

SHRI GURUDAS DAS GUPTA: I am not pressing it. That is all. *(Interruptions).*

THE DEPUTY CHAIRMAN: There is a difference. I will have to put it to vote if you do not withdraw it.

प्रो. विजय कुमार मल्होत्रा : मैडम, मेरे अमेंडमेंट का जो परपज है, उसका मैं सपोर्ट करता हूँ कि कोई लिमिट नहीं होनी चाहिए, अब क्योंकि इस वक्त वोटिंग हो रही है, इसलिए मैं इसको प्रेस नहीं कर रहा हूँ।

THE DEPUTY CHAIRMAN: Since you have not withdraw your amendments, I have to put all the amendments to vote.

Amendment Nos. 2, 4 and 6 were negatived.

THE DEPUTY CHAIRMAN: I shall now put clause 3 to vote. The question is:

That clause 3 stand part of the Bill.

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI P.A. SANGMA: Madam, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE DEPUTY CHAIRMAN: Now, you can clap, you can laugh and you can do whatever you want to do. Thank you very much.

SHRI S. JAIPAL REDDY: Madam, what is your decision?

THE DEPUTY CHAIRMAN: My decision is, we will discuss the nexus between criminals and politicians in the context of the Vohra Committee Report.

SHRI SATISH AGARWAL: Madam, Mr. Chidambaram was to make a statement.

THE DEPUTY CHAPMAN: He will make the statement before the house is adjourned.

SHRI SIKANDER BAKHT: Madam, is there any difficulty in adjourning the House?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA): Madam, we all agreed that the House will sit up to 7 o'clock from today onwards. The Home Minister is here. Madam, next week there are many holidays. If the House agrees, we can discuss the Vohra Committee Report.

SHRI SIKINDER BAKHT: Madam, today we are all mentally sick.

SHRI GURUDAS DAS GUPTA: Madam, we have no objection to taking up the vohra Committee Report, let us do it.

SHORT DURATION DISCUSSION ON THE NEXUS BETWEEN POLITICIANS AND CRIMINALS IN THE CONTEXT OF VOHRA COMMITTEE REPORT

उपसभापति : मल्होत्रा जी, आप ही शुरू करेंगे न ? तो करिए।

श्री संघ प्रिय गौतम (उत्तर प्रदेश) : मैडम, मुझे एक बात कहने की इजाजत दीजिए।

उपसभापति : जी, बोलिए।

श्री संघ प्रिय गौतम : मैडम, यह राजनीति का अपराधीकरण विषय पर लोकसभा में दो दिन निर्धारित किया गया है बहस के लिए और इतने महत्वपूर्ण विषय के लिए हमारे यहां दो घंटे का समय रखा गया है, जो मैं समझता हूँ कि यह न्यायासंगत नहीं है। राजनीति का अपराधीकरण, यह विषय ऐसा है, जिसने सारे मानव मूल्यों को नष्ट कर दिया है। मेरी आपसे एक प्रार्थना है कि इसको एक तो शार्ट ड्यूरेशन के बजाए एक रेजोल्यूशन के फार्म में बदला जाय। हम सर्वसम्मति से सि सदन में एक प्रस्ताव पारित करें। यह अपराधीकरण राजनीति में जिन कारणों से है, जिन तरीकों से है, हम लोग उसे अवायड करेंगे। इसलिए मेरी प्रार्थना है कि आप रूल्स एंड प्रोसीजर के मुताबिक एक तो इसको रेजोल्यूशन की शकल में बदल दीजिए और सि पर कम से कम दो दिन की चर्चा कराइए।

श्री मोहम्मद अफजल उर्फ भीम अफजल (उत्तर प्रदेश) : मैडम, मैं भी सपोर्ट करता हूँ। मेरा नाम भी है इसमें। मैं यह महसूस करता हूँ, जो एडवायजरी कमेटी ने डिसीजन लिया है, हम लोग आफ्टरनून में आए तो पता लगा कि आज सात बजे तक हाउस चलेगा, ... (व्यवधान)....

† شری محمد افضل عرف م. افضل:

میڈم۔ میں بھی سپورٹ کرتا ہوں۔ میرا نام بھی ہے اسمیں۔ میں یہ محسوس کرتا ہوں جو "ایڈوازی کمیٹی" نے ڈسینز لیا ہے۔ ہم لوگ "آفٹرنون" میں آئے تو پتہ چلا کہ آج سات بجے تک ہاؤس چلے گا۔ "مداخلت"....

उपसभापति : मैं उनको जवाब दे दूँ, फिर आप बोलिएगा। जहाँ तक यह रेजोल्यूशन में कन्वर्ट करने का सवाल है, यह मेरे अख्तियार से बाहर है। यह चेयरमैन साहब ने निर्णय लिया है कि इस पर शार्ट डयूरेशन डिसक्शन होगा। जहाँ तक समय का ताल्लुक है, वैसे कोई समय जैसे दो घंटे लिखे हैं, मगर कभी भी कोई महत्वपूर्ण विषय हुए हैं तो उसकी चर्चा का कोई समय निर्धारित हो नहीं पाता। अगर लगता है कि कोई महत्वपूर्ण विषय है और उस पर मैबर कुछ अपनी बात कहना चाहते हैं तो कभी किसी ने उस पर बंदिश नहीं लगाई ... (व्यवधान).... बंदिश नहीं लगाई है। जहाँ तक सवाल है बिजनेस एडवायजरी कमेटी ने दो दिन क्यों नहीं दिए, तो बिजनेस एडवायजरी कमेटी भी सभी पोलिटिकल पार्टी के मैम्बर मौजूद है और सभी पोलिटिकल पार्टी के प्रतिनिधियों ने कमेटी में यह बात तय कराई है कि इसको शार्ट डयूरेशन में डिसक्शन किया जाए। आपकी जो इसकी चिंता है, यह बता मैं चेयरमैन साहब तक, अभी तो हैं नहीं, कल की तब तक यह बात पहुंचा सकती हूँ। बहरहाल आप आज शिसक्शन शुरू करें। काफी समय उन लोगों का दूसरी चीजों में चला गया। अगर हम डिसक्शन आज शुरू करते हैं तो जैसे डिसक्शन शुरू रहेगा, उसके बाद इसमें और कोई निर्णय ले लेंगे कि कितना समय इस पर दिया जाए। अभी मल्होत्रा जी को बोलने दीजिए।

श्री निदेशभाई त्रिवेदी (गुजरात) : मैडम।

उपसभापति : आप तो काफी सुबह बोल चुके हैं।

SHRI DINESHBHAI TRIVED1: Can we take it that whatever time is required will be given to us?

THE DEPUTY CHAIRMAN: I cannot say that because I cannot decide the time that should be given. I cannot commit anything on the floor of the House. Your party Member, as I said, was in the Business Advisory Committee. The time allocated is two hours. For Short Duration Discussion, time allotted is two hours. It has been listed, as Short Duration Discussion. But in this House I have seen that if the matter is serious, we allow it ... (Interruptions) .., Perhaps, he did not understand, so I better Peat it in English. I have to have discussion with

Jaipalji on some very important matter.

SHRI S.S. SURJEWALA (Haryana): Madam, I want to make a submission. The Business Advisory Committee, in its wisdom has only allotted two hours But in the Lok Sabha, as you know already, two days had been given for the discussion. The subject is very very important (Interruptions)^*

THE LEADER OF OPPOSITION SHRI SIKANDER BAKHT: Mr. Surjewala has not heard what Mr. Sangh Priya Gautam has said.

THE DEPUTY CHAIRMAN: Unfortunately, I fee! that when the Members sit in the House, their minds are not in the House. They are physically prsent. But mentally also they should be present. Two Members, rather

Members, raised the same query. I replied in Urdu, Hindi and in English. I was interrupted by the Leader of the Opposition for repeating it. I said, perhaps, somebody did not understand Hindi, so let me repeat it in English. पंजाबी

आती नहीं हैं। Let us start the discussion and then we will see what we can do.

SHRI S.S. SURJEWALA: I just wanted to emphasise.

THE DEPUTY CHAIRMAN: If 10 Members speak, it is not going to emphasise it more. One Member represents the whole House. I am also concerned and feel that we should discuss this very important issue on criminalisation of politics. Today I am sitting in the Chair. But I am very much a politician. If everybody is a criminal, as everybody is alleged to be, then I am a part of this House. Therefore, let us be very careful about what we speak.

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प्रो. विजय कुमार मल्होत्रा (दिल्ली) : उपसभापति महोदया, आज यह सदन राजनीति के अपराधीकरण और वोहरा कमेटी की रिपोर्ट पर चर्चा कर रहा है। यह चर्चा कुख्यात तंदूर कांड के संदर्भ में और इस परिप्रेक्ष्य में हो रही है। यह तंदूर हत्याकांड इतना घिनौना, इतना वीभत्स था कि लोगों को तंदूर से भी घृणा हो गई और कांग्रेस पार्टी से भी घृणा हो गई। सैकड़ों ...**(व्यवधान)**.... एक महीने से सैकड़ों ...**(व्यवधान)**....

श्री एस.एस. अहलुवालिया : महोदया, प्वाइंट आफ इनफारमेशन।

महोदय। वोहरा कमेटी की रिपोर्ट पर चर्चा करने के लिए हम यहां पर इकट्ठे हुए हैं और इस पर ...**(व्यवधान)**....

श्री सुरन्दर कुमार सिंगला (पंजाब) : अगर इस लेवल पर लाएंगे डिबेट तो बहुत नुकसान हो जाएगा। ...**(व्यवधान)**....

प्रो. विजय कुमार मल्होत्रा : मैडम, मैंने कौन सा अनपार्लियामेंट शब्द कहा है? अभी एक मिनट बोला नहीं हूँ और मेरा टाइम इस तरह से खत्म किया जा रहा है। ...**(व्यवधान)**....

