

**COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND
CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH
MEMBERS OF LOK SABHA**

(SIXTEENTH LOK SABHA)

1

FIRST REPORT

ON

Complaint(s) dated 12 January, 2015 and 10 April, 2015 given by Shri Sharad Tripathi, MP against the officials of Ministry of Petroleum and Natural Gas for not inviting him to foundation laying ceremony of Indane-LPG Bottling Plant at Gorakhpur, Uttar Pradesh.

[Presented to the Speaker, Lok Sabha on 25.12.2017]

[Laid on the Table on 04.01.2018]



**LOK SABHA SECRETARIAT
NEW DELHI**

January, 2018/Pausha (Saka)

COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND
CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH
MEMBERS OF LOK SABHA

(SIXTEENTH LOK SABHA)

CONTENTS

	PAGE
Personnel of the Committee of Protocol Norms etc (CoPV)	(iii)
Report	1
Minutes of sittings of Committee.	13
Appendices.....	23

**PERSONNEL OF THE COMMITTEE ON VIOLATION OF PROTOCOL
NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT
OFFICERS WITH MEMBERS OF LOK SABHA
(2017-2018)**

Shri Rayapati Sambasiva Rao -

Chairperson

MEMBERS

2. Shri M. Badruddin Ajmal
3. Shri Gaurav Gogoi
4. Shri Choudhury Mohan Jatua
5. Dr. J. Jayavardhan
6. Maj Gen B.C. Khanduri AVSM (Retd.)
7. Dr. Bhagirath Prasad
8. Dr. Shrikant Eknath Shinde
9. Shri Raj Kumar Singh
10. Shri Pashupati Nath Singh
11. Dr. Kirit Somaiya
12. Prof. Azmeera Seetaram Naik
13. Shri Muzaffar Hussain Baig
14. Shri Dushyant Singh
15. Col (Retd.) Sona Ram Choudhary

Secretariat

- | | | |
|----------------------------|---|---------------------|
| 1. Shri Ravindra Garimella | - | Joint Secretary |
| 2. Shri M.K. Madhusudhan | - | Director |
| 3. Dr. Rajiv Mani | - | Additional Director |

FIRST REPORT OF THE COMMITTEE ON VIOLATION OF
PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF
GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA
(SIXTEENTH LOK SABHA)

I. I. Introduction

I, the Chairperson of the Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha, having been authorized by the Committee to submit the Report on their behalf, present this FIRST Report to the Speaker, Lok Sabha on the Complaint dated 12 January, 2015 and 10 April, 2015 from Shri Sharad Tripathi, MP against the officials of Ministry of Petroleum and Natural Gas for not inviting him to foundation laying ceremony of Indane-LPG Bottling Plant at Gorakhpur, U.P.

2. The Committee in all held 6 sittings. The relevant minutes of these sittings form part of the Report and are appended hereto.
3. At their first sitting held on 28 September, 2015, the Committee considered the Memorandum No. 5 regarding Complaint dated 12 January, 2015 and 10 April, 2015 from Shri Sharad Tripathi, MP against the officials of Ministry of Petroleum and Natural Gas for not inviting him to the foundation laying ceremony of Indane-LPG Bottling Plant at Gorakhpur, U.P.
4. The Committee at their second sitting held on 16 December, 2015 examined Shri Sharad Tripathi, MP on oath. The Committee also decided to hear the relevant witnesses i.e, the Chairperson, Indian Oil Corporation Ltd. (IOCL) and their officers.
5. At their third sitting held on 6 April, 2016, the Committee did not examine the officials of the Indian Oil Corporation Ltd. (IOCL) due to the personal absence of the Chairperson for deposition.
6. During their fourth sitting held on 9 June, 2016, the Committee examined on oath the Chairperson and other officials of the Indian Oil Corporation Ltd. (IOCL).
7. At their fifth sitting held on 11 August, 2016, the Committee deliberated upon the matter and directed the Secretariat to prepare a draft Report for their consideration of their next sitting.

8. The Committee at their sixth sitting held on 21.11.2017, considered the Draft Report and after some deliberations adopted it.

