

short-term and long-term measures to prevent this menace. I request the Government to take short-term measures in the form of generous grants and the same be given to the State Government to tackle the situation. Sufficient help should be given to the poor families whose crops have been damaged. At present the economic position of the State is very poor. They have no capacity to tackle this situation. So, I urge upon the Government, particularly the Prime Minister to sanction more money from the Natural Calamity Relief Fund to the flood victims of Assam who have taken shelter in different camps. I also request the Government of India to depute a high level Central team to visit the State to assess the damage.

Madam, through you, I want to make this humble appeal to the Government. I want the Government's intervention and they should take some quick action with regard to this grave situation. Thank you.

**उपसभापति:** श्री रामशेर सिंह सुरजेवाला। श्री राम गोपाल यादव। श्री जनार्दन यादव।

#### **RE. HAVOC CAUSED BY FLOODS IN BIHAR AND NEED TO PROVIDE RELIEF TO VICTIMS**

**श्री जनार्दन यादव (बिहार):** उपसभापति महोदया, मैं आपके माध्यम से माननीय सदन का ध्यान पटना शहर की समस्या की ओर दिलाना चाहता हूँ, जो कि बिहार राज्य की राजधानी है। पटना में बरसात से वहाँ लोगों को काफी तकलीफ हुई है। वर्षा के पानी के बाद आज भी पटना शहर के हरक घर में पांच फीट पानी घुस गया है। राजेन्द्र नगर, कंकड़ बाग, हर घर में पांच फीट पानी है। वहाँ महीनों से लोग अपने घरों से निकल नहीं पा रहे हैं, बाजार अपने भोजन की सामग्री इकट्ठी करने नहीं जा पा रहे हैं। वहाँ के जो नल हैं, वह भी बरसात से इकट्ठा हुए गंदे पानी से ढंक गए हैं। बिहार सरकार ने अभी तक उस पानी को निकालने की कोई व्यवस्था नहीं की है।

महोदया, दूसरी बात यह है कि पटना के बगल में जो कुनकुन है, फतवा है, जो ऐसे गांव हैं, उन गांवों में भी ग्रामीणों के घर पानी से घिरे हुए हैं, वे लोग बाजार नहीं जा सकते हैं, उनके भव्श्री दूसरी जगह घिरे हुए हैं।

महोदया, मैं आपके माध्यम से केन्द्रीय सरकार से आग्रह करना चाहता हूँ कि पटना में यह जो जल-जमाव हुआ है, जिसने पटना में रहने वाले लोगों के लिए कठिनाई पैदा कर दी है, उस कठिनाई को बिहार सरकार दूर नहीं कर सकी है, इसलिए आप कृपया उस जल-जमाव को निकलवा कर वहाँ के लोगों को राहत दिलाने की व्यवस्था करें।

#### **RE. FAILURE OF CENTRAL GOVERNMENT TO INITIATE CONTEMPT PROCEEDINGS AGAINST PERSON TRYING TO BRING POLITICAL PRESSURE ON JUDGES IN HAWALA CASE**

**SHRI SATISH AGARWAL (Rajasthan):** Thank you very much, Madam Deputy Chairperson, for permitting me to raise this very important question which concerns our Judiciary.

**THE DEPUTY CHAIRMAN:** I hope it is not *sub judice*.

**THE SATISH AGARWAL:** No. no.

**SHRI TRILOKI NATH CHATURVEDI (Uttar Pradesh):** Madam, it is a question of the sanctity of the Judiciary.

**SHRI SATISH AGARWAL:** Madam, independence of the Judiciary is a basic feature of our Constitution. Nobody can interfere in the course of the administration of justice. Whenever we try to discuss a certain subject or issue which is *sub judice* in a court of law, the Chair as well as the House is very much conscious of the fact that we should not try to intrude in the field of judicial administration. But, unfortunately, here is a situation whereby the hon. Chief Justice of India has made observations in the open court that some 'gentleman'—I am not prepared to accept that man as a gentleman—tried to approach the Judges hearing the Hawala case.

