

संख्या डेढ़ करोड़ हो, एक करोड़ दस लाख हो या एक करोड़ बीस लाख हो, उनकी संख्या के बारे में कभी किसी ने कुछ कहा है, कभी किसी ने कुछ कहा है और अंतिम बार मेरे पूर्व अधिकारी श्री इंद्रजीत गुप्ता जी ने कहा कि दस मिलियन, दस मिलियन की उनकी बात कह दी, अब इतनी बड़ी संख्या में कितने लोगों को डिपोर्ट करेंगे। इतने साल हुए हैं, मैंने देखा कि महाराष्ट्र में शायद 6,000 लोग कांग्रेस के लोगों ने डिपोर्ट किए थे और 2,000 लोग इस सरकार ने डिपोर्ट किए हैं। मैं इस चीज का उल्लेख इसलिए कर रहा हूँ कि देशभर में जो देश के दुश्मनों की गतिविधियाँ बढ़ी हैं और जिसमें उग्रवाद एक भयानक, एक भयंकर रूप हैं जितनी गतिविधियाँ बढ़ी हैं, उन सबमें हम राजनीति नहीं लाएंगे। We will not make anyone a political foe. यह बात हमारे मन में आनी चाहिए और मुझे अधिकांश सदस्यों की बातों में कहीं राजनीति नहीं दिखी। कहीं-कहीं दिखी और उसकी प्रतिक्रिया यहां से भी हुई, स्वाभाविक है, लेकिन कुल मिलाकर सब लोगों ने इस घटना के बारे में चिंता प्रकट की, जिस चिंता को पिछली बार आपने किसी भी प्रकार की आलोचना किए बिना प्रकट किया था और केवल मात्र अपने सभापति को कह दिया कि प्रधान मंत्री को यह जानकारी मिलनी चाहिए। उस समय हमारे मन पर यह भी बोझ था, मैं जानता हूँ, कि हमारे प्रधान मंत्री वहां बैठे हुए हैं, वे बात करने वाले हैं और ऐसे अवसर पर कोई ऐसी बात न कहें जिसके कारण उनके हाथ कमजोर हों, इस कारण भी बहुत ही संयत रूप से कहा गया। आज भी, बहुत संयत रूप से, कहीं-कहीं अगर मेरी आलोचना हुई तो मैं समझता हूँ कि उसमें आपको पूरा अधिकार है, उसमें मुझे आपत्ति नहीं है लेकिन मैं इतना ही विश्वास दिलाना चाहता हूँ कि जो लोग पर सुझाव दिए गए हैं .. (व्यवधान)...

श्री गुलाम नबी आज़ाद: माननीय गृह मंत्री जी, अभी-अभी इत्तिहज़ मिली है कि पुंछ में आज 19 आदमियों को मार दिया गया है।

श्री लाल कृष्ण आडवाणी: मुझे पता है, वह व्यक्ति कौन है इसकी जानकारी भी लगा रहे हैं क्योंकि वह एक प्रसिद्ध उपासी है, उसके साथ कुछ जुड़े हुए लोग हैं। इम्तियाज़ नाम का कोई व्यक्ति है जो मिलिट्री है, ऐसा मुझे बताया गया है, लेकिन उसकी जानकारी हम कर रहे हैं कि क्या हुआ है, कैसे हुआ है।

बीच में सिक्खुरिटी रिलेटिड एक्सपेंडिचर की बात आई, भद्रवाह की बात थी स्पेसिफिक और कई सुझाव अरुण शोरी ने दिए थे, मैं समझता हूँ कि किसी के मन में भी पाकिस्तान के इरादों के बारे में, नीयत के बारे में संदेह नहीं होना चाहिए। कुछ के मन में अगर होता है तो वे

उसको जितनी जल्दी त्याग दें उतना अच्छा होगा। उन्होंने एक अपनी नीति बना रखी है, एक अपनी एगोनीति बनाई है, एक प्लान आफ एक्शन बनाया है और हमारा संकल्प भी है कि उनके इस प्लान आफ एक्शन को, इस प्रॉक्सी वार को परास्त करके ही छोड़ेंगे और हमें अगर उसमें सफलता मिली, जितना मेरा क्षेत्र है, तो मैं जो कुछ डोडा में कह चुका हूं, उससे मैं प्रतिबद्ध हूं।..(व्यवधान)..

SHRI RAMACHANDRA KHUNTIA  
(Orissa): Sir, I have a point to ask ...  
(Interruptions)..

MR. CHAIRMAN: No ... (*Interruptions*)..  
Mr. Salim,

SHRI MD. SALIM: Sir, I am thankful to the hon. Home Minister...(Interruptions)... I am not asking for any clarification...(Interruptions)...I am appreciating the hon. Home Minister...(Interruptions)...

अभी आपने बताया कि यह मामला राजनीति से ऊपर उठकर है अतः प्रवेश के मामले को, इन्फिल्ट्रेशन के मामले को पोलिटिकल इशू किसने बनाया... (व्यवधान) बंगला-देशियों को समस्या को पोलिटिकल इशू किसने बनाया... (व्यवधान) यह ऐडमिनिस्ट्रिटिव प्रॉब्लम है... (व्यवधान)

[illegible]

MR. CHAIRMAN: Do you want to adjourn till 2.30 p.m.? (*Interruptions*). The House is adjourned for lunch till 2.30 p.m.

The House then adjourned for lunch at thirty-five minutes past one of the clock.

The House reassembled after lunch at thirty-five minutes past two of the clock, the **Deputy Chairman in the Chair.**

### DISCUSSION ON FINAL REPORT OF JAIN COMMISSION AND A.T.R.

**THE DEPUTY CHAIRMAN:** Now, we will take up further discussion on the Jain Commission Report.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND THE MINISTER OF SURFACE TRANSPORT (SHRI M. THAMBI DURAI): Madam, I have a Bill for introduction.

Madam, I move ....

THE DEPUTY CHAIRMAN: It has not been listed here. You cannot introduce the Bill. I was looking into my papers.

Mantriji, get it listed, and then we will get you.

श्री संघ प्रिय मोहन (उत्तर प्रदेश): जो बिल आज लिस्टेड नहीं है, वह नहीं लिया जाएगा।

THE DEPUTY CHAIRMAN: No. There is a procedure for it. There should be notice for the Bills which have not been listed at the moment. We are issuing a Supplementary List of Business. We are receiving some Bills from the Lok Sabha. As today is the last day of this session for us, there would be a Supplementary List of Business. At about 4-00 P.M. or 4-30 P.M. we will take up those Bills. We will get your Bill also listed therein. We will ask you to come back again. Or you may keep sitting here. ... (Interruptions) ...

श्री विजय कुमार मल्होत्रा (दिल्ली): कभी-कभी इनको राज्य सभा में भी बैठने दीजिए।

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, is the session being extended?

THE DEPUTY CHAIRMAN: As far as my knowledge goes, it is not being extended.

SHRI GURUDAS DAS GUPTA: Is the Government not interested in its Legislative Business?

THE DEPUTY CHAIRMAN: I can give you an assurance that if you keep sitting beyond twelve o'clock, it will automatically be extended without the permission of the Government. If you promise to sit beyond twelve o'clock tonight, you don't need the Government to extend the session. You will be in the next day.

SHRI NARENDRA MOHAN (Uttar Pradesh): Our wages are going to be increased, I believe. So, we have to sit.

DISCUSSION ON FINAL REPORT OF JAIN COMMISSION AND A.T.R.—Contd.

THE DEPUTY CHAIRMAN: Now we will take up further discussion on the Jain Commission Report.

श्री जितेन्द्र प्रसाद (उत्तर प्रदेश): उपसभापति महोदय, कल जैन कमिशन पर मेरे कुछ साधियों ने बड़े विस्तार से

अपने विचार रखे। काफी महत्वपूर्ण डीटेल्स सदन के समक्ष रखे गए। राजीव गांधी जी की हत्या देश की अखंडता के उपर एक हमला था और कल जैसा की मलकानी जी ने कहा कि It was an assault on India मैं यह सदन के समक्ष और आपके समक्ष रखना चाहूंगा कि इस देश में हमेशा से दो ताकतें रही हैं, एक देश को तोड़ने वाली और एक देश को जोड़ने वाली। जोड़ने वाली जब-जब ताकतें मजबूत हुई हैं, देश मजबूत हुआ है, देश ने तरक्की की है। आजादी को लड़ाई जब लड़ी गई थी तो हम गुलाम थे, हमारा समाज बंट रहा था और समाज को महात्मा गांधी ने नेतृत्व देकर एक किया। जिस दिन समाज एक हो गया, उस दिन हमको आजादी भी मिली। गांधी जी साम्प्रदायिक एकता चाहते थे और साम्प्रदायिक एकता के लिए वे जो कुछ भी कर सकते थे, करते थे। साम्प्रदायिक ताकतों ने, फिक्कापरस्त ताकतों ने जब देखा कि उनके होते इनका मनसूबा सफल नहीं होगा तो सन् 1948 में महात्मा गांधी की हत्या हुई। इसी प्रकार से इंदिरा जी देश की अखंडता, देश की मजबूती, देश की एकता के लिए बराबर लड़ती रहीं अलगाववादी ताकतों से। अलगाववादी ताकतों के हाथ उनकी भी हत्या की गई।

राजीव गांधी जी किस प्रकार से राजनीति में आए, यह जैन कमिशन के अंदर मैंने एक चैप्टर में पढ़ा। बड़े विस्तार से जैन कमिशन में जो इंटरिम रिपोर्ट थी, उसमें उद्धृत किया गया है। मैं थोड़ा सा उसमें से पढ़ना चाहता हूँ।

"Soon after becoming the Prime Minister, elections for the Lok Sabha were announced to be held in December, 1984. He got a landslide victory for the Congress Party winning 401 seats out of 508 contested by it. In his capacity as Prime Minister, he signed the Punjab, Assam and Mizo Accords and for the settlement of Tamil ethnic crisis, Indo-Sri Lanka Accord was signed in July 1987. During his tenure as Prime Minister, several reforms were brought about in the administration, economy and technology. He also brought about judicial and electoral reform by amendment of the Constitution. Panchayati Raj was introduced and the voting age was also reduced from 21 years to 18 years."