II. Facts of the case

9. Shri Sharad Tripathi, MP *vide* his complaint¹ dated 12 January, 2015 alleged that the officials of Ministry of Petroleum and Natural Gas did not invite him to the foundation laying function of Indane-LPG Bottling Plant, held on 09 January, 2015 at Gorakhpur Industrial Development Authority (GIDA) Gorakhpur, Uttar Pradesh even though one of the Assembly segments of his parliamentary constituency, Sant Kabir Nagar, falls in District Gorakhpur. Further, in the advertisement released by Indian Oil Corporation Ltd. (IOCL) the name of the Member was not mentioned, even though the names of other MPs and MLAs were prominently published.

The Member strongly protested against this attempt by concerned officials, to undermine his position and sought the protection of Hon'ble Speaker, Lok Sabha by requesting her to refer the matter to the Committee of Privileges for examination and report.

10. In this connection, a factual note was called for from the Ministry of Petroleum & Natural Gas on 23 January, 2015. In their reply², the Ministry *inter-alia* had stated that when the officials of the IOCL contacted the Member on 8 January, 2015, he expressed his inability in attending the function. The IOCL had published the advertisements in the press containing names of only those Members who had confirmed their participation in the inaugural function.

¹ Appendix - I

² Appendix - II

The IOCL on their part attributed the Member's inability to attend the function as the reason for his name not being listed in the press advertisement issued by them. They did not express any regrets for the inconvenience caused to the Member nor did their plea of not publishing the name of the Member *prima facie* had any merit. It was also not clear as to whether the Members whose names were published in the advertisement actually attended the inaugural ceremony.

11. Shri Sharad Tripathi, MP *vide* his another letter dated 10 April, 2015³ stated that he was not satisfied with the factual note as furnished by the Ministry of Petroleum and Natural Gas and alleged that the same is misleading and smacks of pre-conceived notions.

12. As the notice of question of privilege given by Shri Sharad Tripathi, MP basically pertained to alleged violation of protocol norms, Hon'ble Speaker, by her order dated 25 April, 2015 referred the matter to the Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha, for examination and report.

III. Evidence

13. Shri Sharad Tripathi, MP during his evidence before the Committee on 16 December, 2015 *inter-alia* stated:

“...my parliamentary constituency *Sant Kabir Nagar* falls in three districts. One assembly constituency namely Khajni in Gorakhpur district is a part of my parliamentary constituency and I also belong to Gorakhpur. One assembly segment of my constituency also falls in District Ambedkar Nagar. The LPG-Bottling plant of Indian Oil Corporation Ltd. (IOCL) to be inaugurated at Gorakhpur was not only

³ Appendix - III

to have impact on my constituency but 18 other districts. It is regretted that the foundation laying function was held at Gorakhpur, at a venue which is 500 metres from District Sant Kabir Nagar *i.e.* on the borders of Gorakhpur and Sant Kabir Nagar. I humbly state that I am the Chairperson of the District Level Vigilance and Monitoring Committee of district Gorakhpur. I attend all meetings. Therefore, as a Member of Parliament, I had a right that my name should also have been published in the press advertisement (published by IOCL for the foundation laying of LPG bottling plant), when it included the names of the MPs of other districts *i.e.* Kushinagar and Maharajganj. The press clippings in this regard are itself most relevant evidence. I am also a Member representing that area but still my name was not published in that advertisement. The people of my constituency have been greatly hurt by this, even though I belong to a party which is ruling at the Centre. I have to consider the dignity of the Union Government, even though there were adverse reactions at the local level (because of this incident). I fail to understand what is my fault for not being recognized as a Member of Parliament.”

14. When the Committee enquired as to whether he had made any complaint in this regard to the Minister of Petroleum & Natural Gas, Shri Sharad Tripathi, MP replied:-

“...at that time Lok Sabha was in session so I brought it to the notice of the Hon'ble Speaker. I had orally apprised the Minister of this incident in response to which he stated that it was a result of mistake.”

15. When the Committee wanted to know as to which officer he holds to be guilty for this lapse, Shri Sharad Tripathi, MP clarified:-

“The General Manager of IOCL has a special role in this and he gives appropriate directions. He is the super boss.”