**THE MINISTER OF HUMAN RESOURCE DEVELOPMENT SHRI S.R. BOMMAI:** Was it a 'gentleman' or a 'gentlewoman'?

THE DEPUTY CHAIRMAN: Did he say 'gentleman' or 'gentlewoman'? What are the exact words that he said?

SHRI SATISH AGARWAL: "Gentleman".

SHRI DEPUTY CHAIRMAN: It is 'gentleman' and not 'gentlewoman'. Please do not make any fun. This is not a matter where you can change the verdict of the court. It will be contempt of court. Whatever the Chief Justice had said should be recorded.

SHRI S.R. BOMMAI: He has said it in a public speech.

THE DEPUTY CHAIRMAN: Did he say that in court or in a public speech?

SHRI SATISH AGARWAL: I am referring to this observations in the open court whereby he used the word 'gentleman'.

SHRI TRILOKI NATH CHATURVEDI: He has said "he may even be present here" and he does not know.

SHRI SATISH AGARWAL: He went a step ahead and said, "He may be present in the court. I do not know. The country does not know." The Supreme Court Bar Association has passed a resolution. Many other associations have passed resolutions. Many jurists and other political figures have asked the Government. Now, we have got the Contempt of Courts Act, 1971 enacted by Parliament whereby the power to initiate criminal contempt proceedings lies with the Advocate-General because he has to give the consent or the Attorney-General of India. I cannot file a criminal complaint against anybody, against 'X', 'Y' or 'Z', without the consent having been obtained from the Advocate-General of India in the High Court and from the Attorney-General of India so far as the Supreme Court is concerned.

SHRI N.K.P. SALVE (Maharashtra) They can do it *suo motu*.

SHRI SATISH AGARWAL: The courts have been given powers to initiate criminal proceedings *suo motu*. also. I cannot question them as to why they have not initiated proceedings. I am not here to question them. It is for them, it is in their wisdom. According to me, the Supreme Court should have initiated *suo motu* proceedings against the 'gentleman' whose name they know but have not mentioned so far. The Government has got the power to initiate criminal contempt proceedings against the man concerned. Why has the Government of India not initiated the contempt proceedings through its Attorney General against the man whose name has not been disclosed by the hon. Supreme Court Judges? Will the Government kindly assure this House that they will initiate criminal contempt proceedings under sections 10 and 12 of the Contempt of Courts Act for bringing such an offender to book who is interfering in the administration of justice, and that too, in such sensitive cases which are pending in the Court, which have spoiled the careers of a lot of people? That gentleman has been trying to influence not the judges of the subordinate judiciary but of the Apex Court of this country, whose independence has been guaranteed by the Constitution of India. I want an answer from the Government of India on this issue.

SOME HON. MEMBERS: The entire House demands an action against that gentleman.

श्री एस०एम्० अहलुवालिया (बिहार): उपसभापति महोदय, सतीश अग्रवाल जी ने जो मुद्दा उठाया है, वह बड़ा ही गंभीर मुद्दा है और इस मुद्दे को मददनेर रखकर सोचने की बात यह है कि यह कोई साधारण एस०डी०एम० का कोर्ट नहीं था जहां पर कहा गया हो कि किसी एस०डी०एम० को किसी ने एगोज किया।

यहां तो हवाला मामले में सुप्रीम कोर्ट के जजों को एगोज किया गया। डिनर पार्टियों में और दूसरी पार्टियों में उनसे बात करने की कोशिश की गई और यह बात स्वयं चीफ जस्टिस आफ इंडिया ने कोर्ट में एनाउंस की और

वहां उन्होंने इस बात पर नोटिस लिया। महोदया, इस पर प्रोसीडिंग शुरू होनी चाहिए थी, वह जैटिलमैन कौन है, आज सारा भारत यह जानना चाहता है। जो लोग जुडिशियरी के न्याय को धर्म मानते हैं, वे जानना चाहते हैं कि आखिर ये कौन सी शक्तियां हैं जो चीफ जस्टिस आफ इंडिया और उनके साथ जो दूसरे न्यायाधीश बैठते हैं, उनको भी एप्रोच करने में हिचक नहीं रही है? कौन सी शक्तियां इसके पीछे हैं जो इस केस को दबाने की कोशिश कर रही है या इन्फ्लुएंस करके खराब करने की या सुधारने की कोशिश कर रही है?