श्री एस.एस. अहलुवालिया : वोहरा कमेटी पर बोलें हमें कोई आपत्ति नहीं है। वोहरा कमेटी जब से चली, उस पर क्या रिपोर्ट सभित हो गई, उसमें किस/किस का नाम आया, नहीं आया, उस पर कोई चर्चा करें, आप भी करें, हम भी करेंगे, हमें इस पर कोई

ऐतराज नहीं है पर चर्चा को विभ्रान्त करके अगर दूसरी तरफ ले जाएं और तंदूर कांड जो कि अभी हाल में घटना घटी है और कुछ इस्टेब्लिश नहीं हुआ है जो एक सब-ज्यूडिस मैटर है उसको सामने रखकर सदन के माध्यम से पूरे देश को विभ्रान्त करना कि भ्रष्टाचार पर पूरा देश इंतजार कर रहा है कि सदन भ्रष्टाचार और अपराधीकरण पर विचार करने जा रहा है।

प्रो. विजय कुमार मल्होत्रा : मैंने तो कहा नहीं

श्री एस.एस. अहलुवालिया : हम घूम-फिरकर उसी बात पर आ रहे हैं इसको सेंसेशनलाइजेशन तरीके से पेश किया जा रहा है इसको सेंसेशनल बनाने की कोशिश न की जाए। तथ्य पर आइए, हम फेस करेंगे उसको।

उपसभापति : इन्होंने जो कहा, मैं उनको इसका जवाब देती हूँ, आप बैठिए।

देखिए हर पार्टी के दृष्टिकोण हैं क्रिमनलाइजेशन के सिलसिले में, वे अपनी पार्टी के दृष्टिकोण से बोल रहे हैं। आपको जो मालूपात अपनी पार्टी के दृष्टिकोण से बोल रहे हैं। आपको जो माल्मालू अपनी पार्टी के दृष्टिकोण से हो, आप बोलिए, जवाब दीजिए, आपका समय आएगा। अगर हम लोग इस तरीके से एक-दूसरे की टोका-टोका करेंगे तो यकीनन बोलने में तकलीफ होगी। सब, यहां किसी भी पार्टी के जो लोग बैठे हैं वे अगर हय चाहते हैं कि जो भी सही बातें हैं क्रिमिनाइजेशन के बारे में पालिटिशियंस के नेक्कस की, वे भी ऊपर आए और जो भी बातें हैं, जो इस तरह की अफवाह भी कहीं फैली हुई है तो उस अफवाह की भी एक तरह से पुष्टि हो जाए कि ये सब बातें अफवाह की हैं, मगर खुले तरीके से अगर बात होगी तो मैं समझती हूँ कि ठीक रहेगा। आप मल्होत्रा जी को बोलने दीजिए। आप ध्यान से उनकी बात सुनिए और उनकी बात का आप अपने समय पर जरूर जवाब दीजिए और अच्छी तरह से जवाब दीजिए, जो आप मुनासिब समझते हैं। ...**(व्यवधान)**....

श्री रामदास अग्रवाल (राजस्थान) : ध्यान से सुनिए और अमल करिए।

उपसभापति : यह बात आप मत कहिए, अमल अगर करेंगे तो मुझकों होगी क्योंकि इधर चुप करना पड़ेगा पहले इनको भी। अभी आप सुनिए और

बाद में आप भी जवाब दीजिए, आप भी जवाब दीजिए, आप भी जवाब दीजिए।

श्री एस.एस. अहलुवालिया (बिहार) : मैडम, आपकी जो रूलिंग हैं, वह शिरोधार्य हैं, सिर-माथे पर हैं, प यह जो बिजनेस पेपर में लिखटा हुआ है कि “अपराधियों अर राजनीजिज्जों के अन्तसंबंध पर वोहरा समिति के प्रतिवोन के संदर्भ में एक चर्चा आरम्भ करेंगे” यह क्या हैं? वोहरा रिपोर्ट जप सम्बिट की गई ...**(व्यवधान)**.... मेरी बात बहुत सीधी सी हैं कि वोहरा समिति की रिपोर्ट जब बन रही थी तो उसका संदर्भ यहां शुरू में नहीं आना चाहिए था।...**(व्यवधान)**....

SHRIMATI NATARAJAN (Tamil Nadu): Madam, I am on a point of order. My point of order is that the matter regarding Naina Sahni's murder is *subjudice*. It is now in the courts. However, we will abide by your ruling.... *(Interruptions)*...

SHRIMATI JAYANTHI NATARAJAN: The report which Mr. Ahluwalia has referred to is the Vohra Committee report. The *tandoorkand* or Naina Sahni's murder did not figure anywhere in that report. No names have been mentioned in the report. Nothing like that has happened. As a matter of fact, it is *sub judice*. It cannot be mentioned or discussed in the house because the matter is in the court and it will prejudice the trial. Madam, the second part is an appeal. If we want to bring it down to this level, then the whole level of debate is going to deteriorate into flinging mud at each other. When we wanted to raise a matter of an M.P. belonging to a party, who is a Member of this House, and who has now been expelled by his own party, you told us... *(Interruptions)*... you told us.. *(Interruptions)*

SHRI SATYA PRAKASH MALVIYA (Uttar Pradesh): And, there was the son of the Chief Minister of Punjab... *(Interruptions)* Why are you mentioning it? *(Interruptions)*

SHRIMATI JAYANTHI NATARAJAN: Madam, why is he interrupting me? Why can't I mention, Madam? His own party has expelled him from the party, you can mention Tandoor, I can't mention it! A woman is found dead in an M.P.'s house, who is a Member of this house. She was found murdered in his bed room. He is thrown out of his own party. This is what yesterday's newspapers said. I can't mention it in the House. Why? Is it so because he is in the opposition and he is not a Congress Member? What is Malaviyaji talking about? Madam, you told us at that time that we should not raise this matter, we should not politicise it, we should keep quiet and allow justice to be done. If they want the level of the debate to deteriorate, all right, then we can all come down to that level. But if you want the debate to be at a high level, of discussing as to how to save this country, then we can keep it at that level. That is all I want to say.

THE DEPUTY CHAIRMAN: She has said very correctly. *(Interruptions)*

SHRI VIREN J. SHAH (Maharashtra): Madam, Mrs. Natarajan has mentioned two points. One point is about criminalisation of politics as arising from the Vohra Committee Report and, hence, this was mentioned there. The second is about the matter being sub judice. My submission on the first part is that criminalisation of politics has a very wide repercussion, and even after the Vohra Committee went into it—for two years the Government sat on that report—all those issues which have a consequence on criminalisation of politics, could be raised, not necessarily by attacking any party and by mudslinging at each other. I completely agree with her that we do not want to bring down the level of the debate. So far as the matter being sub judice is concerned, it is very clear in Kaul and Shakdhar. Only this morning I read a number of

references on this. There are at several places—pages 412, 946, 947 and 948, where it is brought out that the Chair could permit that matters of public importance, which, in the opinion of the Chair, are not likely to prejudice the mind of the court, could be mentioned. A fact can be mentioned but it may not be such which would prejudice the court. If Mr. Vijay Kumar Malhotra is merely stating the facts, then as per Kaul and Shaktidhar, it does not in any way offend the question of it being *sub judice*. It is very clear. I have mentioned the number of pages on which you can have a look at it. On pages 946, 947 and 948, it is very clear that you could raise such issues. The freedom of speech should not be curbed because it is a matter of public interest. The Speaker's ruling is also there on matters of public interest. So, my submission is that we should not go into the technicalities of this matter. It is not a matter of parties. I am sure Shrimati Jayanthi Natarajan is as sorry and as concerned about what happened to Naina Saahni as any other person, as all of us are. Let us keep the debate at that level. That is my submission, Madam.

THE DEPUTY CHAIRMAN: Okay. We should start the discussion now. I don't want any more interruption.

SHRI DINESHBHAI TRIVEDI: Madam, I have a point of order. (Interruptions).

श्री रामदास अग्रवाल : कोर्ट के मामले को लेकर हम विवाद नहीं करना चाहते हैं कि किसी विषय पर, तो मैं यह निवेदन करना चाहता हूँ कि जितने क्रिमिनल्स इंडिया में हैं और जो वोहरा समिति से संबंध रखते होंगे उन सब के मामले कोर्ट्स में चल रहे हैं, तो फिर वोहरा कमेटी के मामले पर डिस्कस मत करिए, क्योंकि कोई न कोई अपराधी कहीं न कहीं कोर्ट में फंसा हुआ है। तो इसका अर्थ यह होगा कि हम किसी क्रिमिनल के बारे में और वोहरा समिति के बारे में ... (व्यवधान).... हाँ, सब पर है मैं नाम दे सकता हूँ जिन लोगों के ऊपर केसेज चल रहे हैं। बिल्कुल उन पर केस चल रहे हैं कोर्ट के अंदर।

कोई टाडा कोर्ट में हैं, कोई महाराष्ट्र* कोर्ट में हैं, कोई गुजरात कोर्ट में हैं। बॉम्बे ब्लास्ट के सारे केसेज कोर्ट में चल रहे हैं। तो इसका मतलब यह होगा कि हम इस पर कुछ डिस्कस नहीं करें।

SHRI DINESHBHAI TRIVEDI: Madam, I have a point of order. I want to submit that the Vohra Committee Report is the conclusion of various other investigations which have already mentioned that these were based on certain reports. Without our having access to those reports, I am not very sure if we are competent to deal with this report. So, what I would appeal is that we want the supplementary documents also along with this.

उपसभापति : मल्होत्रा जी, आप इनिशियेट कर रहे हैं।

प्रो. विजय कुमार मल्होत्रा : मैडम, अगर आधे-आधे मिनट में रोकते जायेंगे; तो मैं क्या करूँ।

उपसभापति : ऐसा नहीं होगा। आपकी डिबेट जब शुरू होगी तो सही रास्ते पर आ जाएगी। मगर आप जिस ढंग से शुरू कर रहे हैं इसलिए जो स्तर आप डिबेट को देंगे वही स्तर इस हाउस में रहेगा आप जिस ढंग से शुरू करेंगे, उसी लेवल पर दूसरे लोग भी बोलेंगे। इसलिए मेरा आपसे निवेदन है कि आप उस लेवल पर बात कीजिए। आप भी चाहते हैं, हम भी चाहते हैं, सभी चाहते हैं कि क्रिमलाइजेशन न हो। जो नेक्पेस हो गया है, पोलिटिक्स में जो गलत लोग अपने स्वार्थों के लिए आ गए हैं उनको कैसे आइसोलेट करें, कृपया आप इस पर बोलिए।

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Madam- I have one point to submit. Hon. Member, Shri Viren J. Shah, made certain remarks about what makes a matter *sub-judice* and he has quoted from Kaul and Shaktidhar. I would request him to go through Kaul and Shaktidhar and see page 950. Page 950 summarises the points on which you should not express any opinion when the matters are *sub-judice*.

That is, in fact, absolutely clear. While don't want to take any side. I would request him to go through pag 950 and satisfy himself.

SHRI VIREN J. SHAH: I am just now reading Kaul and Shakhder. Please look at page 412 which is also a part of it and then go through pages 946, 947, 948 and even 949 which say that the Committee of Presiding Officers has considered the scope of the rule of *sub judice*, and recommended the following guidelines. I am not going to quote it now, but if you permit me, then I will go through that. Which page did you mention?

SHRI S.B. CHAVAN: Page 950.

