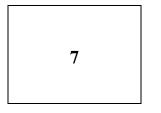
# **COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA**

#### (SIXTEENTH LOK SABHA)



#### SEVENTH REPORT

ON

Complaint(s) dated 26 October, 2014 and 18 April, 2015 given by Shri Anshul Verma, MP alleging discourteous behaviour on the part of Station House Officer (SHO), Hariyawan, District Hardoi, Uttar Pradesh.

[Presented to the Speaker, Lok Sabha on 14.11.2018]

[Laid on the Table on 07.01.2019]



## LOK SABHA SECRETARIAT **NEW DELHI**

January, 2019 Pausha (Saka)1940

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

## (SIXTEENTH LOK SABHA)

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# PERSONNEL OF THE COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA (2018-2019)

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

## Shri Raj Kumar Singh, MP appointed as Minister w.e.f. 03.09.2017

\* Since resigned from the Secretariat

## SEVENTH REPORT OF THE COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS WITH MEMBERS OF LOK SABHA

#### (SIXTEENTH LOK SABHA)

#### 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 authorised by the Committee to submit the Report on their behalf, present this Report to the Speaker, Lok Sabha on the complaint dated 26 October, 2014 and 18 April, 2015 from Shri Anshul Verma, MP alleging discourteous behaviour on the part of Station House Officer (SHO), Hariyawan, District Hardoi, Uttar Pradesh.

2. The Committee held seven sittings. The relevant minutes of these sittings form part of the Report and are appended hereto.

3. At their first sitting held on 24 August, 2015, the Committee considered the Memorandum No.2 regarding complaint dated 26 October, 2014 and 18 April, 2015 from Shri Anshul Verma, MP alleging discourteous behaviour on the part of Station House Officer (SHO), Hariyawan, District Hardoi, Uttar Pradesh. The Committee also decided to hear Shri Anshul Verma, MP for oral evidence at their next sitting.

4. The Committee at their second sitting held on 3 September, 2015 examined Shri Anshul Verma, MP on oath. The Committee also decided to hear the District Magistrate and the then SP/SSP, District Hardoi, Uttar Pradesh at their next sitting.

5. The Committee at their third sitting held on 28 September, 2015examined Shri Govind Agrawal, the then SP/SSP, Hardoi, Uttar Pradeshon oath. The DM has sought exemption from appearance before the Committee on account of exigencies of official work, to which the Committee had agreed.

6. The Committee at their fourth sitting held on 23 May, 2016 examined Shri Ramesh Misra, the then DM and Shri Vivek Varshney, DM, District Hardoi, Uttar Pradesh.

7. The Committee at their fifth sitting held on 1 June, 2016 examined Shri S. Javeed Ahmed, DGP, Shri Debasish Panda, Principal Secretary (Home) and Shri Alok Ranjan, Chief Secretary, Government of Uttar Pradesh.

8. The Committee at their sixth sitting held on 11 August, 2016 again deliberated on the matter and decided to give a week's time to the Principal Secretary (Home), Government of Uttar Pradesh for conducting fresh Inquiry in the matter and furnish the same to the Committee Secretariat. The Committee also directed the Secretariat to prepare a draft report in the matter, after receipt of the same.

9. The Committee at their seventh sitting held on 25 September, 2018 considered the draft report and after some deliberations adopted it.

## II. Facts of the Case

10. Shri Anshul Verma, MP vide his initial complaint dated 26 October, 2014 alleged discourteous behaviour on the part of Station House Officer (SHO), Hariyawan, District Hardoi, Uttar Pradesh. The Member had visited the police station on 30 August, 2014 in connection with a matter relating to disregard of his letters by SHO on matters of public interest. The Member has alleged that the official was rude to him while in performance of his official dealings and did not even offer him a seat despite being informed of his (Member's) credentials. The member further stated that SHO continued to disrespect him and when he was reminded of the protocol guidelines in dealing with Members of Parliament, he asked the Member to leave the police station.

The Member consequently took up the matter with Superintendent of Police (S.P), Hardoi and apprised him of the SHO's misbehaviour and sought his intervention in the matter. When the S.P. desired to talk to the SHO, the official did not take the call of his superior. The Member stated that no action has been initiated against the said official so far, despite assurances given to him by the SP.Further, the matter was also taken up with the District Magistrate (DM) Hardoi, who in turn constituted a one-man Inquiry Committee headed by Assistant District Magistrate (ADM). However, to the Members dismay, no decisive action including the official's transfer has been initiated.

The Member sought the intervention of Hon'ble Speaker, Lok Sabha for appropriate action against the erring official (SHO) for his alleged misbehaviour and the Superintendent of Police (S.P) as well for inaction on his part.

11. A factual note in the matter was called for from the Government of Uttar Pradesh through the Ministry of Home Affairs on 30 October, 2014 and thereafter, 13 reminders were issued in this regard. Further, on 31 March, 2015, a DO reminder was addressed to the Home Secretary. However, no reply was received.

12. Meanwhile, the Member *vide* his further complaint dated 18 April, 2015 drew attention to the incident of misbehaviour with him by the SHO and stated that despite efforts made by the Lok Sabha Secretariat, the State Government has failed to furnish any reply in the matter. He has further alleged that due to political bias and pressure, the Principal Secretary (Home) had neither transferred the said SHO

nor any other action had been taken against him though various other police officials were being transferred by the State Government, in a routine manner. He, therefore, again requested Hon'ble Speaker, Lok Sabha that suitable action be taken against the SHO/SP, Hardoi for their misbehaviour and inaction respectively. The Member further annexed all the details of the correspondence made by him with all the concerned agencies alongwith press clippings in support of his contention.

13. Despite elapse of substantial time, the Government of Uttar Pradesh failed to furnish a factual note in the matter. In the meanwhile, it is also seen that the Member on his own volition also had taken up the matter with all concerned authorities but his grievance remains unaddressed. The Ministry of Home Affairs, at the behest of Lok Sabha Secretariat also took up the matter with the State Government and impressed upon them the need for an urgent response from their end.

14. In view of the non-furnishing of the factual note by the State Government, despite several reminders, the complaint was examined on its merits. Misbehaviour by a Government official with a Member in official dealings is a breach of the Protocol guidelines issued by the Government to its employees. Further, the Ministry of Personnel, Public Grievances and Pensions (DoPT) vide their OM No. 11013/4/2011-Estt. (A) dated 01 December, 2011 have circulated their guidelines in a consolidated manner for strict compliance by the officials. A copy of the same was endorsed to Chief Secretaries of all State/UTs for its dissemination to the lowest rung of the Government functionaries.

