

About Committee of Privileges in Parliament

August 9, 2023 • vajiramandravi.com



What is Parliamentary Privilege?

- **Parliamentary privilege** refers to rights and immunities enjoyed by Parliament as an institution and MPs in their individual capacity, without which they cannot discharge their functions as entrusted upon them by the Constitution.
- **Are these parliamentary privileges defined under law?**
 - According to the Constitution, the powers, privileges and immunities of Parliament and MP's are to be defined by Parliament.
 - No law has so far been enacted in this respect. In the absence of any such law, it continues to be governed by British Parliamentary conventions.
- **What is breach of privilege?**
 - A breach of privilege is a violation of any of the privileges of MPs/Parliament.
 - Among other things, any action 'casting reflections' on MPs, parliament or its committees; could be considered breach of privilege.
 - This may include publishing of news items, editorials or statements made in newspaper/magazine/TV interviews or in public speeches.

About Committee of Privileges

- This committee **consists of 15 members in Lok Sabha (10 in case of Rajya Sabha) nominated by the Speaker (Chairman in case of Rajya Sabha).**
- **In the Rajya Sabha, the deputy chairperson heads the committee of privileges.**
- **Powers and Functions:**
 - The committee **examines every question involving a breach of privilege** of the House or of the members or of any Committee thereof **referred to it by the House or by the Speaker/Chairman.**
 - It also **determines with reference to the facts of each case whether a breach of privilege is involved and makes suitable recommendations** in its report.
 - It also **states the procedure to be followed by the House in giving effect to its recommendations.**
 - When a question of privilege is referred to the Committee by the House, **the report of the Committee is presented to the House by the Chairman or, in his absence, by any member of the Committee.**
 - Where a question of privilege is referred to the Committee by the Speaker, the **report of the Committee is presented to the Speaker who may pass final orders thereon or direct that it be laid on the Table of the House.**
 - **The Speaker/Chairman may refer to the Committee any petition regarding the disqualification of a member on the ground of defection for making a preliminary inquiry and submitting a report to him.**
 - **The procedure to be followed by the Committee in these cases is so far as may be the same as applicable to questions of breach of privilege.**

Q1) What is the composition of Rajya Sabha?

The Rajya Sabha should consist of not more than 250 members – 238 members representing the States and Union Territories, and 12 members nominated by the President. Rajya Sabha is a permanent body and is not subject to dissolution. However, one third of the members retire every second year, and are replaced by newly elected members. Each member is elected for a term of six years. The Vice President of India is the ex-officio Chairman of Rajya Sabha. The House also elects a Deputy Chairman from among its members. Besides, there is also a panel of “Vice Chairmen” in the Rajya Sabha.

Source: [Complaint against Raghav Chadha now with RS Privileges Committee](#)

Source: <https://vajiramandravi.com/current-affairs/about-committee-of-privileges-in-parliament/>

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