मेरे कहने का तात्पर्य इतना है कि इतने बंग, इतनी कम उम्र में एक ऐतिहासिक कार्यकाल उनका - जब वह प्रधान मंत्री थे, जब उन्होंने देश को प्रतिनिधित्व दिया - रहा है। इंटरनेशनल फ़ेडरेशन में हमेशा उन्होंने चाहा कि सारे रीजन में भारत का मजबूत स्थान हो। उन्हीं के यमान में माल्द्वीप की गर्वनमेंट की हमने मदद की और जब-जब

जरूरत पड़ी - चाहे वह सार्क हो, चाहे और कोई इंटरनेशनल फोरम हो, उसमें भारत का योगदान राजीव जी के नेतृत्व में हुआ। आज हम उनकी जो डिज़ार्ममेंट की पॉलिसी थी, यूनाइटेड नेशंस में उन्होंने जो प्रपोज़ल रखा था, आज तक हम उसको मानकर चलते हैं। मैडम, यह उनके योगदान थे मगर नयी पीढ़ी के लिए वह एक प्रेरणा के स्रोत थे। महोदया, देश को जो तोड़ने वाली ताकतें थी, जो देश को डीस्टैबलाइज़ करने वाले थे - चाहे वह इस देश के अंदर हों, चाहे देश के बाहर हों - उन ताकतों के मनसूबे उस दिन सफल हुए जिस दिन राजीव जी की हत्या की गयी। देश के दुश्मन चाहे विश्व में कहीं भी हों - चाहे अंदर हों या बाहर हों - एक बात, एक संदेश इतिहास उनको देता रहा है, समय उनको बार-बार बताता रहा है कि हमेशा जब तक कांग्रेस इस देश में रही है, देश में देश के दुश्मनों के मनसूबे कभी सफल नहीं हो पाए हैं। आज नतीजा यही है कि तीन-तीन महान नेताओं की शहादत कांग्रेस के झंडे के नीचे हुई है। जैन आयोग की रिपोर्ट में बहुत सी कमियां दर्शायी गयी हैं, आलोचना भी की गयी है। पर कांग्रेस दल ने जैन आयोग की रिपोर्ट को स्वीकार किया है। मगर एक बात पर आम सहमति - जितने घक्काओं को मैंने सुना है - एक बात पर आम सहमति मुझे देखने को मिली है और वह आम सहमति यह थी कि हर सदस्य यह चाहता है कि अगर कोई गुनहगार थे, अगर कोई षड्यंत्रकारी थे, अगर कोई षड्यंत्र था, अगर कोई कमी बरती गयी है तो उनको बेनकाब होना चाहिए और ऐसी घटनाओं की पुनरावृत्ति नहीं होनी चाहिए। किस वजह से यह घटना हुई, इसकी पूरी-पूरी जांच होनी चाहिए। महोदया, मेरे साथियों ने कहा कि यह एक नेशनल ट्रैजिडी थी। वह प्रधान मंत्री तो थे ही, मगर साथ-साथ वह कांग्रेस के अध्यक्ष थे। कांग्रेस के अध्यक्ष होने के नाते व्यक्तिगत रूप से मुझे उनके साथ काम करने का अवसर मिला था। मगर मैं अकेला नहीं, इस देश के करोड़ों कांग्रेसजनों की भावनाएं उनके साथ थी। जब मैं भावना की बात करता हूं तो आज हमारे लिए यह जो विषय है, जिस पर आज हम बहस कर रहे हैं कल की बहस पर समाचार पत्रों ने कुछ टिप्पणी की है। हम साफ़हट से कहना चाहते हैं कि हम इस मुद्दे को राजनीतिक मुद्दा नहीं बनाना चाहते हैं। हम किसी के ऊपर आरोप लगाकर अपनी राजनीतिक लड़ाई को सफल नहीं करना चाहते हैं, हम राजनीति से ऊपर उठकर इस मुद्दे को रखना चाहते हैं और हम सच्चाई जानना चाहते हैं कि आखिर इस मामले में सच्चाई क्या थी और सच्चाई के अलावा हम कुछ और नहीं जानना चाहते हैं। हमारे कई माननीय सदस्य कल बोल रहे थे, उन्होंने कहा कि कांग्रेस ने इस देश को चुनाव में धकेल दिया। क्या आरोप थे?

जैन कमिशन के इतने वोल्यूम्स हैं, सारे वोल्यूम्स देख डाले गए, माननीय सदस्य ने कहा कि हमको कोई ऐसा कारण नहीं मिला है जिसकी वजह से इस देश को चुनाव झेलना पड़ा। मैं आज कहना चाहता हूं कि जैन कमिशन की जो पहली रिपोर्ट थी जिसे एंटरिम रिपोर्ट कहा गया है वह 28 अगस्त को सदन में रखी गई थी। सदन में जब वह रखी जाती है उससे पहले उस रिपोर्ट को एक मैनगजोन में लीक किया जाता है। लीकेंज कैसे हुआ, क्या हुआ इसके बारे में भी बड़ी चर्चा हुई। फाइनल रिपोर्ट भी लीक हुई है जो कि आपके शासन काल में आई है। सदन में आने से पहले उसके अंश समाचार पत्रों में भिल्ले थे। इसलिए जब रिपोर्ट लीक हुई तो शायद सीबीआई इन्क्वायरी इनीसिएट हुई थी, जहाँ तब मेरी जानकारी है। मगर उस सीबीआई इन्क्वायरी का क्या हुआ? किसने वह रिपोर्ट लीक की थी कुछ पता नहीं चला। मैं इसलिए कह रहा हूं कि जिस दिन वह रिपोर्ट लीक होती है उसमें कुछ अंश एंटरिम रिपोर्ट के छपते हैं। मेरे पास बहुत से अंश हैं मैं एकाध आपको पढ़कर सुनाना चाहता हूं। वोल्यूम-7, पैरा-73.25 पेज 949 एंड पैरा-73.32 पेज 944 में है:

"A growing nexus between the LTTE and the DMK and its repercussions on the local law enforcing machinery was discernible from the evaluation of the material. The conclusion is irresistible that there was a tacit support to the LTTE by Shri M. Karunanidhi and his Government and law enforcement agencies."

मैडम, यह रिपोर्ट बहुत लम्बी है। मैं आपका ज्यादा टाइम नहीं लेना चाहता हूं और इसमें कई जगह पर यह उद्धृत किया गया है कि तमिलनाडु के अन्दर ऐसा वातावरण बना, ऐसी वहां पर वारदातें हुई जिससे एल्टीटीई के लोगों को जो राजीव गांधी के हत्यारे थे उनको मदद मिली। यह तथ्य जब हमारे समक्ष आया, मैंने आपसे कहा कि यह हमारी भावना का सवाल था, नैतिकता का सवाल था, हमारे कर्तव्य का सवाल था। हम एक ऐसी सरकार को समर्थन दे रहे थे जिसके एक घटक का इस रिपोर्ट में नाम था। हमने प्रधान मंत्री से निवेदन किया, हम लोग उनसे जाकर मिले, वर्किंग कमेटी के सदस्य गुजराल साहब से जाकर मिले और उनसे निवेदन किया कि अब हमारे सामने बहुत बड़ी मजबूरी है, राजीव जी की हत्या हुई है, हत्यारे एल्टीटीई के लोग हैं, एल्टीटीई को वहां पर एक सरकार ने मदद दी है। यह जैन कमिशन ने उद्धृत किया है। हम उसे सही नहीं मानते। एल्टीटीई की मदद हत्या करने में नहीं की गई है। मगर एक वातावरण पैदा करने में की गई है। मैं एक मिसाल देना चाहता हूं कि गांधी जी की हत्या हुई थी, आरएसएस को बैन किया गया था, क्यों

बैन किया गया था? वह इसलिए बैन किया गया था कि आरएसएस के ऊपर आरोप था कि साम्प्रदायिक और साम्प्रदायिक माहौल पैदा करने का एक काम उन्होंने किया था और जब साम्प्रदायिक माहौल पैदा हुआ, उसका कलमिनेशन जो था उसके कारण गांधी जी की हत्या हुई थी। आरएसएस की जब जांच हुई तो उस पर से फिर बैन हट गया। हमने इनसे यही कहा था कि आपके ऊपर एक आरोप है। हम यह नहीं कहते कि आप हत्या में लिप्त थे या हत्या में आपने मदद की। मगर जो हत्या करने वाले थे उनके लिए एक ऐसा माहौल बना जिसका कलमिनेशन राजीव गांधी की हत्या में हुआ। हमने सिर्फ यह निवेदन किया था कि जो मंत्री आज सरकार में उस घटक के हैं उनको आप सरकार से अलग कर दें। वह अपनी जांच करा लें, आप जिस एजेंसी से चाहते हैं उससे जांच करा लें।