The matter was accordingly put up on 29 April, 2015 for orders of Hon'ble Speaker to refer the complaint to the Committee.

15. The Hon'ble Speaker, considering the matter as a clear breach of the DoPT guidelines on Official dealings of Government officials with MPs, *vide* her order dated 09 May, 2015, has referred the matter to the 'Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha', for detailed examination and report.

## III. <u>EVIDENCES</u>

#### **Evidence of Shri Anshul Verma, MP**

16. Shri Anshul Verma, MP during his evidence before the Committee on 3 September, 2015*inter alia* submitted as under:-

"Sir, this incident happened on 30/8/2014. Around 3.30 or 4, it was reported to me by the locals and some of the party people that there are many complaints of the said SHO and that he is not taking up issues not on merit and rather, whatever we send or any letter which we send to the SHO, he used to tear it apart. He used to tear up the complaints.

In this pretext, while coming from a programme on 30/8/2014, I visited the Hariyawan Station. I sent my PS and gunmen to the SHO to enquire whether he is inside the police station or not. When my PS and my gunmen approached him, he said that there are around 500 odd MPs who come to my office and he did not pay any heed to it. Then I entered the police station, I disclosed my identity and showed him my ID card. He kept his legs on the table...This is what he said. This is disrespect. There were 200 odd people along with me. In front of them, he kept his leg on the table. He was not dressed properly at all. When I disclosed my identity, he did not offer me a chair. When I asked him to provide me a chair, he said, "You just tell me what is your concern and please go." On this, I had telephonically called SSP and DM and intimated them about this incident. SSP was not well on that day. He said to come to him and that he is not able to come to the police station. He will punish him suitably. This is what he has told me. Thereafter, till date, nothing has been told to me or no action has been taken yet."

17. When the Committee inquired as to what was the reason for his visit to the Police Station and whether any advance intimation was given to the SHO regarding his visit, Shri Anshul Verma, MP replied:-

"Sir, some action was required on the grievance of a lady in his constituency for which I had written a letter to the SHO which was torn apart by him at the Police Station... It was intimated that I would be visiting the Police Station." 18. On being enquired about the status of his complaint lodged against the SHO before the superior officers, Shri Anshul Verma, MP clarified-

"These are the letters which we generally write...even the SP has not replied to it and no action has been initiated against the said SHO."

19. When asked about the duration of his stay at the Police Station and whether the SHO remained there throughout and whether any senior officers assured him of some action in the matter, Shri Anshul Verma, MP submitted:-

"We stayed for one and half hour and we intimated about it to the SSP and the DM. Earlier, it was reported that the DM would be coming; then, they said the SSP is not well...thereafter, the SHO fled away when my supporters poured in...everybody left the Police Station, they were standing out...further, the SSP who was not well and was at his residence assured me that the SHO would be suitably punished as per the law... Subsequently, the Circle Officer (CO) reached at the spot. Then he also gave me this assurance that he had a talk with the SSP. The assurance was given to me that the SHO would be suitably punished."

20. When the Committee sought to know whether the police authorities have registered any case against the Member and his supporters for their alleged unruly behavior, if any, at the Police Station, Shri Anshul Verma, MP submitted:-

"No, Sir. We maintained the harmony and peace over there and no such case has been registered against me."

21. When the Committee desired to know as whether the Member had faced any instance of misbehaviour by any other police personnel of his constituency, Shri Anshul Verma, MP replied:-

"No Sir. There has been no such instance. This is the first case. It was a gross misbehaviour... Rather we were not accepting this kind of a behaviour from him."

### Evidence of Shri Govind Agrawal, the SP/SSP, Hardoi, Uttar Pradesh

22. Shri Govind Agrawal during his evidence before the Committee on 28 September, 2015 *inter alia* submitted as under:-

"Sir, Hon'ble MP, Shri Anshul Verma on 30 August, 2014 visited PS Hariyawan, District Hardoi. The then SHO was sitting outside in the premises of the PS and the vehicle of the Member directly reached that spot. The SHO had stated that he could not understand as to whose vehicle was it. The gunner of the Member initially got down from the vehicle and informed that Hon'ble MP Shri Anshul Verma has come. The SHO got up and asked the MP to take a seat. However, the Hon'ble Member who was angry continued to stand and complained to him about ignoring the communications sent to him and that the SHO did not act on an application sent to him. This is all that happened, Sir. Thereafter, the Hon'ble MP sat in the thana premises. Then I immediately came to know (about it) and sent my Additional SP to the Police Station asking him to request the MP that he should come and complain to me directly... I on behalf of UP Police and all concerned, expressed my regrets over this incident. Even the SHO has tendered a written apology to me in the matter on 31 August, 2014 about the hurt caused by him to the Hon'ble Member and that he had also apologized to the Hon'ble Member directly. I again tender my apology to the Hon'ble Member."

23. On being asked about the specific action taken by him in the matter against the SHO, Shri Govind Agrawal submitted:-

"I immediately ordered an inquiry in the matter by Additional SP on that very day. The inquiry was conducted by him and he submitted a detailed Report. As per the Report, the only fault of the SHO was that he could not recognize the vehicle of the Hon'ble Member and did not stand up. I have also issued a written warning to him in this regard."

24. When the Committee brought to his notice the contrary statement made by the SSP regarding the conduct of the SHO and the manner of his interaction with Shri Anshul Verma, MP at the Police Station, Shri Govind Agrawal clarified:-

"Sir, the SHO had not got up from his seat and I express my regret for stating so at the beginning of my evidence."

25. When the Committee inquired whether he had received any complaint in the matter from the Hon'ble MP directly and what action was taken thereupon, Shri Govind Agrawal replied:-

"On that very day he submitted a complaint to me and I directed the Additional SP to inquire into the matter as was desired by the Hon'ble MP. On the basis of the inquiry report, a written warning was issued to the SHO which is entered in his personal file. We had also sent a detailed report in the matter to State Government and to the Joint Secretary, Government of India. I was posted at Hardoi till 27 January, 2015 and thereafter joined as DIG, Aligarh."

