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Title : Observation regarding expulsion of members.

MR. SPEAKER: As the hon. Members are aware, ten Members were expelled from Lok Sabha on 23<sup>rd</sup> December, 2005. I have to inform the House that writ petitions have been filed in the Delhi High Court (since transferred to hon. Supreme Court) by the expelled Members other than Shri Raja Ram Pal, who has filed a petition in the hon. Supreme Court challenging their expulsion. The High Court and the Supreme Court reportedly directed that notices be issued to the parties including the Speaker, Lok Sabha.

I decided that the Secretariat would not accept any such notice, far less respond to the same as in my view the issue was and is non-justiciable, as, *inter alia*, votes given by hon. Members cannot be questioned in any judicial proceedings. In this connection, I convened a meeting of the Leaders of Parties in Lok Sabha on 20<sup>th</sup> January, 2006 to discuss the issues relating to and arising out of the said proceedings. Two eminent lawyers of our country, Shri Fali S. Nariman and Shri T.R. Andhyarujina also attended the meeting on my invitation. The Leaders unanimously endorsed the position taken by me not to accept and respond to the notices issued by the High Court and the Supreme Court or to enter appearance in the Court. Prof. Vijay Kumar Malhotra, hon. Deputy Leader of Bhartiya Janata Party, however, was of the further view that this position should be communicated to the Court through some lawyer appearing in the matter. I also called an Emergency Conference of Presiding Officers on 4<sup>th</sup> February, 2006, where the Presiding Officers unanimously adopted the following Resolution:

"The Presiding Officers of the Legislative Bodies in India, having assembled in their Emergency Conference in New Delhi on 4<sup>th</sup> February, 2006 and having deliberated on the issues arising out of and related to the proceedings initiated in Courts of Law challenging the expulsion of Members of Parliament, unanimously endorsed the decision taken by the Chairman, Rajya Sabha and the Speaker, Lok Sabha not to accept or respond to the notices issued by Courts of Law in the matter of expulsion of the Members of the two Houses."

As the hon. Members are aware, in the wake of News Bulletins telecast on Star News channel on 19<sup>th</sup> December, 2005, regarding the MPLAD Scheme, on 20<sup>th</sup> December, 2005, I constituted, after consultation with the Leaders of the Parties, a seven member Inquiry Committee under the Chairmanship of Shri Pawan Kumar Bansal to inquire into the alleged improper conduct of some Members of Lok Sabha in the matter of implementation of MPLAD Scheme

[p1].

The Committee was requested to present its report to me in the matter by 31<sup>st</sup> January, 2006. Shri Bansal has since resigned from the Office of the Chairman and the membership of the Committee, which has been accepted by me with effect from 27<sup>th</sup> January, 2006. On the same day, I have appointed Shri V. Kishore Chandra S. Deo as the new Chairman of the Committee. On 31<sup>st</sup> January, 2006, Shri V. Kishore Chandra S. Deo made a request to me seeking extension of time up to 17<sup>th</sup> March, 2006 for the Committee to present its report on the ground that the Committee needed some more time to consider the matter and it was not feasible for the Committee to give its report by 31<sup>st</sup> January, 2006. I have accordingly granted time up to 17<sup>th</sup> March, 2006 to the Committee to present its report.

Hon. Members may also recall that on 20<sup>th</sup> December, 2005 while announcing the constitution of the Inquiry Committee, I requested the Members against whom allegations have been made, not to attend the Session of the House until the matter was looked into and a decision was taken. The issue as to whether the concerned Members may be requested not to attend the sittings of the House even during the extended period or not, was briefly deliberated upon at the meeting with the Leaders of Parties in Lok Sabha held on 15<sup>th</sup> February, 2006. The Inquiry Committee is having its next sitting today. Therefore, until a further decision is taken, I request the concerned Members in relation to whose conduct the enquiry is being held, not to attend the Session of the House or the meeting of any Committee.