SHRI VIREN J. SHAH: Page 950 is the culmination of page 946 onwards which contains those eight guidelines that were brought in. Before that, please look at page 947 wherein there is Speaker's ruling. It is clear terms that the matter could be discussed if it is of importance. I

am not going into the details just now. This is one point which the Chair can always look at all these pages and decide. But it is still a matter which can be substantiated. Chavan Saheb has been a lawyer and it makes it very clear that it is not likely to prejudice the court. So, that can be mentioned. Merely mentioning a matter, it is very clearly stated, does not result in prejudice. If the hon. Member, Shri Vijay Kumar Malhotra, is going to make some statement which could result in prejudice in the court which is sitting in judgment, certainly, that could even be deleted from this. The Chair has that discretion and right to ask that it should not be so. Otherwise, Kaul and Shakhder is very clear even- if you read not just 950, but from 946, 947 and 948 and please also see the last three lines of page 412 which I would submit for your consideration.

SHRI CHATURANAN MISHRA: Let us proceed now.

श्री सिकन्दर बख्त : इतने थके हुए हैं उससे लगता है कि आप जिस ढंग से टेकअप करना चाहती हैं वह मुमकिन नहीं हैं। कोई मूड में भी नहीं हैं। वैसे मैं अर्ज करूँ कि क्रिमिनल लफ्ज इस कदम इसकी वाइड रमिफिकेशन हैं, जेहानी जुर्म भी हो सकता है, सियाशी जुर्म भी हो सकता है, इसमें वाइड रेमिफिकेशन हैं। खुदा जाने कहां से कहां जा सकता है। इसलिए इसको महदूद या समिति करने का सवाल पैदा नहीं हो सकता।

† شری سکندر بخت: اتنے تھکے ہوئے ہیں اس سے لگتا ہے کہ آپ جس ڈھنگ سے ٹیک اپ کرنا چاہتی ہیں۔ وہ ممکن نہیں ہے۔ کوئی موڈ میں بھی نہیں ہے۔ ویسے میں عرض کروں کہ کرمینل لفظ اس قدر اسکی وائیڈ ریمیفیکیشن ہیں۔ خدا جانے کہاں سے کہاں جا سکتا ہے۔ اسلئے اسکو محدود یا سیمت کرنا کا سوال پیدا نہیں ہو سکتا۔

SHRI S. JAIPAL REDDY: Madam, we must concern ourselves with the substantive matters, not that we cannot quote chapter and verse.

SHRIMATI

JAYANTH

I

NATARAJAN: That is substantive.

SHRI S. JAIPAL REDDY (Andhra Pradesh): What is substantive? No, no. For you the procedure is substantive, what is to be done. Madam, the whole country is exercised over this. Let us not make light of the whole problem. I would appeal to the Leader of the House not to raise hyper-technical matters.

THE DEPUTY CHAIRMAN: He did not raise it. (Interruptions) He did not raise it. (Interruptions)

SHRI S.B. CHAVAN: I am merely

submitting for the consideration of the Chair that if one is quoting Kaul and Shakhder, he must quote properly. Page 950 summarises the entire thing. I also have seen the proceedings of the Presiding

Officers' Conference and there also the same thing has been repeated and that is why it has become very relevant. Now, as far as just making a mention is concerned,

certainly I do not have any objection. But, if you are expressing any opinion, then it becomes objectionable. (Interruptions)

SHRI VIREN J. SHAH: At page 412 it is said, "...mere statistics of factual information in any particular case ... (Interruptions)

SGRUNATU HATABTGU NATARJAN: What is the fact; (Interruptions)

THE DEPT. CHAIRMAN: Mr Shah, are you discussing the question? (Interruptions)

What Smt. Jayanthi Natarajan says is that she has only brought the matter before the House which has been brought before the House by many Members from both the sides even if the matter was sub-judice. We all know that when we talk about a matter which is in the court, we have to be very careful. The basic reason is that justice should be done

properly and those who are criminals, should not go scot-free, because, if some comment is made, have an effect on the real justice being done. That is the real concern. That is why Smt. Jayanthi Natarajan I am quite sure, does not want anyone who has killed anybody, who has committed a gruesome murder or any crime, to go Scot-free. She herself is a lawyer. So, let us not bind ourselves in all those technicalities. Let us bind ourselves in our own responsibilities and start the discussion at 11 which is expected out of a Member of Parliament beyond kaul and Shakhder. That is only a reference to what happened in the House over the presiding officers' rulings. But,

there are certain responsible members of this House also. I request and submit to all the members who are participating in the debate-Mr. Malhotra,

you are initiating also-to raise the level of the debate so that we should get over.

SHRI SURINDER KUMAR SINGLA: I would only repeat the request of the Leader of the Opposition that we can postpone the debate for tomorrow. (Interruptions)

SHRI SATISH AGARWAL: It was requested in the beginning and it was not accepted. But, now you are again asking for it now.

प्रो. विजय कुमार मल्होत्रा : मैंने सिर्फ आधा सैंकेंड बोला था और उसके ऊपर 25-30 मिनट ... (व्यवधान)....

उपसभापति: वह बात पुरानी हो चुकी है, अब नयी बात कीजिये।

प्रो. विजय कुमार मल्होत्रा : मैं इससे एग्री करता हूँ कि डिबेट का स्टैंडर्ड बहुत ऊँचा होना चाहिये।

उपसभापति : अब इनको एड्रेस कीजिये और हैरान मत कीजियेगा।

उपसभाध्यक्ष (श्री सुरेश पचौरी) : पीठासीन हुए।

प्रो. विजय कुमार मल्होत्रा : उपसभाध्यक्ष महोदय, डिबेट का स्टैंडर्ड ऊँचा होने का यह मतलब नहीं कि सचमुच जिनका दोष है, जिनका कसूर है, जो अपराधीकरण कर रहे हैं, उनकी किसी प्रकार की कोई आलोचना न की जाए। अगर यह मतलब है उसका कि इस डिबेट में सिर्फ ऊपर ऊपर की ही बातें की जाएं तो इस डिबेट के कोई मायने ही नहीं रहेंगे। मैं सब से पहले कहना चाहता हूँ कि मेरा इस के साथ कोई ताल्लुक नहीं है कि किस ने मर्डर किया या नहीं किया, मर्डर करने वाला पकड़ा जाए या नहीं पकड़ा जाए, परन्तु क्या यह बेसिक सवाल नहीं है कि मर्डर बहुत ग़ुसम था, हत्या बहुत धिनौनी थी एक तरह से बड़ी वीभत्स हत्या थी। इस प्रकार की वीभत्स हत्या होने के बाद भी सारे हिन्दुस्तान की अखबारें पूरह की पूरी चीख-चीख कर लगातार एक महीने तक खबरें देती रही हैं। क्या हिन्दुस्तान के प्राइम मिनिस्टर को यह नहीं चाहिए था कि

वे अपनी एगोनी तक प्रकट करते, एंग्विश प्रकट करते वे इसके बारे में कोई दो चार शब्द कह देते कि यह चीज बहुत धिनौनी हुई हैं। 90 करोड़ जनता चिंतित थी उस चीज पर। प्रधान मंत्री ने मौन धारण कर लिया। एक शब्द इसके बारे में नहीं कहा। मैं समझता हूँ कि प्रधान मंत्री की अपनी मौनी बाबा की जो उपाधि हैं उसको बनाए रखने के लिए जरूरी नहीं था कि वे इसमें कुछ शब्द नहीं कहते। इस रिपोर्ट में जो स्वीरियस्ट इंडिक्टमेंट हैं उसको मैं आपके सामने रखना चाहता हूँ। शुरू में ही वीरा साहब ने कहा हैं-

"I perceive that some of the members appeared to have some hesitation in openly expressing their views and also seemed unconvinced that the Government actually intended to pursue such matters."

उन्होंने यह कहा कि सी.बी.आई. और जितने भी विभाग थे उनसे मीटिंग की और सबने कहा कि गवर्नमेंट इसको परस्यू नहीं करेगी और सिर्फ ऊपर कोई स्थान नहीं होगा। इसलिए आप हमसे क्यों राय मांग रहे हैं, रिपोर्ट क्यों बना रहे हैं। मैं समझता हूँ कि इससे ज्यादा बड़ा इंडिक्टमेंट ... (व्यवधान).... ये फिर बड़े हो गए।

SHRI H. HANUMANTHAPPA (Karnataka): Sir, I am on a point of order.

SHRI VIREN J. SHAH: He is reading from the Report. What is the problem if he is quoting from the Report. What is the problem if he is quoting from the Report? They want to stop the discussion... (Interruptions)...

SHRI H. HANUMANTHAPPA: Without listening to me how can you say that?... (Interruptions)... Why are you objecting? I have requested the Vice-Chairman and he has acceded to my request. Why do you get up? ... (Interruptions).

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI) What is your point of order?

SHRI H. HANUMANTHAPPA: Mr. Vice-Chairman, Sir...

SHRI VIREN J. SHAH: Is it you point of order? (Interruptions)...

SHRI H. HANUMANTHAPPA: If it has been a point of order, I would have clung to the Chair. I know the procedure. I have been here in this House for hte last thirteen years. If you do not want to yield (Interruptions)..

SHRI SURINDER KUMAR SINGLA: I would only repeat the request of the Leader of the Opposition that we can postpone the debate for tomorrow. (Interruptions)

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उपसभापति : अब उनको एड्रेस कीजिये और हेरान मत कीजियेगा।

[उपसभाध्यक्ष - (श्री सुरेश पचौरी) पीठासीन हुए]

प्रो. विजय कुमार मल्होत्रा : उपसभाध्यक्ष महोदय, डिबेट का स्टैंडर्ड ऊंचा होने का यह मतलब नहीं कि सचमुच जिनका दोष है, जिनका कसूर हैं, जो अपराधीकरण कर रहे हैं, उनकी किसी प्रकार की कोई आलोचना न की जाए। अगर यह मतलब हैं उसका कि इस डिबेट में सिर्फ ऊपर ऊपर की ही बातें की जाएं तो इस डिबेट के कोई मायने ही नहीं रहेंगे। मैं सब से पहले कहना चाहता हूँ कि मेरा इस के साथ कोई ताल्लुक नहीं हैं कि किस ने मर्डर किया या नहीं किया, मर्डर करने वाला पकड़ा जाए या नहीं पकड़ा जाए, परन्तु क्या यह

बेसिक सवाल नहीं हैं कि मर्डर बहुत मुसम था, हत्या बहुत धिनौनी थी, एक तरह से बड़ी वीभत्स हत्या थी। इस प्रकार की वीभत्स हत्या होने के बाद भी सारे हिन्दुस्तान की अखबारें पूरी की पूरी चीख-चीख कर लगातार एक महीने तक खबरें देती रही हैं। क्या हिन्दुस्तान के प्राइम मिनिस्टर को यह नहीं चाहिए था कि वे अपनी एगोनी तक प्रकट करते, एंग्लिश प्रकट करते। वे इसके बारे में कोई दो चार शब्द कह देते कि यह चीज बहुत धिनौनी हुई है। 90 करोड़ जनता चिंतित थी उस चीज पर। प्रधान मंत्री ने मौन धारण कर लिया। एक शब्द इसके बारे में नहीं कहा मैं समझता हूँ कि यह प्रधान मंत्री की अपनी मौनी बाबा की जो उपधि है उसको बनाए रखने के लिए जरूरी नहीं था कि वे इसमें कुछ शब्द नहीं कहते। इस रिपोर्ट में जो स्वीरियस्ट इंडिक्टमेंट हैं उसको मैं आपके सामने रखना चाहता हूँ। शुरु में ही वोरा साहब ने कहा हैं—

"I perceive that some of the members appeared to have some hesitation in openly expressing their views and also seemed unconvinced that the Government actually intended to pursue such matters."

