

2. Ruling

The Notice of Breach of Privilege withheld on the principle of *Res Judicata*

30-4-2003

**SECOND SESSION (2003) OF THE FOURTH
ASSEMBLY**

LEGISLATIVE

Background

A notice of Breach of Privilege and Contempt of the House, dated 23rd April 2003, was received by the Hon'ble Speaker, raised by Shri. Laxmikant Parsekar, MLA, against one of the Member of the House, under Rule 76 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly, for having cast aspersions on the decisions of the August Chair of the House. The notice, stated that on 15th April, 2003, at the commencement of the Question Hour, some members sought the ruling of the Speaker, on the issue of postponed Questions. The Speaker stated that he was only following the past precedents and agreed that the precedents were erroneous, which he would rectify, from the next Session. The Member, instead of accepting the Speaker's decision went on to state that "*the postponement was not acceptable to him, and that there never has been such a precedent in this House. We are being misguided if the Hon'ble Chair is misguiding us.*"

Ruling of the Speaker

Shri. Vishwas Satarkar :- I have read the notice carefully and found that the issue raised therein pertains to the same matter, which I have already decided and wherein I have warned the member, to be careful in future, in my ruling delivered in this House, on 16 April 2003. I am bound by the principle of '*Res Judicata*', under which the issue once decided cannot be tried again for the same offence.

In view of this, I withhold my consent for raising the issue of Breach of Privilege and Contempt of the House.