

REPORT NO.  
64



**PARLIAMENT OF INDIA**  
**RAJYA SABHA**

**COMMITTEE ON PRIVILEGES**

*Matter of breach of Privilege arising out of allegedly  
publishing a malicious and false report in DNA newspaper  
and Tehelka magazine about the functioning of  
Rajya Sabha TV*

**SIXTY-FOURTH REPORT**

*(Presented on 17th November, 2016)*



**Rajya Sabha Secretariat, New Delhi**  
**November, 2016/Kartika, 1938 (Saka)**

**Website :** <http://rajyasabha.nic.in>  
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Hindi version of this publication is also available.

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सत्यमेव जयते

**Rajya Sabha Secretariat, New Delhi**  
**November, 2016/Kartika, 1938 (Saka)**

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## COMMITTEE OF PRIVILEGES

(w.e.f. 15.9.2016)

1. Prof. P. J. Kurien — *Chairman*

### MEMBERS

2. Shri Naresh Gujral
3. Shrimati Kanimozhi
4. Shri Shwait Malik
5. Shri Satish Chandra Misra
6. Shrimati Sasikala Pushpa
7. Shri Anand Sharma
8. Shri Bashistha Narain Singh
9. Shri Digvijaya Singh
10. Shri Sitaram Yechury

### SECRETARIAT

1. Shri Shumsher K. Sheriff, *Secretary-General*
2. Shri Mukul Pande, *Additional Secretary*
3. Shri S.K. Tripathi, *Director*
4. Shri Vijay Kumar, *Deputy Director*
5. Dr. Saket Kumar, *Assistant Director*

## COMMITTEE OF PRIVILEGES

(w.e.f. 15.9.2014)

1. Prof. P.J. Kurien — *Chairman*

### MEMBERS

- %2. Shri Naresh Gujral  
3. Shrimati Kanimozhi  
\*\*4. Shri Vinay Katiyar  
5. Shrimati Sasikala Pushpa  
@6. Shri Rajpal Singh Saini  
7. Shri Digvijaya Singh  
#8. Shri K.C. Tyagi  
9. Shri Sitaram Yechury  
\*10. Shri Bashistha Narain Singh  
\*11. Shri Satish Chandra Misra  
§12. Shri Anand Sharma

### SECRETARIAT

1. Shri Shumsher K. Sheriff, *Secretary-General*  
2. Shri Mukul Pande, *Additional Secretary*  
3. Shri S.K. Tripathi, *Director*  
4. Shri Vijay Kumar, *Deputy Director*  
5. Dr. Saket Kumar, *Assistant Director*

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% Term of Membership of Rajya Sabha expired on 09.04.2016. Renominated to the Committee w.e.f. 01.08.2016.

\*\* Ceased to be Member w.e.f. 15.09.2016.

@ Term of Membership of Rajya Sabha expired on 04.07.2016.

# Term of Membership of Rajya Sabha expired on 07.07.2016.

\* Nominated w.e.f. 28.07.2016.

§ Nominated w.e.f. 31.08.2016.

## REPORT OF THE COMMITTEE

I, the Chairman of the Committee of Privileges, present this Sixty-Fourth of the Committee to the House. The report deals with a case of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha.

### FACTS OF THE CASE

2. On 24.04.2015, eight separate but identical notices of breach of privilege (**Annexure-I**) signed by 48 members (**Annexure-II**) of Rajya Sabha raising a matter of breach of privilege were received. It was *inter alia* alleged in the notices that a false and fabricated report had been published in the DNA newspaper and Tehelka magazine (**Annexure-III**) on 6.4.2015 and 8.4.2015 (sic 18.4.2015) respectively about functioning of Rajya Sabha Secretariat which includes the Rajya Sabha TV. The allegations leveled in the impugned articles were serially rebutted in the notice. It was alleged that these allegations leveled in the impugned articles tantamount to breach of privilege of the House as the management of the Rajya Sabha TV was monitored by the Content Advisory Committee comprising Members of the House. It was further alleged that the tirade made in the articles was to malign the image of the entire House by fabricating facts and concealing or distorting the truth. The newspaper or the magazine did not care to contact the Rajya Sabha Secretariat for ascertaining the facts and deliberately withheld the truth which were available in the same or similar reports on which they relied. Members contended that these newspaper/magazine deliberately distorted the draft inspection audit report of the Director General of Audit (Central Expenditure) to the level of draft report of C&AG in order to sensationalize their publication and thereby, did a great disservice to democracy and the institution of Parliament. The Members finally requested that the matter may be referred to the Committee of Privileges and

action should be taken against the contemnors by calling them to the Bar of the House and punishing them suitably. The matter was also raised in the House on 29.4.2015 by Shri Ghulam Nabi Azad, Leader of the Opposition, and many other Members (**Annexure-IV**).

3. The Chief Executive Officer of DNA Newspaper and the Managing Editor of Tehelka Magazine were given an opportunity to furnish their comments on the notices of breach of privilege so that the matter could be examined in proper perspective. Neither these newspaper/magazine responded within the stipulated period to the communication sent by the Secretariat seeking their comments nor they approached the Secretariat telephonically or otherwise seeking any extension of time.

4. In view of the foregoing, on 3rd June, 2015 Hon'ble Chairman, Rajya Sabha, referred this matter to the Committee of Privileges under rule 203 of the Rules of Procedure and Conduct of Business in Rajya Sabha for examination, investigation and report.

5. The Committee of Privileges at its sitting held on 11th June, 2015 considered the matter and decided to give the concerned newspaper/magazine another opportunity to furnish their comments in the matter. The DNA Newspaper, through its Associate Editor in Delhi, furnished their comments (**Annexure-V**) wherein it was *inter-alia* submitted that a "Clarification" was published by them prominently on the front page of the newspaper which was published on the 30th May, 2015. The Associate Editor further submitted that the alleged report published on 6th April, 2015 was entirely about Rajya Sabha TV and not linked to the proceedings of the Upper House or the conduct of the Chair. It was never their intention to malign or denigrate the Rajya Sabha or members of the Rajya Sabha by fabricating facts or concealing and distorting the truth as they hold the Members of the august House in high regard. It was also stated that the article which was fair and balanced was based on the findings of a draft report of the Comptroller and Auditor General.

6. Submitting further that the contents made in the article published were fair comments and pertained to the utility of the Rajya Sabha TV Channel including the cost incurred in operating the same, it was contended that there was no intent to defame or malign anyone and no name of any Member of the Upper House had been mentioned in the article. They also submitted that the comments of the CEO, RSTV were taken and the same were published as part of the article. Hence the article contained the inputs and views expressed by the CEO of Rajya Sabha TV. Finally the Associate Editor requested that the matter may be treated as closed.

7. As no comments were furnished by Tehelka magazine, the Committee at its sitting held on 6th October, 2015 again considered the matter and decided to call and hear the Editor of the Tehelka magazine at its next meeting. The Editor of the magazine was accordingly requested to appear before the Committee at its sitting held on 9th December, 2015. He however, did not appear before the Committee. The Committee expressed its displeasure over the indifference on the part of the Managing Editor and after some deliberation decided to give him one last opportunity to appear before it in person.