This is what the Government has done.
This is what the Congress has done.

उन्होंने यह कहा कि सी.बी.आई. और जितने भी विभाग थे उनसे मीटिंग की और सबने कहा कि गवर्नमेंट इसको परस्यू नहीं करेगी और इसके ऊपर कोई एक्शन नहीं होगा। इसलिए आप हमसे क्यों राय मांग रहे हैं, रिपोर्ट क्यों बना रहे हैं। मैं समझता हूँ कि इससे ज्यादा बड़ा इंडिक्टमेंट ...**(व्यवधान)**.... ये फिर खड़े हो गए।

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THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): What is your point of order?

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SHRI VIREN J. SHAH: Is it your point of order? *(Interruptions)*....

SHRI H. HANUMANTHAPPA: If it has been a point of roder, I would have clung to the Chair. I know the procedure. I have been here in this House for the last thirteen years. If you do not want to . yield!...*(Interruptions)*..

PROF. VIJAY KUMAR MALHOTRA: Why should I yield?

SHRI H. HANUMANATHAPPA: If you cannot extend that much of courtesy to your colleague—okay.

प्रो. विजय कुमार मल्होत्रा : उपसभाध्यक्ष महोदया, 22 महीने यह रिपोर्ट कोल्ड स्टोरेज में पड़ी रही और 22 महीने तक कोई एक्शन नहीं हुआ। 22 महीने के बाद जब यह नयना हत्याकांड हो गया उसके बाद अचानक यहां पर प्रेशर को देखकर यह रिपोर्ट रखी गयी। अगर हिंदुस्तान की सारी एजेंसिया, सारी इंटेलीजंस एजेंसियां या दूसरे जिनको यह कार्यवाही करनी है, उनके दिमाग में यह बात है कि गवर्नमेंट बिल्कुल परस्यू नहीं करेगी, और उनका अंदेशा वह बाद में साबित हो जाए तो हम अंदाजा लगा सकते हैं कि यहां पर कार्यवाही कैसे होगी। आगे महोदय, उन्होंने जो इम्पारटेंट बात कहीं हैं, पेज दो पर वह हैं—

"Hired assassins have become a part of these organisaitons
The nexus between criminal gangs, police, bureaucracy and politicians has come out clearly in the various parts of the country. The existing criminal justice system whcih was essentially designed to deal with the individual crime is unable to

deal with the activities of the gangs."

मैं बहुत नम्रता से सारे सदन से कहना चाहता हूँ कि इसमें कहा है कि पोलिटीशियन के संबंध में क्लियरली सामने आ गए हैं। इस पोलिटीशियन शब्द में सारे पोलिटीशियन शामिल होते हैं ...**(व्यवधान)**.... प्लीज लेट मी फिनिश। यह जो पोलिटिशियंस की बात की जा रही है आखिर सी.बी.आई. के डाइरेक्टर ने, चीफ ने यह बात कही है। इसमें कहा है कि क्लियरली सामने आ गया है मामला

सी.बी.आई. के उस चीफ से आपने क्या कहा कि खुले तौर पर पोलिटीशियंस के ताल्लुक़ात सामने आ गए हैं। तो Where are those politicians?

22 महीनों में इतना भी आपको मौका नहीं मिला पूछने का जो साफ तौर पर कह रहे हैं, साफ तौर पर पोलिटीशियंस के नाम ले रहे हैं तो उनके नाम बताइए। आपके पास वह रिपोर्ट अगर थी इसके साथ एनेक्सचर्ज में भी तो इस रिपोर्ट को दबाया क्यों गया? ...**(व्यवधान)**....

श्री एस.बी. चव्हाण : यह बार-बार कहने की बात नहीं है। इसके साथ कोई एनेक्सचर नहीं है। ...**(व्यवधान)**.... आप फिर उसी को रिपीट किए जाते हैं।

प्रो. विजय कुमार मल्होत्रा : आई नो कि कोई एनेक्सचर नहीं है। मैं कह रहा हूँ कि इसके साथ जिस वक्त उसने रिपोर्ट दी होगी सी.बी.आई. ने कुछ अपने आंकड़े दिए होंगे, बाकी चीजों की होंगी। सी.बी.आई. की कोई रिपोर्ट होगी। say this thing and not substantiate it?

SHRI S.B. CHAVAN: I think you would have been within your rights if you had asked me the question whether any information in the shape in which the hon. Member is speaking was supplied to Mr. Vohra. Then, certainly, I would have given you the information. In fact, according to my knowledge, whatever information is available in this Report, that is the only thing which is available to me. Besides that there is no other information which the Government has in its position. I have found out from Mr. Vohra himself whether any statistics or any material was provided to him. He

said this was just an oral discussion, internal discussion, that is all. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Yes, what is your point? *(Interruptions)*

श्री रामदास अग्रवाल : ब्यूरोक्रेट्स के ऊपर इस प्रकार का आक्षेप लगाने का अधिकार कहां से मिल गया?

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Yes, Mr. Baby. a4 **SHRI M.A. BABY (Kerala):** Sir, I want to make a submission. Sir, I have a point of order. Sir, the Vohra Committee Report very categorically states—it is in the contents: I have read it and the Home Minister also knows that—the Home Minister said that the Vohra Committee has come to this conclusion on the basis of the information available oral information available, but it is contradictory to what it is in the report. In the report, it is written that when some of the Members expressed some hesitation—on page 1, 2.2. states—

"Accordingly, I addressed separate personal letters to each of the Members of the Committee seeking their well considered suggestions and recommendations. Their responses are briefly brought out below."

"This is briefly brought out below" means what is contained here is in brief. We want the full contents, this is precisely what we are asking for and the respected Home Minister should not mislead the House.

SHRI S.B. CHAVAN: I am sorry you cannot make such a kind of insinuation as if I am trying to suppress some kind of information which is available with me. In fact, I am very much interested in having a full discussion on this Report. But if the hon Members were to expect me to produce the thing which does not

exist then I would have to request Mr. Vohra to find out, first, whether there are any annexures. He said that there were no annexures. I asked, "Are there any other papers on which you have based your recommendations?" He said, "This was just an oral discussion amongst ourselves, and thereafter, we were to consider, but you have now placed it on the Table of the House and these are very sensitive matters which I don't think is going to serve any purpose." If the purpose is to be served all these agencies should be allowed to speak

in a very honest manner. If it is going to be laid on the table of the House instead of helping this process, you are posing difficulties for all the agencies who honestly say what they have in their minds. *(Interruptions)*

SHRI VIREN J. SHAH: Sir, I want to request to the Home Minister to look at para 15.2 and ...*(Interruptions)*..

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Mr. Shah, I am not allowing you. It will not go on record.

SHRI VIREN J. SHAH:*

SHRI VIJAY KUMAR MALHOTRA: What is the point of order?

SHRIMATI JAYANTHI NATARAJAN: Sir, my point of order relates to whatever point of order Mr. Baby raised which he should listen to patiently and I am replying to that. Sir, *(Interruptions)*

SHRI M.A. BABY: She is dissatisfied with the reply given by the Home Minister. *(Interruptions)*

SHRIMATI JAYANTHI NATARAJA: Yes, I will tell you why. The Home Minister as a Leader of the House should not be in a sorry position for having to defend himself against unfair accusations.

That is why I got up. And that is why I am standing here to say that what Mr. Baby said is wrong because the Opposition is in the habit of flinging accusations

at everybody. Sir, he said that the Home Minister should not mislead the House because he read out something. He said, 'this is what is brought out briefly below.'

SHRI M.A. BABY: Not something. It is from the Report. You please read the Report.

SHRIMATI JAYANTHI NATARAJAN: Yes, I stand corrected. You read out from the Report where he said, 'they are briefly brought out below.' And you said, "Therefore, there should be other documents, other responses." I have also read the Report. I have also read the same paras. He said, 'he is bringing them out briefly below.' It means that it is not written down anywhere else, it means that there is not any other information. What was conveyed to him, he has said.

PROF. VIJAY KUMAR MALHOTRA: What is your ruling, Sir. Is it a point of order?

SHRIMATI JAYANTHI NATARAJAN: It is totally wrong to say that he is misleading the House.

प्रो. विजय कुमार मल्होत्रा : सर, यह तो बड़ी मुश्किल है। जब इन की बारी आए तब बोलें। कांग्रेस पार्टी की ओर से स्पीच दें।

श्री चतुरानन मिश्र : उपाध्यक्ष महोदय, आप पाइंट ऑफ़ डिस-आर्डर से हाउस को प्रोटेक्ट कीजिए।

SHRI INDER KUMAR GUJRAL: Sir, I am on a point of order.

SHRIMATI JAYANTHI NATARAJAN: You should not accuse the Leader of the House- of misleading the House, if you want order.

SHRI INDER KUMAR GUJARAL (Bihar): the hon. Home Minister has said that he has been told and he must be right- that there are no other documents. And I do not know why the hon. Minister does not read para 2.2, last two sentences? What does it say? Mr. Vohra says: "Accordingly, I addressed separate personal letters to each of the Members

of the Committee, seeking their well-considered suggestions and recommendations. Their responses are briefly brought out below." Obviously, the letter was not an oral letter. It was a written letter. Obviously, the responses would also be written. Now, to say that it is all oral, I do not know if it convinces you, Sir, but it does not carry any conviction with me.

SHRI VIREN J. SHAH: r. would only suggest one thing to help the hon. Home Minister. If he carefully looks at para 15.1, it is mentioned there that the Minister was asked to discuss with the officers.

So, he can tell us about the discussions. At the time, the minutes would have been there.

उपसभाध्यक्ष (श्री सुरेश पचौरी) : फ्र वीरेज जी आप ऐसा कीजिए कि मल्होत्रा जी की जगह इनीशिएड कर लीजिए।

SHRI DINESHBHAI TRIVEDI: Please refer to para 2.1. We are not talking of any verbal or oral things. Para 2.1 talks about the report. I fully agree with the hon. Home Minister when he says that Mr. Vohra did not have. I am not disputing that. But what does para 2.1 say? It is a very short para and I will read it out. It says: "In the first meeting of the Committee held on 15th July, 1993, I had explained to the Members that the Government had established the Committee after seeing the report of our Intelligence and Investigation agencies on

the activities/linkages of Dawood Ibrahim." It means, there are reports. Based on those reports, Mr. Vohra has finally compiled this. All that we are asking you, hon. Home Minister, is that in order to make this debate more meaningful, we would want those reports was well.