26. On being enquired about any other instances of misconduct exhibited by the SHO, as per the notice of Shri Anshul Verma, MP, Shri Govind Agrawal clarified:-

"Sir, in the inquiry conducted in the matter, he had not been found guilty and that he was not sitting with his legs resting on the table in the presence of the Hon'ble MP... This is the finding of the Additional SP. Even the media was present at the spot and I have also talked about it with the BJP office bearers present. There is no entry gate in the Police Station premises and the Member's vehicle reached directly to the spot where the SHO was sitting. First, the gunner of the MP got down from the vehicle and informed that the Member has come. Thereupon, the SHO stood up and the Member also deboarded from his vehicle. This is what had happened. I am not submitted any wrong information."

27. When the Committee sought to understand as to what type of punishments is meted out to the defaulting subordinates by a SP of a District without a formal departmental inquiry, Shri Govind Agrawal submitted:-

"As minor punishment, we issue warnings to such officials and admonish them. Major penalty can levied only after departmental inquiry."

28. On being pointed out that when the SHO was not found guilty as per the inquiry report submitted by Additional SP, Hardoi, then what prompted him to warn the SHO, Shri Govind Agrawal replied:-

"Sir, the Additional SP in his report had submitted that even though the allegation levelled upon the SHO Shri Rakesh Kumar Gupta were not proved there is a need to make him aware about the manner of dealing with

public representatives and to be prompt in dealing with their concerns. This will prevent recurrence of such incidents in future. In view thereof, it was recommended in the report that the SHO may be cautioned about it."

29. When the Committee observed that the action taken against the SHO by the SP was inadequate, Shri Govind Agrawal replied:-

"Sir, I tender my apologies."

30. When the Committee further observed that the inquiry report submitted by the Additional SP seems to be one-sided affair, Shri Govind Agrawal replied:-

"Sir, there were public and departmental witnesses who have given their statements in this matter which form a part of the inquiry report."

31. When asked to narrate the sequence of calls made to him by Shri Anshul Verma, MP and to the SHO, Hariyawan on the day of incident *i.e.* 30 August, 2014, Shri Govind Agrawal replied:-

"Sir, the first time the call was made by SHO who told me on telephone that Hon'ble MP has come and is very angry and that I should immediately sent for the Additional SP and CO. Thereafter, a call came from the Hon'ble Member who complained that the SHO is misbehaving with him and it is a very serious matter. I told him that the Additional SP and CO are reaching there. Then, I requested him to come to my office. When the Additional SP and CO had reached the Police Station, they requested the Hon'ble MP to come to my residence and he immediately responded and came to my residence. At my residence, I extended full courtesy to the Hon'ble MP and he gave his written complaint to me about the incident of misbehaviour with him by the SHO and therein also mentioned that the SHO had not requested him to sit down."

32. On being asked whether he would like to say anything else in the matter, Shri Govind Agrawal replied:-

"Again I tender my apologies to the hon. Member and to this Committee also. I have put 30 years of service in the police service. This is first such instance. Otherwise, I have never faced such a situation before."

# **Evidence of Shri Ramesh Mishra, the then District Magistrate, Hardoi, Uttar <u>Pradesh</u>**

33. Shri Ramesh Mishra during his evidence before the Committee on 23May, 2016*inter alia* submitted as under:-

"At that time I was the District Magistrate. Before that I was in Government of UP. I began my career as a Lecturer in Allahabad University in History and Ancient History and Culture. I joined police in 1982. Then I left police duty and I joined in 1983 the State Civil Services. I got the 2002 Batch in IAS. My father was freedom fighter. He was in jail from 1943 to 1946. I have deep faith in democracy and I always respected the public representatives and the Parliamentarians... Sir, to me, President BJP Shri Rajiv Ranjan Misra, gave a letter in which he complained that SHO Mr. Rajesh Gupta has misbehaved in Hariyawan Thana when hon. MP visited that Police Station with his people. I sent that letter to SSP and requested him to take immediate action because the hon. MP offended and Shri Rajiv Ranjan Misra met me personally. He said: "MP was offended and that is why you should take action." Then I sent that letter to SSP. I got this letter on 30th and on 31st I sent it to SSP. Meanwhile, on 30th, when this incident happened, hon. MP met with SSP and gave a letter in writing. On 30th SSP got my letter and compared both the letters and sent me a letter on 1st September, 2014 saying that the letter given by President BJP and the letter given by hon. MP was controversial. He requested me to look into it. Then I deputed an Additional District Magistrate and giving this letter to hon. Rajiv Ranjan Misra and asked him to enquire into the matter."

34. When the Committee enquired as to whether he received any complaint directly from the Member and whether any inquiry was conducted on the incident, Shri Ramesh Mishra replied:-

"Sir, I remember that hon. MP has not given any written complaint to me but I used to take to him on telephone to resolve this matter. I have the letter of Shri Rajiv Ranjan Misra, President, BJP. The ADM wrote a letter to me saying until and unless hon. MP or the BJP President has given any statement, how can I take any decision. Both the persons were asking for transferring SHO. I sent this letter to SSP to take necessary action because if the complaint is that he should be transferred then hon. MP will give his statement and then he will do accordingly. Then SSP deputed the CO and then his deputy SP. They all found that the charges are not true and that is why he cannot be transferred. Today, I came to know, that this SO has been transferred out of district... Sir, ADM has concluded the report and he said the same thing that this matter is pending before the hon. Committee and if hon. Committee asked me to give any statement then only I will give any statement. On that basis, the ADM has submitted a report and said: I cannot take any decision on this complaint."

35. When asked about the veracity of the Member's complaint from his viewpoint, Shri Ramesh Mishra submitted:-

"I did not say so. I never say this (about the Member's complaint being false)... No, the SSP has reported that the letters of the President and the MP were controversial. That is why, I cannot take any decision. This is SP's statement. I have never said things like this. I had no power. Otherwise, if I had power, then I could have done it. I had no power to transfer the SHO."

36. When asked as to whether he had received any reference in the matter from the Chief Secretary or the Principal Secretary (Home), Government of Uttar Pradesh calling for his explanation etc., Shri Ramesh Mishra submitted:-

"I do not exactly remember. Already, I had this file. So, I used to see and correspond when I was the District Magistrate. I do not remember exactly. My personal request is that even though the hon. MP has alleged, I personally myself--though I do not involve--tender my unconditional apology because for me it is very humiliating."