अगर जांच में यह पाया जाता है, महीने भर के अंदर, दो महीने के अंदर, तीन महीने के अंदर कि जैन कमिशन के अंदर जो आरोप हैं या जो वर्णन हैं ये निराधार हैं तो वे फिर वापस आ सकते हैं, हम सरकार नहीं गिराना चाहते थे, हम चुनाव नहीं चाहते थे। हम सैक्युलर फोर्सेस की युनिटी को कमजोर नहीं करना चाहते थे मगर हमारे सामने एक बहुत बड़ी मजबूती थी कि हम अपने कर्तव्य और नीतियों से बंधे हुए थे। मैं यहां पर यह कहना चाहूंगा कि भगवान न करे किसी भी राजनीतिज्ञ दल पर इस तरीके की बात आए और वह इन परिस्थितियों में हो तो उसको भी यही कदम उठाना पड़ेगा जो कांग्रेस पार्टी ने उठाया। इसका सबसे बड़ा सबूत है कि हमने इस मुद्दे को राजनीतिक मुद्दा नहीं बनाया, हमने राजीव गांधी की हत्या के मुद्दे को चुनावी मुद्दा नहीं बनाया चारों तरफ से हम पर आरोप लगते रहे कि आपने इस मसले पर सरकार गिरा दी, आपने देश को चुनाव में झोका दिया और आप इसका नाम भी नहीं ले रहे हैं। मगर वह मुद्दा चुनावी मुद्दा नहीं था, हमारा कर्तव्य था, हमारी नैतिकता थी। अगर हम नहीं करते तो लोग हमको कभी माफ नहीं करते।

चुनाव हुआ तो चुनाव की जिम्मेदारी किनके ऊपर है, मैं आज पूछना चाहूंगा? हमने बारबार युनाइटेड फ्रन्ट के लोगों से कहा कि आप इनको दूर कर दें, दूसरा प्रधान मंत्री बन जाए, किसी भी तरह का वे-आउट निकाल लें। हम इस तरह की बात कर रहे थे। समर्थन भी वापस किया। समर्थन इसलिए वापस किया कि अगर कोई दूसरी वैकल्पिक व्यवस्था बनेगी तो हम समर्थन देंगे। मगर भारतीय जनता पार्टी के नेता, भारतीय जनता पार्टी के लोगों ने दल्ले को तोड़ने की अनैतिक राजनीति शुरू कर दी। टीवी पर बयान आने लगे 40 एमपीज जा रहे हैं, 50

एमपीज जा रहे हैं, दल टूट रहे हैं। किस आधार पर टूट रहे थे? सिद्धांतों के आधार पर टूट रहे थे या किसी और लालच के आधार पर टूट रहे थे, तरह-तरह की बातें समाचारपत्रों में आने लगीं। नतीजा यह हुआ कि पार्लियामेंट भंग की गई और देश को चुनाव में झोका गया चुनाव की जिम्मेदारी सिर्फ कांग्रेस की नहीं है। आज अगर जिम्मेदारी है तो इन सभी दलों के ऊपर है जिन्होंने इस देश को चुनाव में समय से पहले झोका था। (...समय की घंटी) क्या हो गया मैडम?

THE DEPUTY CHAIRMAN: I just have to remind the speakers of their time-limit.

श्री जितेन्द्र प्रसाद: हमने बार-बार कहा कि दोषी बेनकाब हों और सबने कहा है। मेरा निवेदन है कि सत्तारूढ़ दल कम से कम इस मसले पर राजनीति से ऊपर उठे। मैं खुद इसके लिए कह रहा हूँ कि यह एक नेशनल ट्रेजडी है। सत्ताधारी दल इस मसले पर दलगत राजनीति से ऊपर उठकर यह प्रयास करें ताकि सच्चाई देश के सामने आ सके, दोषी इस देश के सामने आ सकें। यह जो आपने एटीआर दिया है इससे ऐसा प्रतीत नहीं होता है कि आप दलगत राजनीति से ऊपर उठकर आयेगे। एटीआर पढ़ने के बाद मेरा इम्प्रेशन यह हुआ कि आपने यह प्रयास किया कि जो घटक दल हैं उनमें जो थोड़ा सा अलगाव हो रहा था उनमें मजबूती आये और विपक्षी दलों में बिखराव आये, ऐसा मुझे एटीआर में झलकता है। मैं उसकी डिटेल् में नहीं जाना चाहता हूँ। मेरा इम्प्रेशन अगर गलत हो तो मुझे जरूर बताइयेगा, मैं अपने आपको सही करूंगा। अगर सलेक्टिव कार्यवाही करने का इरादा है तो मैं आप से निवेदन कर रहा हूँ, आग्रह कर रहा हूँ कि निष्पक्ष भाव से सरकार कार्यवाही करे, निर्भीक होकर कार्यवाही करे; चाहे कोई भी व्यक्ति हो, कोई भी दल हो आप निर्भीकता से कार्यवाही करिये।

इतना ही नहीं इस देश के अंदर जहां गांधी जी की हत्या हुई, इंदिरा जी की हत्या हुई, कल आप दीनदयाल उपाध्याय जी की हत्या के बारे में बात कर रहे थे, एलू एन० मिश्रा जी की हत्या हुई; इनके पीछे जो षड्यंत्रकारी थे, आज तक वे बेनकाब नहीं हो सके।

हम नहीं कर सके आज आप करके दिखाइए। मैं आपसे निवेदन करता हूँ कि इस काम को कीलिए आप करके दिखाइए राजीव गांधी की हत्या में जो षड्यंत्रकारी थे, तो इसके लिए जिम्मेदार थे उनको बेनकाब करिए मेरा आपसे यह निवेदन है कि जो सबसे बड़ा मुस्लिम था, प्रभाकरन, हम उसको नहीं लप पाए, हम उसे नहीं पकड़ पाए। आप कार्यवाही करिए एक्स्ट्राडिशन प्रोसीजर

हो। जो भी कार्यवाही हो सख्त कार्यवाही करें। भयसे पहले तो उसको पकड़ें, यह बड़ी उपलब्धि होगी जहां क इस मामले का ताल्लुक है, दलगत राजनीति से उठकर-अगर वैमनस्य इसमें रहेगा तो वैमनस्य रखकर दलगत राजनीति से ऊपर उठकर आप ऊपर नहीं जा पायेंगे वैमनस्य, मैं इसलिए कह रहा हू कि राजीव गांधी की सेक्युरिटी के मामले में मैं बहुत सी बातों को कोट कर सकता हूँ, बहुत से कोटेशन मेरे पास हैं। परन्तु मेरे दोनों साथियों ने विस्तार से उनको रखा है, अन्य साथी भी रखेंगे। मैं वैमनस्य इसलिए कह रहा हूँ कि विश्वनाथ प्रताप सिंह जी जब प्रधानमंत्री बन गए, जब कांग्रेस हार गई तब वे प्रधानमंत्री बने, उन्होंने राजीव गांधी की सिक्युरिटी के साथ जो किया, मैं यह नहीं कहता कि वह राजीव गांधी की हत्या किसी तरह से चाहते थे। परन्तु मैं यह जरूर कहूंगा कि वे उनसे वैमनस्य रखते थे और उनकी सिक्युरिटी का जो इंतजाम था, वह इसी वैमनस्य के कारण था। मैं अर्ज करना चाहता हूँ कि इसके विशेष ग्रेट परसेप्शन के बारे में थोड़ा टाइम लगेगा परन्तु यह बहुत ही महत्वपूर्ण है। यह भी मैं जैन रिपोर्ट से उद्धृत कर रहा हूँ:

"There is an overwhelming evidence to indicate that threats to the life of Shri Rajiv Gandhi increased after he ceased to be the Prime Minister. Threat to him were unparallel irrespective of the fact whether he was the Prime Minister or not. Indications were clear that forces inimical to him were looking for the slightest opportunity to strike even after he ceased to be the Prime Minister in 1989. Threats to him were perceived to be higher than those of the incumbent Prime Minister, Shri V.P. Singh. A comparative threat assessment report prepared by the Research and Analysis Wing on the perceived threats to the incumbent Prime Minister, Shri V.P. Singh, and the former Prime Minister, Shri Rajiv Gandhi, is the confirmation of the extremely high level of threat that faced by Shri Rajiv Gandhi."