#### **EVIDENCE BEFORE THE COMMITTEE**

8. Shri Mathew Samuel, former Editor of Tehelka appeared before the Committee at its sitting held on 10th February, 2016 and tendered his unconditional apology in the matter. He also gave the same in writing. The Committee, thereafter, in view of the unconditional apology, decided not to seek any other clarification from him. The Committee, however, directed him to publish his apology in the magazine with prior approval to which Shri Samuel agreed. As Shri Samuel did not publish his apology, the Secretariat vide its letters dated 30th March, 2016 and 21st April, 2016 has reminded him to do so. Shri Mathew Samuel *vide* his letter dated 29th April, 2016 (**Annexure-VI**) submitted that an internal review done in the matter had found that the correspondent who filed the story and who no longer works for the magazine had not done due diligence before submitting his report. He further informed

that as he had resigned from the Tehelka magazine, it would not be possible for him to execute the directions of the Committee. The publisher of the Tehelka magazine vide his letter dated 2nd May, 2016 (**Annexure-VII**) informed that Shri Mathew Samuel was not associated with his organization since December, 2015. He further submitted that the report was published without the knowledge of the management and that the error was unintentional. He expressed his regret and also offered an unconditional apology for the same. He also informed that the unconditional apology has been published in the Issue No.12 dated the 15th May, 2016 of Tehelka magazine.

#### **OBSERVATIONS AND RECOMMENDATIONS**

9. **The Committee observes that the Rajya Sabha is a constitutionally established and defined institution having clearly delineated role and functions to be performed in the polity of the nation as envisaged in the Constitution and the Rules of Procedure and Conduct of Business in the Council of States. The Committee further observes that article 105 of the Constitution defines the powers, privileges, etc., of the Houses of Parliament and of the Members and Committees thereof. The objective of privileges given to the House is to safeguard the freedom, authority and the dignity of Parliament. These privileges are necessary for the proper exercise of the functions entrusted to the Rajya Sabha by the Constitution. Therefore, any act or omission which denigrates, maligns, obstructs or impedes the Rajya Sabha or its Members in the performance of their functions or which has a tendency directly or indirectly to “produce such results is treated as contempt of the House or breach of privilege. The Committee notes that the impugned reports were entirely about Rajya Sabha TV and not linked to the proceedings of the House, any of its Members or Committees or the conduct of the Chair. The Committee however observes that any false or malicious reporting about Rajya Sabha TV though technically will not amount to contempt of Rajya Sabha and the breach of privilege of its Members, brings disrepute to this august body.**

10. Be that as it may, the Committee at this juncture would like to send a word of caution to the Press and Media that before publishing or broadcasting any news containing allegations against any of the organs of the Rajya Sabha, or for that matter any high constitutional institution, the publisher/channel should ensure its veracity from the concerned office so that false reporting does not malign the image of these institutions.

11. The Committee notes that DNA Newspaper had published a clarification in the matter on the front page and the former Editor of Tehelka magazine tendered his unconditional apology before the Committee and also published the same in the magazine. The Committee feels that in view of the clarification and apology by the respondents in the matter, no useful purpose will be served by investigating the matter any further and recommends that the same may be allowed to rest here.

12. The Committee, at its sitting held on the 29th September, 2016 adopted this report.

**New Delhi;**  
The 29th September, 2016

**P.J. Kurien,**  
*Chairman,*  
Committee of Privileges.

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# MINUTES

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**MINUTES OF THE MEETING OF THE COMMITTEE  
OF PRIVILEGES**

**THIRD MEETING OF 2015**

The Committee met at 2.40 P.M. on Thursday, the 11<sup>th</sup> June, 2015 in  
Room No. 62, First Floor, Parliament House, New Delhi.

PRESENT

1. Dr. P.J. Kurien – *in the Chair*
2. Shri Naresh Gujral
3. Shri Vinay Katiyar
4. Shri Digvijaya Singh
5. Shri K. C. Tyagi
6. Shri Sitaram Yechury

SECRETARIAT

Dr. D.B. Singh, *Secretary*  
Shri Mukul Pande, *Joint Secretary*  
Shri K.P. Singh, *Director*  
Shri S.K. Tripathi, *Director*  
Dr. Saket Kumar, *Assistant Director*

\* \* \*

**I**

1. \* \* \*

**II**

2. **Matter of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine**

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\*\*\*Omitted portion relates to other subjects.

**about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha.**

The Committee noted that the Editors of DNA newspaper and Tehelka magazine have not responded to the notices sent to them seeking their comments in the matter. Following the principles of natural justice, the Committee decided to give them another opportunity to furnish their comments in the matter, failing which it would deliberate over the issue *ex parte*. A issue of conflict of interest was also raised in the meeting.

3. The Committee then adjourned at 3.40 P.M.

## FOURTH MEETING OF 2015

The Committee met at 4.30 P.M. on Tuesday, the 4<sup>th</sup> August, 2015 in Room No. 67, First Floor, Parliament House, New Delhi.

### PRESENT

1. Dr. P.J. Kurien – *in the Chair*
2. Shri Naresh Gujral
3. Shri Vinay Katiyar
4. Shrimati Sasikala Pushpa
5. Shri Rajpal Singh Saini
6. Shri Digvijaya Singh
7. Shri K. C. Tyagi

### SECRETARIAT

Shri Shumsher K. Sheriff, *Secretary-General*

Shri Mukul Pande, *Joint Secretary*

Shri K.P. Singh, *Director*

Shri S.K. Tripathi, *Director*

Shri Vijay Kumar, *Deputy Director*

Dr. Saket Kumar, *Assistant Director*

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\*

\*

In the third matter of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha, the Chairman informed the Committee that as decided in its last meeting, the Editors of DNA newspaper and Tehelka magazine were given another opportunity to furnish their comments in the matter. He further informed that

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\*\*\*Omitted portion relates to other subjects.

the comments only from DNA newspaper in the matter had been received and the Committee had to further consider the matter.

**I**

1. \* \* \*

**II**

2. \* \* \*

**III**

3. **Matter of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha.**

The Committee deferred consideration of the matter to a later date.

4. A verbatim record of the proceeding of the meeting was kept.
5. The Committee then adjourned at 6.00 P.M.

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\*\*\*Omitted portion relates to other subjects.

## FIFTH MEETING OF 2015

The Committee met at 3.00 P.M. on Tuesday, the 6<sup>th</sup> October, 2015 in Room No. 67, First Floor, Parliament House, New Delhi.

### PRESENT

1. Dr. P. J. Kurien – *in the Chair*
2. Shri Vinay Katiyar
3. Shrimati Sasikala Pushpa
4. Shri Digvijaya Singh
5. Shri K. C. Tyagi
6. Shri Sitaram Yechury

### SECRETARIAT

Shri Shumsher K. Sheriff, *Secretary-General*

Shri Mukul Pande, *Joint Secretary*

Shri Vijay Kumar, *Deputy Director*

Dr. Saket Kumar, *Assistant Director*

\* \* \*

The fourth matter of breach of privilege which arises out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha, the Chairman informed the Committee that the DNA newspaper has given its comments on the matter. However, the Tehelka magazine has not furnished its comments so far and the Committee has to further consider the matter.

### I

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\*\*\*Omitted portion relates to other subjects.

**II**

2. \* \* \*

**III**

3. \* \* \*

**IV**

4. **Matter of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha.**

4.1 The Committee noted that Associate Editor, DNA newspaper in his reply had stated that the impugned report published in their newspaper was entirely about Rajya Sabha Television and was not linked to the Upper House or conduct of the Chair or to any of its Members. He further submitted that there was never any intention on their part to malign or denigrate the Rajya Sabha or its members. The Committee took serious note of the fact that despite giving an opportunity, the Tehelka magazine has not furnished their comments. In view of this, the Committee decided to call and hear the Editor of the magazine at its next meeting so that the matter can be examined in its proper perspective.