37. When enquired about the steps he had taken in his capacity as the Head of the District to address the grievance of Shri Anshul Verma, MP, Shri Ramesh Mishra replied:-

"Actually the Additional District Magistrate (in his inquiry report) concluded that he cannot come to any conclusion. Suppose I write to the Chief Secretary then I should have some supporting evidence. I did not take up this matter with the Chief Secretary. This matter was in the knowledge of the DIG, Commissioner and all these people knew this fact."

38. When the Committee sought further elucidation as to why the ADM who conducted the inquiry could not arrive at a conclusion and what were the modalities followed by him in the investigation, Shri Ramesh Mishra stated:-

"I got the complaint on 31 August, 2014 from the District President of BJP... I wrote to the SSP to inquire into the matter and take necessary action on 31st, that is, on the same day. The SSP, on the next day, 1.9.14 wrote a letter to me that the hon. MP has also given a letter directly to the SSP on 30th, when this incident happened, and he said that the statement of the hon. MP and the statement of the President, BJP, what I sent to him, were controversial. So, he has asked me to inquire myself. He asked me to inquire because both the complaints are contradictory. On that letter, on 5.9.14, I wrote to the Additional District Magistrate to take the letter of the hon. MP and the District President, and inquire into the matter and directly report to us. Then, he summoned notice to the SHO and the constables of the police station, who were present there. But he concluded that the hon. MP and the President have said that till the SHO is posted in that police station... The Additional District Magistrate has requested the hon. MP and President to please give your evidences or statements. They refused. They said we would not give till this SP is transferred. So, in the magisterial inquiry from the person, who has complained, practically, we take the written or oral statement of the complainant. On the basis of that, I wrote to the ADM that suppose the hon. MP does not want to say anything, whatever he has written, you make basis of that letter and inquire into that. So, then the ADM inquired. The ADM was transferred and a new ADM came and he inquired... The (new) ADM has reported that the SHO has done mistake. I was transferred. So, I got this letter as fax message... Sir, the ADM has written that SHO could not manage the situation well with the MP. The MP was angry. The SHO should not have behaved in such a way to make him angry. This is the statement of the ADM. This report was submitted by the ADM on 19.05.2016."

39. When the Committee expressed their annoyance over the delay in the inquiry at the level of ADM and the inaction by the District Magistrate thereupon, Shri Ramesh Mishra clarified as under:-

"Sir, I sent a lot of reminders... I have four or five reminders in this file. Ultimately he said that he could not come to any conclusion. First, there was an ADM. He was transferred. He made the same conclusion that since no statement is being given by the complainant, he could not come to any conclusion. Then, he was transferred. Then, the second ADM joined. He also said the same thing that the hon. MP says that I will not give any statement. Then, I wrote to him that whatever hon. MP has given in writing, you make it the basis and inquire. Then, he inquired and submitted the report. He was the third ADM. The first did not report; the second did not report; and it was the third who reported... Sir, my problem is that when SSP is saying that this complaint is false... It is controversial. When the ADM told me that the hon. MP had said that till the SO is posted there he will not give statement, I sent the same letter to SSP to take necessary action. Then, the SSP conducted an inquiry through Additional SP who concluded that SO did not misbehave. That report of Additional SP had concluded, it was not brought to my notice."

40. When the Committee further inquired as to why the report of the one man Committee headed by the ADM along with the comments of DM were not forwarded to the Divisional Commissioner for onward transmission to the Lok Sabha Secretariat, Shri Ramesh Mishra replied:-

"Sir, I have only ADM to inquire. All the reports are saying that the complaints are not genuine. How can I say?... Sir, the letter has been sent to Secretary (Home) – the whole inquiry of ADM and the comments of the ADM... Sir, I would request again because in a Magisterial Inquiry, the CPC asks that the complainant should also record the statement. So, being a Magistrate, we are bound to take statement of the complainant. We cannot proceed when the complainant is not giving any statement. I know about this problem because as SDM and ADM I had done a lot of inquiry. It is mandatory in CPC. Suppose, if we submit the report, the High Court will immediately quash our *Sansuti* Report."

41. When the Committee drew the attention of the witness to the protocol guidelines on dealing with a Member of Parliament in official capacity and the role of the District Magistrate in this regard, Shri Ramesh Mishra submitted:-

"Sir, the District Magistrate has many responsibilities. Hardoi is a large district having many problems. We meet and listen to about 100 to 200

persons every morning and we do not reach to any conclusions on our own. After the DM, the ADM is the senior most officer of the District on whom we repose our trust. If there is any error in the magisterial inquiries conducted by the ADM, then we can lodge an FIR and prosecute. That is our responsibility. However, for that evidence has to be taken of the concerned parties and as per the provisions of the Indian Evidence Act. In the instant matter, the issue was that the Hon'ble MP did not give any statement before the inquiry Committee and insisted that SHO, Hariyawan should be removed at the first instance. The ADM brought this demand of the Hon'ble MP to my notice. Then I wrote a letter to the SSP that he should take due action in the matter and inform me. He got an inquiry conducted in the matter from the CO and said inquiry concluded that the SHO was not at fault. Thereafter, I again wrote a letter to the SSP then he got other inquiry done in the matter by the Additional SP and again it was concluded that the SHO is not guilty. Now, as District Magistrate without any evidence before me, what action can I take against any individual. SP is also the responsible officer of the District and heads the Police Department. The Additional SP and CO are also responsible officers. When all the three are saying that the complaint of the Hon'ble MP is incorrect, then how can I take action against anyone in the matter... Lastly, I request the Committee that if it feels that I have committed some wrong, then I swear by God that it is an inadvertent error and not deliberate. On oath I further reaffirm that I tried to expedite the conclusion of the inquiry in the matter at the earliest which no other officer could have done. I have impressed upon all concerned to inquire the matter. Still if the Committee feel that if I am not correct that I have not been diligent enough in the matter, then I tender my apologies."