यह एक रिपोर्ट नहीं है। उनके प्रधानमंत्री काल से लेकर और जब राजीव गांधी प्रधानमंत्री नहीं रहे, लीडर आफ अपोजीशन रहे तो दर्जनों रिपोर्टें हैं कि उनका ग्रेट परसेप्शन बढ़ता जा रहा है। देश में शायद कोई आदमी नहीं था, जितना ग्रेट परसेप्शन राजीव गांधी का था उसका रहा हो। उनकी सिक्युरिटी इसलिए कम कर दी-मैं उनके साथ काम करता था और मैं सदन के अंदर कहना चाहता हूँ कि 10-जनपथ के अंदर तो पूरी सेक्युरिटी थी, लेकिन

10-जनपथ के बाहर बिल्कुल सिक्युरिटी नहीं थी ताकि वे अपने घर से बाहर न निकल पायें, देश के अंदर भ्रमण न कर पायें, देश के अंदर न जा पायें। इसका पूरा इंतजाम किया गया था। जैन कमीशन की रिपोर्ट में कहा गया है कि वह एक पी.एस.ओ. लेकर जाते हैं। उस पी.एस.ओ. का वैपन किसी दूसरे को दे दिया जाता है। वह मदास जाते हैं। वहां जाकर कहता है कि मेरे पास वैपन नहीं है। बगैर वैपन साथ भेजा जाता है एक ही पी.एस.ओ. उनके साथ जाता है और उसके पास भी कोई हथियार नहीं है।। इसी तरह की बातें जैन कमीशन की रिपोर्ट में मौजूद हैं लेकिन मैंने खुद अपनी आंखों से वहां पर यह देखा है। यह हम सब जानते थे और सेक्युरिटी के बारे में किसी तरीके से हम आवाज उठावें ऐसा हम चाहते थे। मगर इस वैमनस्य की राजनीति ने राजीव गांधी की हत्या कर दी। बहुत सी घटनाएं हैं, मैं उनको उद्धृत नहीं करूंगा। निवेदन मेरा सिर्फ इतना ही है कि आप जैन कमीशन की इस पूरी रिपोर्ट को एक्सेप्ट करें। यह मैं इसलिए कह रहा हूँ कि यह जो आपने एंटी-आर बनाई है, सलेक्टिवली, केवल कुछ लोगों के ऊपर ही कार्यवाही की बात न हो। यह आई वाश है, जैसा मैंने कहा कि ऐसा करके आप राजनीति कर रहे हैं। आप जैन कमीशन की पूरी रिपोर्ट को एक्सेप्ट कीजिए। देखिए कि उसमें किस किस के ऊपर आरोप हैं, किसकी तरफ इशारा है, कहां पर पेट्रोल है, कहां पर जिम्मेदारी नहीं निभाई गई है। कैसी कैसी सूचनाएं वहां पर आई और सरकार ने उन पर क्या क्या काम किया है, इसे आप जान पायेंगे। यह तभी होगा जब आप जैन कमीशन की पूरी रिपोर्ट को एक्सेप्ट करेंगे।

दूसरी बात मैं यह कहूंगा कि यह कौन सी एजेंसी आपने बनाई है एम्बोडीएम्प? मैं आपसे निवेदन करूंगा कि आप एक ऐसी इनवेस्टीगेटिंग एजेंसी बनाइये जिसमें हम सब की आस्था हो, विश्वास हो। मैं आपको यकीन दिलाता हूँ कि अगर आप तीन काम करेंगे जैन कमीशन की रिपोर्ट को टोटली एक्सेप्ट करेंगे, दलगत राजनीति से ऊपर उठ कर इस मामले को देखेंगे और एक इंडीपेंडेंट एजेंसी बनाएं, आप अगर कहीं इसमें कामयाब हो जाते हैं तो ऐतिहासिक कार्य करेंगे। बहुत बहुत धन्यवाद।

3.00 P.M.

THE MINISTER OF URBAN DEVELOPMENT (SHRI RAM JETHMALANI): Madam Deputy Chairman, I am grateful to you for allowing me to speak, and I am also grateful to all the learned Members of this august House who have made their contributions so far. I had heard with rapt attention every single speech delivered and so far as the opening batsman of

157/PS

the Congress Party was concerned, I had not only heard what he had to say but I had also the fullest opportunity of overnight examining the long marathon speech that he delivered. I am grateful to him. Madam, 21st of May, 1991, was doubtless a tragic day in the life of this nation. That the Prime Minister, a potential Prime Minister, ex-Prime Minister, participating in the electoral process could be thus sniffed out of life was tragic enough. But, Madam, the Constitution of this country places the high and the low, the rich and the poor, the powerful and the downtrodden, all on the same footing. If it was not Shri Rajiv Gandhi but a lesser mortal who had been subjected to this kind of cruel death, it would still have been the responsibility of the authorities in this country to discover the truth. We have to discover the truth to prevent recurrence of the unfortunate event and also to give notice to our enemies that India is not a pushover and they cannot, with ease and comfort, carry on the kind of nefarious activities which are being investigated.

Madam, I would request the hon. Members of this House to examine the scenario that existed on the 21st of May. I believe it was a Government of my friend, Chandra Shekhar, that was in power at the Centre, supported, of course, by the Congress Party. The DMK Government had, some five months before or four months before, been dismissed from office and the Anna-DMK Government was in power at the State level in Tamil Nadu ...*(Interruptions)*...

SHRI R.K. KUMAR (Tamil Nadu): At that time it was under the President's rule.

SHRI RAM JETHMALANI: Yes, it was under the President's rule. Sir, at one stage I have appeared before the Jain Commission. It is fortunate that neither in the Interim Report nor in the final Report is there anything said against the Anna-DMK and its leader. Somebody did try to accuse her of being a party to the assassination.

The role of that person was carefully examined and the Jain Commission has fortunately recorded very strong and powerful findings that the accuser of Madam Jayalalita was himself a person who had spoken lies and who had rendered himself liable to prosecution for perjury, that he had withheld the truth and that he had not co-operated with the Commission

in its noble task of discovering the truth. Madam, I didn't wish to concern myself with the role of that accuser, but it is a matter of supreme satisfaction to me personally, both as a Member of this Government and as a professional lawyer, who happened to be practising at that time, that the attempt to involve Madam Jayalalita did not succeed. In this scenario the BJP was nowhere around. We were not in power. We had no particular role to play except that, as a political party in the country, we too were concerned with the dastardly death and the murder that had taken place. When the first Report of Justice Verma was presented to the Parliament sometime in December, 1992, the BJP was not around at that time. When that report was considered by the Parliament and when the Action Taken Report was considered, again the BJP had no role to play and, finally, when the Interim Report of Mr. Justice Jain was submitted to the Parliament on 28th of August, 1997, again we were not around. The Parliament considered the Interim Report in November.

SHRI PRANAB MUKHERJEE (West Bengal): The Interim Report was submitted to the Parliament on 28th November, 1997.

SHRI RAM JETHMALANI: On 28th November, 1997, it was submitted to the Parliament.

SHRI PRANAB MUKHERJEE: You have stated 28th August, 1997.

SHRI RAM JETHMALANI: Actually, it was on 20th November. The original date is 28th August. On 28th August, 1997 the Interim Report was presented to the Parliament. I believe it was the Janata Dal Government which was then in power. The first controversy that has arisen is-my friend, Mr. Kapil Sibal, raised that controversy-that it is wrong to call the first Interim Report as Interim Report and the second Report as the Final Report. This Government is not interested in this linguistic dispute which has been raised. To my mind, it is a redundant dispute. We call it as Interim Report because the author of the Report, Mr. Justice Jain, has himself called it as Interim Report and we call the second Report as the Final Report because Mr. Justice Jain calls it as the Final Report. We have no particular interest in this play of words. But Mr. Sibal made a point with which I heartily agree. He has stated that

what purports to be an Interim Report is, in fact, on one issue, the issue with which it purported to deal, a Final Report he is absolutely right; I also agree with him-and that the second Report is itself a Final Report, though it is called the Final Report, on the second issue which it purported to dispose of. But where my friend, Mr. Sibal, goes wrong is that at some places, at least, in two places, the learned Commissioner in his Final Report tries to modify the conclusions or, at least, explain the conclusions which he had reached in the earlier Report. I don't know whether Mr. Sibal will want me to completely forget what the author of the Report himself says about his earlier conclusions. At least, whatever he has stated by way of an explanation of the earlier conclusions, we will have to accept them. In that sense the two Reports may be considered as one consolidated document, perhaps, to a small extent, the second one slightly modifying or slightly explaining the other.

We have been criticised. We have been told to use Mr. Kapil Sibal's own words. As I said, I really want to compliment Mr. Kapil Sibal because at some places he has risen to the heights of statesmanship a level which unfortunately he did not maintain throughout his discourse. At one or two places he went down to a level to which I did not expect him to go. But...(Interruptions). I will not take him by surprise.

Madam, this is what Mr. Kapil Sibal says. I have got a copy of his speech.

THE DEPUTY CHAIRMAN: Are you addressing Mr. Kapil Sibal or the Chair?

SHRI RAM JETHMALANI: I am only foregoing what I normally regard as a very pleasant task.

THE DEPUTY CHAIRMAN: I thought you are speaking in a court.

SHRI RAM JETHMALANI: I have been here long enough to forget my court work.

Mr. Kapil Sibal said, "We are deeply disappointed because we feel that with the wealth of material that has come before this House we had the expectation that the Government instead of adopting certain angular postures would come forth and state that we

accept the entire Report and we will do as directed by Justice Jain, instead of setting up an agency the role of which is not defined in the Action Taken Report." In this one significant paragraph the learned Member has made three points. The first point is that we ought to accept the whole Report. I can state with all the emphasis and confidence at my command that I fully follow the advice of Mr. Kapil Sibal and, in fact, we have accepted the whole Report. Secondly, he made a reference to some angular postures. I do not know in what sense we were angular. If he had chosen to explain it, I would have shown him that we are straight. There is nothing angular about our postures. In fact, we adopt no postures. We have no need to adopt any postures on a document which in some sense concerns us as citizens of this country, not as the government of the country.

Madam, he said, "...Would comeforth and state that we accept the entire Report and we will do as directed by Justice Jain." On the second part of Mr. Sibal's advice, I wish to tell him and I wish to assure this august House that by and large we have only done what Justice Jain has asked us to do. His third point in the small paragraph shows disapproval of the agency which we have created, a disapproval which was shared by other Members as well. Madam, let me deal with the last point first. We have to investigate. Mr. Kapil Sibal has asked us to investigate. In fact, he has asked us to do much more investigation than, I think, it is either desirable or necessary. But he has asked us to investigate. An investigation into a crime requires the existence of a police force or a force which has possessed the powers of the Police including the powers of arrest, the powers of interrogation and all other powers which the investigating machineries of various kinds in this country possess. Therefore, it is imperative on the advice of Mr. Kapil Sibal himself that if we are to investigate, we have to create an investigating agency. I want to know that is that investigating agency which we are asked to create. I wish the hon. Members, instead of vaguely saying that we don't approve of the machinery that you have created should have made some constructive suggestions that this is the machinery we want in this particular case which will inspire confidence. I am one of those who believe that an investigating machinery in

cases of this kind must inspire the confidence of every section of the population of this country and every section of this House and every section of the other House. But kindly tell us what it is that you want us to do. If Mr. Sibal would like to be associated with this, I will certainly recommend to the Government that they must seriously consider this. Whoever wishes to be associated with this, please tell us what exactly is the kind of association that you want with this agency, and we will certainly apply our mind to it. We want an agency which should, ultimately, bring out the truth.