5. The Committee then adjourned at 4.15 P.M.

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\*\*\*Omitted portion relates to other subjects.

## SIXTH MEETING OF 2015

The Committee met at 3.15 P.M. on Wednesday, the 9<sup>th</sup> December, 2015  
in Room No. 67, First Floor, Parliament House, New Delhi.

### PRESENT

1. Prof. P. J. Kurien – *in the Chair*
2. Shri Naresh Gujral
3. Shrimati Sasikala Pushpa
4. Shri Rajpal Singh Saini
5. Shri Digvijaya Singh
6. Shri K. C. Tyagi
7. Shri Sitaram Yechury

### SECRETARIAT

Shri Shumsher K. Sheriff, *Secretary-General*

Shri Mukul Pande, *Joint Secretary*

Shri S.K. Tripathi, *Director*

Shri Vijay Kumar, *Deputy Director*

Shri Saket Kumar, *Assistant Director*

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### I

1.

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### II

2. **Matter of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine**

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\*\*\*Omitted portion relates to other subjects.

**about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha.**

The Committee expressed its displeasure over the gross indifference on the part of the Managing Editor of Tehelka magazine, Shri Mathew Samuel, to the letters of the Rajya Sabha Secretariat requesting him to furnish his comments in the matter on two occasions earlier and to the latest communication requesting him to appear before the Committee in person. Condemning the attitude of the Managing Editor of Tehelka magazine, the Committee, after some deliberations decided to give him one last opportunity to appear before it in person to furnish his comments in the matter. The Committee directed the Secretariat to send communications to him by Registered Post with Acknowledgement-Due and also by a reputed Courier Service/ Special Messenger at the known addresses. The Committee also directed that a copy of the communications may also be sent to the Printer & Publisher of the magazine.

**III**

3. \* \* \*
4. A verbatim record of the proceedings of the meeting was kept.
5. The Committee then adjourned at 4.05 P.M.

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\*\*\*Omitted portion relates to other subjects.

## FIRST MEETING OF 2016

The Committee met at 3.00 P.M. on Wednesday, the 10<sup>th</sup> February, 2016 in Room No. 63, First Floor, Parliament House, New Delhi.

### PRESENT

1. Prof. P.J. Kurien – *in the Chair*
2. Shri Naresh Gujral
3. Shri Vinay Katiyar
4. Shri Rajpal Singh Saini
5. Shri K. C. Tyagi
6. Shri Sitaram Yechury

### SECRETARIAT

Shri Shumsher K. Sheriff, *Secretary-General*  
Shri Mukul Pande, *Additional Secretary*  
Shri Vijay Kumar, *Deputy Director*  
Dr. Saket Kumar, *Assistant Director*

### WITNESSES

1. \* \* \*
2. Shri Mathew Samuel, Managing Editor, Tehelka magazine.

\* \* \*

### I

1. \* \* \*

### II

2. **Matter of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine**

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\*\*\*Omitted portion relates to other subjects.

**about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha.**

Shri Mathew Samuel, Managing Editor of Tehelka Magazine appeared before the Committee and tendered his unconditional apology in the matter. He also gave the same in writing. The Committee, thereafter in view of the unconditional apology, decided not to seek any other clarification from him. The Committee, however, directed him to publish his apology in the magazine with prior approval to which Shri Samuel agreed. The witness then withdrew.

**III**

3. \* \* \*

**IV**

4. \* \* \*

5. A verbatim record of the proceedings of the meeting was kept.

6. The Committee then adjourned at 4.25 P.M.

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\*\*\*Omitted portion relates to other subjects.

## SECOND MEETING OF 2016

The Committee met at 2.30 P.M. on Monday, the 4<sup>th</sup> July, 2016 in Room No. 63, First Floor, Parliament House, New Delhi.

### PRESENT

1. Prof. P.J. Kurien – *in the Chair*
2. Shri Vinay Katiyar
3. Shrimati Sasikala Pushpa
4. Shri K. C. Tyagi
5. Shri Sitaram Yechury

### SECRETARIAT

Shri Shumsher K. Sheriff, *Secretary-General*

Shri Mukul Pande, *Additional Secretary*

Shri S.K. Tripathi, *Director*

Shri Vijay Kumar, *Deputy Director*

\* \* \*

### I

I. \* \* \*

### II

II. \* \* \*

### III

3. **Matter of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine**

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\*\*\*Omitted portion relates to other subjects.

**about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha.**

3.1 The Committee noted that Shri Mathew Samuel, Managing Editor of Tehelka magazine who appeared before the Committee on 10th February, 2016 had tendered his unconditional apology in the matter and also gave the same in writing. The Committee also noted that it had directed him to publish his apology in the magazine with prior approval to which Shri Samuel agreed. However, as Shri Mathew Samuel no longer worked with the Tehelka magazine and the publisher has tendered unconditional apology and also published the same in the magazine, the Committee was of the view that the same may be accepted and matter may be treated as closed. The Members of Committee suggested that a report in the matter may be presented to the House.

**IV**

4. \* \* \*

**V**

5. \* \* \*

**VI**

6. \* \* \*

7. A verbatim record of the proceedings of the meeting was kept.

8. The Committee then adjourned at 3.45 P.M.

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\*\*\*Omitted portion relates to other subjects.

### THIRD MEETING OF 2016

The Committee met at 3.00 P.M. on Thursday, the 29<sup>th</sup> September, 2016  
in Room No. 63, First Floor, Parliament House, New Delhi.

#### PRESENT

1. Prof. P.J. Kurien – *in the Chair*
2. Shrimati Kanimozhi
3. Shri Shwait Malik
4. Shri Satish Chandra Misra
5. Shrimati Sasikala Pushpa
6. Shri Bashistha Narain Singh
7. Shri Digvijaya Singh
8. Shri Sitaram Yechury

#### SECRETARIAT

Shri Shumsher K. Sheriff, *Secretary-General*  
Shri Mukul Pande, *Additional Secretary*  
Shri S.K. Tripathi, *Director*  
Shri Vijay Kumar, *Deputy Director*  
Dr. Saket Kumar, *Assistant Director*

\* \* \*

#### I

1. \* \* \*

#### II

2. \* \* \*

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\*\*\*Omitted portion relates to other subjects.

**III**

**3. Matter of breach of privilege arising out of allegedly publishing a malicious and false report in DNA newspaper and Tehelka magazine about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha.**

3.1 The Committee considered the draft 64<sup>th</sup> Report on the subject and adopted the same.

**IV**

4. \* \* \*

**V**

5. \* \* \*

**VI**

6. \* \* \*

7. A verbatim record of the proceedings of the meeting was kept.

8. The Committee then adjourned at 4.30 P.M.

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\*\*\*Omitted portion relates to other subjects.

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# ANNEXURES

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**Notices of Breach of Privilege***(vide para 1 of the Report)*

RAJYASABHA  
NOTICE OF BREACH OF PRIVILEGE

TO,

THE SECRETARY-GENERAL  
RAJYASABHA,  
NEW DELHI

Sir,

Under Rule 187 of the Rules of Procedure & Conduct of Business in the Rajya Sabha, hereby give notice of Breach of Privilege of the House caused by a malicious and motivated report seeking to malign the image of Rajya Sabha, by publishing false & fabricated reports about the functioning of Rajya Sabha Secretariat which includes Rajya Sabha TV (RS TV).