16. When the Committee desired to know as to when he was invited for this function, Shri Sharad Tripathi, MP stated:-

“Sir, the function was to be held on 9 January and I was contacted on my mobile on 8 January around 5 or 6 in the evening, while I was travelling. The caller identified himself as General Manager, IOCL or some other officer. Since, I was travelling in the vehicle the signal and his voice was not clear. I was informed that the next day the function was there. The Hon’ble Minister would be coming and I am being invited for the same. I felt amused regarding the manner of being invited. However, I did not attend the function.”

17. When the Committee wanted to know as to whether he was subsequently contacted by any official of IOCL in this connection Shri Sharad Tripathi, MP replied:-

“No officer has contacted me about this incident.”

Shri B. Ashok, Chairperson, Indian Oil Corporation Limited (IOCL), during his evidence before the Committee on 9 June, 2016 *inter-alia* stated:

18. “...The Foundation Stone Laying Ceremony for the LPG Bottling Plant at Gorakhpur was scheduled on 9th January, 2015. It was decided to invite all the VVIPs of the area, including the hon. MPs and hon. MLAs of the adjoining area. Actually the Chief Guest for this function was the hon. MP Yogi Adityanath and our hon. Minister was also present in that function as a Presiding Guest. All the VVIPs of the area, including the hon. MPs and hon. MLAs of the adjoining area were actually invited by the State level Coordinator, our Executive Director of UP State Office, who is based at Lucknow.

The hon. MP Shri Sharad Tripathi was contacted on phone by two of our officers, including the Head of our State Office from UP. Since I was also not there in that function, I understand that when our Executive Director spoke to the hon. MP, he, apparently was not in the State – he was touring outside – and he said that he would not be able to attend the function and some other MPs had also expressed their regret similarly. So, accordingly this function was organized.

For this Foundation Day Function, an advertisement was released. Probably a decision was taken at that time that the Members who are actually attending the function, their names were all included and that, probably, has led to the complaint that the hon. MP's name was not included. So, this is the incident that happened.

Actually we have the deepest of regards and respects for all the public representatives including hon. MPs and hon. MLAs. As far as Indian Oil Corporation is concerned, our effort has always been to involve all the public representatives in the function and if there has been a miss or lapse on our part inadvertently, we express our regret for that. So, it was not at all the intention of any of us on behalf of the company to avoid the invitation to anybody. In fact, the Invitation Card was also delivered to the concerned MP at his residence before the function. Since he had already expressed his inability to attend the function, probably our people, led by the State Head, were not expecting him to participate in the function. This is what I just want to place before the hon. Chairperson and the Members.”

19. When the Committee enquired as to whether there is any rule whereunder the name and photograph of a Member who is not attending a public function is omitted in the press advertisements, Shri B. Ashok clarified:

"...probably it was not the intention for us to leave it out. Probably, it was an ignorance from our side... Sir, though the advertisement was released at the local level and so on, we express our regret if we had made a mistake on this. We will make sure that such types of complaints do not come again."

20. When the Committee sought clarification whether the officials of IOCL had expressed their regrets to the Member in this regard, Shri B. Ashok submitted:

"Sir, I believe, they had spoken with the hon. MP. We can ask our Executive Director to go and meet him personally."

21. When the Committee pointedly asked him about his reaction on this incident Shri B. Ashok replied:

"Sir, at least, there is no intention from our side on a deliberate basis. That is what I would like to submit... Somewhere down the line, the organization people have made the mistake and I accept the responsibility for that and we feel sorry... We will be careful. We will also ask our Executive Director to meet the hon. MP personally and convince him."

22. When asked to put in place a procedure to address the grievances of Members of Parliament with regard to the protocol issues so as to stop the recurrence of such incidents, Shri B. Ashok submitted:

"Right, Sir. We will reiterate this instruction also for ensuring compliance. Actually, you would have observed also, simultaneously many things keep happening in a large organization. So, we will reiterate this instruction so that these things are not repeated... Sir, we are regularly interacting with the public representatives, the Members of Parliament, the MLAs and even the Local Government Officers especially on acts linked to the public interface. We make sure that

we are involving them. In fact, in our selections and so on, there is a process wherein, lately it had been on a lottery basis, we use to invite the local Members to actually witness those processes and ensure that the transparency is maintained through the involvement of the public representatives.

