

Mahua Moitra Expelled From Lok Sabha

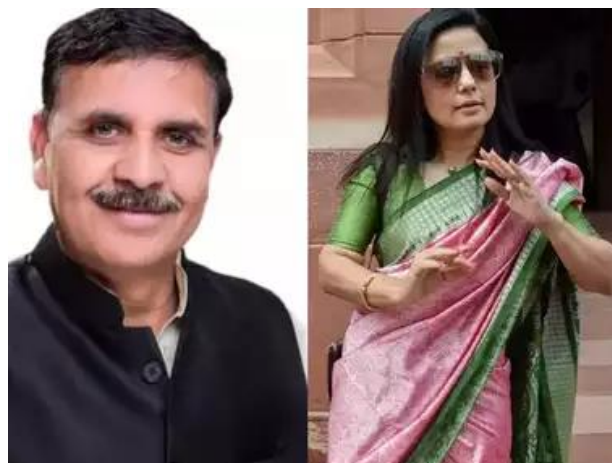
Why In News

- Trinamool Congress **MP Mahua Moitra** was expelled from the Lok Sabha after the House adopted the report of its Ethics Committee that held her guilty of indulging in **“unethical conduct”** and committing **“serious misdemeanours”**, and recommended her expulsion.



What's The Whole Case

- The **committee report** found Moitra guilty of **"unethical conduct"** and **contempt of the House** by **sharing her Lok Sabha credentials** – user ID and password of Lok Sabha Member's Portal, with unauthorised persons which had an irrepressible impact on national security.



- The **Ethics Committee**, chaired by **BJP's Vinod Sonkar** had investigated the allegations made by **BJP MP Nishikant Dubey** on Mahua Moitra that she took a bribe from **businessman Darshan Hiranandani** for asking questions in the Lok Sabha & who in turn, **loaded a majority of the questions** on her behalf in **return for cash and gifts**.



- The questions were majorly those in which the **Hiranandani group** had business interests that clashed with those of **business tycoon Gautam Adani**.
- It said that a **“threadbare examination”** had established, beyond doubt, that Moitra had **“deliberately”** shared her Lok Sabha login credentials with businessman Darshan Hiranandani.
- The allegations, of what is being called the **“cash-for-query” scam** by the BJP, were made by Moitra's bete noire, Nishikant Dubey.



- **“Therefore, Smt Mahua Moitra is guilty of unethical conduct, breach of her privileges available to members of Parliament and contempt of the House.”**
- **“The serious misdemeanours on the part of Smt Mahua Moitra calls for severe punishment. The Committee, therefore, recommend that Smt Mahua Moitra,**

MP may be expelled from the membership of the 17th Lok Sabha. In view of highly objectionable, unethical, heinous and criminal conduct of Smt. Mahua Moitra, the Committee recommend for an intense, legal, institutional inquiry by the Government of India in a time-bound manner,” **the panel report.**

Can She Go To The Supreme Court

- She has the option of **challenging the expulsion in the apex court**, says former Lok Sabha secretary general P D T Achary.
- As he explains, “Normally, House proceedings cannot be challenged on the ground of procedural irregularity. **Article 122 of the Constitution** is clear. It gives immunity to the proceedings from a challenge from court.”



- **Article 122 says** “the validity of any proceedings in Parliament shall not be called (into) question on the ground of any alleged irregularity of procedure”. It also specifies that “no officer or Member of Parliament in whom powers are vested by or under this Constitution for regulating procedure or the conduct of business, or for maintaining order, in Parliament shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers”.
- However, Achary points out, the Supreme Court said in the **2007 Raja Ram Pal case** that “those restrictions are only for procedural irregularities. There may be other cases where judicial review may be necessary.”