A completely malicious report published in the DNA newspaper and Tehelka magazine on 06.04.2015 and 08.04.2015 respectively, has come to my notice. The report is not only false but is grossly irresponsible and motivated, in as much as it is based on completely false and fabricated information. The significantly false and motivated allegations concerning the Privilege of the House and the true facts as ascertained from the record of Rajya Sabha Secretariat are as under:

S.No.	Allegations in DNA Newspaper & Tehelka Magazine	Correct Facts according to Rajya Sabha Secretariat
A.	Rajya Sabha TV (RS TV) has spent Rs. 1700 crores in 4 years.	According to the audited accounts of RS TV in 4 years <i>i.e.</i> 2010-2014,

S.No. Allegations in DNA Newspaper & Tehelka Magazine	Correct Facts according to Rajya Sabha Secretariat
B. The Comptroller & Auditor General (C&AG) in its Draft Report accessed by DNA & Tehelka says the RS TV has no roadmap.	<p>a total sum of Rs. 146.83 crore has been spent which includes the cost of equipment for setting up the channel, salaries, rentals and operational costs.</p> <p>There is no such Draft Report of C&amp;AG. The observations of Draft Audit Inspection Report of Director General of Audit (Central Expenditure) - DGACE, which is not a part of the Secretariat of C&amp;AG, only mentioned the possibility of its' inclusion in the Draft Report of C&amp;AG and it was never included after explanation by Rajya Sabha Secretariat was taken into account. The Draft Inspection Report, thereafter accepted the explanation of Rajya Sabha Secretariat and settled the observations <i>vide</i> letter dated 18,11.2014 Ref. No. DDORSS/2013-14/029 issued by Office of the DGACE. This allegation is directly against the image of Rajya Sabha as the road map for RS TV was determined by the Content Advisory Committee, RS</p>

S.No. Allegations in DNA Newspaper & Tehelka Magazine	Correct Facts according to Rajya Sabha Secretariat
	TV, comprising of Members of Rajya Sabha set up in 2010 and is headed by the Dy. Chairman, Rajya Sabha.
C. The RS TV has 4 web links whose viewership when put together does not exceed 1 lac.	While RS TV does not subscribe to TRPs, yet RS TV has had a total of 14 million hits through the Youtube and regularly receives on an average, over 1 million hits per month. (As against this, there is no record of any hits received by Lok Sabha TV). No further proof of the popularity and utility is thus, required.
D. C&AG Draft Report questions the very relevance of RS TV.	These were merely observations at the Field Investigation Stage and not part of the C&AG Draft Report and before its inclusion in the said Draft Report, the explanation to the observations was found satisfactory. There can be no question of relevance, since the Channel was launched pursuant to a decision of the General Purposes' Committee comprising of leaders of all the parties in the House.
E. RS TV Executive Directors and Executive Editors have	This is another falsehood. There is no such C&AG Draft Report with

S.No. Allegations in DNA Newspaper & Tehelka Magazine	Correct Facts according to Rajya Sabha Secretariat
spent 60 lacs on travel by taxis, the C&AG Draft Report reveals.	the said observation. In any event, the record shows that the expenditure was on account of travel by taxis by the entire channel and not by merely 2 categories of the professionals, referred to in the publication. Besides, the Channel had become operational on 26.08.2011 and became fully operational in Jan, 2012.
F. RS TV has appointed 103 professionals on contract basis with consolidated high value of fee, following no established procedures or standards.	The allegation is completely false. 103 professionals were selected on the basis of selection pursuant to advertisements procedure established by the Rajya Sabha Secretariat. The fee was determined on the basis of a survey of all the leading mainstream TV news channels in India.
G. Ms. Rata P. Vatal, Secretary, Expenditure, recently expressed her displeasure that RS TV was operating its' studio in Noida ... Ministry of Finance conveyed this through a note to Rajya Sabha Secretariat.	The allegation is completely false and imaginary. There is no such record of any displeasure and no note as alleged, is in existence.

The above allegations are, *per se*, a Breach of Privilege of the House, as the Management of the Channel is being monitored by the Content Advisory

Committee, RS TV, comprising of Members of the House. The Channel renders a vital service to enable the members to fulfill their obligations to the States that they represent and people whom they seek to serve through their activities. RS TV has done great service in raising the levels of debates and all the members of various parties *vie* with one another for making maximum contribution for projecting the rights and interests of the States, which they represent.

The tirade made in the articles, is to malign the image of the entire House by fabricating facts and concealing or distorting the truth. The newspaper and the magazine did not care to contact the Rajya Sabha Secretariat, for ascertaining the true facts and deliberately withheld the true facts which were available in the same or similar reports, on which they relied. They deliberately distorted the Draft Inspection Audit Report of the DGACE to the level of Draft Report of C&AG, to add spice and to sensationalize their publication. They have done a great disservice to democracy, the bedrock of which is the Parliament.

I, therefore, seek to refer this to the Privileges' Committee through the Hon'ble Chairman and request further action against the contemnors by calling them to the Bar of the House and rendering suitable punishment.

Yours Faithfully

1. Sd/-

2. Sd/-

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.....  
.....  
.....

**List of signatories to the Notice of Breach of Privilege**

(*vide* para 1 of the Report)

1. Shri Tapan Kumar Sen, M.P.
2. Shri Ritabrata Banerjee, M.P.
3. Shri Majeed Memon, M.P.
4. Shri Satish Chandra Misra, M.P.
5. Shri Munquad Ali, M.P.
6. Shri Salim Ansari, M.P.
7. Shri Raja Ram, M.P.
8. Shri Veer Singh M.P.
9. Shri Vaylar Ravi, M.P.
10. Shri Gulam Nabi Azad, Leader of Opposition in Rajya Sabha.
11. Shri Husain Dalwai, M.P.
12. Shri Mohammad Ali Khan, M.P.
13. Shri Ashk Ali Tak, M.P.
14. Shri Avinash Pande, M.P.
15. Shri Anand Sharma, M.P.
16. Shri Mukut Mithi, M.P.
17. Shri P. Bhattacharya, M.P.
18. Smt. Ambika Soni, M.P.
19. Smt. Renuka Chowdhury, M.P.
20. Shri P.L. Punia, M.P.
21. Shri Parvez Hashmi, M.P.
22. Dr. K.V.P. Ramachandra Rao
23. Smt. Rajani Patil, M.P.
24. Smt. Mohsina Kidwai, M.P.

25. Shri B.K. Hariprasad, M.P.
26. Smt. Wansuk Syiem, M.P.
27. Dr. Vijaylaxmi Sadho, M.P.
28. Shri Ranjib Biswal, M.P.
29. Dr. Bhalchandra Mungekar, M.P.
30. Shri Jesudasu Seelam, M.P.
31. Dr. K.P. Ramalingam, M.P.
32. Shri Baishnab Parida, M.P.
33. Shri Javed Akhtar, M.P.
34. Shri Naresh Agrawal, M.P.
35. Shri D.P. Tripathi, M.P.
36. Shri Vijay Jawaharlal Darda, M.P.
37. Shri Ram Nath Thakur, M.P.
38. Shri Mohd. Ali Khan. M.P.
39. Shri S. Thangavelu, M.P.
40. Shri Ram Kumar Kashyap, M.P.
41. Shri Vivek Gupta, M.P.
42. Smt. Gundu Sudharani, M.P.
43. Smt. Vijila Sathyananth, M.P.
44. Shri A.U. Singh Deo, M.P.
45. Dr. Ashok S. Ganguli, M.P.
46. Shri K.T.S. Tulsi, M.P.
47. Shri Sharad Yadav, M.P.
48. Dr. Sanjay Sinh, M.P.

