

Procedure for arresting a Union minister

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In news- Union minister Narayan Rane was arrested recently over his statement on Maharashtra Chief Minister Uddhav Thackeray.

Procedure to arrest a Union minister in India-

- If Parliament is not in session, a cabinet minister can be arrested by a law enforcement agency in case of a criminal case registered against him.
- As per **Section 22 A of the Rules of Procedures and Conduct of Business of the Rajya Sabha**, the Police, Judge or Magistrate would have to intimate the Chairman of the Rajya Sabha about the reason for the arrest, the place of detention or imprisonment in an appropriate form. (In case of Lok Sabha, the Speaker have to be intimidated)
- The Chairman/Speaker is expected to inform the Council if it is sitting about the arrest.
- If the council is not sitting, he/she is expected to publish it in the bulletin for the information of the members.
- In civil cases a Union minister or an MP enjoys protection from arrest 40 days before the start of a Parliament session, during its sittings and 40 days after its conclusion.
- The **privilege of freedom from arrest does not extend to criminal offences or cases of detention under preventive detention.**
- No arrest, whether of a member or of a stranger, can be made within the precincts of the House without the prior permission of the Chairman/Speaker and that too in accordance with the procedure laid down by the Home

Ministry in this regard.