Madam, the role of the CBI has been the subject-matter of public criticism and debate and, in fact, some members of the Bar had taken upon themselves to go to the Supreme Court and ask the Supreme Court to make suggestions as to how to make the CBI truthful, independent and committed to the task of honest investigation. The Supreme Court heard long, long arguments and finally the Bench of the Supreme Court delivered a judgement, with which probably we don't agree, but we have so much respect for the judiciary, despite what Mr. Sibal might say about me, that we accepted it. The Supreme Court has said the CBI Directors must be appointed in this manner, they must be subjected to this kind of supervision of the Central Vigilance Commission and so on-which Commission itself must be appointed in a manner which ensures independence, truthfulness and so on. It is that kind of agency which, we said, will investigate this. But if the hon. Members have any more brilliant suggestion, we will certainly apply our mind to the creation of such kind of agency. We are not committed on this, but we are *prima facie* committed because we think that this is in the best interest of the country and that is the best machinery which the Supreme Court itself has suggested after long, long deliberations and after hearing arguments. After all we cannot create a private machinery which has the power of arrest and the power of interrogation. That has got to be an existing statutory force. If it has to be a statutory force, surely you don't want us to get the investigation done by the Tamil Nadu police or you don't want us to get it done by the Delhi Police. It has to be some Central agency and the Central agency which is available to us is the CBI with the improved methods of performance

indicated and ordained by precautions which the Supreme Court has solemnly laid down in the judgement.

Madam, some Members have said, "We accept the Report but we don't accept your ATR." First of all I wish to make it known, and I am quite sure that the astute Mr. Sibal must have already discovered, that this is not an arbitrary ATR, but that it is based upon some recognisable principles which are manifest to anyone who reads the ATR. But if you don't wish to discover those principles on which the ATR is based, then, of course, I can't be very helpful. Let me now indicate to this august House the four vital principles of approach upon which the ATR is based. Principle No. 1 is that we have fully accepted the findings of the designated Court in which the trial took place. We accepted the findings of that Court about the guilt of the accused, about the organisation which organised it, which abetted it, which financed it and which provided members for executing the conspiracy. We have taken meticulous care to see that not one word, not one sentence, not one unwitting expression of opinion, slips into the ATR which will have the effect of weakening the prosecution which is now pending in an appeal before the Supreme Court. Madam, that does not mean that the Government is against the people's right to argue their appeals in their courts. Our prosecutors, doubtless able prosecutors, will go and appear in the courts and try to sustain the findings of the designated Court both on conviction and on sentence. But bearing in mind that it is not the job of prosecutors to secure the conviction of the innocent if out of those who have been convicted, any one of two of them convince the Supreme Court that they have been convicted without evidence and that they are entitled to a reasonable doubt, doubtless they will win their acquittals. But so far as we are concerned, the principle on which we have acted is that we will not, under any circumstances, do anything which, remotely or indirectly, in any sense, harms the pending proceedings in the Supreme Court. The principle number two is, where the report expressly exonerates some individual, where if after having considered the evidence for and against it says that there is no evidence and that this person is innocent, we have accepted



the findings which exculpate that individual. We have accepted the findings which exculpate every individual and every organisation. Left to myself, I might have arrived at a different opinion. But again, Justice Jain was also a judge of a court, he was a judge of the High Court and he performed quasi-judicial or judicial function sitting in the Commission of Inquiry, and my reverence is due to him and, therefore, in spite of the fact that I may have some differences in perception, yet we have completely accepted its findings in respect of every single individual who has been exonerated and we have said nothing about the exonerated person. This is principle number two.

The third principle on which the ATR is founded is that where the Commission itself has recommended further probe, we have accepted that recommendation. Hon. Members will kindly compare the ATR with the Commission's main report, voluminous as it is, and they will find that where the Commission has said that this requires a probe, we have said, all right, we will probe and once again out of sheer deference to the standing of a High Court judge who presides over this kind of a Commission, which has done tremendous work for the last few years.

The fourth principle is where the Commission has been ambivalent or it has left the matter in a state of doubt, it is only in that limited area that the Government has taken upon itself the task of exercising its own judgment. It has applied its mind to rational criteria and then determined what action is to be finally taken.

Madam, these four principles run through the entire ATR. I respectfully, very humbly, challenge any Member of this august House to find out whether there has been any departure from any of these four principles, which I have just outlined.

Madam, one hon. Member, and I think it was Chitharanjan babu, said something. This kind of criticism is not new. It has appeared in the press. It is said that this report ultimately is the product of political pressures exercised upon the Government. Even some Ministers of the Government have been named as having exercised pressure upon the other members of the Cabinet. They say that the original ATR

was something different and so on and so forth. Madam, it will be a very sad day for the constitutional democracy in this country, it will be a sad day for the rule of law in this country, it will be a sad day for the Cabinet form of Government, if the newspapers and individuals and even the Members of this august House were to pry into the working of the Cabinet and say which Minister said what and which Minister finally prevailed. The whole principle of Article 74 of the Constitution is that these are matters of debate within the Cabinet and nobody shall pry into them. Madam, I do wish to say this that no member of the Cabinet was pressurised by any other member of the Cabinet and that no member of the Cabinet was pressurised from outside. The report is the final action of the Government of India. It is the decision of the entire Cabinet and I am responsible for that report as much as any other member of the Cabinet is, though I might have played a lesser part in drafting the ATR or I might have made much less contribution than some other members, who probably had more time to vet through volumes, volume after volume. Therefore, this is one criticism which I wish finally to get rid of and put at rest.

Madam, a complaint has been made that we are trying to settle political scores. What is this political score that we are trying to settle with anybody? We are the ones who know, an hon. Member present in this House knows that in politics there are no permanent friends, there are no permanent foes anyhow. ...*(Interruptions)*... The safest thing to do in politics for any sound politician is to hitch your wagon to the pole star of principle and constitutional propriety and to truth and then leave the consequences to other people and to lesser people.

Sir, ...*(Interruptions)*... Madam, this is not chauvinism

**THE DEPUTY CHAIRMAN:** Then, this is what? Disrespect? It shows that you don't want 33 per cent women in the House

**SHRI RAM JETHMALANI:** It is the other way round. *(Interruptions)*... Madam, when an investigation takes place or a probe takes place, the probe usually starts with questioning and with interrogation. Interrogation is an opportunity for exoneration and clearance of doubts and removal of a cloud hanging over

the image and reputation of respectable persons. Only they have to fear interrogation who have something to hide, who have some skeletons in their cupboard, but the innocent will welcome interrogation and probe. Of course, interrogation is often a valuable method of extracting truth from unwilling and uncooperative mouths. It makes the tongue move and clears the smoke-screen of silence where silence is taken as the shield for guilt. But, why should any innocent person in this world be afraid of an officer of the CBI or any other officer walking in and saying, "Well, I want to ask a few questions"? Nothing at all. Why should the probe become a method of wreaking vengeance on somebody? I am unable to understand. Every honest citizen in a democracy must welcome a probe, must welcome the furnishing of information to other people and boldly do so. Most of our investigations fail because even respectable people are so jittery about the police approaching them or investigating agency approaching them that they refuse to answer questions and answer them truly.

Now, let me deal with a few points which have been made by Mr. Sibal. ...*(Interruptions)*... Mr. Sibal, Madam, made a point that we must...

SHRI KAPIL SIBAL (Bihar) : He is calling me 'Mr. Sibal' because he does not want to refer to me as an hon. Member. ...*(Interruptions)*...

SHRI RAM JETHMALANI: The hon. Mr. Sibal, the very honourable Mr. Sibal, after referring to the findings of the Verma Commission, says that the Verma Commission has obviously found dereliction of duty. It had. He is right. Though the Verma Commission did not directly go into it, obviously, there was a dereliction of duty on the part of various police officers concerned with security and so on, including, of course, some of the workers of his own party who had organised the meeting at that place. He says, "Thus, this was a deliberate dereliction and we expected the Government to investigate into this thoroughly".

Now, Madam, I am sorry to say that I am unable to understand this part of the criticism. Whose duty was it to investigate what Verma Report had said? Surely, it cannot be a reference to this Government. It can only be a reference to the Government that was then in power and if

it is a reference to the Government then in power, I am afraid, Mr. Sibal is doing something up the wrong tree. He should not do so and should not lay anything at our door and the fault is with any other Government which has not lived up to his expectation; we are not the ones to be accused of this. Then, at a further place, in his peroration he said, "It is my belief, Madam, and it is the belief of my party that this act would not have been committed but for wanton acts not only of gross negligence but criminality by those who turned a blind eye to the events that were happening under their nose." I fully accept this finding but if I accept this finding, it does not flatter the political association of the hon. Mr. Sibal.