महोदया, अदालत से बाहर भी इन मामलों पर चर्चा चल रही है। इस बारे में सरकार को नोटिस लेना चाहिए। जैसा कि सतीश जी ने कहा है कि एडवोकेट-जनरल को इस पर विचार करके सुओ-मोटो कॉमिजेंस लेकर केस फाईल करना चाहिए और उस व्यक्ति का नाम पूछा जाना चाहिए। सदन यह जानना चाहता है कि वह कौन व्यक्ति है, वह भद्र पुरुष कौन है, उसका पता क्या है, उसका ठिकाना क्या है, किसके कहने पर वह वहां गया, किसलिए गया, क्या न्याय के हक में गया या अपनी स्वार्थ-सिद्धि के लिए गया, यह जानने की जरूरत है। मैं आपके माध्यम से गुजारिश करूंगा कि आप भारत सरकार को निर्देश दें कि वह न्यायाधीशों से बात करके, विचार-विमर्श करके इसका हल निकाले।

THE DEPUTY CHAIRMAN: It is a very serious matter because as we like to protect the right of Parliament, specially, we like to protect the right of the Judiciary, and if any influence is being put on the highest Judiciary, the Members of Parliament have to have anguish and concern. If the hon. Minister wants to say something, he can do so.

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI S. JAIPAL REDDY): Madam Deputy Chairman, I share the sense of outrage expressed by members over this incident. I made a statement earlier on behalf of the Government that nobody relating to the Government was involved in this incident. Since the identity of the gentleman is not known ... (Interruptions)...

THE DEPUTY CHAIRMAN: I don't think he could be a gentle person. He could never be a gentleman. ... (Interruptions)...

SHRI SATISH AGARWAL: Can't you identify that gentleman?

SHRI S. JAIPAL REDDY: Since the identity of the gentleman or the person, as the case may be, is not known, you will kindly appreciate the limited role that the Government can play. The matter was mentioned by none other than the distinguished Chief Justice of India. I think in such matters we must leave these things to the discretion of the distinguished Chief Justice. I don't think we should pursue the matter ourselves any further.

SHRI S.S. AHLUWALIA: Madam, it is in the interest of the national security. The Government should go to the court. It may ultimately tantamount to the security of judges. ... (Interruptions)...

SHRI TRILOKI NATH CHATURVEDI: Will they ask the Attorney-General to go and make a request in Chamber to the Chief Justice and other hon. judges to ... (Interruptions)...

SHRI S. JAIPAL REDDY: Madam, Shri Chaturvedi was the Home Secretary. I hold him in the highest esteem. When this matter has been mentioned by none other than the Chief Justice, I don't think it is open to the Government or the Attorney-General to make an inquiry. These matters have to be left to the discretion of the Chief Justice. ... (Interruptions)...

PROF. VIJAY KUMAR MALHOTRA (Delhi): Madam, if his identity is not known, then how can he say that he is not from the Government? ... (Interruptions)...

SHRI TRILOKI NATH CHATURVEDI: Madam, I am thankful to the Minister for his kind remarks. I was not only the Home Secretary but I was also the Secretary, Department of

Justice. There is nothing which prevents the Attorney-General from going into the Chambers of the Chief Justice and other hon. judges and making a request at the instance of the Government. When he made this statement he did not anticipate the outrage that the so-called gentleman had caused to the conscience of the country. That is why now it is incumbent upon him to reveal the name. If the hon. judges have any reason of their own, then certainly we are not there to question any judge. But at least one sincere, purposeful and honest effort should be made on behalf of the Government.