SHRI S.B. CHAVAN: Sir, it is not the practice. Normally, even a discussion on this Report is going to be highly embarrassing for all the officers because hereafter if I were to get the perceptions

of different agencies, whoever, in fact, engaged in this kind of a job, I am sorry to say that no officer will be able to give his honest opinion if matters are going to be discussed on the floor of the House because these are confidential documents....(Interruption)... which, according to their perception, they try to give us. If in the Bombayblast case, if there is a linkage between some officers and politicians

and the underground people, certainly it will go before the court, and the court will take its own decision.

SHRI INDER KUMAR GUJRAL: I see the Minister's difficulty. If that was your difficulty, you would have been well advised to declare the Report as a confidential document and not come to place it before the House. Having done it...

SHRI S.B. CHAVAN: In fact, it was a top secret document. We had to remove the words "Top secret" because when people's names were unnecessarily mentioned outside, I was advised that since there is no mention of any name in the Report, and since this is a general report... if the Members are so keen, let them have a copy of the report. This was categorised as a top secret document. The categorisation of 'top "secret" had to be removed.

SHRI INDER KUMAR GUJRAL: I am not questioning that. I am only saying this. Having done it, either because of the demand from the Members, or, on your own, suo motu, whatever is the reason — good or bad — you should come out in full. You cannot have chastity by half. Having done it, you have to take the House into confidence in regard to the whole thing, in full. You cannot have a half-way and say that you would tell us this much and no more. It is not possible.

SHRI S.B. CHAVAN: My appeal to the hon. Members is this. If you want that all the documents which the different agencies might be having with them

should be made public, I do not think you understand the implications of this kind of a demand. I would beg of you. Please discuss all the other things, but if you force the issue by asking for the reports submitted by the different secret agencies, then, of course, I will have to say 'No' I cannot, possibly, accept it.

SHRI INDER KUMAR GUJRAL: I am not asking for that. I am asking... (Interruptions)

SHRI S.B. CHAVAN: The report is available with the hon. Members. (Interruptions) On the basis of that, they can discuss the issue. Please do not try to go deep into the matter. Otherwise, all this discussion would be fruitless. All other things you can discuss, but not the reports of the secret agencies.

SHRI INDER KUMAR GUJRAL: The point, basically, is very different and it is a very simple one. The report is before us. You are asking us not to go deep into it. This is a very unfair demand. What are we discussing here? We are not discussing about the style of printing in the report. We are not discussing about the manner in which it is

printed. We are not discussing that. What is the main point? The main point is this. One Mr. Vohra who, for some reasons best known to you, was appointed to look into certain things which were causing you concern. Fine. Then, Mr. Vohra comes back and says 'The people who were in my Committee did not believe me that the Government was serious'. Subsequent events proved it also. Later on, he says: 'Since I wanted them to believe me, I wrote to them'. He then wrote to them and they responded. Now, Mr. Minister, you are telling us that there was nothing in writing. This is not borne out by this fact, This is the point I wanted to make.

उपसभाध्य (श्री सुरेश पचौरी) : महोत्रा जी, बोलिए। मैं सदन के सदस्यों से अनुरोध करूंगा कि

कृपया जो माननीय सदस्य बोल रहे हों, उनको बीच में इंटरप्ट न करें।

प्रो. विजय कुमार मल्होत्रा : लीडर आफ द हाऊस भी अगर बीच में मेहरबानी करे तो कृपा होगी।

"The nexus between the criminal gangs, police, bureaucracy and politicians has come out clearly in various parts of the country."

उपसभाध्यक्ष महोदय, मैंने जो बात कही थी, मुझे समझ में नहीं आया, मैंने इतनी बात कही कि इसमें उसके चीफ ने यह बात कही है। आप देखें, पैरा 3:3 में होम मिनिस्टर साहब से उस दिन यह बयान दिया कि तीन कापिया इस रिपोर्ट की बनी। एक महो मिनिस्टर की दो। मैं सिर्फ यह पूछ रहा हूँ कि जब आपको यह रिपोर्ट 22 महीना पहले दी गई और उसमें कहा गया कि पोलिटिसियन के नाम क्लीयरली सामने आ गए नेक्सस सामने आ गया, तो आपने क्या उससे पूछा कि कौन कौन से पोलिटिशियन हैं? उन पोलिटिशियन को क्या आपने पकड़ कर टाडा में बंद किया या और किसी कानून में बंद किया? क्या कोई आपने उन पर कार्यवाही की? आपने 22 महीना तक कोई कार्यवाही नहीं की। इसलिए नहीं कि श्री वोहरा कह रहे थे कि सबने यह कहा कि गवर्नमेंट सीरियस ही नहीं, होना-हवाना कुछ नहीं। क्यों हमें बेवकूफ बना रहे हो?

यह बात जो उसने शुरू में कही थी, वह इससे साबित होती है। रिपोर्ट आ गई और आपने 22 महीना तक उनके बारे में क्यों नहीं पूछा?

दूसरी बात, उपाध्यक्ष महोदय, आगे उन्होंने कहा सी.बी.आई ने, यह पैरा 3:4 देखें—

"If MIRCHI is investigated, the entire patronage enjoyed by him and his linkages will come to light. Director CBI has observed that there are many such cases, as that of MIRCHI were the initial failure has led to the emergence of Mafia giants who have become too big to be tackled."

उसने कहा कि मिरची को इन्वेस्टीगेट करो तो पूरा का पूरा बेट्रोनेज सामने आ जाएगा। उसने कहा कि उसी तरह से और बहुत से केस हैं। तो होम मिनिस्टर साहब, आपने उनसे क्यों नहीं कहा कि मिरची को इन्वेस्टीगेट करो और पेट्रोनाइज सामने लाओ, वह माफिया गैंग सामने लाओ। यहां रिपोर्ट में वह कह रहा है कि अगर मिरची को इन्वेस्टीगेट किया जाए तो यह साबित हो सकता है। फिर मिरची को इन्वेस्टीगेट क्यों नहीं किया गया? उनके बारे में और मिरची के जैसे दूसरे और सारे जो केस हैं उनको भी इन्वेस्टीगेट क्यों नहीं किया गया?

अगर आपके पास, आपने कहा है कि वे रिपोर्ट तो टॉप सीक्रेट हैं, आप नहीं दे सकते, मैं मानता हूं। मेरे पास भी यह सी.बी.आई. की रिपोर्ट है, टॉप सीक्रेट, जिसमें किस-किस का पेट्रोनाइज है, नके पूरे नाम दिए हैं, आप अगर कहें तो मैं पढ़ना शुरू करूं उनको।

श्री इन्द्र कुमार गुजराल : पढ़िए, पढ़िए।

प्रो. विजय कुमार मल्होत्रा : यह महाराष्ट्र, बम्बई, इसके बारे में किस-किस के पेट्रोनाइज में, नाम हैं बहुत से और फिर मुझको कहा जाएगा कि इसको अथैंटिकेट करके दीजिए।...(व्यवधान)....

श्री एस. एस. अहलुवालिया : उपसभाध्यक्ष महोदय, ...(व्यवधान)....

प्रो. विजय कुमार मल्होत्रा : मेरी बात सुन लें आप पढ़िए कोई बात नहीं, लेकिन सिलेक्टिव रिपोर्ट्स नहीं पढ़नी चाहिए। रिपोर्ट तो बहुत सारी हैं।...(व्यवधान)....

श्री रामदास अग्रवाल : रखिए ना जो हमारे पास हैं वह हम रख रहे हैं, जो आपके पास हैं आप लाइए।...(व्यवधान)....

श्री एस. एस. अहलुवालिया : आपके पास कहां से आई ?...(व्यवधान)....

श्री रामदास अग्रवाल : आप भी मदद करिए।...(व्यवधान)....

श्री एस. एस. अहलुवालिया : *...(व्यवधान)....

श्रीमती सुषमा स्वराज : यह पूछने का अधिकार आपको नहीं है। (Interruptions) We have the right of access to the documents.

*Expunged as ordered by the Chair.

श्री एस. एस. अहलुवालिया : नो।...(व्यवधान)....

श्रीमती सुषमा स्वराज : आप यह कैसे कह सकते हैं?

AAA (Interruptions) We have the right to see these documents, as you have the right to seem them.

श्री एस. एस. अहलुवालिया : उपसभाध्यक्ष महोदय, मेरी गुजारिश सिर्फ वही है कि ...(व्यवधान)....

श्री रामदास अग्रवाल : उसके बारे में जानकारी करिए कि उनका इन्वार्मेंट था कि नहीं? ...(व्यवधान).... सुनिए जरा ध्यान से।

श्री सतीश अग्रवाल (राजस्थान) : सुखराम जी से संबंधित रिपोर्ट ...(व्यवधान).... जयपाल जी ने सदन की मेज पर रख दी है।...(व्यवधान)....

श्री रामदास अग्रवाल : आप सुनिए जरा तो फर्क पड़ेगा आपको।...(व्यवधान)....

उपसभाध्यक्ष महोदय, जितनी जिम्मेदारी से ये सोच रहे हैं ...(व्यवधान)....

आपके सामने हैं, आप बोलिए ...(व्यवधान)....

SHRIMATI JAYATHI NATARAJAN: Mr. Vijay Malhotra has drafted this report himself. It is not a CBI report.

Mr. Malhotra, you have drafted it yourself. AAA (Interruptions) hktl jpieotS os;T Oyfl zx ow ^ (OTW),,

DR. B1PLAB DASGUPTA (West Bengal): He is giving the names. Let us hear the names. The Member should be allowed to go ahead and read out the names,

Mr. Malhotra, read out all the names. (interruptions)

श्री एस. एस. अहलुवालिया : उपसभाध्यक्ष महोदय, जितनी जिम्मेदारी से यह इस बहस को चलाना चाहते हैं, उतनी जिम्मेदारी से हम भी चाहते हैं।...(व्यवधान).... मेरी भी उतनी ही इच्छा है कि षडयंत्रकारियों और अपराधियों का नाम सामने आए। ये जिस तरह से सरकार से मांग कर रहे हैं, हम लोगों ने भी मांग की है, हम लोग भी इसमें हिस्सा लेंगे, पर इस तरह से एक

रिपोर्ट को पढ़ना पहली बात, ऐसे लोगों का नाम पढ़ना, जो कि इस सदन में आकर अपने आपको डिफेंड नहीं कर सकते।

श्री सतीश अग्रवाल : कोई भी क्रिमिनल नहीं हैं?