## Evidence of Shri Vivek Varshney, District Magistrate, Hardoi, Uttar Pradesh

42. Shri Vivek Varshney, District Magistrate, Hardoi during his evidence before the Committee on 23 May, 2016 *inter alia* submitted as under:-

".....I am a State Civil Officer of 1985 batch and I have been inducted into IAS and my batch is 2006 and I am presently posted as District Magistrate Hardoi from the 4th of April, 2016... I would once again repeat to my officers the Code of Conduct that has been prescribed for observing due behaviour towards the hon. Members of Parliament and towards hon. Members of Legislative Assembly and Members of Legislative Council. If any incident is brought to my notice, I will take steps immediately so that the grievance of our hon. Members of Parliament or hon. MLAs or MLCs are redressed."

43. When the Committee inquired about the present posting of the delinquent SHO, Shri Vivek Varshney submitted:-

"The SP told me that the DIG ordered for the transfer of this particular SO on 12th of May and the SP passed the orders of relieving the SO from the District on 15th. The SP in his orders has said that SO has to be relieved on 20th of May."

44. When asked whether there has been any occasion where he could meet Shri Anshul Verma, MP with regard to matters of public interest and how the official reacted thereto, Shri Vivek Varshney submitted:-

"I had the chance to meet the hon. MP sahab in the Zila Yojana Committee meeting that took place a couple of days ago and the issues mainly pertained to that District Planning Committee meeting. This specific issue was not raised by him... I am aware of the courtesies that are to be extended and as and when the orders of the Government are received in this matter, I ensure that the orders are passed down to the lowest level functionary."

45. When the Committee wanted to know about the findings of the inquiry Committee constituted to probe this incident, Shri Vivek Varshney submitted:-

"I came to know about this incident around 9th May. The information was given to me by my predecessor Shri Ramesh Mishra. The report was pending from the ADM. I asked him to complete the inquiry as soon as possible. The inquiry was completed on 16th May and concluded that no effort was made by the SHO to normalize the situation which happened post the visit of Shri Anshul Verma, MP at the Police Station. The findings says that there has been a lapse on the part of the SHO. I had communicated this report to the State Government on 17th May and the DIG had transferred the said SHO on 12th May... As desired by you, I will also sent a copy of the report to the Chief Secretary."

#### **Evidence of Shri S. Javeed Ahmed, DGP, Government of Uttar Pradesh**

46. Shri S. Javeed Ahmed, DGP, Government of U.P. during his evidence before the Committee on 1 June, 2016 *inter alia* submitted as under:-

"Sir, I am DGP, Uttar Pradesh since 1st of January of this current year 2016. At the very beginning I would like to respectfully say that I am thankful that the Committee has given me this opportunity to be present before the hon. Committee and also thankful for the opportunity to explain the conduct of my officers.

The UP police's policy is to extend all respect and cooperation to the hon. MPs and other public representatives while they are discharging their constitutional functions. Such officers or subordinate officers who are found to be delinquent on this account are not only dealt with severely but also their career prospects also get affected if it happens repeatedly... As regards the second issue, it relates to the representation of hon. Anshul Verma of Hardoi. The allegation against the Thana Incharge of Hardoi is that when on 26.10.14, Shri Anshul Verma hon. MP had gone to the Police Station, Hariyawan and he called the Thana Incharge, the Thana Incharge instead of coming and attending to the hon. MP, he misbehaved with him and used foul language.

Sir, as the facts have emerged are that this Thana Hariyawan is a Thana which does not have any boundary wall. This SO was sitting in the frond courtyard of the Thana on a table with a few chairs around him. The road adjoining the Thana is open, as I said, there is no boundary wall. So, a few cars came and someone from the car summoned the SO. By the time this person could respond one way or the other, the vehicles came towards the place where the SO was sitting with other people at a table. That is where it alleged that the SO misbehaved with the hon. MP.

This matter was inquired separately by the Additional SP of the District and also by ADM of the district. It has been reported by both of them that the Sub Inspector, Rakesh Kumar Gupta, did not, in fact, use the kind of language that is mentioned in the report. However, it was felt by the ADM during his inquiry and by the Additional SP in his inquiry that while he may not have actually used abusive or objectionable words, he could have definitely given more respect and deference to the hon. MP who had arrived

at the Thana. Therefore, he was given a personal file warning by the local SP. The local SP as also the Sub Inspector, Rakesh Kumar Gupta have since been shifted out of the district. During the course of the inquiry, statements of a few public persons were also taken by the ADM of the district and also by the Additional SP. A detailed inquiry report has been placed before the hon. Committee for its perusal. It was sent to the Secretariat of the Lok Sabha.

I am unable to recall the exact date. But as I said, the conduct of the Thana Incharge, Rakesh Gupta, was found to be not up to the mark and therefore, he was issued a personal file warning. I would once again reiterate that we, as a matter of policy, in the UP Police have utmost respect for all public representatives including hon. MPs whether they are of or from Uttar Pradesh or from some other part of the country and any misdemeanour on their part in this respect is taken seriously.

We have taken both these cases very seriously. We have also now reiterated the point that hon. MPs and hon. MLAs and other legislators and public representatives need to be given all necessary deference and respect and such cooperation and assistance that is required for them to carry out their constitutional duties."

47. On being pointed out that no action has been taken against the SHO and that his transfer appears more of a routine nature rather than a punishment, Shri Javeed Ahmed replied:-

"Sir, he has been transferred to another district which is Sitapur district... Sir, in respect of the Sub-Inspector, Rakesh Gupta, he was issued a personal file warning which will go into his service records and this kind of warning etc. would definitely come into play at the time if and when he is to be promoted and all that... It is a written warning which will go into his records."

48. When asked as to how would he react to the contention of Shri Anshul Verma, MP that the SHO kept sitting in the chair with his feet on the table in his presence, Shri Javeed Ahmed replied:-

"Sir, this allegation could not be verified in the inquiry which was conducted in the matter. Further, the SHO having misbehaved with the Member also could not be substantiated in the inquiry held by the Additional SP. Further, the ADM also had conducted an inquiry wherein he took statements from the public who were present at the spot and they also did not corroborate the Member... they did not find any occasion to say that what the MP mentioned had actually transpired."

49. When the Committee pointed out categorically that there was inaction on the part of Government of UP in not responding to the several communications sent by the Lok Sabha Secretariat calling for factual comments in the matter, Shri Javeed Ahmed submitted:-

"Sir, I have no defence on that... It should not have happened, that is all I can say, I have to go back and see where it got stuck... Sir, we will design a procedure so that such occasion do not arise."