**SHRI RAM JETHMALANI** (Maharashtra): Madam, can I say a word? The Chief Justice having spoken in an open court, it is quite obvious that the Chief Justice did not want this matter to remain a complete secret. He has taken a serious note of it. He has expressed his serious anguish that such things happen. To that extent the Chief Justice needs to be congratulated. But I am quite sure that the Chief Justice must have very strong reasons for not mentioning the names of the persons at least initially. Now the Chief Justice is cognisant of the pressure that has been built up. The Supreme Court Bar Association has passed a resolution and editorials have been written. I have no doubt that the individual members of the Bar have called upon the Chief Justice and told him to take proper action. I suggest that if the Government wishes to reinforce these efforts, they must instruct the Attorney-General to call upon the learned judges respectfully, inquire the names and also the reasons why the names were not disclosed. The Attorney-General must be instructed to inform the learned judges that he wished to *suo motu* invite action of the Supreme Court under the Contempt of Courts Act and that is why he is making this inquiry as required by public opinion all over the country and also the Members of this House. I would suggest that the Attorney-General must receive these instructions from the relevant Ministry.

**SHRI S. JAIPAL REDDY:** Madam, I wish to reiterate that the Government shares the sense of outrage of the House and the anguish of the Chief Justice. We pledge unstinted cooperation to the Chief Justice if any further action is to be initiated by him. ...*(Interruptions)*...

**SHRI GURUDAS DAS GUPTA** (West Bengal): Madam, that is not the issue. I share the concern of the hon. Members will the Government approach the court in an appropriate way to know who the persons are who have been responsible because it tarnishes the image of the Indian democracy and the whole political system? None other than the Chief Justice makes an allegation. It could have serious repercussions. It should have immediately brought the Government on its toes. The Government should have acted much earlier. It is not a question of expressing their desire or expressing their wish. Will the Government find it out? Will the Government approach the appropriate court in an appropriate way to know who the person or persons are who are responsible? If it is not done, they are going to be indirectly playing into their hands. I don't wish this Government indirectly playing into their hands. Since such a serious allegation has been made, I demand of the Government to find out who the person or persons are who are responsible. The Government should not only try to find out the names, it should also take steps so that the person is brought to book.

It is too important to be overlooked. It is too important for us to be satisfied with the desire expressed by the hon. Minister. It is not your sweet desire which is going to bring about a change. You must be on your toes. You must come out of the shadow of allegation or suspicion that you are not serious. You must come out of the cloud and show that you are serious. Your assertion is too soft to deal with the distinct situation that the declaration has put you in.

**DR. BIPLAB DASGUPTA:** (West Bengal): I shudder to think if this is the kind of pressure which can be put at the highest level of the judiciary, what must be happening at the lower levels of the judiciary? They must be under a lot of pressure. Many judgements are being influenced. The other thing is that if the Chief Justice has remained silent about the name, then that person must be a very big person. He might be a very important person from some political party or there must be some other important reason due to which the Chief Justice is not openly coming out with the name. This is really frightening for all of us. Even the Chief Justice can be, in a sense, put into such a situation where he is also not in a position to come out with the name. This is not a matter which can be taken lightly. If we take it up lightly, we will not be able to ensure the independence of the judiciary. The judiciary has been playing a very important role in our country. Some people do talk of judicial activism and we have discussed it here before that if the Parliament does not perform its functions, the judiciary will have to do it. Apart from the fact that the judiciary has to be defended, what about the interest of the Government?\*

**THE DEPUTY CHAIRMAN:** Don't mention such things. No, I would not like you to take names. This won't go on record. I am sorry, Dr. Biplab Dasgupta, whatever you have discussed with anybody outside this House will not become a part of the records. It should not be mentioned *...(Interruptions)...* It is not a question of acceptance. You are a senior Member of this House and you were a Member of the other House also. You know that whatever you talk to anybody in private cannot become a part of the proceedings. You cannot just assume that so and so went and threatened the Chief Justice when the Chief Justice himself has not mentioned him. I permitted this Special Mention or the Zero Hour Mention by Shri Satish