श्री एस.एस. अहलुवालिया : हम नहीं जानते, कितनी सच्चाई है उसमें। दूसरी बात यह है कि उनके पास जो रिपोर्ट है, पहले चेयरमैन साहब से परमिशन लें, उस पर उसको अर्थोटिकेट करें, उसके बाद सदन के सामने रखें, कोई आपत्ति नहीं है। चेयरमैन से परमिशन लेकर अर्थोटिकेट करके रखें, हम भी मांग करेंगे सदन से कि सामने रखी जाए रिपोर्ट(व्यवधान)....

श्री सतीश अग्रवाल : ठीक हैं, चेयरमैन साहब के सामने रख देंगे, वह अर्थोटिकेट कर देंगे, तब सदन की मेज पर रख देंगे। आगे बढ़िए! (Interruptions)

SHRI G. SWAMINATHAN: why are you preventing him from reading out the names?... (Interruptions)

DR. BIPLAB DASGUPTA: Malhotraji we want to hear the names.... (Interruptions)

प्रो. विजय कुमार मल्होत्रा : उपसभाध्यक्ष महोदय, मैं होम मिनिस्टर साहब से यह जानना चाहता हूँ कि मैंने जब यह कहा(व्यवधान).... मैंने जब यह बात कही कि जब उन्होंने कहा:-

"If MIRCHI is investigated, the entire patronage enjoyed by him and his linkage will come to light."

आपने वह सारा का सारा उनको इन्वेस्टिगेट क्यों नहीं करने दिया? इसका मतलब यह है कि मैंने आपसे कहा कि आप सी.बी.आई. की टॉप रिपोर्ट यहां रखते हैं या टिलिजेंस की रखें, वह शायद आपकी नहीं है, परन्तु जिन-जिन को पेट्रनाइज था।

what did you do for that?

22 महीने आपने उस पेट्रनाइज को तोड़ने की(व्यवधान)....

SHRI JAGESH DESAI (Maharashtra): All the names that he has mentioned, should be expunged from the record.

SHRI SATISH AGARWAL: Why?... (Interruptions)

SHRI S.S. AHLUWALIA: without the permission of the Chairman, he is reading out the names.

SHRI JAGESH DESAI: And without giving notice. (Interruptions)

SHRI DINESHBHAI TRIVEDI: This was the reason why I was so agitated in the morning. It was quite clear that the Government did not want to reveal the names.

श्री सतीश अग्रवाल : सरकार बताती नहीं है और अगर इधर से बताते हैं तो आप कहते हैं कि एक्सपंज कर दीजिए, क्या मतलब है इसका।(व्यवधान)....

प्रो. विजय कुमार मल्होत्रा : आगे 3.5 में देखिए, उन्होंने लिखा है कि:-

"Referring to the useful leads emerging from the investigations into the activities of Dawood Ibrahim, a Mafia leader, the director CBI has stated that the effective monitoring of the telephone calls made from India/received from abroad would yield useful information...." "...that he effective monitoring of the telephone calls made from India and received from abroad would yield information." Why was this not done?

कितने मिनिस्टर्स के कमरों से दुबई टेलीफोन हुए हैं। महाराष्ट्र के चीफ मिनिस्टर ने और डिप्टी चीफ मिनिस्टर ने यह कहा कि हमारे पास पूरा रिकार्ड है कि किन-किन के यहां से दुबई में टेलीफोन हुए हैं। यह सारा रिकार्ड है। मैं यह कह रहा था कि जब रिपोर्ट में लिखा था और वह 22 महीने पहले आ गई, इन टेलीफोन कॉल्स के बारे में कोशिश करनी चाहिए पता करना चाहिए और बाहर जो-जो लोग, इस तरह के माफिया गैंग्स हैं उनके इसके बारे में पकड़ना चाहिए।

इसके आगे डायरेक्टर आई.बी. फरमाते हैं:

At page 4, first paragraph the Director, IB says:

"warning signals of sinister linkage between the underworld politicians and the bureaucracy have been evident with disturbing regularity, as exemplified by the exposures of the networks of the Bombay blast case."

उपसभाध्यक्ष महोदय, मैंने यह देखा है कि इन दोनों जब कांग्रेस पार्टी पर दोषारोपण किया जाता है, तो उनका तर्क यही है कि सारी पार्टियों में क्रिमिनल्स हैं, सारी पार्टियों में भ्रष्ट हैं। हम ही नहीं केवल गैंग लॉर्ड्स हैं, सारे ही गैंग लॉर्ड्स हैं। हम ही केवल डॉन नहीं हैं, सारे ही डॉन हैं। ही अपराधी नहीं हैं, सारे ही ऐसे हैं। यह उनका डिफेंस है। मुझे कहना है कि यह सवाल इस चीज का नहीं है कि क्या पार्टियों में हैं य नहीं, अगर बाकी पार्टियों में भी हैं तो आप एज ए गवर्नमेंट 22 महीनों तक क्या करते रहे? यह सवाल इसमें पैदा होता है। 22 महीने तक आपने इस नेक्सेस को तोड़ने के लिए जो रेग्यूलरली हो रहा था Why did you not take action against them?

उनके खिलाफ कार्रवाही क्यों नहीं की? बड़े-बड़े यह जो माफिया गैंग को क्यों नहीं पकड़ा आगे सबसे ज्यादा जो सी.बी.आई., डी.आई.जी. दोनों ने कहा है:

"Like the Director CBI, the DIB has also stated that there has been a rapid spread and growth of criminal gangs, armed senas, drug Mafias, smuggling gangs, drug peddlers and economic lobbies in the country, which have, over the three years, developed an extensive network of contacts with the bureaucrats/ Government functionaries at the local levels, politicians, media persons and strategically located individuals in the non-State sector."

यह जो इतने बड़े-बड़े माफिया गैंग्स हैं, ड्रग पैडलर्स हैं, इकॉनोमी लॉबीज हैं। इससे ज्यादा आरोप क्या होगा वोहरा समिति के अंदर, कि यह अपराधी लगातार देश में फैलते चले जा रहे हैं और पोलिटिशियन के साथ भी उनके ताल्लुक हैं। इसके आगे उन्होंने हरियाणा, बिहार, यू.पी. के नाम लिए हैं। तो क्या इसका मतलब यह है कि उन्होंने यह बातें हवा में ही कह दी। अगर हवा में ही कह दी तो उनके खिलाफ एक्शन लेना चाहिए था। आपने अगर उनसे पूछा होता तो वह आपको जरूर बतलाते कि कौन-कौन से नाम हैं।(व्यवधान).... पूछा है, परन्तु उसके ऊपर पर्दा डाल दिया गया है। सारे

पोलिटिशियंस को इसके अंदर इंवोल्व कर दिया है। जब मैं कह रहा हूँ कि कोई एक्शन नहीं हुआ, 22 महीनों के अंदर एक भी आदमी के ऊपर कार्रवाई नहीं की गई। एक नाम आप बताइए कि फलां आदमी तथा किसी पोलिटिशियन पर कार्रवाई की है। रूलिंग पार्टी का हो, अपाजिशन का हो, किसी का भी हो इतने बड़े-बड़े चार्ज आने के बाद भी।

Why no action was taken against any politician, any Minister, any ex-Minister, any MLA any MP?

जब यह रिपोर्ट आई, आपने इसके ऊपर कार्रवाई क्यों नहीं की? यह इतने माफिया, स्मगलिंग गैंग्स, ड्रग्स पैडलर्स यह सारे आ गए।

Why was no action taken

At page 5, he says:

"Certain elements of the Mafia have shifted to narcotics, drug and weapon smuggling and established narcoterrorism networks, specially in the States of J&K, Punjab, Gujarat and Maharashtra. The cost of contesting elections has thrown the politicians into the lap of these elements."

? इतनी जनरलाईज चीजें हैं क्या कि सारे पोलिटिशियंस को उनकी गोद में फैन्क दिया गया है नैचुरली कुछ थोड़े पोलिटिशियन होंगे। मेरा कहना यह नहीं है कि कांग्रेस पार्टी में ही सारे के सारे लोग इन गैंग के साथ मिले हुए हैं—नहीं या अपोजिशन के अंदर कोई नहीं है—नो। कुछ लोग हैं जो इनके साथ हैं, इन गैंग में शामिल हैं। वे नारकोटिक्स लॉर्ड्स हैं, माफिया हैं और इन लोगों ने मिल कर यहां पर सारे हिंदुस्तान के, सारे पोलिटिशियन्स को बदनाम कर रखा है। सारे पोलिटिशियन्स बदनाम हैं। आप अगर अखबार पढ़ते हैं, कहानियां पढ़ते हैं, सिनेमा देखते हैं, कहा जाता है कि साहित्य समाज का प्रतिबिम्ब होता है, समाज के अंदर जो होता है वह साहित्य में होता है। पिकचर देखिए, क्या हालत की है, पोलिटिशियन्स की, क्या हालत की है मिनिस्टर्स की, क्या दिखाते हैं चीफ मिनिस्टर्स को? हरेक को दिखाते हैं कि यह बलात्कारी है, यह करप्ट है, यह बेईमान है, यह माफिया गैंग है, वह डॉन हैं, यह सब कुछ है। हिन्दुस्तान के सारे पोलिटिशियन्स का सिर शर्म से झुक जाता है जब उन्हें देखने जाते हैं। क्यों? इसलिए आपने उन थोड़े से लोगों को जो इसमें इन्वोल्व थे, उनके

खिलाफ कोई कार्रवाई नहीं की उनके विरुद्ध मामलो को दबाने की कोशिश की, उनको कवर करने की कोशिश की, उन पर पर्दा डालने की कोशिश की और सी.बी.आई., डी.बी.आई इंटेलिजेन्स, इन सबको पूरी तरह से अपना काम नहीं करने दिया। आगे फिर उन्होंने कहा, पेज 5 पर 6.3 में

"Presently there is no system/mechanism which is specifically designated to collect and collate intelligence pertaining to the linkages developed by crime Syndicates/Mafias with the governmental set up. Nonetheless, the various intelligence/investigation/enforcement agencies collect, in the normal course of their functioning, information about the nexus between the bureaucracy and politicians with the Mafia gangs, smugglers and the underworld."