We are trying to do everything possible. Sometimes things get missed out but, at least, we do not have any issues of this nature. Probably, it is for the first time that I can remember of, in my tenure of a little more than two years that an issue like this has come. But I would like to reassure this august Committee that we will definitely make sure that these instructions are reiterated and such things are not repeated.”

IV. Findings and Conclusions

Protocol Guidelines

23. The Committee at the threshold would like to recapitulate the extant protocol instructions as issued by the Department of Personnel and Training (DoPT), Ministry of Personnel, PG & Pensions *vide* Office Memorandum No. 11013/4/2011-Estt.(A) dated 01 December, 2011 on 'Official dealings between the Administration and Members of Parliament and State Legislatures-Observance of proper procedure'. These consolidated guidelines/instructions *inter-alia* provide as follows:

- “(i) Government servants should show courtesy and consideration to Members of Parliament and State Legislatures;

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- (v) Members of Parliament of the area should invariably be invited to public functions organized by a Government office. Proper and comfortable seating arrangements at public functions and proper order of seating on the dais should be made for members keeping in view the fact that they appear above officers of the rank Secretaries to Government of India in the Warrant of Precedence. The invitation cards and media events, if organized for the function held in the constituency, may include the names of the members of that constituency who have confirmed participation in these functions.

It is clarified that if a constituency of any Member of Parliament is spread over more than one District, the MP should invariably be invited to all the functions held in any of the Districts which are part of his/her constituency.

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- (vi) Where any meeting convened by the Government is to be attended by Members of Parliament, special care should be taken to see that notice is given to them in good time regarding the date, time, venue etc. of the meeting. It should also be ensured that there is no slip in any matter of detail, however minor it may be. It should especially be ensured that:-
- (a) Intimations regarding public meetings/functions are sent through speedier communication devices to the MPs, so that they reach them well in time; and
 - (b) That receipt of intimation by the MP is confirmed by the officer/official concerned."

24. *The Committee would like to strongly emphasize that due respect for a public representative and particularly for a Member of Parliament in his constituency by Government officials is of paramount importance and any deviations or breach of protocol guidelines by the officials are detrimental to the image of public representatives in general and local MPs in particular.*

25. The facts of the incident very clearly highlight the casual manner in which the IOCL officers have dealt with the issue of extending invitation to Shri Sharad Tripathi, MP for the foundation laying function for LPG bottling plant at Gorakhpur on 9 January, 2015. Further, Shri Sharad Tripathi, MP was contacted by an official of IOCL only a day before the event *i.e.*, in the evening of 8 January, on mobile, when the Member was travelling. The Committee find it pertinent to note that the IOCL official was merely paying a lip service in inviting the local MP on phone for a public function which was scheduled to be held the very next day, that too, in the presence of the concerned Union Minister. Needless to state, extending such last minute invitation to MPs does cause great inconvenience to them as it would not be possible for them to reschedule their itinerary to attend such functions at a very short notice, while for the officials concerned this may be a routine job on their part in completing the formality of inviting the dignitaries. The Committee while appreciating that at times such inaugurations due to exigencies, do take place at a very short notice *but that surely does not give any leverage to the public authority who organizes such functions not to give even the bare minimum time for a Member to prepare himself for attending it. Particularly in the case of local MP such indiscretion cannot be excused.* The Committee cannot but agree with the contention of Shri Sharad Tripathi, MP that omission of his name in the press advertisement had not only sullied his image but also hurt the sentiments of his constituents. The Committee express their displeasure over the casual manner in which the IOCL has invited Shri Sharad Tripathi for the foundation stone laying function of the LPG-Bottling plant at Gorakhpur.