I am very happy that in the next sentence he says, "The indictment ultimately has to be done through a thorough investigation. We do not want to raise our fingers against anybody but the least we expect from the Government is to thoroughly investigate into this matter." Obviously, this at least is a reference to the present Government and if it is not, then I will skip over it and if it is, all that I say is that we are following scrupulously the advice the hon. Mr. Sibal has furnished us.

Then, at a later stage the observation is, "The nexus continued throughout even after the DMK went out of power, after it was dismissed on the 30th January, 1990." Well, surely, if that is Mr. Sibal's observation, then nobody can fault us for the kind of interim Action Taken Report which we have produced. I think somebody should have really complimented us for that report because it was perfectly in line with what has been suggested to us.

In his solemn marathon speech, there comes a very important part of that speech, the reference to the wireless messages which were intercepted. "Madam, these messages implicate a lot of people, important people. I do want a thorough investigation to take place into these messages. It is a matter of some deep regret that these messages were neither brought to the notice of those who were in-charge of Mr. Rajiv Gandhi's security or were they brought to the notice of those who could have done something, if somebody had been perceptive enough. I suggest that some very strong action must be taken against those whose duty it was

to decipher these documents. Strong action must be taken against those who failed to decipher or having deciphered, kept their mouth shut and failed to prevent what was a preventable tragic assassination." I am all for that and this is precisely the kind of probe which will take place because these documents were not available even to Mr. Justice Jain except at a later stage. Somebody will have to investigate as to why these were kept back from him for year after year and were made available almost at the fag end of his performance.

Madam, as I have said, I have not met any difference of opinion with any Member who has spoken on this except that when every Member spoke, I had not had the opportunity to explain the principles on which the ATR is based. I am sure now when Mr. Bhardwaj, another lawyer and ex-Law Minister will speak, he will take note of the principles which I have enunciated and I am quite sure that at least he will give me and my Government the credit of having produced a worthwhile document. Madam, let me make this clear that there are many people involved apart from the persons who have been convicted. Does it serve any national purpose? Does it serve any national purpose that instead of one Murugan it should find out Abumurugan or somebody else? How does it matter if 22 are involved instead of 21 persons? There were a lot of people involved but the trouble is none of them is subject to jurisdiction of our police. My friend asked why Prabhakaran is not being extradited. This is a demand which has been made even outside in the Press. Repeatedly it has been made. Madam, the hon. Members should know just at least that you extradite a person from a foreign country, who is actually under the control of that foreign Government. But, if a civil war is raging that country and Prabhakaran is not available to the Sri Lankan Government itself, what is this extradition that the hon. Members are talking about? Mr. Bhardwaj will take the opportunity of at least being my advocate and explaining this. ...*(Interruptions)*... No question of extradition arises. We cannot possibly go to Sri Lanka and on the high seas, investigate some persons who, for example, transported RDX, who transported conspirators, who provided food to them, they are all conspirators in the eyes of the law. But, it does not serve any national purpose.

Therefore, while accepting that some probe, and a vital probe is necessary, I do not accept the suggestion of the hon. Member, Mr. Sibal, that we should investigate into the small, little things. It will be a waste, a grand waste of time. You will produce another document after another five or ten years, a document which as has been described by an hon. Member, which is almost an accurate expression, amounts to mountainous labour ultimately producing a mouse. Madam, may I just wind up by making one last observation? My Government does not wish to keep back any truth. It will suppress nothing. It will not shirk truth, however inconvenient. We will investigate that which is within the bounds of reasonable possibility and is likely to produce useful and concrete results. We will not act like a Don Quixote tilting at imaginary windmills, nor shall we use the investigating machinery to ruin reputations, tar characters and harass those whom we do not like. Even our worst enemies will have a fair deal. We will not be stampeded into illegal or unconstitutional actions. That we have demonstrated to our friends, foes and neutral allies. And I hope this august House will give us the credit of not doing anything illegal or unconstitutional, whatever may be the provocation, whatever may be the temptation. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: We are discussing the Jain Commission Report and the ATR. But all throughout your speech I thought you were discussing Mr. Sibal's statement. I felt that you were in a court. ...*(Interruptions)*...

SHRI RAM JETHMALANI: Madam, you will not forget that he was the opening batsman. ...*(Interruptions)*... He was a century player. After that everybody has scored five or ten runs. I am right in paying tributes to my friend, Mr. Sibal. But, I hope after hearing me, he will withdraw some of the things which he has said. Thank you.

SHRI HANSRAJ BHARDWAJ (Madhya Pradesh): Madam, I am very happy after hearing the Minister. I was here yesterday when one of our colleagues spoke at length on this issue. I must confess and I must say that it goes to the credit of this Government that this debate has been of a very high order. And for all this, you and all of us have taken this matter very

seriously. Alas! this could have been done much earlier. In 1989 Rajivji lost elections. Everybody knew it and I need not go into the pages after pages of the IB Report that my good friend, P. Chidambaram, was in charge of his security as the Minister for Internal Security. Thereafter, he demitted office but continued to look after his security matters. This is a matter which was gone into by Justice J.S. Verma Commission where all these documents had been reproduced. When the question arose as to what are the threat perceptions to the life of Shri Rajiv Gandhi, the then Cabinet Secretary, with whom I do not have cordial relations, Mr. Seshan, said that threat perceptions had increased and we should allow the SPG to continue. In all fairness, one more officer from the PMO said, "Yes." And, for some time, the SPG was allowed to continue. But suddenly, another officer says, "Kindly examine." The Urban Development Minister is here, the Home Minister is here. Madam, there were two Cabinet Secretaries within two weeks. One says that threat perceptions have increased and we must allow the SPG to continue, at least, on an *ad hoc* basis. But, the next man says, - I will not speak against officers because they are not here in this House but I know them, having sufficiently long been in the Ministry and they are the ones who cause tremendous damage to democracy in this country-he said, "I overrule, and this is what I have decided." I will request the hon. Minister of Home and the hon. Minister of Urban Development to kindly examine those two Cabinet Notes which are appended to the J.S. Verma Commission Report. Can you decide the security of a Congress President or a former Prime Minister or a leader who had been the Leader of the NAM Countries, who had the legacy of Nehru-Gandhi, by one stroke of pen of the Cabinet Secretary who had taken over two days ago? This is our grievance. We do not want to settle scores with any officer. But, I examined it as a Minister and your files will demonstrate to you as to what my stand was. They took shelter under technicalities of their service condition rules. I overruled. I overruled all that and said, "The incident is the assassination of Shri Rajiv Gandhi. Four years have not elapsed. Therefore, they must answer. How did they arbitrarily decide the security of a former Prime Minister

and expose him to all sorts of danger?" They could say, "Okay, we do not agree with some of the submissions for the SPG." The SPG was a must and the SPG should have been there. After all, the Government has all the powers to allow this. But, in case, they were not giving the SPG, they should have properly assessed the threat perceptions. The Prime Minister, who then took over, was our colleague. He did not show that grace which today we are seeing. You have always been opposed to the Congress. But your Members have demonstrated some sort of a culture. I did not find that culture in several Ministers of that Government, for example, who were with us. They immediately went out and threw out the security of their earlier boss, those who swore by his name. I would urge upon you to see what these officers' intention was. I am not maligning any officer. If you want, I can read the two contradictory Cabinet Notes. Therefore, it is here that the malice starts. Madam, yesterday, some of the hon. Members spoke defending these actions and asked, "Why did you withdraw support? What is the way you people have treated us all these years? I had been Counsel, at one point of time, of Mr. V.P. Singh. I defended him in those encounter cases. I never spoke a word against him as a person. But the question is: Can you be holding some sort of prejudice or malice against political friends or opponents? Please stop it here and now because in this country, with Gandhiji's blessings, our democracy is thriving. Sometimes you are in power and sometimes we are in power. We cannot attack each other on petty prejudices. Therefore, I request the hon. Home Minister to kindly look into it. Today, you have a very important responsibility and we are all eager that you succeed. But, how will you succeed with the type of system you have inherited? I had worked with this system for ten years. The Home Secretary was my Justice Secretary. Some of the officers are simply brilliant. But, some of them, you must know, are sycophants. And these sycophants have finished the democratic fabric of this country. Otherwise it was simple matter. Several Ministers were also Ministers in Rajiv Gandhi's Ministry. They could say, "Well, we know the threat." And one of them was Internal Security Minister. He could say "Yes, I know there had been a threat to garland him with bullets in 1988." Mr. K.C. Pant and

Mr. Chidambaram discussed and all these papers are there in one of the volumes. But was it properly tackled? Does it not speak of malice against Rajiv Gandhiji personally as such? I will draw your attention to one paragraph of one joint Director of DIB. He said, "No, no, now those threat perceptions have changed. Now they are only as a sort of personal vendetta against Rajiv Gandhi." Is this the assessment of officers? If you want I can read out those lines. There is a Joint Director of DIB who said, "Now that he is no longer the head of the Government, therefore, this has changed." Therefore, in all earnestness and sincerity I believe that you will not do it because now this is a matter on which the whole House has spoken with one voice, that at least from here and now we should give an objective assessment of what has happened in this democracy. Where was democracy? The President of the Indian National Congress was on campaign trail. Everybody was looking to him what will be the fate of Rajiv Gandhi after 21st. And on 20th messages start flowing, 'He is coming to Madras, take care of him.' I will read, Madam, with your permission those messages. They speak volumes of the success of democracy in this country. Mr. Home Minister, you escaped very narrowly.