वे कहते हैं कोई केन्द्रीय एजेंसी नहीं है। इनफार्मेशन किसको दें, यह मालूम नहीं है। वे कहते हैं ज्युडिशियल सिस्टम गलत है। वे यह कहते हैं कि हमारे पास जो हमारा स्टाफ है वह स्टाफ इसके काबिल नहीं कि इनको पकड़ सकें, उनके पास इसकी ट्रेनिंग नहीं। तो किसने ट्रेनिंग देनी है? आज आप नोडल एजेंसी बना रहे हैं 22 महीने के बाद। रिपोर्ट के बाद 22 महीने तक कोई एजेंसी नहीं थी कि एक एजेंसी दूसरी के साथ लिंक कर सके। जो भी उन्होंने सजेशन दी है, इसमें बहुत सी सजेशन हैं There are so many suggestions कि ये-ये कदम उठाने चाहियें।

You did not take action even on one. एक पर भी कोई कार्यवाही नहीं की। एक नोडल एजेंसी नहीं बनाई। टी.वी. पर आकर बड़े जोर से कहा जा रहा है कि वह नोडल एजेंसी बना दी, मैंने यह कर दिया, अब आगे हम कार्यवाही कर रहे हैं।

Why didn't you take action for the last twenty-two months?

कि जो भी सजेशन वोहरा कमेटी रिपोर्ट में थी, उनमें से एक पर भी आपने कार्यवाही क्यों नहीं की?

उपसभाध्यक्ष महोदय, यह जो पेज 8 पर है—

"Senior Police officers, even in the border States, are not trained or adequately informed of the work done by the Directorate of Enforcement,

specially in regard to money laundering operations."

यह किसने करना है? और आप कहते हैं कि हमारा कोई कुसुर नहीं है।

We are not at fault.

क्या यह सारी बाकी पोलिटिकल पार्टीज ने करना है कि वहां पर सीनियर पुलिस आफिसर्स का बॉर्डर स्टेट्स पर इस बात के लिए ट्रेनिंग दी जाए? कोई कार्यवाही की आपने इसके लिए इस बीच में? वे कहते हैं--.

"The utter inadequacy of the criminal justice system; cases are not heard timely; functioning of the Government lawyers is grossly inadequate; all this results in a low percentage of convictions and mild punishments."

आप कोई एक्ट लाए? कोई कानून लाए इस हाउस के अंदर कि यह जो क्रिमिनल ज्युडिशियल सिस्टम है, बड़ा इनएडिक्वेट है और इसको इतना मजबूत बनाया जाए कि क्रिमिनल्स छूट न जाएं, उनकी सजाएं कम न हो जाएं और जो गवर्नमेंट लायर्स हैं, उनकी पूरी तरह से ट्रेनिंग हो?

कौन क्राइम सिडिकेंट और माफिया ऐलिमेंट्स हैं जो पोलिटिकल लोडर्स हैं, कौन हैं मिनिस्टर्स हैं जो कि आफिसर्स का ट्रांसफर नहीं होने देते और उनके ऊपर आपने कोई कार्रवाई की? 22 महीने के बाद, जो रिपोर्ट है, रिपोर्ट में कोई नाम नहीं है। आपने कहा कोई नाम नहीं है इसलिए हमने इस रिपोर्ट को रख दिया। इससे ज्यादा कोई इंडिक्टमेंट हो सकती है? इससे ज्यादा कोई सरकार की कन्डम्रेनशन हो सकती है? एक—एक चीज के ऊपर इसमें बातें कहीं गई हैं।

(Interruptions)

SHRIMATI JAYANTHI NATARAJAN: Mr. Shah, would you please let him speak?

SHRI VIREN J. SHAH: But why do you object (Interruptions)....

"On the basis of the extensive experience gained by our various concerned intelligence, investigative and enforcement agencies, it is apparent that crime Syndicates and Mafia organisations have established

themselves in various parts of the country."

जब उन्होंने अपना यह कनक्लूजन निकाला तो उन्हें यह भी तो पता होगा कि किस-किस पार्टी में, कहां-कहां क्रिमिनल्स पर वेरियस पाटर्न्स में आ गए हैं।

"The various crime syndicates/Mafia organisations have developed significant muscle and money power and established linkages with government functionaries, political leaders and others to be able to operate with impunity (as recently exemplified by the activities of the Memon Brothers and Dawood Ibrahim.)"

इससे बड़ा कोई इन्डिक्टमेंट है। "While the CBI & IB and the various agencies under the Department of Revenue, इसके अंदर बात कहीं गयी है। उपसभाध्यक्ष महोदय, गृह मंत्री महोदय को मालूम है कि राजधानी दिल्ली में, बल्कि सारे शहरों में किसी को टेंडर लेना हो तो माफिया को पैसा दे दीजिए, किसी अन्य आदमी को टेंडर नहीं मिल सकता। अगर किसी को मकान खाली कराना हो तो माफिया को पैसा दे दीजिए, अगले दिन मकान खाली हो जाएगा। अगर किसी की जमीन पर कब्जा करना हो तो माफिया गैंग को पैसा दे दीजिए, जमीन पर कब्जा हो जाएगा। यहां पर हर चीज के लिए कीमत लगी हुई है। पेट्रोल पम्प लेने की कीमत लगी हुई है। जमीनों पर अनआथोराइज कालोनियां बनाने के लिए कीमत लगी हुई है। तो दिल्ली जैसी राजधानी में, जहां पर आपका हुक्म चलता है, यहां पर भी कोई काम बिना पैसा दिए नहीं होता है। उस दिन मैं जिक्र कर रहा था, आउट आफ टर्न अलाटमेंट का। मकानों के आउट आफ टर्न अलाटमेंट के लिए 50-50 हजार के लिए जाते हैं। खुले आम रुपया लेने के लिए एजेंट्स बैठे हुए हैं।

उपसभाध्यक्ष (श्री सुरेश पचौरी) : मल्होत्रा जी, कमेटी का मकानों का आउट आफ टर्न अलाटमेंट से क्या वास्ता है?

प्रो. विजय कुमार मल्होत्रा : वास्ता है। मैं बताना चाहता हूँ कि कैसे माफिया गैन्स हैं जो दिल्ली के अंदर बैठकर आपरेट कर रहे हैं। कितने लोग उसके अंदर इन्वाल्ड हैं, यह मैं बताना चाहता हूँ और कितने पालिटीशियंस का उसके अंदर लिंक है, यह मैं बताना चाहता हूँ। मैं आपसे कहना चाहता हूँ कि गवर्नमेंट

पलैटों के अंदर सब प्रकार के क्राइम्स होते हैं। रिपोर्ट्स के अंदर सब शामिल हैं। यहां पर उसके बारे में पूरी चीजें बतायी गयीं। परन्तु आपने क्या उसके संबंध में पूरी की पूरी चीजें बतायी गयीं। परन्तु आपने क्या उसके संबंध में कोई कार्यवाही की? यह जो हर चीज बिकाऊ हो रही है, यह जो इस तरह का हिसाब बना हुआ है, इस संबंध में आपने क्या कुछ किया?

मैं दो मिनट में दो-तीन चीजें और कहना चाहता हूँ श्री रिबेरी जो रिटायर्ड पुलिस अधिकारी हैं, उन्होंने अपने एक आर्टिकल में लिखा था कि:

"The nexus of the politicians with organised criminals will not disappear unless there is the political will to tackle the gangsters."

Another obstacle, incidentally, is that TADA has recently been buried. It was being used against organised crime syndicates in cities like Bombay. No alternate law has been put in place to suppress such cr—runais who systematically subvert the system by lavish distribution of money at all points of the judicial process. In the U.S., special laws to combat racketeering have enabled the police to imprison not only gangsters actually involved in murders, only gangsters actually involved in murders, but also all other known members of their gangs, the number of murders in New York and other American cities has dropped sharply because of the liberal use of such "draconic" laws."

टाडा का आपने मिसयूज किया इसलिए उस मिसयूज की वजह से देश में उसके खिलाफ वातावरण बन गया परन्तु जो इस प्रकार के गैंगस्टर्स हैं, जो असली क्रिमिनल्स हैं, उनके खिलाफ कार्यवाही करने के लिए टाडा हटाने के बाद कोई कानून बनाकर लाते ताकि उनको पकड़ा जा सके, बंद किया जाए, इस संबंध में कोई कानून नहीं है। जो थोड़ा बहुत कानून था, वह भी खत्म हो गया। तो यह जो रिबेरो साहब ने इसके अंदर बात रखी है, उसके बारे में कोई बात यहां पर नहीं की गयी।

मैं दो और बातें आपसे कहना चाहता हूँ। यह जो माफिया गैंग्स हैं, इनके द्वारा बलात्कार, अपहरण, रेप, मर्डर और पैसा लेकर कोई भी काम करना इनके लिए बिजिनेस बन चुका है और यह इसलिए बन चुका है क्योंकि क्रिमिनल्स को कुछ बड़े लोगों से पैट्रोनेज प्राप्त है, क्रिमिनल्स का और इन गैंगस्टर्स का ग्लोरीफिकेशन होता है। जो यहां पर इलेक्ट्रोल रिफार्म्स टाइम पर हो जाते तो बहुत सी चीजें उसमें आ जाती और क्राइम्स को रोका जा सकता था। जिस तरह से आई.एस.आई. की एसपियोजेंट के आधार पर देश में नेटवर्क बन रहा है, उसकी तरफ से भी आपने आंखें मूंद रखी हैं। वहां पर चार मैट्रोपोलिटन स्टेट्स हैं और उसमें कहा गया है, यह आपकी अपनी फिगर्स आयी हैं और उन फिगर्स के अंदर कहा गया है। कुल मिलाकर देश में 54,33,547 कोप्रिजेबल क्राइम्स हुए हैं और यहां पर दिल्ली, बम्बई, कलकत्ता और मद्रास जिसमें पापुलेशन 8.7 परसेंट हैं इनके अंदर 35 परसेंट क्राइम्स हुए हैं। क्यों? क्योंकि यहां पर पैट्रोनेज सबसे ज्यादा है। यहां पर सेन्ट्रल मिनिस्टर्स हैं, सिटी के अंदर बड़े-बड़े पालिटिंशंस हैं जिनका उनको पैट्रोनेज होता है। इस वजह से 8.7 परसेंट पापुलेशन में 35 परसेंट कोप्रिजेबल क्राइम्स इन चार सिटीज में हो रहे हैं। ये जो फिगर्स मैंने दी हैं इसी से यह साबित हो रहा है।