26. The Committee find that the plea taken by the IOCL that they have published the photographs and names of only those MPs who had given their consent for attending the function is implausible as it is quite apparent that no

guidelines to this effect was laid down by the organization. Had there been any such guideline, IOCL should have produced the same to the Committee to buttress their point. Further, IOCL ought to have apprised the member in good time of their decision not to publish his name in the advertisement. The whole exercise is based on a mere telephonic conversation on the eve of the function. There is no document with IOCL which could lend support to their stand that the Member has asked that he may be excused from attending the function. The IOCL further could not confirm as to whether the MPs whose names and photographs had been published in the advertisements actually attended the function or not. It is not far fetched to imagine a situation where a Member despite giving his consent may still not be able to attend such public functions due to some unforeseen circumstances. Therefore, the contention of IOCL that they have published only the names and photographs of those MPs in the advertisements who had consented to attend the function holds no basis and is not acceptable. The Committee express their strong disapproval of this act of IOCL.

27. The Committee, however, take note of the regret expressed by the Chairperson, IOCL for the lapse on their part in not inviting Shri Sharad Tripathi, MP and also omission of his name and photograph in the press advertisement issued by them for inauguration of the LPG bottling plant at Gorakhpur and his assurance that such grave mistakes do not recur in future. In view thereof, the Committee felt that it is not necessary to take evidence of any other Official and decided to conclude the evidence in the matter. Further the Committee also note that on their directions the concerned official(s) of the IOCL have since met Shri Sharad Tripathi, MP on 30 June, 2016 and expressed their regrets for the hurt caused to the Member. This fact was communicated by them to the Committee Secretariat *vide* IOCL letter dated 31 July, 2017.

V. RECOMMENDATION

28. The Committee express their strong displeasure over the casual attitude of the Officials of Indian Oil Corporation Limited (IOCL) in inviting Shri Sharad Tripathi, MP to the foundation laying function of the LPG-bottling plant at Gorakhpur, which clearly is a breach of the extant protocol guidelines. *However, in view of the sincere regrets expressed by the Chairperson, IOCL to the Committee and tendering of apology by the IOCL officials to Shri Sharad Tripathi, MP, the Committee do not wish to proceed further in the matter. However, the Committee direct IOCL to issue necessary instructions to all their officials for strict compliance of protocol guidelines on Official dealings with Members of Parliament and ensure that such grave lapses do not recur.*

(Rayapati Sambasiva Rao)

Chairperson,

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

NEW DELHI;

21 December, 2017

MINUTES OF THE 9TH SITTING OF THE 'COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA'

The Committee sat on Monday, the 28 September, 2015 from 1200 hrs to 1525 hrs in Committee Room 'B', Parliament House Annexe,, New Delhi.

PRESENT

Shri Rayapati Sambasiva Rao - Chairperson

MEMBERS

2. Shri Gaurav Gogoi
3. Shri Choudhury Mohan Jatua
4. Dr. J. Jayavardhan
5. Dr. Shrikant Eknath Shinde
6. Shri Raj Kumar Singh
7. Shri Pashupati Nath Singh
8. Dr. Kirit Somaiya
9. Prof. Azmeera Seetaram Naik
10. Col (Retd) Sona Ram Choudhary

SECRETARIAT

1. Shri Ravindra Garimella - Joint Secretary
2. Shri M.K. Madhusudhan - Director
3. Dr. Rajiv Mani - Additional Director

WITNESSES

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* NOT relevant to this Report

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

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5. The Committee then took up the next item of the agenda *i.e.*, consideration of Memorandum No.5 relating to a complaint dated 12 January, 2015 and 10 April, 2015 given by Shri Sharad Tripathi, MP against the officials of Ministry of Petroleum and Natural Gas for not inviting him to inaugural ceremony of Indane-LPG Bottling Plant at Gorakhpur, Uttar Pradesh. The Committee decided to take up the same for further consideration and examination at its future sitting.

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(THE COMMITTEE THEN ADJOURNED)

MINUTES OF THE 12TH SITTING OF THE 'COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA'

The Committee sat on Wednesday, the 16 December, 2015 from 1530 hrs to 1645hrs in Room No.139, Parliament House Annexe, New Delhi.