Now this is the type of democracy we are running in this country—when leaders go on elections people plant bombs, people plant all sorts of weapons to destroy them. We have suffered tragically. It was such a tragedy in India that our Party has not come out of that shock till today. Therefore, consider this from this aspect. One of your speakers was very right when he said, "We may be here today or tomorrow—does not matter—but this country has to go on; please do not make leaders of political parties targets." Leaders are not produced overnight. They are processed through experience. It is a matter of great privilege to have people who have served Parliament for 20 or 25 years and they are still healthy and good. Therefore, I appeal, I request you, we are not going into this matter with any narrow political angle because we have suffered. As a matter of fact, our entire spine was broken when Rajiv Gandhi was killed. What could be the objective? Was this assassination planned to make democracy a success? One of your own speakers said, 'It was to stop elections.' If some agency or some individual or some person in this country thinks that they can stop elections by killing one leader of one political party, it

can happen with anybody. We may have forgotten, but the system should not forget that a huge responsibility lies on this Parliament of India to see that this does not happen. Therefore, we have always been saying, 'kindly look into the investigation of Jain Commission'. Mr. Home Minister, why was this second Commission necessary? Why was it necessary? We all agree today after seven years of this tragic assassination that it was the biggest tragedy for democracy and for all.

We are emotional in this case because we worked under him and he was a very sweet person in addition to being the Prime Minister of this country. The moment I look at his photograph, I remain in that type of trauma for days and days: if this is the fate of being in politics then what is the good of it? Therefore, let us examine why it was necessary to appoint the Jain Commission. Why was the Verma Commission not given these terms of reference? I have no answer. The moment such tragedy takes place, there are instances after instances, a full Commission of Inquiry is appointed and that Commission is entrusted to go into all angles of that assassination. I had dealt with Deen Dayal Upadhyaya's also. I have seen Justice Mathew. I have been Mrs. Gandhi's case, Justice Thakkar. There have been several Commissions. When a Commission is appointed, there is a full-fledged probe. When a leader, when an important person, is assassinated, several questions and motives are imputed. You have to satisfy the public mind. The public does not know what we know inside Parliament or in the Ministries. Therefore, from that angle, judicial Commission is appointed. A Commission is not like an investigating agency of a police. A Commission has a very important duty to collect material from all sources, including from private sources. Several people say—I have dealt with several very important matters—'We do not want to disclose; we have some very important information to give to you'. An Army General, for example. He may like to give certain secret information. He would always be ready to go before a judicial Commission and inform them. Therefore, we should not attack a Commission of Inquiry. If we are at all sincere about our democracy, we should not do so. There is a fashion. You attack a judge. You accuse him of playing politics. What has a judge got to do with our politics? We, politicians, may be narrow-minded.

I must say, today, whether my party likes it or not, that these immoral Governments which were run, after the assassination of Rajiv Gandhi, did not deserve our support and we will have to repent for all these things. What is it? A big party, having a Record of more than hundred years, was reduced to annexures I and II of some smaller parties. That is why we are suffering today for lack of a leader of that stature. Actually, we were reduced to a little over hundred seats in 1977. But we worked very hard and in 1980—I defended all the leaders from 1977 to 1980—we came back with a majority because we had a leader who could bring the party back to power again, on the basis of certain principles.

Why do you ask for our support when you did not treat us properly? I am putting this question to these people here because they abused to Jain Commission. The minimum thing we want from this House and from the Government is this. We lost a leader. He was not only a leader, but he was also a person dear to us. Now you are accusing right, left and centre, a Commission of Inquiry; you are attacking a judge who was doing his duty for you people and for all of us. He was authorised to do his work through a Government notification.

Madam, I can tell you with full authority and with full knowledge that there was an attempt that no judge should accept the responsibility. I was not the Law Minister then. In 1991, I was the Planning Minister. I took charge in 1992. From that day onwards, I saw to it that the Commission functioned. I would like to point out to the Minister of Urban Development that these decoded messages, which I am going to read out to you, I got through the throat of the officers. They were not parting with it. You need to locate those people. I am not against any individual. I have worked with brilliant Home Secretaries, brilliant Law Secretaries, brilliant officers. But there are always blacksheep who, in order to earn promotions and the goodwill of the powers-that-be, always try to do what the others cannot do.

I would read out from page 35. It would demonstrate to this House that nothing else was required to be done excepting to see that these messages were acted upon. These were not

messages from one individual to another individual. I am not referring to some kind of a gossip. These were messages from those intelligence agencies who were charged with the duty of looking after the Palk Straits where the LTTE activities were going on. The explanation is the affidavits, which were filed by these fellows, we could not decode. There was nothing difficult; it was not a difficult language. These messages were between 91 and 95. Two different persons. 91—one person—a code name; 95—another person.

When did these messages start? The dates are very important. They start from 19th and 20th March, 1991—the day the Lok Sabha was dissolved. It says: 'India has decided to co-operate with Sri Lanka to contain....'. Ultimately, on 21st, the real message comes. 'Rajiv Gandhi coming to Madras on 30th March'. Therefore, they were after Rajiv Gandhi. Thereafter, they say: 'Should attempt at Madras or at the capital?'. Mr. Home Minister, you do not require anything else than this information. If you had been the Home Minister and if this sort of message was received, what would you have done? If you were a nationalist, you would have informed Rajiv Gandhi straightaway. You would have told him: 'This is the message which the IB has sent. Please, therefore, don't go'. Or, you would have said: 'You go with protection'. I further quote:

"It requires strenuous efforts and sufficient time."

This is on the 21st of March, virtually two months before the assassination. These messages continued to come till May, 1991.

**THE DEPUTY CHAIRMAN:** Who was the Home Minister when these messages came?

**SHRI HANSRAJ BHARDWAJ:** I do not know because I had not been associated with those Governments. Those fellows who were in the Government at that time, may be knowing it.

Madam, you give me two minutes more.  
...(Interruptions) ...

I do not know that. I am telling you that these messages were there. They had chosen a very favourite place in Madras.

Madam, I am just assisting you so that this debate becomes objective, so that they have at least something to act upon.

Those messages were coming from the 20th of March, 1991 to the 7th of May, 1991.

Kindly see that there are some matters, of which judicial notice can be taken. The Urban Development Minister knows that. Now, kindly see this message:

"Attempt at Madras or in the capital. Capital will be difficult."

Why is Madras ideal? Because there is a network of their workers. They had done something to Padmanabha just one year before Hon'ble Mr. Kapil told us yesterday that some of them were common here and there. Six of them were common. So, they had a safe ground there. Therefore, they said, "The capital will be difficult. It will be better here." They had trained a lady. It says:

"She is a daughter of ... (so and so). I am approaching her slowly. If we tell the real intentions, she may be more stubborn than us. There is no doubt. It will be better to reveal our intentions."

This was in Muz. They say, "We have to reveal our intention for training her." So, what more is needed? This is a conspiracy which was deliberately hatched to see that Rajiv Gandhi is no more on the scene. Nobody else has been discussed in these messages. If that is the condition and if this is the I.B. that we have got in this country, God save you, Mr. Home Minister. We have lost everything in this game I know practically all senior officers of the Intelligence Bureau who are there now and who were there earlier also. I trusted Mr. Narayanan. I thought that he would be a good officer. But, even he failed to give an explanation to the Verma Commission. I have lost all regards for him.

On the 20th, in Delhi, there were attacks on several Congressmen with hand-grenades. At least at that time he sent an SOS message, saying, "Whenever Mr. Rajiv Gandhi is there, whether he asks for it or not, you must augment his security with the NSG at least. I will not wait. I will rush there" But, alas, it was too late. It was on the 20th in Delhi that several leaders, one after the other, were attacked with hand-grenades. So, we were thinking that at

least they would be taken note of.

If there is a genuine mistake on the part of some of the officers, it can be understood. But here is a deliberate attempt to file a false affidavit, to misguide the whole thing. It is very easy to say that we could not decode it. It is for your Government's wisdom to attest the veracity of the affidavit, whether what it is saying, that we could not decode it, is true or false. If it is false, what are the conclusions to be arrived out of it? It is that they want to escape the responsibility by saying, "I do not remember." I cross-examined a witness in a court. The safest thing for him was to say, "I do not remember." The Judge said, "You proceed." But this is not the case. You are occupying the North Block. In your system, if there are some black sheep, please examine it. Then, you will be satisfied.  
... (Time bel rings)...

Madam, I will take five minutes more. I am not irrelevant.

4.00 P.M.

This is very important. We have talked on several one-line stanzas, or two-line stanzas, but have not come to the point. This is the point Madam, this is a very important thing. If we miss this, then this Government will also be taken for a ride. I was a Law Minister. I was dealing with S.I.T. I can say S.I.T. Officers were doing a good job. I did not leave it to anybody else's charge whether the S.I.T. was doing good or otherwise. Every week I used to get a report as to what the prognosis of the case in Madras. They said so many were examined and so many remained and that we should expedite. But, Mr. Home Minister, there is a closed and set mind since 1991 and there are two issues. Yesterday the hon. Member, Mr. Kapil Sibal also reminded us of this incident of suicide of Shanmugham. You are a very outstanding criminal lawyer. Examine the legatur mark and the underlying tissues on the neck of the deceased and also examine the circumstances which led to the suicide. I leave it to your conscience and conclusions.

SHRI RAM JETHMALANI: I fully agree with you.

