

Presented to the House on 24th February, 2014.



TRIPURA LEGISLATIVE ASSEMBLY

ELEVENTH TRIPURA LEGISLATIVE ASSEMBLY

44TH REPORT OF THE COMMITTEE ON PRIVILEGES

on

the question of alleged breach of privileges raised by
Shri Ratanlal Nath, MLA, (erstwhile Hon'ble Leader of the
Opposition) against the Editor and Publisher-Printer of
newspaper **AJKAL TRIPURA** publication



Tripura Legislative Assembly Secretariat
Agartala – 799010

FEBRUARY, 2014

**COMPOSITION OF THE
COMMITTEE ON PRIVILEGES
(2013–14)**

HON'BLE CHAIRMAN

SHRI MADHAB CHANDRA SAHA

HON'BLE MEMBERS

- 2) Shri Niranjan Deb Barma,
- 3) Shri Basudev Majumder,
- 4) Smt. Bijoy Laxmi Sinha,
- 5) Shri Ratan Das,
- 6) Shri Ramendra Narayan Deb Barma,
- 7) Shri Shyamal Chakraborty,
- 8) Shri Gopal Chandra Roy,
- 9) Shri Asish Kumar Saha.

SECRETARIAT

1. Shri Subhas Bhattacharjee, Secretary
2. Smt. L. Debbarma, Dy. Secretary
3. Shri H. B. Debnath, Under Secretary (C).

44th REPORT OF THE COMMITTEE ON PRIVILEGES
TRIPURALEGISLATIVEASSEMBLY
(2013 – 2014)

I, the Chairman of the Committee on Privileges having been authorized by the Committee to present its **44th Report** before the House. The Committee on Privileges for the year 2013-2014 was constituted by the Hon'ble Speaker on 20th March, 2013 in pursuance of Rule 202 and 204 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly with the following Members, namely :-

- | | |
|-------------------------------------|-------------------|
| 1) Shri Madhab Chandra Saha, | Hon'ble Chairman, |
| 2) Shri Niranjan Deb Barma, | Hon'ble Member, |
| 3) Shri Basudev Majumder, | Hon'ble Member, |
| 4) Smt. Bijoy Laxmi Sinha, | Hon'ble Member, |
| 5) Shri Ratan Das, | Hon'ble Member, |
| 6) Shri Ramendra Narayan Deb Barma, | Hon,ble Member, |
| 7) Shri Shyamal Chakraborty, | Hon'ble Member, |
| 8) Shri Gopal Chandra Roy, | Hon'ble Member, |
| 9) Shri Asish Kumar Saha, | Hon'ble Member. |

The Committee and the previous Committees for the year **2011-2012 and 2012-2013** in all held **6(six)** meetings on **03/02/2011, 06/07/2012, 24/08/2012, 08/10/2012, 23/10/2013 and 20/11/2013** for examination of the question of alleged breach of privilege raised by Shri Ratan Lal Nath, MLA, erstwhile Hon'ble Leader of the Opposition against the Editor, Publisher-Printer of **Aajkaal Tripura** Publication and finalized the issue in its meeting held on 7th February, 2014.

FACTS OF THE CASE

Shri Ratan Lal Nath, Hon'ble Member gave a notice of breach of privilege on 01/11/2010 against the Editor and Printer-Publisher of Aajkaal Tripura publication. In his complaint he stated that on 5th July, 2010 in the newspaper

Aajkaal Tripura a news was published under the caption “জুট মিল বন্ধ করার দাবি বিরোধীদের - শিল্পমন্ত্রীর না”. It has been alleged by Shri Debnath that the news which has been published under the said caption involving himself and other Hon’ble Members of the Congress Party are totally vague and false. No speech was delivered on the Floor by him on the matter published in the said newspaper. So, he thought publication of such news has defamed the sanctity of the Assembly House and it is tantamount to breach of his privilege. Shri Debnath, therefore, requested the Hon’ble Speaker to kindly put his consent and refer the matter to the Committee on Privileges and acquaint the House thereof.

REFERENCE TO THE COMMITTEE

On receipt of such notice, the matter was accordingly placed before the Hon’ble Speaker, Tripura Legislative Assembly on 01/11/2010 in the House and on that date the Hon’ble Speaker referred the matter to the Committee on Privileges, Tripura Legislative Assembly for examination and report and acquainted the House thereof.

EXAMINATION OF THE CASE AND FINDINGS OF THE COMMITTEE

The Committee in its meeting held on 03/02/2011 decided to discuss on the alleged breach of privilege submitted by the Hon’ble Member Shri Ratanlal Nath, the erstwhile Hon’ble Leader of the Opposition against the Editor and Publisher-Printer of Aajkaal Tripura publication in the next meeting of the Committee.

