



Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha



Lok Sabha Secretariat
New Delhi

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A Committee in Lok Sabha is either set up by the House or by the Speaker, works under the overall supervision of the Speaker and presents its report to the House or to the Speaker as the case may be.

Apart from Parliamentary Committees specifically provided for in the Rules of Procedure, *ad hoc* Parliamentary Committees, consisting of Members of one House or of both Houses, are also constituted by the House or the Speaker to consider and report on specific matters. Such Committees may be appointed by the House or the Speaker, either *suo motu* or on the recommendation of a Parliamentary Committee, or in pursuance of the provisions of a statute.

Instructions/guidelines have been issued from time to time by the Government of India regarding “Official dealings between the Administration and Members of Parliament and State Legislatures”. These instructions/guidelines basically lay down principles and conventions that should govern the relations between Members of Parliament/State Legislatures and Government servants. The latest instructions/guidelines issued by the Department of Personnel and Training (DoPT), Ministry of Personnel, Public Grievances and Pensions, were *vide* O.M. No. 11013/4/2011-Estt.A dated 1 December 2011. However, a large number of complaints were being received from Members of Lok Sabha, frequently complaining about violation of these guidelines and discourteous behaviour displayed by Government officers against them in official dealings.

As per established practice, the complaints from the Members regarding violation of the Government instructions and growing instances of misbehaviour *prima facie* on the part of Government officials do not amount to breach of privilege of the Members.

On 10 March 2012, the Lok Sabha Speaker gave in-principle approval for constituting a separate Committee to examine complaints given by Members of Lok Sabha regarding protocol violation and discourteous behaviour displayed by Government officers *vis-a-vis* Members of Parliament in official dealings.

The Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha was constituted by the Speaker *suo motu* after detailed deliberations in pursuance of the provisions of Rule 254 of the Rules of Procedure and Conduct of Business *vide* Bulletin Part-II No. 4274 dated 2 August 2012. The Committee comprises 15 Members of Lok Sabha. The Chairperson of the Committee is appointed by the Speaker from amongst the Members of the Committee. The terms of reference of the Committee are as follows:—

- (a) Examine every complaint referred to it by the Speaker relating to—
 - (i) violation of protocol norms laid down from time to time regarding official dealings with Members of Parliament;
 - (ii) violation of instructions or guidelines issued by the Government regarding official dealings between Administration and Members of Parliament; and
 - (iii) discourteous behaviour by Government servants with a Member during official dealings.
- (b) Make such recommendations as it may deem fit.
- (c) The procedure which shall be followed by the Committee for examining complaints referred to it shall be, so far as may be, the same as the procedure for inquiry and determination by the Committee of Privileges, insofar as it relates to any question of breach of privilege of the House or a Member.
- (d) The provisions of Rules 315 and 316 of the Rules of Procedure and Conduct of Business in Lok Sabha relating to consideration of report of Committee of Privileges presented to the House and priority for consideration of such reports by House would be applicable *mutatis mutandis* to the reports of the Committee to examine complaints relating to violation of protocol norms in official dealings with members.

Instances of violation of Protocol Norms

Some typical cases of complaints of violation of protocol are as follows:—

- (i) Communications received from Members of Parliament are not attended to promptly and often delayed and incomplete reply is furnished to them.
- (ii) Members of Parliament are not invited for the public functions held in their constituencies. At times the invitation card does not mention their names. Also at times the invitation cards do not reach the Member on time. When they attend such public function on being invited proper seating arrangements for them are not made.
- (iii) Telephonic calls made by Members of Parliament to the District/State Authorities on issues of public interest are not attended to promptly and at times the executive functionaries do not take their calls and telephonic messages left for them are ignored.

Procedure for redressal of a complaint of Protocol Violation and its Reference to the Committee

A Member aggrieved by any incident of misbehaviour or breach of protocol by the administration may give a complaint in writing to the Secretary-General, Lok Sabha. The complaint should normally be accompanied by a supporting documentary evidence, if any. Before examining the complaint, normally, a factual note is called for from the Centre/State Government concerned under whom the official is serving. Thereafter, on examination of the complaint, if *prima facie* it appears that a case of violation of protocol norms is made out, the Speaker may refer the matter to the Committee for investigation, examination and report. In doing so, the Speaker need not bring the matter before the House for consideration and decision as to whether the matter be so referred to the

Committee. Reports of the Committee on matters so referred are presented to the Speaker who may direct that the Report be laid on the Table of the House.

The Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha, since its inception in 2012 has presented to the Speaker, Lok Sabha, two reports and the same have been laid on the Table of the House. The Committee also studied vast material and examined issues relating to the complaints of violation of protocol norms made by the Members and disposed them off after obtaining factual note from the Central/State Government.

LOK SABHA SECRETARIAT
NEW DELHI

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**Cover Photo: A Committee Room in
Parliament library Building*