

PRIVILEGE COMMITTEE

Members enjoy certain Privileges i.e. certain rights and immunities without which the House and its Members can not discharge their duties and the functions entrusted to them by the Constitution. The main object behind these Privileges is to safeguard the freedom, the authority and the dignity of the House, its Committees and Members. Where there is any question of an alleged breach of a Privilege, the matter may be examined by the House but generally it is referred by the House to its Committee of Privileges for examination, investigation and Report.

At the commencement of the Assembly, or from time to time, as the case may be, the Speaker nominates the Committee of Privileges consisting of not more than ten Members. Committee holds office until a new Committee is nominated. The Quorum to constitute a sitting of the Committee is one half of the total number of Members. The fraction, if any, being ignored. The Deputy Speaker, when a member of the Committee, functions as the Chairperson of the Committee.

The Committee examines every question referred to it and determine with reference to the facts of each case whether a breach of Privilege is involved, and if so, the nature of the breach, the circumstances leading to it and makes such recommendations as it may deem fit.

The Speaker may, if he is satisfied about urgency of the matter, allow a question of Privilege to be raised at any time during the course of sitting. Such question is raised at the earliest opportunity and ordinarily requires no notice.

The Committee of Privileges has power to require the attendance of person or the production of the papers or records if such a course is considered necessary for the discharge of its duties. Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State. The Committee has discretion to treat any evidence tendered before it as secret or confidential. The Committee meets after a question of Privilege has been referred to it, and from time to time thereafter till a report is made within the time fixed by the Assembly. When no time for presentation of the report has been fixed, the report is presented within one month of the date on which reference to the Committee was made as provided in proviso to Rule 289 (1) of our Assembly Rules. Assembly may at any time, on a motion being made, direct that the time for the presentation of the report by the Committee be extended to a date specified in the motion. The Reports may be either preliminary or final. The Reports are signed by the Chairperson on behalf of the Committee and in his absence by another Members chosen by the Committee to signs the report. The report of the Committee with minutes of dissent, if any, are presented to the Assembly by the Chairperson or in his absence by any Member of the Committee.

The Speaker may issue such directions as may be necessary for regulating the procedure in connection with all matters connected with the consideration of Privilege either in the Committee or in the Assembly. Notwithstanding anything contained in the relevant rules, the Speaker may refer any question of Privilege to the Committee of Privileges for examination, investigation or report. The Committee does not associate any person or anybody from outside, formally or informally, in its deliberations.

In pursuance of the provisions of Rule 277 of the Haryana Legislative Assembly Rules, the Directions have been issued by the Speaker which provide a detailed procedure for deciding a Privilege issue.

The privilege issue against Shri Om Parkash Chautala ,M.L.A given notice of by Sh .Randeep Singh Surjewala, Parliamentary Affairs Minister, Haryana on the grounds of misconduct, misbehavior and disorderly disrupting the proceedings of the House on 20-3-2007 has been lapsed on dissolution of Assembly on 21st August, 2009.