**Report in Tahelka magazine**

(*vide* para 1 of the Report)

**Proximity over capability**

*Is Rajya Sabha TV degenerating into a white elephant that is being fed and maintained with little or no use, and that too at the tax-payer's expense, asks ANURAG TRIPATHI.*

SUPPOSED TO represent the voice of the Upper House and corresponding maturity, RSTV raised a lot of hopes when it was launched four years back. However, much of the promise stands belied as amateurism seems to have had an upper hand over professionalism as far as the privileged channel is concerned.

“It is becoming a workplace where a candidate’s knowledge of journalism is always ignored, if he comes from the ‘right’ kind of family or has been recommended by political big-wigs,” a senior professional said, expressing his dissatisfaction over the selection policy adopted by the channel.

With no business model in place for revenue generation, the channel which was launched on 26 August 2011 with a modest budget of ₹ 28.94 crore has so far spent more than ₹ 1,700 crore. The channel is funded by the Rajya Sabha, so it is quite understandable whose hard earned money is being splurged to keep the channel afloat.

This comes in the backdrop of not-so-good-times for several networks. Over the last one year, many private news channels — P-7 News Channel, Bhaskar News Channel, Jia News to name a few – have shut down while many are struggling to sustain themselves due to paucity of funds and resources. Primarily these channels failed to generate revenues through advertisement.

However in case of the RSTV, funds were never a problem, despite the fact that the channel had failed to generate any noticeable revenue since its inception. As compared to Lok Sabha TV's (LSTV) annual budget, RSTV budget for the year 2014-15 is ₹ 69.28 crore, which is almost five times than that of LSTV. As per the information with TEHELKA, ₹ 20 crore on an average is the annual budget for 19 channels of Doordarshan.

It may be noted that when the Upper House decided to launch its own channel, the LSTV was already on air and was telecasting live proceedings of Lok Sabha.

In a draft report, Comptroller and Auditor General (CAG) has clearly stated that RSTV has no roadmap. The CAG even questioned the feasibility of RSTV in such a scenario. The CAG has also noted that the RSTV management preferred using outdated SD technology, whereas the requirement was of the latest HD technology. The CAG also proposed one studio instead of two – one for news and another for programming.

According to some media reports in 2013-14, LSTV generated a revenue of ₹ 13.98 crore through awareness and publicity advertisements of the government and public sector units (PSU). RSTV has nothing to show on this count.

The CAG draft report revealed that till February 2012, even before the channel was fully functional, RSTV's executive directors and executive editors spent ₹ 60 lakh on taxi rides.

The RSTV also has the distinction of appointing the first-ever non-bureaucratic CEO for a government-run TV, who barely has more than five years of journalistic experience. Sources told TEHELKA that present CEO Gurdeep Singh Sappal's experience in journalism, before joining the RSTV, was not more than five years, which include a two-year stint at erstwhile BITV – one year as a video editor and one year as an associate producer. Sappal also worked for about four months in the marketing division of

Doordarshan. An office memo issued on 10 April 2012 by Rajya Sabha Secretariat, Gurdeep Singh Sappal was appointed as the CEO of RSTV, on contractual basis, for a period of three years, on a consolidated fee of ₹ 1,75,000. Interestingly, LSTV head's salary is ₹ 1.5 lakh. The consolidated fee paid to Sappal is what a joint secretary is normally paid. Though, Sappal was appointed for a consolidated amount of ₹ 1,75,000, his salary gets revised from time to time. According to a recent pay slip, a copy of which is with TEHELKA, the RSTV CEO was paid ₹ 2,22,250 as a consolidated fee for the month of November, 2014.

Sappal executes three different official roles on government payroll. He is neither from Indian Administrative Service nor from Indian Information Service, yet he is a joint secretary level officer plus officer on special duty (OSD) to Rajya Sabha chairman as well as to the country's vice president Hamid Ansari. According to an RTI information, job of RSTV CEO was never advertised. Unlike LSTV CEO, whose job was prominently advertised, Sappal reaped the benefit of his proximity to some senior Congress-leadership.

Sappal was reporting to Manish Chatrath, who is presently working as Chairman of Delhi Tourism & Transportation Development Corporation. Chatrath was known to be a close aide of former Delhi Chief Minister Sheila Dixit when Congress party's political war room was at 15, Rakabganj Road. And that was the period when Sappal started getting close to Congress leaders, which helped him corner lucrative post. Sappal's name also cropped up when a PIL questioning the appointment of senior officers of the rank of Joint Secretary and above in the Rajya Sabha secretariat came up.

The PIL was filed by the noted lawyer Prashant Bhusan, who challenged the validity of clause 6 (A) of the Rajya Sabha Secretariat (Methods of Recruitment and Qualifications for Appointment) Order, 2009 and sought an order directing an inquiry into all the appointments made in the Rajya Sabha Secretariat since 2008.

Privileged sources told TEHELKA that it is not only Sappal but the RSTV has also appointed 103 professionals on contract basis for a hefty sum, circumventing all the norms and procedure. For instance, Chetan Sanjan Dutta, assistant director to the CEO, is a bank clerk and has come on a deputation from Central Bank of India. According to the sources in RSTV, Dutta is considered as the man Friday of Sappal and every file in the organization has to pass through his desk. Another beneficiary is Anil G. Nair, who works as an executive editor (new media) with RSTV. He is known to be a family friend of Sappal. Appointment of Amrita Rai, whose closeness to a Congress leader is well known, as a senior anchor of RSTV despite not fulfilling the minimum experience criteria for the post. Similarly, Rajesh Badal, executive editor of the channel, was apparently selected on the recommendation of Ahmed Patel, Congress party leader known for his proximity to the party's president Sonia Gandhi. There is also a heartburn over the appointment of Rajya Sabha MP Satyavrat Chaturvedi's daughter, Nidhi Chaturvedi. Nidhi is working as a consultant with the channel for a consolidated salary of ₹ 80,000. A close relative of Sheila Dixit, Vinit K. Dixit is also working as a consultant with RSTV, sources told TEHELKA. A close friend of Sappal, Girish Nikam is another appointee who is being talked about, which puts a question mark over the impartiality of the appointments in the channel. Nikam is perhaps one of those privileged consultants who are not required to mark his attendance.

Before going to print, TEHELKA tried to contact RSTV CEO, Sappal for his side of the story, however, he remained incommunicative.

**Excerpts of the proceedings of the House  
dated 29.04.2015**

(vide para 1 of the Report)

The House re-assembled after lunch at two of the clock,

MR. DEPUTY CHAIRMAN in the Chair

**RE. QUESTION OF PRIVILEGE AGAINST D.N.A. AND TEHELKA**

नेता विपक्ष (श्री गुलाम नबी आज़ाद): डिप्टी चेयरमैन सर, मैं रूल 190 के तहत बोल रहा हूँ।

قائد حزب اختلاف (جناب غلام نبی آزاد) : ڈپٹی چیئرمین سر، میں رول 190 کے تحت بول رہا ہوں۔

It is the third paragraph of Rule 190 which is about the mode of raising a question of privilege. It is given at page no. 66.

MR. DEPUTY CHAIRMAN: Which Rule is it?

SHRI GHULAM NABI AZAD: It is Rule 190 wherein it is required to be taken up immediately after the questions that means the Question Hour since this is the first item of the agenda.