PRESENT

Shri Rayapati Sambasiva Rao - Chairperson

MEMBERS

2. Dr. J. Jayavardhan
3. Shri Pashupati Nath Singh
4. Dr. Kirit Somaiya
5. Prof. Azmeera Seetaram Naik
6. Col (Retd) Sona Ram Choudhary

SECRETARIAT

1. Shri Ravindra Garimella - Joint Secretary
2. Shri M.K. Madhusudhan - Director
2. Dr. Rajiv Mani - Additional Director

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

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* Not relevant to this Report

4. Thereafter, the Committee took up the second item of the agenda, *i.e.*, further consideration of the matter relating to the complaint dated 12 January, 2015 and 10 April, 2015 from Shri Sharad Tripathi, MP against the officials of Ministry of Petroleum and Natural Gas for not inviting him to inaugural ceremony of Indane-LPG Bottling Plant at Gorakhpur, Uttar Pradesh.

5. Shri Sharad Tripathi, MP was called in and examined on oath.

(Verbatim record of his evidence was kept)

(The Member then withdrew)

(THE COMMITTEE THEN ADJOURNED)

MINUTES OF THE NINETEENTH SITTING OF THE 'COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA'

The Committee sat on Thursday, the 09 June, 2016 from 1400 hrs to 1442 hrs in Room No.53, Parliament House, New Delhi.

PRESENT

Shri Rayapati Sambasiva Rao - Chairperson

MEMBERS

2. Shri Choudhury Mohan Jatua
3. Maj Gen B.C. Khanduri AVSM (Retd)
4. Shri Pashupati Nath Singh
5. Dr. Kirit Somaiya
6. Col (Retd) Sona Ram Choudhary

SECRETARIAT

1. Shri Ravindra Garimella - Joint Secretary (L)
2. Shri M.K. Madhusudhan - Director
3. Dr. Rajiv Mani - Additional Director

WITNESSES

1. Shri B. Ashok, Chairman, IOCL
2. Shri B.S. Canth, Director (Marketing), IOCL
3. Shri Y.K. Gupta, Executive Director (LPG), IOCL
4. Shri Vinay K. Misra, Executive Director (Coordination), IOCL
5. Shri Avinash Verma, Executive Director (UPSO-II), IOCL

At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee. He then apprised the Members that the sitting has been convened for

taking oral evidence of the officials of IOCL in connection with further examination of the complaints dated 12 January, 2015 and 10 April, 2015 given by Shri Sharad Tripathi, MP against the officials of the Ministry of Petroleum and Natural Gas (IOCL) for not inviting him to the Inaugural Ceremony of Indane-LPG Bottling Plant at Gorakhpur, Uttar Pradesh.

2. Accordingly, Shri B. Ashok, Chairman, IOCL and his colleagues were called in. Shri B. Ashok, Chairman, IOCL took oath and deposed before the Committee. .

(Verbatim record of his evidence was kept)

(The Witnesses then withdrew)

(THE COMMITTEE THEN ADJOURNED)

MINUTES OF THE TWENTIETH SITTING OF THE 'COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA'

The Committee sat on Thursday, the 11 August, 2016 from 1500 hrs to 1545 hrs in Room No.62, Parliament House, New Delhi.

PRESENT

Shri Rayapati Sambasiva Rao - Chairperson

MEMBERS

2. Dr. Shrikant Eknath Shinde
3. Shri Raj Kumar Singh
4. Shri Pashupati Nath Singh
5. Dr. Kirit Somaiya
6. Col (Retd) Sona Ram Choudhary

SECRETARIAT

1. Shri M.K. Madhusudhan - Director
2. Dr. Rajiv Mani - Additional Director

At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee. He then apprised the Members that the sitting has been convened to take further course of action on some of the complaints, on which evidence has been completed.

2. * * * *

The Committee then took up the third item of the agenda *i.e.*, further consideration of complaint dated 12 January, 2015 and 10 April, 2015 given by Shri Sharad Tripathi, MP against the officials of (IOCL) and the Ministry of Petroleum and Natural Gas for not inviting the Member to inauguration of Indane-LPG Bottling Plant at Gorakhpur , and decided unanimously to close the matter and directed the Secretariat to prepare a draft report in the matter.

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(THE COMMITTEE THEN ADJOURNED)

MINUTES OF THE THIRTY-FIFTH SITTING OF THE 'COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA'

The Committee sat on Tuesday, the 21 November, 2017 from 1430 hrs to 1505 hrs in Room No.53, Parliament House, New Delhi.