50. Enquired about the main findings of the inquiry conducted in the matter by the Additional SP, Shri Javeed Ahmed with the permission of the Committee read relevant portion thereof as under:-

"Sir, I am reading this with your permission. This inquiry report dated 21.11.2014 has been submitted by the Additional SP. Herein Shri Rakesh Kumar Gupta, SHO, Hariyawan has got his statement recorded that I have been posted as SHO, Hariyawan from 17.08.2014. On 30.08.2014, at 6:30pm in the evening, I was hearing the grievance of the public in the *thana* premises. During that time, a vehicle stopped in front of the *thana* on Hardoi-Pihani Road. The driver of the said vehicle while sitting asked me to come to him. Before I could understand anything, the said vehicle along with two other *i.e.* in all three vehicles reached the *thana* building and stopped near my table. About 15-20 youth got down from the vehicles and using unparlimentary language asked that I do not recognize the Hon'ble MP ? Can't I see his car? Thereupon I respectfully got up and requested the Hon'ble MP to kindly have a seat."

51. On being questioned about the veracity of the inquiry report wherein investigation was conducted without the officer being inquired upon, not shifted / evacuated, Shri Javeed Ahmed stated:-

"Sir, as I said, ideally, officer should have been shifted till the inquiry was completed."

52. When asked whether he was aware about the instructions/guidelines issued by Government of India on official dealings between Administration and Members of Parliament, Shri Javeed Ahmed submitted:-

"Sir, I have read it and these are being reiterated from time to time."

## <u>Evidence of Shri Debasish Panda, Principal Secretary (Home),</u> <u>Government of Uttar Pradesh</u>

53. Shri Debasish Panda, Principal Secretary (Home), Government of U.P.during his evidence before the Committee on 1 June, 2016 *inter alia* submitted as under:-

"Sir, the second incident is also based on facts that has been submitted through the District Authority and it is that which I am reiterating. Here, the hon. MP was passing through a particular Police Station, Haraia in the District of Hardoi along with his workers and when he passed through one such Police Station, one of his workers attempted to call the officer who was sitting in the Police Station premises and hearing out complaints of the public. Then it was stated that his behaviour was not appropriate and he used a language which was not decent enough and which was not appropriate. Then, the hon. MP, along with his workers, went into the Police Station. He says that when he came to know that, he did not recognise the hon. MP, but he did not use any such unparliamentary language. This is what he said. The matter was inquired into by the Additional District Magistrate and also the Additional SP. They also did not find any such evidence which would corroborate that he misbehaved. But they certainly pointed out that he could have managed the situation in a much better manner and such situation would not have arisen. The Station House Officer holding office at that point of time moved out. But that happened only recently after the meeting which was held at my level when I inquired and found out that he was still there in that District. Now he has been transferred out of that District."

54. When the Committee asked as to when he became aware of this complaint, Shri Debasish Panda submitted:-

"Sir, it came to my knowledge when we were holding a meeting for our appearance before this Committee in the matter... Sir, actually this happened much before I took over this charge. It came to my knowledge only through this correspondence and all... The incident probably took place on 30.08.2014. After that, since I have been there, no such incident took place. I watch the incidents through newspaper reports. I read the daily clippings. As I deposed before the hon. Committee, we do try, emphasise and reiterate

that what should be the behaviour of our officers and police officers as far as elected representatives are concerned."

55. Asked whether the State Government had tried to pressurise the officials for not taking action in the matter, Shri Debasish Panda submitted:-

"No pressure at all... I humbly apologize. Only when it came to my knowledge, immediately we have taken action."

56. When asked to explain for the delay in furnishing reply by the State Government in the matter despite several reminders issued by the Lok Sabha Secretariat, Shri Debasish Panda submitted:-

"Sir, I do not remember but I would have certainly seen. I cannot say that I have not seen them. I could have passed through me. I will have to go through the files... Sir, I will follow it up there immediately. As you are aware, we mark it down... Actually, it would be not appropriate for me to defend this. There has been a lax. It is true and it is on record. But the issue is that we have sections to deal with it and there Secretaries and Special Secretaries who are assigned this job. There has been some laxity somewhere for which I submit my apologies. In future, it will not happen. Now, I am regularly monitoring this. As far as matters relating to the legislature or Parliament are concerned, they are on topmost priority. I can assure, Sir, in future there will be no delay in communications. Interim replies will come. I have already instructed. Full report will come on time."

57. On being pointed out as to why the Committee should not take an adverse view of his role in ignoring the communications sent by the Lok Sabha Secretariat in the matter, Shri Debasish Panda submitted:-

"Sir, but that may not be relevant to this Committee. I will be defending my case. If you permit, I will put up before the hon. Committee. U.P. is a large State as we all know. I have to grapple with a number of problems when I took over. We are working with the strength of 40 per cent of the total sanction strength... I wanted to submit before the hon. Committee as to how I am trying to address these basic core issues. Yes, Sir, there has been a lapse on the part of the department. I do concede... I will try to streamline these processes... We will take action against those who sat over it and try to find out as to why it was delayed. We will also find out as to why the report

did not come on time and what follow up action was taken. That I will definitely do... I humbly submit that I do not want shield or cover any officer. If any officer has committed any mistake, he will surely be penalized for his lapse... Further, we will get a fresh inquiry conducted in the matter. We will have the version of the Hon'ble MP and persons who were accompanying him including his gunner/PRO who are government officials deployed with the Member. We will take statements of all concerned to find out the truth... If we find any erring official, we will take action. I can assure that also."

#### Evidence of Shri Alok Ranjan, Chief Secretary, Government of Uttar Pradesh

58. Shri Alok Ranjan, Chief Secretary, Government of U.P. during his evidence before the Committee on 1 June, 2016 *inter alia* submitted as under:-

"Sir, I belong to the 1978 batch. I have been Chief Secretary for the last two years... The other incident is about the hon. MP, Shri Anshul Verma. This relates to the district of Hardoi. This is where he was travelling in the district. While travelling in the district, he approached the Thana, Hariyawan, and he found the SO, Hariyawan was sitting in his chair. The SO, Hariyawan did not get up from his chair and all that. Then, with his vehicle, the hon. MP moved towards inside the Thana and then he confronted the SO. The SO then got up and as the inquiry committee report showed that he offered him a chair and all but then the hon. MP was upset with his behaviour. And, thereafter, his complaint was lodged.