Agarwal because I was myself anguished. Everyday we try to protect the rights of Members *...(Interruptions)...*

**DR. BIPLAB DASGUPTA:** I said it jokingly. You misunderstood me, Madam. *...(Interruptions)...*

**THE DEPUTY CHAIRMAN:** Just one minute. Please sit down. Every day Members of Parliament come and complain and then we protect their rights through privilege. But if the Chief Justice of the country makes such a statement in open court, then it is a serious matter and we have to show our solidarity. We are not sitting here to make inferences as to who the persons would be. You are free to do that outside the House but not on the floor of the House. I won't permit that ever.

**DR. BIPLAB DASGUPTA:** No, no, I did not *...(Interruptions)...*

**THE DEPUTY CHAIRMAN:** You did mention the name.

**DR. BIPLAB DASGUPTA:** I am categorically denying it. What I am saying is this. It is in the interest of the Government to find out who that person is. Only that will stop all unnecessary speculation. I want to defend the Government.

**THE DEPUTY CHAIRMAN:** I do not think you are defending it at all.

**DR. BIPLAB DASGUPTA:** When I mentioned the name, I said it jokingly. All that I am saying is that once this name is found out, then that will stop all speculation. This speculations is doing a lot of damage to everyone. It is important to stop all this speculation. It is important for all of us that the name is found out as soon as possible.

**SHRI PRANAB MUKHERJEE** (West Bengal): I think as the matter has already been referred to by a large number of my colleagues, it is in the interest of the Government to make a serious effort, it may be in the Chamber of the Chief Justice of the Supreme Court. We also read that another honourable judge of

the Supreme Court was also approached. Now when an incident has been referred to by the Chief Justice of the Supreme Court saying that somebody approached him and if the name was not mentioned, then that really gives rise to a lot of speculation.

1.00 P.M

I do not know what you call when the needle of suspicion moves around, therefore, it should be settled and there is nobody who can question the seriousness of the matter when the matter is being referred to in the open court and when it appears in newspapers and when it is covered by the media all over the country. Therefore, it would be in the fitness of things for the Government to do whatever is appropriate. As Mr. Chaturvedi suggested, the Attorney-General can approach this matter which is agitating the Members of Parliament. Members have also expressed their concern and newspapers have also commented upon it. If it is possible for the hon. Chief Justice to disclose the names, then he should do it, if he considers that, 'No, I cannot do it', then that matter should be reported to the House saying 'Yes, we took it up with the Chief Justice, they have some problems and we should not proceed further.' This is my request to you and to the Government.

SHRI JOHN F. FERNANDES (Goa): Hon. Minister for Information and Broadcasting, Shri S. Jaipal Reddy in this House mentioned and outside also that nobody from the Government is involved. That means he has conducted an inquiry among the Council of Ministers. When we say from the Government, I do not know whether the officials are included or whether they are excluded. Madam, the very fact that the hon. Chief Justice of the Supreme Court makes a statement implies that he wants the Government to investigate the matter and bring the culprit to book. So, if the Government has initiated an inquiry, as he rightly clarified that nobody from the

Government is involved, I do know what prevents him to find out and enquire from the hon. Chief Justice and bring the culprit to book. It will be very simple because an inquiry has been initiated by you according to his own statement. How do you say that your Ministers and officers are not involved?

SHRI S. JAIPAL REDDY: We have issued a categorical clarification in regard to the Government. As for the other matters I share your sentiments and I believe, we believe as Government that these things must be left to the discretion of the distinguished Chief Justice and allow matters to rest there.