सर, आज सुबह हमारे एक नॉमिनेटेड मेम्बर ने यह इश्यू उठाया था, लेकिन उस वक्त शायद दूसरा आइटम लेना था, इसलिए आपने बताया कि आपने गलत नोटिस दिया है।

سر، آج صبح ہمارے ایک نومنیٹڈ ممبر نے یہ ایشو اٹھایا تھا، لیکن اس وقت شاید دوسرا آئٹم لینا تھا، اس لئے آپ نے بتایا کہ آپ نے غلط نوٹس دیا ہے۔

**श्री उपसभापति:** उनका सब्जेक्ट अलग था, इसीलिए मैंने ऐसा कहा था।

**श्री गुलाम नबी आजाद:** मैं इस रूल के तहत उसी को कह रहा हूँ, क्योंकि मैं भी सिग्नेट्री हूँ और तकरीबन 60 लोग across the party lines, इस प्रिविलेज मोशन के सिग्नेट्रीज़ हैं। इसलिए, as one of the signatories to it, मैं इस चीज़ को उठा रहा हूँ कि इस साल के 6 अप्रैल और 8 अप्रैल को "डीएनए" और "तहलका" में यह छपा कि राज्य सभा का जो टेलीविजन है, उसमें 2010 से लेकर 2014 तक 1,700 करोड़ रुपये खर्च हुए, जबकि सच यह है कि 1,700 करोड़ रुपये खर्च नहीं हुए हैं, सिर्फ 146 करोड़ रुपये खर्च हुए हैं। 146 करोड़ रुपये और 1,700 करोड़ रुपये में तो जमीन-आसमान का फर्क है। उन्हीं पेपर्स में यह भी लिखा गया है कि सीएजी ने राज्य सभा टेलीविजन की वर्किंग और फंक्शनिंग को क्रिटिसाइज़ किया है, जबकि सीएजी की ऐसी कोई रिपोर्ट नहीं है। उन्हीं पेपर्स में यह भी कहा गया है कि फाइनेंस मिनिस्ट्री ने राज्य सभा टेलीविजन के खिलाफ कोई नोट सर्कुलेट किया है, जबकि ऐसा कोई नोट नहीं है। फिर relevance of television बताया है राज्य सभा के लिए। That becomes the privilege of the House. सर, यह निर्णय न तो आपने लिया है, न मैंने लिया है, न बीजेपी के किसी एक लीडर ने लिया है, न समाजवादी पार्टी, बीएसपी, जेडीयू के किसी लीडर ने लिया है, बल्कि General Purposes Committee जिसको माननीय सभापति चेरकर करते हैं और जिसमें राइट, लेफ्ट एंड सेंटर, सभी पॉलिटिकल पार्टीज़ के लीडर्स मेम्बर्स हैं, उसने यह फैसला लिया है। इसका मतलब है कि पूरी राज्य सभा ने irrespective of their political affiliation, यह निर्णय लिया है। इसके बारे में, the very relevance of Rajya Sabha TV, यह प्रिविलेज पूरे हाउस का बनता है और यही कारण है कि सभी पार्टीज़ के एक या दो मेम्बर्स ने नहीं, बल्कि 60 मेम्बर्स ने प्रिविलेज मोशन का नोटिस दिया है। इसलिए मैं आपसे निवेदन करूँगा कि इस प्रिविलेज मोशन को एंटरटेन किया जाए और इस पर कार्रवाई की जाए।

جناب غلام نبی آزاد : میں اس رول کے تحت اسی کو کہہ رہا ہوں، کیوں کہ میں بھی سگنیٹری ہوں اور تقریباً 60 لوگ across the party lines, اس پریویلیج موشن کے سگنیٹریز ہیں۔ اس لئے، as one of the signatories to it, میں اس چیز کو اٹھا رہا ہوں کہ اس سال کے 6 اپریل اور 8 اپریل کو 'ڈی-این-اے' اور 'تہلکہ' میں یہ چھپا کہ راجیہ سبھا کا جو ٹیلی ویژن ہے، اس میں 2010 سے لیکر 2014 تک 1700 کروڑ روپے خرچ ہوئے، جبکہ سچ یہ ہے کہ 1700 کروڑ روپے خرچ نہیں ہوئے، صرف 146 کروڑ روپے خرچ ہوئے ہیں۔ 146 کروڑ روپے اور 1700 کروڑ میں تو زمین آسمان کا فرق ہے۔ انہیں پیپرس میں یہ بھی لکھا گیا ہے کہ سی-اے-جی۔ نے راجیہ سبھا ٹیلی ویژن کی ورکنگ اور فنکشننگ کو کریٹسائز کیا ہے، جبکہ سی-اے-جی۔ کی ایسی کوئی رپورٹ نہیں ہے۔ انہیں پیپرس میں یہ بھی کہا گیا ہے کہ فائننٹس منسٹری نے راجیہ سبھا ٹیلی ویژن کے خلاف کوئی نوٹ سرکلیٹ کیا ہے، جبکہ ایسا کوئی نوٹ نہیں ہے۔ پھر relevance of television بتایا ہے راجیہ سبھا کے لئے۔ That becomes the privilege of the House. سر، یہ فیصلہ نہ تو آپ نے لیا ہے، نہ میں نے لیا، نہ بی-جے-پی۔ کے کسی ایک لیڈر نے لیا ہے، نہ سماجوادی پارٹی، بی-ایس-پی، جے-ڈی۔(یو) کے کسی لیڈر نے لیا ہے، بلکہ General Purposes Committee جس کو ماننے سبھا پتی چیئر کہتے ہیں اور جس میں رائٹ، لیفٹ اینڈ سینٹر، سبھی پالیٹکل پارٹیز کے لیڈر ممبرس ہیں، اس نے یہ فیصلہ لیا ہے۔ اس کا مطلب ہے کہ پوری راجیہ سبھا نے irrespective of their political affiliation, یہ فیصلہ لیا ہے۔ اس کے بارے میں the very relevance of Rajya Sabha TV, یہ پریویلیج پورے ہاؤس کا بنتا ہے

اور یہی وجہ ہے کہ سیھی پارٹیز کے ایک یا دو ممبرس نے نہیں، بلکہ 60 ممبرس نے پریویلیج موشن کا نوٹس دیا ہے۔ اس لئے میں آپ سے نویدن کروں گا کہ اس پریویلیج موشن کو اینٹریٹین کیا جائے اور پر کاروائی کی جائے۔

**श्री उपसभापति:** क्या आपने नोटिस दिया है? Have you given the notice?

**SHRI GHULAM NABIAZAD:** Yes, Sir.

**श्री शरद यादव** (बिहार): सर, मैं ज्यादा कुछ न कहते हुए विरोधी दल के माननीय नेता की बात से संपूर्ण तौर पर सहमत होता हूँ। श्रीमन्, मैं आपसे निवेदन करना चाहता हूँ कि इस 1,700 करोड़ रुपये के खर्च के बारे में कोई रिपोर्ट नहीं है। इस देश में यह सदन इस देश के सवा सौ करोड़ लोगों की धरोहर है।

सभापति जी की चेयरमैनशिप में यहां जेपीसी बनी हुई है। फिर उन्होंने फाइनेन्स मिनिस्ट्री का कहा, कुछ नहीं।