So, this was also inquired into at the level of ADM over there and also at the level of Additional SP. When both the reports have not found any deliberate attempt was there by the SO, Shri Rakesh Kumar Gupta, Hariyawan to be discourteous. However, in the light of this, the action, which was taken recently, which I admit, was that the SO was transferred only recently from the district. The SP, Shri Govind Agarwal was transferred earlier on but the SO has been transferred only recently. This is the position from the official record when the inquiry that has been conducted.

Here I would like to state one thing. We have in the Government in U.P at my level or at any level, there is no intention at all of there being any discourtesy to extend to the hon. Members of Parliament. We have this compendium of instruction issued at the State level. But these instructions come from the Government of India are about the behaviour that should be there with the hon. Members of Parliament, how the letter should be treated, how they should be met, and what courtesy should be extended. Immediately, we have been issuing these instructions at my level also, at the Chief Secretary level, to all the officers to comply with this very strictly.

However, this is a fact that I will admit one or two things related to this. One is that the Station Officer was transferred only recently. He could have been transferred much earlier and then an inquiry conducted in the matter. Second is the matter which I have observed that the response to these complaints has been delayed at the level of the State Government, and I apologise for that. There have been too many reminders, and the response should have come in much earlier than they came in. So, because of that, what I found out was that the system did not exist there at the moment really to monitor it fully. Of course, it is written urgent, and it is marked. But monitoring, that is something like a monthly review and also treating it just the way we treat a contempt case in the court, is not there.

There, a copy is kept separately and a separate register is maintained and monitored. I think that this kind of activity I will certainly monitor in the future. This is what I would like to submit before the hon. Members."

59. When the Committee asked as to why it took so much time to transfer the said SHO and whether action has been taken against him, Shri Alok Ranjan replied:-

"Sir, that is why I admitted right at the beginning that at the time of inquiry itself he should have been transferred... I admit that this flaw is there that he should have been removed earlier... Sir, he has gone to another District... I think that he has been transferred to Sitapur or somewhere.

Sir, the action taken was that he was given a warning and that warning has been kept in his personal file. This is the action that has been taken."

60. When asked whether he was aware about the instructions/guidelines issued by Government of India on official dealings between Administration and Members of Parliament, Shri Alok Ranjan replied:-

"Yes sir, it is here. We have circulated them."

61. Asked about the impact of such circulars upon the government officials and whether there has been any change in the behaviour of government servants towards public representatives, Shri Alok Ranjan replied:-

"I fully apologise on their behalf, which should not have been done. Discourteous behaviour should never be there. We, ourselves, in our behaviour show all courtesy to any elected representatives... Further, no pressure came to me or anything of that kind. There was nothing at my level." 62. To a specific query about the inordinate delay in furnishing factual note/comments by State Government to the Lok Sabha Secretariat, Shri Alok Ranjan replied:-

"Sir, this is very unfortunate. I tender my sincere apologies that despite several reminders from the Secretariat, the factual note was delayed. This was avoidable and should not have happened... We are fully governed by the instructions/guidelines issued by the Government on official dealings and we fully respect the public representatives. There has been delay in this case for which I sincerely apologize. I will get it inquired from my own level also and see as to where the problem rests that despite various reminders we could not reply. Those who are guilty will be penalized."

63. When the Committee asked him as to whether he wanted to submit anything else in view of the deliberations, Shri Alok Ranjan replied:-

"Sir, Let me make two, three submissions. As you rightly said, so many reminders were sent and the reply has not come. That is definitely something which I will enquire into and find out at which level there has been delay and we ask for reasons. Secondly, I will evolve a system for that at my level as well as at the Secretary (Home) and at the DGP level so that these complaints are responded to in time and then there is a monthly review of these... Just like we handle matters of the hon. court, in a similar way reference from hon. Members of Parliament should be handled... We will certainly evolve a system for that, Sir.

Thirdly, as you rightly said, in both these cases I will institute a separate inquiry, fact-finding inquiry, and we will make sure that the facts come out fully and whoever is guilty in that will have to answer for that."

#### IV. Findings and Conclusions

## **Protocol Guidelines**

64. The Committee find it imperative to revisit the consolidated guidelines on 'Official dealings between the Administration and Members of Parliament and State Legislatures – Observance of proper procedure' circulated by DoPT *vide* their Office Memorandum No. 11013/4/2011-Estt.(A) dated 01 December, 2011,which*inter-alia* provide as follows:

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

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(iv) An officer should be meticulously correct and courteous and rise to receive and see off a Member of Parliament/State Legislature visiting him. Arrangements may be made to receive the Members of Parliament when, after taking prior appointment, they Visit the officer of the Government of India, State Government or local Government. Arrangements may also be made to permit entry of vehicles of the Members to these Offices subject to security requirements/restrictions;

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(xii) The officers should not ignore telephonic messages left for them by the Members of Parliament/State Legislatures in their absence and should try to contact at the earliest the Member of Parliament/State Legislature concerned. These instructions also include SMS and emails received on official mobile telephones which also should be replied to promptly and on priority;

65. Further, the Ministry of Personnel, Public Grievance and Pensions (DoPT) *vide* their circular dated 19 November, 2014 have reiterated the aforementioned guidelines and requested all Ministries/Departments of the Central Government and the Chief Secretaries of all States/UTs to ensure strict compliance of the guidelines/instructions on protocol matters by all officials concerned, both in letter and spirit and that violation of the guidelines will be viewed seriously. Para 6 of this Circular reads as under:

# "Chief Secretaries of all States/UTs are requested to circulate these instructions to all State Government officials at the State/Division and District levels and to periodically review implementation."

66. The Committee at the very outset would like to point out that despite the instructions/guidelines issued by the Government of India from time to time impressing upon the Government officials to conduct their official dealings with Members of Parliament in accordance with the manner laid down therein, there has been no let up in the cases relating to breach of these instructions/guidelines by the Government Officials, at the State level.

