities, the Chief Secretary immediately allotted time to meet the group of Members of Parliament at 5.00 P.M. on 13.5.2020 itself.

In the evening of 13.5.2020, the Hon'ble Union Minister of Finance was announcing the details of Financial package, subsequent to the announcement made by Hon'ble Prime Minister on measures for revival of Indian Economy. Hon'ble Union Minister of Finance was giving details of Package of Relief Measures to boost the economy in a nationwide telecast and the Chief Secretary and Additional Chief Secretary, Finance Department, Government of Tamil Nadu were taking notes on the salient features of the announcement. At that point of time, the team of Members of Parliament had arrived at the entrance of the Chief Secretary's chamber. The Chief Secretary asked the Additional Chief Secretary, Finance to continue with the taking of notes and moved to the nearby sofa to receive the delegation of MPs. On their arrival, he welcomed the delegation and provided them seating on the sofa. While the Hon'ble Members, were being seated 15 to 20 persons entered the Chief Secretary's chamber at the behest of Thiru T.R. Balu, M.P. and brought bundles of large number of petitions.

Due to the Covid-19 pandemic, there are restrictions on the movement of large number of persons and gathering of more than 5 persons is prohibited by law. While the Central and State Governments have been taking all out efforts to contain the virus, visit of more than 15-20 persons along with Hon'ble Members of Parliament into the chamber of the Chief Secretary, without maintaining social distancing norms should have been avoided.

Despite the entry of a group of 15-20 persons, the Chief Secretary, politely requested them to keep the petitions in the room and avoid taking photos and videos. However, despite his objections, the group of people who accompanied the Hon'ble Members continued to take photos and videos.

Thiru T.R. Balu, Hon'ble Member of Parliament, informed the Chief Secretary that more than a lakh petitions have been received by their party under their party's programme and demanded the Chief Secretary to give a time-limit for the resolution of one lakh petitions so as to inform their leader. The Chief Secretary seems to have replied that the grievance petitions will be sorted and sent to the District Collectors district-wise expeditiously. However, the Hon'ble Members of Parliament insisted on a specific time frame and a date by which all the petitions would be resolved. The Chief Secretary explained that due to the lockdown, the Government Machinery is working overtime with minimal staff, and indicated that a precise date cannot be indicated while at the same time assuring the Hon'ble Members of Parliament that immediate action would be taken on the petitions brought by them. When Thiru T.R. Balu, and Thiru Dhayanidhi Maran, and other Hon'ble Members of Parliament repeatedly demanded to indicate a deadline, he has politely indicated to them that, even if the Members were in his position, they would not be able to accurately mention a deadline. The Hon'ble Members of Parliament said that as responsible public representatives they would require a deadline..

The Chief Secretary seems to have responded stating that he is a responsible Government servant too, and the entire Government Machinery are working with full devotion and commitment to control the pandemic. Thiru T.R. Balu, M.P. seemed to have asked the Chief Secretary whether he could inform his leader that the Chief Secretary refused to mention a specific date for the disposal of the one lakh petitions due to paucity of staff. It is learnt that Chief Secretary had reiterated his assurance that action would be taken expeditiously on the one lakh petitions.

It is therefore very clear that the Chief Secretary had absolutely no intention whatsoever of disrespecting the Hon'ble Members of Parliament. He had explained the difficulties in times of pandemic and the focus of government was fully on managing the pandemic, while assuring the Hon'ble Members that action on the petitions brought by them would be

expedited. Hon'ble Members who have long years in public service should have understood that an unprecedented crisis in the form of a pandemic is being faced by the Government which is doing its best with its available resources to overcome the crisis.

The allegation that the Chief Secretary was watching the T.V. when Hon'ble Members were speaking with him seems to be incorrect as even a cursory glance at the photographs published in the leading tamil dailies indicate otherwise. The Hon'ble Members have been comfortably seated in the sofa and as per the layout of the room, it is not possible for the Chief Secretary to watch the T.V. while seated in the sofa. The Additional Chief Secretary, Finance who was also in the room continued to take notes from the announcements made by Hon'ble Union Finance Minister and the volume of the T.V. was low and was not a hindrance for the conversation between the Chief Secretary and the Hon'ble Members of Parliament.

The Hon'ble Members of the Parliament instead of appreciating the gesture of Chief Secretary in having immediately fixed an appointment soon after getting their request and received and spent time to meet them in order to resolve the issues raised by them, had chosen to issue a statement to the media.

It is also informed that, soon after receiving the one lakh petitions the Chief Secretary immediately directed the State governments specialised grievance redressal agency viz., Chief Minister's Special Cell to sort out the petitions Officer-wise, Department-wise duly scanning them and transmitted them electronically to the concerned Officials, for speedy resolution and disposal.

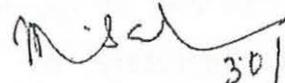
The Chief Secretary who is a highly respected and senior officer, had given time to meet Hon'ble Members when they had asked for it, despite the extraordinary situation, received them with respect and seated them appropriately, listened to them carefully and promised to take action on the one lakh petitions and also initiated immediate action to resolve the grievances. In his press release dated 14.5.2020,

Chief Secretary has categorically stated that at any point of time he has never even thought of insulting or disrespecting any one.

Hence, from the above, it is seen that the Chief Secretary has not been disrespectful or insulting in his interaction with the Hon'ble Members of Parliament. He has highest regard for elected and public representatives.

With regards,

Yours sincerely,


30/6/20

To

Shri. Lok Ranjan,
Additional Secretary,
Government of India,
Department of Personnel & Training,
Ministry of Personnel, Public Grievances and Pensions,
New Delhi, 110 001.