PRESENT

Shri Rayapati Sambasiva Rao - Chairperson

MEMBERS

2. Shri Gaurav Gogoi
3. Shri Choudhury Mohan Jatua
4. Maj Gen B.C. Khanduri AVSM (Retd)
5. Dr. Bhagirath Prasad
6. Shri Pashupati Nath Singh
7. Dr. Kirit Somaiya
8. Prof. Azmeera Seetaram Naik
9. Col (Retd) Sona Ram Choudhary

SECRETARIAT

1. Shri Ravindra Garimella - Joint Secretary
2. Shri M.K. Madhusudhan - Director
3. Ms. Miranda Ingudam - Deputy Secretary

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2. The Committee then took up the draft Reports on the following complaints/subjects for consideration and adoption:-

not relevant to this Report

(i) Draft Report on the 'Complaint(s) dated 12 January, 2015 and 10 April, 2015 given by Shri Sharad Tripathi, MP against the officials of Ministry of Petroleum and Natural Gas for not inviting him to foundation laying ceremony of Indane-LPG Bottling Plant at Gorakhpur, Uttar Pradesh';

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3. The Committee, after some deliberations, adopted the draft Reports and authorised the Chairperson to present these Reports to the Hon'ble Speaker, Lok Sabha and thereafter, to lay the same on the Table of the House.

* * * *

(THE COMMITTEE THEN ADJOURNED)

Appendix - I

Date: 12/01/2015

To

The Hon'ble Speaker,
Lok Sabha, Parliament House,
New Delhi.

Madam,

This is to bring to your kind notice that the foundation stone of Indane LPG Bottling plant was scheduled to be laid on 9th of January, 2015 by the Hon'ble Minister of State in the Ministry of Petroleum and Natural Gas (Independent Charge) in Bokata (GIDA) located in Gorakhpur of U.P. The said bottling plant was meant for supplying cooking gas to Gorakhpur, Basti as well as the entire Districts of Azamgarh Division.

I am the Member of Parliament elected from Sant Kabirnagar Parliamentary Constituency. Khajani Assembly Segment is the part of my Parliamentary Constituency which falls within Gorakhpur District. I am also the Co-Chairman of the District Monitoring Committee as well as the District Planning Committee in Gorakhpur District.

But, unfortunately the officials of Ministry of Petroleum and Natural Gas are not bothered to show even the least courtesy towards me while discharging their duties. They did not invite me to the aforesaid function nor allowed my name to be published in the advertisement released to the newspapers for the same. This attitude is nothing but an ill conceived effort just to weaken the concept of Governance. If the same situation continued, the democracy will get turned into autocracy.

You are therefore, requested in particular to take stringent action against the erring officials through the Committee on Privileges for the protection of Privileges of the Member of Parliament.

With regards,

Yours Sincerely,

sd/-

[Sharad Tripathi]

Encl:

1. Photocopy of advertisement.
2. Photocopies of press clippings covering resentment of the local MLA.

Shastri Bhawan, New Delhi
Dated the 19 March 2015

OFFICE MEMORANDUM

Subject : FTS : 3067/2015 – Complaint dated 12.01.2015 from Shri Sharad Tripathi, Member of Parliament (Lok Sabha) regarding not inviting the Member to inauguration of Indane LPG Bottling Plant at Gorakhpur

The undersigned is directed to refer to Lok Sabha Secretariat's O.M. No. 2/27/2015/CO.PV dated 28.1.2015 on the above mentioned subject. The matter has been examined in consultation with Indian Oil Corporation Limited (IOC) and it has reported the following :

IOC is setting up a grassroot LPG bottling plant with initial capacity of 60 TMTPA at an estimated cost of Rs.148.63 crore at Gorakhpur. For setting up of the bottling plant, 38.5 acre of land had been taken from Gorakhpur Industrial Development Authority (GIDA) on 90 year lease at a total cost of Rs.45.08 crores. The land is located at village Judiyan which is situated in sector 15 of GIDA's industrial area.