महोदय, मैं यहां यह निवेदन कर दूँ कि इस देश में मीडिया की आजादी के लिए तो ऐसा है कि मीडिया की आजादी के बगैर देश नहीं चल सकता, दुनिया नहीं चल सकती। लोकतंत्र का यह एक बाजू है, एक बड़ी ताकत है। आज देश में यदि कोई जगह है, तो मैं यह कह दूँ कि चाहे आर्ट हो, कल्चर हो, संगीत हो, विज्ञान-ज्ञान हो, लोग सभी चैनल्स खंगालते हैं, देखते हैं, ऊब जाते हैं, तो सिर्फ राज्य सभा टेलीविजन की ओर आते हैं। यह एक ऐसी जगह है, जहां से पूरे देश को पूरा सच तो नहीं, दूर तक सच दिखाने का काम होता है। पार्लियामेंटरी मिनिस्टर साहब बैठे हैं, मैं यह मानता हूँ कि इस विषय से गंभीर कोई सवाल नहीं है। देश में हजारों चैनल चल रहे हैं, अच्छे शो भी दिखाते हैं, खबरों को भी दिखाते हैं, लेकिन एक बात जो मैं महसूस करता हूँ कि हम ही नहीं, देश में अगर आज सबसे ज्यादा कुछ देखा जा रहा है, तो वह राज्य सभा का जो प्रसारण है, इसी को देखा जा रहा है। यहां बहस जिस ताकत के साथ, जिस मजबूती के साथ होती है, उससे सरकार को जरूर दिक्कत होती है, लेकिन अगर बहस जीवंत

न हो, तो लोकशाही और लोकतंत्र के कोई मायने नहीं रहता। तो यह चैनल ऐसा है, यहां का प्रसारण ऐसा है, जो आपकी अगुवाई में है। ...**(समय की घंटी)**... यह सदन ऐसा है, जिस पर हमला होता है। आज ऐसी मर्यादा टूट गई है और बाहर से लोग डिक्टेट तक करते हैं कि यहां किसको एक्सेप्ट करना चाहिए, किसको क्या कर देना चाहिए, इसमें कैसे होना चाहिए, हाउस को क्या करना चाहिए, हम उस पर कभी नहीं बोले। हमारे सदन के लोग भी कभी नहीं बोले, क्योंकि जो हम राजनीतिक लोग हैं, हमारी बरदाश्त की जो शक्ति है, वह ज्यादा है।

**श्री उपसभापति:** शरद जी, ठीक है, हो गया।

**श्री शरद यादव:** आप इसको प्रिविलेज मानेंगे, मान लिया। मैं मानता हूँ कि आपकी न्याय बुद्धि इसे मानेगी। मैं तो इसके मायने को रखना चाहता हूँ कि यह खबरों को देने वाला एक ऐसा अकेला ठिकाना है। इस सदन के बाहर जो यह राज्य सभा टेलीविजन संस्था है, उसके सीईओ, सीएजी से लेकर सबके लिए असत्य छप जाए या कोई ऐसी चीज छप जाए और इसे हमारे आसपास डाल दिया जाए।

**श्री उपसभापति:** ठीक है, शरद जी।

**श्री शरद यादव:** इसलिए इसको तत्काल स्वीकार करके इस पर बहस भी होनी चाहिए और जिन लोगों ने ऐसा किया है, उनको सख्त से सख्त सजा मिलनी चाहिए। बाकी बाद में रहे, क्योंकि मर्यादा हमारे लिए भी है और मर्यादा लोगों के लिए भी है। वेंकैया जी, यहां बैठे हैं, इसलिए मैं ज्यादा नहीं बोलूंगा। बहुत-बहुत शुक्रिया।

**MR. DEPUTY CHAIRMAN:** We do not want a discussion on this.

**श्री नरेश अग्रवाल:** उपसभापति जी, हम सिर्फ समर्थन कर रहे हैं, जो नेता विरोधी दल ने कहा और शरद जी ने कहा है। इसमें कहीं न कहीं कोई साजिश नजर आ रही है, क्योंकि इधर लगातार देख रहे हैं कि राज्य सभा का चैनल, राज्य सभा, दोनों पर एक तरीके से साजिश

के तहत कुछ न कुछ आक्रमण हो रहे हैं। इसलिए मैं चाहता हूँ कि इस प्रिविलेज मोशन को आप एक्सेप्ट कर लीजिए, प्रिविलेज कमेटी को भेज दीजिए, जिससे सब चीज सही-सही सामने आ जाए।

**श्रीमती विप्लव ठाकुर:** सर, मुझे भी एक मिनट बोलने दीजिए।... (व्यवधान)...

SHRI D. RAJA: The LOP and other senior colleagues have effectively presented the issue and it is before the Chair. I urge upon the Chair to accept this and decide.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Mr. Deputy Chairman, Sir, I have heard the Leader of the Opposition, but I must tell the House that the full facts of the case are not before the House. This is number one.

Number two, when we refer a matter to the Privileges Committee, we must be convinced that there is a privilege involved in this.

Number three, before we admit the motion, we have to be sure of how it is going to affect the image of the House also, *per se*. If there is something written against the House or against a particular individual or a Member of the House, or, if any motives are attributed to the Member of the House or the institutions themselves, then, that is a serious matter. If some comment is made about the utility of the channel, it is a fair criticism. Nobody can have objection to that. I may feel it as very important; others may feel it as not important. Why are you wasting public money? That can be- matter of another opinion. That much freedom is there to the people, particularly in the media. So, what I suggest is before you take a decision about the admission of this motion, let us go through the full facts of the case, and then admit it. Otherwise we will be seen as if we are encroaching upon the rights of the media. That is another angle that has to be kept in mind. To be frank, except hearing the Leader of the Opposition, I am not well versed with the full facts. I do not

know what is the notice, who are the Members who have given notice and what is the total content of the notice also because that is not circulated to the other Members of the House. Keep all these things in mind before taking a decision. That is my humble suggestion to you.

MR. DEPUTY CHAIRMAN: That's all.

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABIAZAD): Before taking a decision, you check up the figures. The facts are there.

MR. DEPUTY CHAIRMAN: We will see all aspects of it. Anyhow, I have got information from the Secretariat that a notice has already been received signed by many Members. Therefore, that notice will be examined and dealt with according to the law.

**श्री शरद यादव :** माननीय उपसभापति जी, मैं श्री एम. वेकैया नायडु जी की बात को ठीक मानते हुए, यह निवेदन करना चाहता हूँ कि इस चैनल को सभापति जी हैड करते हैं और इस सदन में हम में से ऐसा कोई नहीं है, जो उनकी मर्यादा को कभी इस सदन में पार करता हो। मैं मानता हूँ कि आलोचना हो सकती है, सब कुछ हो सकता है, सारा अधिकार है, लेकिन यह भी ध्यान रखना चाहिए कि लोक सभा के चैनल को वहां स्पीकर देखते हैं और राज्य सभा के टी. वी. चैनल को कोई अकेले सी. ई.ओ. या कोई और नहीं देखता है, बल्कि यह तो केवल सभापति जी के जिम्मे है।

महोदय, इसी सदन ने, यूनेनिमसली हम सब ने मिलकर यह तय किया है कि इसके हैड सभापति होंगे। इसलिए इसमें सारे तथ्य हैं। इसमें जो एक-दूसरे को जो लिखा गया है, उससे सब विपरीत है। इसलिए मैं यह मानता हूँ कि आपको इसे मानना चाहिए और आपको होल हार्टेडली इसका समर्थन करके इसे आगे बढ़ाना चाहिए।

**श्री उपसभापति:** शरद जी, रूल के अनुसार देखूंगा। We will examine it in accordance with the rules.

SHRIANAND SHARMA: Sir, I am also one of the signatories. We were listening to the Minister of Parliamentary Affairs. There are no two opinions on what he is saying. There is one issue here. There I have slight divergence. The question is utility. Now, this House in its collective wisdom has decided on its utility. How can we expect a fair criticism? Considering the privileges of this House we have our own channel. The other House is having its own channel and that channel is also disseminating information. So, this channel is also doing exactly the same. So, that is where the question of the privilege of this House is involved, when the authority, right and decision of the House to have a dedicated channel is being questioned. That is why we have all signed this petition.