67. The Committee would like to emphasize that a public representative: whether a Member of Parliament or a State Legislative Assembly who is performing his duties within the ambit of law and in the public interest have to be given due respect, recognition and importance by all the Government Officials and they should extend all possible cooperation to them, whenever their help or intervention is sought on any matter of public interest. Since a Member of Parliament has been entrusted with enormous responsibilities towards his/her constituents, it is, therefore, incumbent upon the Government Officials particularly State Government Officials to be more circumspect and cautious while dealing with Members of Parliament, whenever they approach them to ventilate grievances of their constituents. In the instant case, Shri Anshul Verma, MP approached SHO, Hariyawan, Shri Rakesh Kumar Gupta on 30 August, 2014 to inquire about the action taken by him with respect to certain requests which he had made on behalf of the public of his constituency. The SHO had not only failed to recognize the local Member of Parliament but also did not extend due courtesies and paid scant attention to the issues of public interest brought to his notice by the Member for redressal at his end. The SHO, continued to remain seated in his chair and failed to offer a seat to the Member. This is an affront to the dignity of a Member and had thus lowered his standing and image among the public at large. The Committee would like to reiterate in unequivocal terms that Members of Parliament are entitled to receive utmost respect and consideration at the hands of public servants. The police or any public authority should not act in a manner which hampers their functioning as public representatives. The SHO in this case should have acted with more circumspection and shown all courtesies which are legitimately due to Shri Anshul Verma as a local MP.

68. The Committee find that three inquiries were conducted in the matter –first one by the Additional SP, the second by the ADM and lastly by the Principal Secretary (Home), Government of UP, in fulfillment of the assurance given by Chief Secretary in his deposition before the Committee on 01 June, 2016. As per the findings of the Inquiry conducted by the Addl. S.P and the ADM separately, the Committee note that both the Inquiry Reports have found that the SHO did not use any abusive language against the Hon'ble MP. However, the Inquiry Officers have felt that the SHO should have given more report and shown deference to the member. Therefore, the SHO was given a personal file warning, and the same was placed in his Personal file/Service record. In the latest inquiry conducted by the Special Secretary (Home), Government of UP, statements of the then SP, Hardoi,

the delinquent SHO and his subordinates, who were present at the spot when the incident took place have been recorded. This Inquiry Committee concluded that the SHO should have got up from his seat and seen the Member in his vehicle which had a red beacon which implies that a VIP was travelling. The Inquiry Committee has concluded that on one hand the SHO is guilty of breach of protocol but on the other hand stated that it cannot be denied that there is a reasonable chance of the said SHO not being able to recognize the Member. The Inquiry Committee, however, concluded that the charge of SHO misbehaving with the Member is not proved. The Committee note that the findings of Inquiry Committee are apparently contradictory to each other and cast doubts about its fairness and objectivity and thus give ample scope to believe that its intent is to save the skin of the SHO rather than unravel the facts in the case. The Committee though have doubts on the conclusions arrived at by the Inquiry Committee headed by the Principal Secretary (Home), nevertheless, would not like to sit in judgment over the fact finding inquiry Report. The Committee, however, keeping in view the sincere apology tendered by the Chief Secretary, Government of Uttar Pradesh on behalf of the local and district level officials, for their lapse, and given the fact that the SHO Shri Rakesh Kumar Gupta was transferred out of the District Hardoi and a personal file warning was given to him and that warning was kept in his Service record/Personal file, would like to allow the matter to rest. Notwithstanding this, the Committee feel that it is high time that top level district functionaries should realize their responsibility and ensure strict compliance of instructions / guidelines issued by the Government on official dealings between Administration and Members of Parliament from time to time and sensitise the lowest rungs of bureaucracy that these instructions are followed by them in letter and spirit.

69. In the instant case the Committee thought it below its dignity to summon the SHO of PS Hariwayan who was alleged to have misbehaved with Shri Anshul Verma, MP. Instead, the Committee decided to summon the District Magistrate and the SP, Hardoi, besides the senior most officers of the State Government of UP to highlight their failure to rein in the errant Subordinate Officer.

70. The Committee are distressed to note that, of late, there have been increase in the number of cases of disregard of members of Parliament and non extension of due courtesies to them by Police authorities. The Committee

feel that such increasing incidents involving the local police authorities are to some extent a manifestation of their desire to cater to their political bosses and a complete disregard of the principles of political neutrality. It is imperative for the public servants to be impartial and neutral while dealing with the public representatives, irrespective of their political affiliation whether they belong to the ruling party or the opposition. The Committee cannot but express their unhappiness over disregard of the elected representatives by police personnel especially when they are approached for redressal of a public grievance.

The Committee also note that in the instant case the Lok Sabha Secretariat, 71. on receipt of complaint of Shri Daddan Mishra, MP had called for a factual note from the Government of Uttar Pradesh through the Ministry of Home Affairs, for being placed before the Hon'ble Speaker, Lok Sabha. However, despite several reminders from the Committee Secretariat, the State Government of U.P. did not furnish the requisite factual note in the matter and thereby displayed utter disregard to the Committee. Non-furnishing or inordinate delay in furnishing of reply, as seen in the instant case, therefore, amounts to disobedience to the orders of the Hon'ble Speaker, Lok Sabha, which may be treated as a contempt of the House. However, the Committee note that the Chief Secretary, Government of Uttar Pradesh in his deposition had expressed profound apologies for their lapse and stated that he would conduct enquiry at his level and those found guilty will be punished. The Committee recommend that the State Government should evolve a mechanism which ensures timely response to communications received from the Lok Sabha Secretariat through the concerned Ministry of the Union Government. The Committee take note of the assurance given in this regard by the Chief Secretary, Government of Uttar Pradesh and hope that such unintentional disregard of communications sent on behalf of Hon'ble Speaker is not repeated in future by the Government of Uttar Pradesh.

#### V. <u>Recommendations</u>

72. The Committee based on the facts on record and their findings and conclusions express their strong displeasure over the conduct of the then SHO, Hariyawan in his officials dealings with Shri Anshul Verma, MP when he went to meet him on 30 August, 2014 and recommend that their displeasure may be placed in the personal file of the said official.

73. In view of the unconditional apology tendered by the Chief Secretary, Government of UP on his own behalf and on behalf of the Officials of the District Administration of Hardoi, for the delinquent behavior of SHO, Hariyawan, the Committee do not recommend any further action in the matter and allow the matter to rest. The Committee, however, expresses their strong displeasure over the casual manner in which the communications from the Committee Secretariat forwarded through the Union Home Ministry have been dealt by the State Government of Uttar Pradesh. The Committee expect that an effective response and monitoring mechanism will be put in place so as to stop recurrence of such incidents in future.

> (RAYAPATI SAMBASIVA RAO) Chairperson, Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha

New Delhi June, 2018