The Committee in its next meeting held on **06/07/2012** while determining the prima-facie of the case whether any breach of privilege is involved or not against the Editor, Publisher-Printer of Aajkaal Tripura newspaper on the said news clipping published on **05/07/2010** in the newspaper Aajkaal Tripura publication have decided to go through the proceedings of the House and hear the audio cassette of that particular day for better authentication and

viability of complaint of breach of privilege in the next meeting of the Committee. Accordingly, the Committee in its meeting held on **24/08/2012** thorough examined the related proceedings of the House and heard the audio cassette and took the following decision :-

(i) The breach of privilege raised by Shri Ratan Lal Nath, MLA, erstwhile Hon’ble Leader of the Opposition is justified and it is determined the prima-facie of the case. Because, there is nothing to remark in the records of Tripura Legislative Assembly on the news clipping “জুট মিল বন্ধ করার দাবি বিরোধীদের - শিল্পমন্ত্রীর না” published in the newspaper Aajkaal Tripura publication on **05/07/2010**. (ii) The Committee directed the Assembly Secretariat to send a letter each to the Editor, Publisher-Printer of Aajkaal Tripura asking the supporting documents or plea of the said news items.

Accordingly, letters were sent to the Editor, Publisher-Printer of Aajkaal Tripura newspaper at their office at Ramnagar, Agartala on **14/09/2013**, but they failed to submit response to those letters.

Next meeting of the Committee was held on 08/10/2012 decided to study minutely the proceedings of the House and directed this Secretariat to send letters to the Editor, Publisher-Printer of Aajkaal newspaper at their Kolkata office to submit their supporting documents or plea on the matter.

Accordingly, letters were sent to the Editor, Publisher-Printer of Aajkaal Publications Pvt. Ltd., Kolkata on 10/10/2012. But they did not response to those letters even not acknowledged receipt of them .

Next meeting of the Committee was held on 23/10/2013. During discussion on the matter, the Committee decided that letters to be sent again to the Editor and Publisher-Printer of Aajkaal newspaper at their office of Kolkata to submit their supporting documents or plea, in response to the complaint of breach of privilege initiated against them, otherwise the decision will be taken ex-parte by the Committee. As per decision of the Committee, letters were sent to the said addressees on

28/10/2013 for submitting necessary documents or plea on the matter to this Secretariat by the 15/11/2013.

In this respect, on 11/11/2013, Shri Jyoti Prakash Khan, Publisher-Printer of Aajkaal Publishers Pvt. Ltd. in a letter had submitted before the Committee that “it is not their intent or policy to publish any contemptuous matter as news. However, if the Hon’ble Member Shri Ratan Lal Nath had been aggrieved by the news item published they want to assure the Hon’ble Member of the Tripura Legislative Assembly and all Hon’ble Members of the House that they have the highest respect and regard for the House and have never published nor will ever publish any matter which may be regarded as contemptuous.”

In the said letter, as Publisher he also apologized and also on behalf of the Newspaper and on behalf of the Editor for the delay in replying to the notice of Tripura Legislative Assembly.

The Committee accordingly discussed on the contents of the said letter of Publisher-Printer of Aajkaal Publication Pvt. Ltd. in its meeting held on 20/11/2013 and unanimously decided that since the main allegation of the Hon’ble Member Shri Ratanlal Nath was against the news published under that caption in the Aajkaal Tripura publication on 05/07/2010 and since for the said news under that caption Shri Jyoti Prakash Khan, Publisher-Printer of Aajkaal publication Pvt. Ltd. and on behalf of Editor of said publication admitted his unintentional view to publish any contemptuous matter as news and also assured the Hon’ble Member and all Hon’ble Members of the Tripura Legislative Assembly that they have the highest respect and regard for the House and have never published nor will ever publish any matter which may be regarded as contemptuous, may not be proceeded further and may be dropped.

RECOMMENDATIONS

After due and careful scrutiny and also taking into consideration of the opinion/justification rendered by the Hon’ble Members of the

Committee during the discussion in the matter in issue, this Committee decided not to proceed against “Aajkaal Tripura” as the Publisher-Printer and on behalf of the Editor of Aajkaal Publication Pvt. Ltd. assured the Hon’ble Members of the Tripura Legislative Assembly that they have the highest respect for the House and have never published nor will ever publish any matter which may be regarded as contemptuous. Therefore, the Committee would recommend not to proceed further against “Aajkaal Tripura” newspaper and the matter may be dropped.

Dated, Agartala,
the 7th February, 2014.


(**MADHAB CH. SAHA**)
Hon’ble Chairman
Committee on Privileges
Tripura Legislative Assembly