THE DEPUTY CHAIRMAN: Well, I convey the sentiments of the House. It is entirely for the Government to think what they feel. But I think all sections of the House regardless of political affiliations are concerned to protect it. If the Government in its own wisdom feels that that is the right course, it is for the Government to feel that way. But including myself in the Chair, I feel that it is a very serious matter. I share my views, there is no harm to ask....(Interruptions).... Just one second.

SHRI GURUDAS DAS GUPTA: What does Government want to do?

THE DEPUTY CHAIRMAN: No harm will come if the Chief Justice is approached. There is no harm. If I am threatened do you think you are not going to protect me? Will you say leave it to her to take care of herself?

SHRI S. JAIPAL REDDY: Madam, I stated here and I would like to repeat, the Government and its machinery will be completely at the disposal of the Supreme Court and the Chief Justice in protecting, preserving the independence of the judiciary. (Interruptions)

SHRI S.S. AHLUWALIA: What is this? These are all categorical. What action are you going to take?

SHRI TRILOKI NATH CHATURVEDI: Why have those powers

*Govt. to initiate contempt proceedings*

*to bring political pressure on judges in Halwala case*

been given to the Attorney-General if the initiative cannot be taken by the Government?

SHRI GURUDAS DAS GUPTA: It is not right on the part of the Government to say like this on the floor of the House that the machinery would be placed at the disposal of the Supreme Court. Of course, it does not make any sense that the senior leader of the Front and the Government says like that on this issue. The issue is, we are interested in knowing if the Government shares our concern to find out—you must find out—as to who has done it. You must do something. It is not a question of protection. Protection of judiciary is always there. It does not depend on the hon. Minister. You must act most effectively to find out from your judge as to who are the persons who did it in order to take appropriate action so as to protect the credibility, the credibility of the entire political system. Never in the world has this happened. I don't know if anywhere in the world the Chief Justice of the Judicial system has made such an allegation.

THE DEPUTY CHAIRMAN: Shall we go ahead?

SHRI SATISH AGARWAL: This Government will not try to find out the real culprits. Then, we have to presume that you are protecting the culprits.

SHRI TRILOKI NATH CHATURVEDI: The hon. Chief Justice has expressed anguish; he did not make any allegation. It is now incumbent on us to unravel the mystery and find out the real culprits because it could be anybody.

SHRI RAM JETHMALANI: It does not require great intelligence. All that we have to do is to go to the learned Judges. You get the name of the culprit. You have to have his identity. I don't understand what the Minister means when he says that the Government machinery would be placed at the disposal of the Supreme Court. It is an excellent statement and we are all happy to hear that. But his last sentence is a

little ticklish. What do you mean by saying that the Government machinery would be placed at the disposal of the Supreme Court? All that you have to do is to ask the two Judges to tell you the names of the gentlemen who came to them. They will tell you. We have the most honourable witnesses available.

THE DEPUTY CHAIRMAN: Now, Shri Shirodkar. Let him say something. He was a Judge.

SHRI ADIK SHIRODKAR (Maharashtra): Madam, I am going beyond the concern shown and shared by the hon. Minister. If the Honourable Chief Justice of the apex Court of the country is left so helpless, what message are we carrying to the apex Courts of other States and the subordinate judiciary? It carries a message that if the Honourable Chief Justice cannot be helped by this Government, at least by asking the learned Attorney-General to approach him, the other courts will succumb helplessly to such pressures which are mounting day by day. The only alternative is that this House should give a mandate to this Government to send the learned Attorney-General, enquire from the Honourable Chief Justice, find out the culprit and take appropriate action. It is no use paying lip-service by sharing our anguish.

SHRI TRILOKI NATH CHATURVEDI: Madam, I want to make a submission.

THE DEPUTY CHAIRMAN: Let us go ahead with other business.

SHRI TRILOKI NATH CHATURVEDI: What does the Minister mean when he says that the Government machinery would be placed at the disposal of the Chief Justice. The Chief Justice and the hon. Courts have the right to ask the Government and its machinery to do what it wants. It is an obligation that the Government is discharging. The Court can ask the Government to place the investigating machinery at its disposal, at the disposal

of the Chief Justice. The question is ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Mr. Chaturvedi, you have made your point.

