

*The House reassembled at four of the clock,  
MR. CHAIRMAN in the Chair.*

### **OBSERVATION BY THE CHAIR**

MR. CHAIRMAN: I request the hon. Member, Shri Derek O'Brien, who has been suspended from the service of the Council, to immediately leave the precincts of the Council as required under Rule 256 (3) of the Rules of Procedure and Conduct of Business in the Council of States. ...(*Interruptions*)... I again urge the hon. Member to leave the Chamber and comply with the directive. ...(*Interruptions*)... The refusal by the hon. Member, Shri Derek O'Brien, to comply with the decision of the House and the directions imparted is a severe violation of the Rules of Procedure and amounts to wilful contempt of the House. ...(*Interruptions*)... Due to his ignoble conduct, the House could not take up Question Hour and other Legislative Business thereby affecting rights of the Members and public at large. ...(*Interruptions*)... It thus becomes a question of privilege of Members. ...(*Interruptions*)... We all are constitutionally ordained to discharge function as Members and this continued defiance has handicapped it and is an unproductive drain on the public exchequer. ...(*Interruptions*)...

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### **REFERENCE TO COMMITTEE OF PRIVILEGES**

THE LEADER OF THE HOUSE (SHRI PIYUSH GOYAL): Sir, with your kind permission, I seek leave of the Council to raise a question of privilege against Shri Derek O'Brien, hon. Member of the House. The Motion is:

"That the House takes a serious note of the conduct of Shri Derek O'Brien, Member, who was suspended from the service of the Council under Rule 256(2) to deliberately continue in the chamber in gross violation of Rule 256(3) and disregarding repeated directions imparted by the Chair, thereby compounding his offence and committing a serious contempt of the House and breach of privilege of Members, and agrees that the matter be referred to the Committee of Privileges of Rajya Sabha for examination, investigation and report within a period of three months."

MR. CHAIRMAN: Since there is an objection, hon. Members, under Rule 192, I request those Members who are in favour of leave be granted to rise in their place. ...(*Interruptions*)... Are you also supporting it? ...(*Interruptions*)... Under the Rule, all those Members who rise are supporting it. ...(*Interruptions*).. Hon. Members, more than 25 Members have risen in their place. ...(*Interruptions*)... The hon. Leader of the House has the leave of the Council. He may now move the Motion.

SHRI PIYUSH GOYAL: Hon. Chairman, Sir, I move the following Motion:

"That the House takes a serious note of the conduct of Shri Derek O'Brien, Member, who was suspended from the service of the Council under Rule 256(2) to deliberately continue in the chamber in gross violation of Rule 256(3) and disregarding repeated directions imparted by the Chair, thereby compounding his offence and committing a serious contempt of the House and breach of privilege of Members, and agrees that the matter be referred to the Committee of Privileges of Rajya Sabha for examination, investigation and report within a period of three months."

MR. CHAIRMAN: The question is:

"That the House takes a serious note of the conduct of Shri Derek O'Brien, Member, who was suspended from the service of the Council under Rule 256(2) to deliberately continue in the chamber in gross violation of Rule 256(3) and disregarding repeated directions imparted by the Chair, thereby compounding his offence and committing a serious contempt of the House and breach of privilege of Members, and agrees that the matter be referred to the Committee of Privileges of Rajya Sabha for examination, investigation and report within a period of three months."

*The motion was adopted.*

...(*Interruptions*)...

MR. CHAIRMAN: The matter stands referred to the Committee of Privileges of Rajya Sabha for examination, investigation and report within a period of three months. ...(*Interruptions*)..I again urge the hon. Member, Shri Derek O'Brien, to withdraw from the House so that Listed Business can be taken up.

I again urge the hon. Member to follow the rules, resolution of the House, directive of the Chair, act responsibly, vindicate his obligations as Member of this august House and withdraw from the House to facilitate discharge of constitutional

obligations and serving the people at large. ...(*Interruptions*)...Hon. Members, since Shri Derek O'Brien continues to be defiant and continues the disruption, the House stands adjourned to meet at 11 a.m. on Friday, the 15<sup>th</sup> December, 2023.

*The House then adjourned at seven minutes past four of the clock till eleven of the clock on Friday, the 15<sup>th</sup> December, 2023.*