After taking over the land, IOC decided to have foundation laying ceremony for the bottling plant at Gorakhpur on 09.01.2015. It was decided by IOC to invite all the Hon'ble MPs and MLAs of adjoining areas also. Accordingly, they were contacted over phone on 07th and 08th January 2015 by IOC. General Manager, IOC also personally contacted all the Hon'ble. MPs including Shri Sharad Tripathi, Hon'ble MP, Sant Kabir Nagar. Shri Sharad Tripathi, Hon'ble MP however expressed his inability to attend the foundation laying ceremony on 09.01.2015 due to his pre-occupation. Similar regrets were also received from some of the other MPs also.

The Press advertisement regarding the function interalia mentioning the names of the Hon'ble MPs/MLAs covered the names of only those MPs/MLAs who confirmed that they would attend the function. Since Shri Sharad Tripathi, Hon'ble MP had expressed his inability to attend the function, his name did not appear in the Press advertisement.

Formal invitation cards were also sent to all the Hon'ble MPs/MLAs including Shri Sharad Tripathi, Hon'ble MP.

In view of the above facts, IOC has stated that due regard was extended to the Hon'ble MP Shri Sharad Tripathi for attending the foundation laying ceremony at Gorakhpur on 09.01.2015.

This Ministry has no objection if a copy of this Office Memorandum is given to the Hon'ble Member of Parliament.

Hindi version of the reply is enclosed.

Encl: As above

A. Ushabala

(A. Ushabala)

Under Secretary to the Government of India

☎ 011-2338 1984

To

The Lok Sabha Secretariat
(Privileges & Ethics Branch)
(Shri Ravindra Garimella, Director)
Parliament House Annexe
New Delhi - 110001.

-25-

Date 10/04/2015

To

The Hon'ble Speaker
Lok Sabha, Parliament House,
New Delhi.

Madam,

This is to bring to your kind notice that I, being shocked by the functioning of Indian Oil Corporation, wrote you a letter on 12/01/2014 in which I had informed you that the inaugural function of LPG Bottling Plant was scheduled to be held in GIDA, Gorakhpur of Uttar Pradesh in which there was strong reservation about me being invited as a Member of Parliament which tantamounts to be no invitation.

In this connection, I would like to put some important facts before you which are self-explanatory as to how the officials of Indian Oil Corporation were behaving with malafide intention degrading the dignity of Parliament as well as the Members of Parliament. The inaugural function was scheduled to be held on 9th of January, 2015 and I was given telephonic information about it only on 8th of January, 2015 just for formality which, in a way, is a deliberate effort to keep me away from being invited and it was self-explanatory by the advertisement published to this effect the very next day. Enquiry should also have been conducted to this effect as to how the advertisement given to the newspapers was designed just in a day and the very next day it was released to the newspapers with the release order and why and under what circumstances the different types of advertisement were published in various newspapers. I would like to know whether such a behaviour amounts to malafide intention. Nowhere was my name in that advertisement. I wrote you a letter in this connection and in response to it. A Ushaballa, Under Secretary of Government of India, submitted a reply to Shri Ravindra Garimella, Director, Privileges & Ethics Committee, which was unofficially handed over to my Secretary. It is clear from this letter as to how serious officials are about the dignity of Parliament as well as the about Members of Parliament. However, the reply is being submitted after the lapse of two months and that too, instead of holding enquiry into the points of malafide intention, the efforts are being made to divert the line of action. The instant matter is aimed at justifying the things that the officials had done. Normally, it has been a practice the

names of all the Members of Parliament hailing from the constituencies those benefitted from the schemes and the programmes of the Union Government are published in advertisement on account of which the dignity of Members of Parliament continues and, at the same time, the message is also conveyed that the Members of Parliament are playing active roles in the aforesaid schemes and programmes; and, in fact, such a practice should be followed, but I do not know why the reverse practice was followed, which is required to be considered, too, and it cannot be denied from this very fact also.

Hon'ble Madam, I seek your protection in this episode because if the dignity of the Member is not protected, there will be problem to discharge duties among the people. I, therefore, request you that while applying your special power under the Rules 227 you may please forward the matter to the Privileges and Ethics Committee with the direction that the enquiry may be held in this connection keeping the points of malafide intention in centre.

With regards,

Yours Sincerely,

sd/-

[Sharad Tripathi]