SHRI TRILOKI NATH CHATURVEDI: The Contempt of the Court Act makes a provision that the initiative also lies with the Government, the Advocate-General and the Attorney-General. Here is a case where the hon. Chief Justice, in his own goodness, has expressed his anguish. He did not make any allegation. That is why it is incumbent on us, obligatory on our part, the Parliament and the Government, to be sure that a fruitful investigation is carried out and this mystery unravelled.

THE DEPUTY CHAIRMAN: As the Presiding Officer of this House, I feel that the anguish of at least the Members of Parliament should be conveyed to the Government. It is entirely for the Government to do what it likes to do. It is up to you. It is entirely up to the Government to do what it wants to do.

SHRI SATISH AGARWAL: Thank you, Madam, for your observation.

THE DEPUTY CHAIRMAN: We have gone too much into the lunch hour on this very important issue. I want now to take the consent of the House so that we can dispense with the lunch hour because we have a lot of Zero Hour and Special Mentions. There are many such because we did not work for a couple of days. We have also a discussion on the Maharashtra situation in addition to other legislative business.

SHRI SATISH AGARWAL: Madam, we agree with you in dispensing with the lunch hour.

THE DEPUTY CHAIRMAN: Okay. We dispense with the lunch hour. Still I have got 18 Zero Hour and Special Mentions. I don't think we can finish them now. When would you like to start the discussion on the Maharashtra issue?

SHRI N.K.P. SALVE: Immediately thereafter.

THE DEPUTY CHAIRMAN: Would you like to finish the Zero Hour Mentions and then take up the Maharashtra question and the Special Mentions?

SOME HON. MEMBERS: Yes, Madam.

THE DEPUTY CHAIRMAN: I have seen the nature of the Special Mentions. I think the Special Mentions are of the nature which do not require immediate attention, but the issue regarding atrocities on Dalits requires immediate attention. But the atrocities on the Dalits require immediate attention. So, I think we can finish the Zero Hour mentions. After the discussion on Maharashtra, which will be for two and a half hours, we can take up Special Mentions, if the House so agrees.

SHRI SATISH AGARWAL: Yes, as per your directions, Madam. *(Interruptions)*

THE DEPUTY CHAIRMAN: Of course, we are going to finish Zero Hour mentions. *(Interruptions)* Mr. Jethmalani, you don't know everything in the House. *(Interruptions)* No. The papers are with me. *(Interruptions)* The little you speak, the earlier the discussion will start. *(Interruptions)* Dr. Biplab Dasgupta.

DR. BIPLAB DIASGUPTA: Madam, we have been talking a lot about corruption these days. In fact in the last three or four years and very recently our new President mentioned about corruption which is eating the vitals of our society. We have our Prime Minister talking practically every day about corruption and he has made his position clear that no one would be persecuted and no one would be spared. I think it is a very good principle which has been enunciated and I fully support it. But if one looks at the ground reality on the one side, although there has been so much more talk about corruption, very little has been happening. In fact, I



[The Vice-Chairman, (Shri Triloki Nath Chaturvedi), in the Chair.]

have been feeling that somehow or the other the investigative agencies are perhaps not doing what is expected from them. In the Hawala case, there was so much of drum beating, so much of talk, so much of discussion in the last three or four years. Now we find that the whole case has been put into a shambles. The chargesheets have not been properly prepared and the court is saying that they will not be going by only one documentary evidence, there is not enough of corroborative evidence. If this is the state of investigation, how can you go to find out what is actually happening, how can you bring the criminals to book?