MR. DEPUTY CHAIRMAN: It will be examined according to the rules. We have the Rule Book.

SHRI M. VENKAIAH NAIDU: We are having an enlightened debate. There is nothing wrong. I am not joining issue with either Sharadji or Anand Sharmaji. My only worry is that after all, everything will come up for public scrutiny tomorrow, including comments. Keeping that in mind, one should understand, criticism or a comment on the channel is not a comment on the Chairman. Let that be very clear. Criticism about the contents of the channel's telecast is not a criticism of the House, which has decided, in its collective wisdom, to have a channel of its own. There is nothing wrong with that. We unanimously passed a legislation such as the judicial Appointments Commission. We hear criticism about that too. So, there is criticism even at that level! So that being the case, we are in a democracy and the Parliament has got its importance and the media also has its importance. So, while taking a decision, keep all these things in mind, particularly the contents, the facts that have been mentioned, or twisted and misrepresented, and then take a considered view. That is what I have said.

MR. DEPUTY CHAIRMAN: That is all. All aspects would be looked into and we would deal with it according to the rules in the Rule Book.

SHRI K.T.S. TULSI (Nominated): Sir, more than 16 Members have protested, but that is not the question, and they are from all parties. It is not a bipartisan issue. This is not a question of criticism. This House is in the forefront for criticizing the freedom of expression. But this is malicious. Contrary to record, nobody was contacted. This is an attempt to malign the entire House. If malicious attempts are submitted ... (*Interruptions*) ...

MR. DEPUTY CHAIRMAN: We will examine that.

**Comments dated 15.07.2015 received from DNA newspaper**  
(*vide* para 5 of the Report)

Date: 15th July, 2015.

Mr. Vijay Kumar  
Deputy Director  
Rajya Sabha Secretariat  
Parliament House Annex  
New Delhi-110 001.

Respected Sir,

Sub: Allegedly publishing a malicious and false report in DNA newspaper about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha—matter of breach of privilege.

This has reference to your letters dated 11.05.2015 and 02.07.2015 respectively.

At the very outset, we wish to categorically state that the DNA report published on 6th April, 2015 is entirely about Rajya Sabha TV and not linked to the proceedings of the Upper house or the conduct of the Chair. There was and is never any intention to malign or denigrate the Rajya Sabha or members of the Rajya Sabha as we hold the august members of the Upper House in high regard. Furthermore there was and is not intent on our part to malign the image of the House or its members by fabricating facts or concealing and distorting the truth. The article which is fair and balanced, is based on the findings of a draft Comptroller and Auditor General report.

We would also like to bring to your kind attention the following facts:

1. The contents made in the article published are fair comments and pertain to the utility of the Rajya Sabha TV Channel including the cost incurred in operating the same. There is and was no intent to

defame or malign anyone. In fact if one is to read the article carefully no name of any member of the Upper House has been mentioned.

2. We have been informed that close to 48 members of the Rajya Sabha have raised concerns about the contents of the article. May we request you to kindly provide the list of such members (as no list was attached to the first letter though a reference to the same has been made to the same) so that we can explain our position, if need be, individually to all of them.
3. We would also like to bring to your kind attention that the comments of the CEO, Mr. Gurudip Sappal were taken and the same were published as part of the article. Hence the article contained the inputs and views expressed by the CEO of Rajya Sabha TV.
4. Without prejudice to the above, on realizing that we had committed a typographical error, we carried out a “Clarification” prominently on the front page of the paper which was published on 30<sup>th</sup> May, 2015, a copy of which is enclosed herewith for your kind and ready reference (**Annexure II**).

We reiterate that there was never any intention to malign or denigrate the Rajya Sabha or members of the Rajya Sabha as we hold the august members of the Upper House in high regard.

In consideration of the above, we request you to kindly consider the matter as closed. This being said, we are open to meet up with you in person, as per your convenience, to present our side of the story along with details and facts which we have with us.

Yours truly,

Sd/-

Raman Kirpal  
Associate Editor,  
DNA, New Delhi

### **CLARIFICATION**

DNA report titled 'Raj-era extravaganza of Rajya Sabha TV scoff at austerity', published on April 6, 2015, is entirely about RSTV and not linked to the proceedings of the Upper House or the conduct of the Chair. There is no question of denigrating the dignity of the august House. The story is based on the findings of an Inspection report filed by the Office of the Director General of Audit, under the Comptroller and Auditor General. However, we regret a mistake in the story. The auditor, in its report, had observed that between 2009-2010 and 2011-2012, the channel had spent Rs. 1698.40 lakh, DNA had rounded up this figure to 1700 and inadvertently wrote 'crore' in place of 'lakh'.

**Letter dated 29.4.2016 received from  
Shri Mathew Samuel, the then Editor, Tehelka**  
(vide para 8 of the Report)

Ref. No.....

Date: 29-4-2016.

Shri Vijaya Kumar  
Deputy Director  
Rajya Sabha Secretariat  
New Delhi 110 001

Sir,

Ref: Your Letter No. RS 35/6/2015-L

Please refer to my earlier communication dated 06/02/2016 expressing regret about publishing a report on the recruitment process of Rajya Sabha TV in Tehelka magazine.

In the above cited communication I had also mentioned that an internal review had found that Mr. Anurag Tripathi, the correspondent who filed the story for Tehelka had not done due diligence before submitting his report.

As Managing Editor of Tehelka, I had initiated several steps to prevent such errors. Mr. Tripathi who filed the story is no longer working with Tehelka.

In the same communication, I had also regretted the publication of the report and tendered my unconditional apology for the same.

Subsequent to my appearance before the Committee of Privileges, I resigned from Tehelka. Hence I was not able to execute the directions of the Committee of Privileges.

A new editor has been appointed by the management. I suggest you liaise with him, or the publisher to execute the directions of the Committee of Privileges.

Thanking you,

Yours sincerely

Sd/-

Mathew Samuel

ANNEXURE-VII

**Letter dated 2-5-2016 from the publisher of Tehelka magazine**  
(*vide* para 8 of the Report)

Date: 2-5-2016.

Mr. Vijay Kumar  
Rajya Sabha Secretariat (Parliament House),  
New Delhi

Subject: - Regarding publishing a malicious and false report in “Tehelka”.

Dear Sir,

This is in the response of your letter No. RS 35/6/2015-L dated 21.04.2016 to Mr. Mathew Samuel – (former Managing Editor of Tehelka) and Cc to me.

Kindly note again that Mr. Mathew Samuel is not associated with our organization since December 2015, however on behalf the organization I offer unconditional apology for this report. The report was published without the knowledge of the management which otherwise we would have never allowed. The error was unintentional and deeply regretted.

We have also published this unconditional apology in our magazine Issue no. 12, Please find attached two copies of the same.

Yours Faithfully

Sd/-  
Publisher  
(Swinder Bajwa)

**An apology**

This is with reference to the letter from Deputy Director, Vijay Kumar, Rajya Sabha Secretariat, asking Mr. Mathew Samuel (Managing Editor of TEHELKA) to appear in person before the Committee “regarding allegedly publishing a malicious and false report in TEHELKA magazine about the functioning of Rajya Sabha TV maligning the image of Rajya Sabha-matter of breach of privilege”. This is to inform that Mr. Mathew Samuel is not associated with TEHELKA since December 2015. However, on behalf of the organisation, I offer unconditional apology for the report and submit that the report was published without the knowledge of the management, which otherwise we would have never allowed. The error was unintentional and deeply regretted.

**Swinder Bajwa**  
Publisher