SHRI HANSRAJ BHARDWAJ: The second point is that these persons, who are alleged to have committed suicide in Bangalore, after a considerable time of the assassination, they had

been enjoying life in Bangalore. Suddenly they decided to commit suicide. This also is one of our suspicions. According to our assessment, they knew something much more than what the Commission's inquiry has revealed now about the conspiracy. This suicide business was not very appealing, because the best evidence would have been to those actual assassins. So, these two aspects we are leaving to be examined now. I agree that in this country a commission of inquiry is an inquisitorial institution, which does not have that skill and the investigating agency ultimately has to be relied upon. What we are emphasising upon is—and at least I can say—that you will have to ultimately rely on the police, whether it is the Central or State police. In Mrs. Gandhi's case we constituted a joint committee of three Directors General of Police—one from Maharashtra, one from Andhra and one from Tamil Nadu. They were jointly doing it so that there is no mix-up. You should discuss with our leaders the mechanism, which will be above board. Why should you give an opportunity for suspicion even now? In respect of the trial, I am also of that opinion that with great labour this case has been prosecuted by excellent prosecutors. We should not do anything whereby the benefit goes to somebody else that the accused persons may get it. They have their own right of defence, but we have an abiding commitment also that what the prosecution has put in the court is diligently prosecuted and proper action is taken there.

With regard to these 21 accused, you can constitute a task force of legal luminaries. Hon. Kapil Sibal can also join. If there is any material which requires further investigation, then only they should be touched. Otherwise, it will create difficulties. In one conspiracy we are arguing in the court and in regard to the other conspiracy we are investigating here. You know the benefit of doubt can go to any accused. Therefore, these are matters which can be discussed after the debate is concluded. Once we are all satisfied that there is a genuine desire on the part of the Government, then there is no controversy left. I agree that BJP at that point of time had nothing to answer. Either we or successive Governments have to answer. Yesterday somebody said. I think it was Mr. Kapil Sibal himself. I was a Minister at that time. I can say it. Your Home Ministry files will demonstrate that I have recorded notes after notes, disagreeing with the Commerce

Minister. There was public interest litigation. It was said that that an SLP should be filed. I asked when we have appointed a commission, why we should file an SLP. I refused. But he was wiser than me. His view prevailed. Therefore, he filed an SLP. The result was obvious. That was dismissed by the court. The court said that your Government should...

SHRI M. VENKAIAH NAIDU: Was that assessment or admission? He was wiser than you. This was an your admission or an assessment.

SHRI HANSRAJ BARDWAJ: I am a very humble person.

SHRI M. VENKAIAH NAIDU (Karnataka): I say that you are wiser than him. ... (Interruptions)...

SHRI HANSRAJ BAHARDWAJ: This is no longer Gavaskar's time. It is now the time of a new lad from Mumbai who had demonstrated his better skills. So old men are giving their places to new men. But I had a rare privilege of defending Mrs. Gandhi against Mr. Ram Jethmalani. I also defended Mr. Sanjay Gandhi. So, my commitment cannot be doubted. I need no certificate about my loyalty and other thing. Even when we were arguing our cases in court, we were good friends. But what I am saying is that there are certain responsibilities which are entrusted. I was entrusted with the responsibility of the Law Ministry and Mr. Ram used to attack me every day that he is appointed his own Judges. I liked it because such type of criticism keeps you on the right track. This is what parliamentary life is. But the question is if you are given a responsibility of Law Ministry, ultimately, that responsibility is shifted to the Commerce Ministry. How can you explain it? Ultimately, what was the contention? I knew there were naval messages. There were certain naval intercepts. I wanted them to be given to the Commission. In one of the meetings, I pulled up certain officials. Then, those were never given. They were given only in 1997 or 1998. You can see the content of discussion between Mr. K.C. Pant and Mr. P. Chidambaram. Now where is he? He is with the DMK. He had contested elections with the DMK, not with the Congress (I), not with us. Where are those people who spoke so



eloquently of their loyalties? Firstly, they have failed to discharge their own duties like security and other things which were assigned to them. They wanted us to believe them. This is absolutely their own politics.

Mr. K. Ramamurthy himself went on record, "Please don't allow Mr. Rajiv Gandhi to come Chennai in the midnight." I have read this. Who was the person or who were the persons who over ruled this piece of advice? They were these very sycophants. According to my conscience I owe everything to this great family. Therefore, I have placed the record straight. When I retire as a Member of Parliament from Rajya Sabha, I will be going with satisfaction. I wish the Home Minister good luck.

I have certain other information, but I cannot tell you because I am bound by an oath of secrecy. But if you look into the files from 1995-96, you would find everything there. We know how some of these people, over-zealous people go to court under the garb of public interest litigation and frustrate their own objective and later on they would say that they would not part with the diary of a case. Everybody knows what the diary of a case is. The Judges do look into it during the trial. They could not show the case diary to the Commission. That is why several sittings have gone waste. Every Judge who sits in Commission of Inquiry wants to see whether investigation is going on correct lines or not. He returns it after a perusal. This privilege of a Judge cannot be denied. You know about it. You had appeared in Mr. S.P. Gupta's case. The power of judicial glance has become part of the judicial review now. These day even Cabinet notes are being summoned by courts. All these things have happened in the country. I am proud to say that the power of judicial review has done very good to our society brought an openness in the society. This being the law, how could you deny it to the Former Chief Justice of Delhi High Court? He did not ask for this position. I must put the record straight. The then Chief Justice of India, Mr. Ranganath Misra is here, he knows about it. An impression was created that no Judge was willing to take up this assignment. I wonder, how it could be. Every Judge told me, "Nobody was asked to take up this assignment. This is the term of reference. That's it." Thereafter

when our Government came into power, this enlarged terms of reference was given. There was some sort of total non-application of mind and total negligence. All these things were going on during those periods.

So, these are the few points which need to be looked at objectively. This is what my hon. colleague from the Congress who spoke as the first speaker said. I personally do not accuse the Tamil Nadu Government, now or then, about anything. But could you deny what Bisham Babu has written? He was the Governor. It was the Governor's rule then. The DMK Government was dismissed. Even at that time, this was the reason, the LTTE has done something which was not permissible—coming to our soil, killing people who were in Madras, setting up camp and all that. Sympathy for Tamils outside India is one thing. We have sympathy for the Tamils, people of our origin or our people. But we are a separate country and Sri Lanka is a separate country. On these issues, let us have our views very clear—that our sympathies will be there only as long as they do not harm the interests of our country, however dear they may be to us from the ethnic points of view. But they have crossed the limit. Therefore, all that Justice Jain has done is to answer the call of duty. I am very happy with the approach of the Government. They have at least not ill-treated. It was said that it was prolonged because of negligence. Why was so much of time taken? When defence message are required to be given, why does the Defence Secretary take the question of privilege and all that? I said, "You go, bring back and show it." All this was done. Therefore, I wanted to put on record that at that time, the entire Cabinet of our Government was for a probe. Each one of us had a joint responsibility. We worked for this end in our own way. But you will have this experience now. We are not attacking the ATR. We are just reminding you about the difficulties that will come in your way. I see some of the officers of the Home Ministry now. There is a change. But if you had worked with some of the persons then, there would be a real difficulty. You will find one note on the files. "Shall we show it to the Home Minister." There is a dictation, "No, the Home Minister will not be shown." Can you prevent the Home Minister

from seeing his own papers? A strange phenomenon! "Can we show it to the Law Minister?". "No, except me, nobody will be shown." And the officers were executing! Was it democratic? These were the difficulties. I wanted to help you in this noble task because it relates to our leader. Therefore, I spoke very frankly and with full awareness that it would help you to know it. If you look into one years' file, from 1995 to 1996, you will find that the difficulty was there. Before 1995, until I was there, every day, I took two meetings. The same message came. What was the efficacy of that meeting? The first meeting was when I reverted back to the Law Ministry. I said, "Look here. I have conducted several commissions of inquiry, very difficult ones. Their tasks are different. They are to instruct the mind of the Government. You are an investigating agency. Do your work." This matter was postponed. Thereafter, there was another meeting. But there was no compliance. Chavanji was also there. We all know that this system is plagued somewhere. How soon you can rectify, I do not know. This is one matter where the Government has shown some sort of an open mind. That is why I request all our friends: please see that we all assist in the implementation of this report. I will be happy if you are successful. But these are matters where international ramifications have been alleged and Rajiv Gandhi's last interview ... (Interruptions).

I have never spoken in this House so long. I will take one minute more. Mr. Home Minister, please see the last statement of Rajiv Gandhi to Ms. Gopalan. He had spoken eloquently of his apprehension. It is there. He said the whole region had been disturbed. I think yesterday Malkani spoke about it. I share your perceptions. If India is considered a small democracy outside. Today we must take a pledge to show it to the world that India is the largest democracy in the world and it is strong enough to sustain these shocks which they are giving to us and which are taxing our nerves. I know much more about Shri Rajiv Gandhi. When he came back from Iran, he had spoke to some journalists. That was also brought on record. He had an apprehension that he was not safe. But alas! there was no concern for his security right from the day he demitted

office and the day he was assassinated. Thank you very much.

(The Vice Chairman (Shri Sanatan Bisi) in the Chair.)

#### MESSAGES FROM THE LOK SABHA

(I) The President's Emoluments and Pension (Amendment) Bill, 1998.

(II) The Salaries and Allowances of Officers of Parliament (Amendment) Bill, 1998.

(III) The Governors (Emoluments, Allowances and Privileges) Amendment Bill, 1998.

(IV) The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1998.

SECRETARY GENERAL: Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:—

#### (I)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the President's Emoluments and Pension (Amendment) Bill, 1998, as passed by Lok Sabha at its sitting held on the 4th August, 1998.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

#### (II)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Salaries and Allowances of Officers of Parliament (Amendment) Bill, 1998, as passed by Lok Sabha at its sitting held on the 4th August, 1998.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

#### (III)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am