On Bofors, I think, we had given a promise that sometime in April or May, the report would be given to the nation about the present state of the case. Now, it is July. A lot of material has arrived from Geneva. The boxes had been shown by the delegation. We all know a lot of material is there, lots of issues are to be resolved. We were told that within one month somebody in the CBI would go through it and would come out with a report and perhaps we will be able to name them. Unfortunately so far we have not received any report from CBI. The Director of CBI himself has been transferred. In such a situation, all the investigations have really been reduced to nothing. Nothing much is coming out. I am also worried not only about corruption, but also about all kinds of cover-ups. We have seen a recent case where a Chief Minister has been replaced by his wife who will be sitting there working in that seat until the same old man comes back. If this is the way the things are functioning, how could we have any respect for justice, respect for investigation and the agencies which are conducting them? What I am suggesting is that there has to be a proper thinking on the part of the Government to come out with clear assurance that important issues like the Hawala, Bofors, would be

periodically discussed and the report would be given to the Parliament so that every three months or four months we know the present status of the case and we in Parliament are in a position to raise these issues which would be in the public interest. Thank you.

#### RE: DEMORALISATION OF PUNJAB STATE POLICE AND REVIVAL OF MILITANCY IN PUNJAB

श्री वीरेन्द्र कटारिया (पंजाब): वाइस चेयरमैन साहब, श्री इन्द्र कुमार गुजराल हमारे प्रधान मंत्री जी ने पंजाब का 8500 करोड़ रुपये का कर्जा पिछले दिनों मुआफ़ किया था और उन्होंने इस मौके पर कहा था कि, क्योंकि पंजाब ने देश की अखंडता की लड़ाई लड़ी थी इसलिए इस बोझ को पंजाब क्यों उठाए, सारा देश उठायेगा। हम उनकी तारीफ़ करते हैं कि उन्होंने बहुत अच्छा कदम उठाया लेकिन पंजाब में जिन लोगों ने आतंकवाद के खिलाफ लड़ाई लड़ी थी, अपनी जाने कुर्बान की थी, आज वे बड़े डीमोरलाइज्ड पोजीशन में हैं। पंजाब में 30 हजार लोग आतंकवाद की नज़र हुए। 18,000 पुलिस वाले अपनी फैमिलीज़ के साथ कुर्बान हुए और जब पंजाब में अमन आया, हिन्दुस्तान की अखंडता की लड़ाई लोगों ने लड़ कर जीत ली तो ऐसी डीमोरलाइजेशन लोगों में आई कि उसकी एक निशानी तरनतारन के एस० एस० पी० अजीत सिंह सिद्ध ने खुदकशी करके जलील होने की बजाय, ह्यूमिलिएट होने की बजाय जेल में उन टैरिस्टों के साथ रहने की बजाय जिनके साथ उन्होंने लड़ाई की थी, उन्होंने अपनी जान को कुर्बान करना बेहतर समझा। मुझे अजीत सिंह सिद्ध के बारे में कोई उनकी वकालत नहीं करनी। लेकिन जो कौम अपने हीरोज़ को भूल जाती हैं, जो कौम उन लोगों को भूल जाती हैं जो दूसरों के लिए जाने कुर्बान करते हैं और अपने देश के लिए लड़ते हैं तो फिर कौन मुश्किल वक़्त में किसी दुर्गम आदमी के लिए लड़ेंगे और देश के लिए अपनी कुर्बानी देगा? उस वक़्त पंजाब के जो हालात थे हो सकता है उन पुलिस ऑफिसरों ने ऐसे मौन ऑपरेशन किए हों जो पुलिस के संरक्षण में शायद न हों, लेकिन जिन हालात में उन्होंने वह लड़ाई लड़ी उसके आफ़सोस याद रखना चाहिए। पंजाब में उस वक़्त टैरिस्ट्स का एक्सप्लोस्टीव राज था। सिविल एडमिनिस्ट्रेशन टोटली कोलेप्स हो चुकी थी, ज़ुर्दाशियम अपने फ़ायज़ को मरभंजाम देने में क़ाई तौर पर नाकाम हो चुकी थी। प्रेम माने आतंकवादियों की