यहां पर अभी जो सीबीआई ने रिपोर्ट दी है जिसमें एस्पाइनेज की बात की गई है, इसमें लिखा है कि सीबीआई के सूत्रों ने इस प्रतिनिधि को बताया कि विदेशी कार्बाइन कांड के आरोपियों ने स्वीकार किया कि उन्होंने मध्य प्रदेश के कैबिनेट मंत्री को बेशकीमती कार भेट की और साथ ही पूर्व मंत्री तथा वर्तमान में एक आयोग के अध्यक्ष से उसके अंतरंग संबंध हैं। उक्त राजनेता को आरोपियों के इंदौर स्थित मकान व फार्म हाऊस में अक्सर जाना पड़ता है। अगर सीबीआई ने आपको यह रिपोर्ट दी है तो आपने कोई ऐक्शन क्यों नहीं किया। एस्पाइनेज जैसा मामला, कार्बाइन लेकर रखने का मामला आदि की रिपोर्ट सीबीआई दे रहा है और आप कोई ऐक्शन नहीं ले रहे हैं। आप से यह अपील करना चाहता हूँ कि यह ठीक है यह मामला नेशनल मामला है, यह ठीक है यह मामला इस तरह का है जो किसी एक पालिटिकल पार्टी का सवाल नहीं है। परन्तु आप गवर्नमेंट में हैं, आप पावर में हैं फिर भी नयना हत्याकांड, अभी मंजू शर्मा हत्याकांड हो गया जो उससे

भी ज्यादा घिनौना है, एक एम.पी. के घर से एक महिला की लाश मिल गई, इस तरह के कांड हो रहे महिलाओं पर अत्याचार के खिलाफ इसस हाऊस रेजोल्यूशन पास किया गया, यूनेनिमसली रेजोल्यूशन किया, उसके बाद भी लगातार हत्याएं बढ़ती जा रही हैं और इसलिए बढ़ती जा रही हैं कि उन्हें मालूम है बाद में कोई कार्रवाई नहीं होगी। जैसे पहले लोग गये उसी तरह से अब छूट जायेंगे।

मैंने राजनीति की ज्यादा बातें इसलिए नहीं की क्योंकि सारे अखबार में इन चीजों से भरे पड़े हैं कि यूथ कांग्रेस किस-किस तरह के काम हुए। पांच-पांच आर्टीय एक-एक अखबार ने लिखे हैं कि यूथ कांग्रेस के अंदर किस किस तरह के और कौन-कौन से लोग हैं जिन क्रिमिनल्स से ताल्लुक और किन-किन पर केस चल हैं। ये सब मेरे पास हैं। मैंने जानबूझ कर आपके पास साथ नहीं रखा। इसलिए नहीं रखा कि यह कोई एक पार्टी सवाल न बन जाए। हम सारे पालिटिंशंस को बंद कर दिया गया है। अगर हम सब पालिटिंशंस इन पालिटिंशंस को जो कुकर्म कर रहे हैं उनको बेन करके, उनको पकड़ कर गैंगस्टर के साथ, माफिया साथ सख्त से सख्त कार्रवाई करे तो हिन्दुस्तान पालिटिकल सिस्टम क्लीन हो जायेगा और हिन्दुस्तान अंदर दुबारा से पालिटिक्स एक रिस्पेक्टेबल प्रोफेशनल रूप में जाना जायेगा। पालिटिक्स में इस की तरह की वजह हो इसके लिए हमें अपना कोड आफ कंडक्ट बनाना होगा। होम मिनिस्टर साहब एक कोड आफ कंडक्ट लाकर उसके लिए कानून बनाये जिससे हिन्दुस्तान अंदर से माफिया गैंग, राजनीति का अपराधीकरण सब को रोका जा सके। इतना ही मैं कहना चाहता

SHRI V. NARAYANAN
(Pondicherry): Mr. Vice-Chairman, thank you for giving me this opportunity to speak on a very important subject which has been drawing the attention of the people of this country in respect of the nexus between the politicians and criminals, in line with the Committee Report. The hon. 1 Minister placed the report on the floor of the House. This issue has to be addressed by each and every political party and political leaders in this country.

be issue was also raised on the first day when we assembled for this Session and here was unanimity among the political leaders in this House that there should be self-introspection among the political parties for the purpose of having self-opposed discipline so that criminalisation of politics would not be there in this country. Still, I have my doubts because the nexus that has been created by the criminals with the politicians. I do not know whether the political leaders in this country will come out of the clutches of criminals. Sir, there are various kinds of criminals which Mr. Vijay Kumar Malhotra has mentioned like land mafia, addlers, armed smugglers. There is a nexus between land mafia and politicians, there is a nexus between drug peddlers, armed smugglers and politicians. Then there are criminals who are involved in the election process by political leaders. There are white-collar criminals, blue-collar criminals, street criminals. There are various types of criminals.

First, as far as white-collar criminals are concerned, as everybody knows, they mingle with politicians, bureaucrats and policemen and those people act as bankers, agents and thrive as big people in this country, and when we see their activities, they are involved in anti-national activities.

Second, as far as blue-collar criminals are concerned, they sabotage the industrial production by trying to create problems among the workers and see that the industry is locked out and the workers are not allowed to work and then they negotiate with the industrialists and the ruling class and make money out of it.

Third, the street criminals, Sir, as we all know, are paid money and are used for the purpose of committing crimes. Sir, it is a very sorry state of affairs. Sir, I am a member of the Narcotic and Psychotropic Substances Control Board and I receive reports I do not want to fully disclose them here; they are

from R&AW, CBI, IB-giving facts. Sir, in the society the person whom we consider a big personality, who is very generous, who is an honest person, turns out to be the biggest criminal in the country. Such persons are involved in drug peddling; they have been involved in arms smuggling and they have been involved in grabbing lands of the poor people, and this has been going on. Now the Vohra Committee Report is an eye-opener.

SHRI M.A. BABY: Is some action taken by your Government?

SHRI V. NARAYANASAMY: Let us address ourselves to all political parties. You have not done it in West Bengal, you have not done it here. We have to do it now.

SHRI M.A. BABY: At least in the respect of West Bengal you can do that.

SHRI V. NARAYANASAMY: No, no. I am telling you, Mr. Baby, let us not address ourselves to a political issue. We are trying to remove criminals from the political field. Let us act together in doing that. In that, corruption plays a major role and the persons whom we consider honest ones, who have got respect in our society, are the biggest criminals. Let us expose them. Let us expose them in the society.

SHRI M.A. BABY: Please name them.

SHRI V. NARAYANASAMY: Sir, see the land mafias in Bombay. They are not from one political party alone but they are from all political parties and those people are mercilessly killing innocent people for the purpose of acquiring the land of innocent persons. Sir, the action taken by the State Government can help only to a certain extent because of their nexus with the bureaucrats, with the police personnel and with the politicians. It is particularly because of their nexus with the politicians that they escape from the clutches of law

and they amass wealth and thereafter those people in the process of becoming richer involve themselves in drug peddling. Sir, I have got a report which says one kilogram of heroin was sold at Rs. 1 crore in the international market. The persons who are involved in that smuggle the heroin and, in turn get weapons from outside and those weapons are stored in different places for the purpose of creating communal tension in this country by exploding bombs. What happened in the Bombay blast case? What happened in Ahmedabad? What is happening even in Delhi? Those mafias are operating as a gang. The nexus of the politicians with the mafia gang has to be broken.

The Vohra Committee Report, though only the gist is given, has given a startling revelation. Sir, I would like to read out a small paragraph, which is an important paragraph, paragraph 3.2. It says that an organised crime or syndicate mafia generally commences its activities indulging in petty crime at the local level, mostly relating to illicit distillation, gambling, organised satta and prostitution in larger towns. It says that in port towns they involve in smuggling and sale of imported goods and progressively graduate to narcotics and drug trafficking. It also says that in bigger cities the main source of income relates to real estate, forcibly occupying lands and buildings, procuring such properties at cheaper rates by forcing the people to vacate the buildings. Over the time, the money power that it has acquired is used for building up contacts with bureaucrats and politicians and for expansion of activities with impunity. The money power is used to develop their network of muscle power which is also used by politicians during elections. This is the sum and substance or the entire thrust of the Vohra Committee Report. It gives stage by stage how the criminal-politician nexus is developed and how the

politicians are using these criminals for the purpose of winning elections. *{Time bell}*... Sir, I am specifically on the subject. Fifty per cent of the Members of the Legislative Assembly are history-sheeters, whether it is Bihar or whether it is U.P. or whether it is any other State.

DR. BIPLAB DASGUPTA: If it is known to our hon. friend that 50% are criminals, he must be having the names. Where is the Report? You must have it.

SHRI V. NARAYANASAMY: I am talking about the history-sheeters, in the sense those against whom cases have been filed. I am not talking about those who have been convicted.

Sir, I will go on to a particular subject. I will have to pinpoint the political party also. Hundred and forty odd Members in U.P. have got criminal record. In Madhya Pradesh on Member of Parliament and his family members are involved in five murder cases. While accusing the Congress party of any particular case, they should have also the guts to bear it. Before the Babri Masjid was demolished, what had happened? The Chief Minister was there. Why did they allow Babri Masjid demolition? They did it for the purpose of using it as a political platform by communalising politics. That is also a crime. Important leaders of a particular political party were charged. They are appearing in the court today.

SHRI SANGH PRIYA GAUTAM
Sir, I have a point of order.

SHRI M.A. BABY: The Central Government, having full authority to deal with such a situation, sitting idle is also a crime.

SHRI SANGH PRIYA GAUTAM
Sir, I have a point of order.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Mr. Gautam what is your point of order?

SHRI SANGH PRIYA GAUTAM:
What Mr. Narayanasamy has stated now
does not bear any reference to the Vohra
Committee Report on the nexus between
criminals and politicians.
(Interruptions)...It should be expunged.
(Interruptions)...

SHRIMATI JAYANTHI
NATARAJAN: That is the biggest
criminal act of the century.

SHRI SANGH PRIYA GAUTAM:
No,- not at all. Madam, what is nexus?
You kindly allow me to speak.
(Interruptions)...

SHRI R. MARGABANDU (Tamil
Nadu): The speakers are not coming
forward with any suggestions as to how
politics can be separated from criminals.
None of the speakers is giving any
suggestion. There is not point in
discussing the matter.

They are accusing each other without
putting forward any suggestion.

SHRI V. NARAYANASAMY: Kindly
wait. You will get the suggestions. Why
are you in a hurry?

THE VICE-CHAIRMAN (SHRI
SURESH PACHOURI):
Mr.

Narayanasamy, please continue.

SHRI T.A. MOHAMMED SAQHY:
Instead of discussing
Babri
Masjid... (Interruptions).

SHRI S. MUTHU MANI (Tamil
Nadu).. What is this?

SHRI R. MARGABANDU: Sir, what
is he saying? Why is he
accusing...(Interruptions)... what is this?

SHRI R. MARGABANDU: What is
he talking? (Interruptions).

SHRI S. MUTHU MANI: The
Sarkaria Commission...(Interruptions).

SHRIMATI JAYANTHI
NATARAJAN: Sir, as far as Tamil Nadu
is concerned, that is the biggest issue.
(Interruptions).

SHRI S. MUTHU MANT: Sir,...

SHRIMATI JAYANTHI
NATARAJAN: Sir, my suggestion is,
dismiss the Tamil Nadu Government.
(Interruptions).

SHRI S. MUTHU MANI: Sir, it
should not be allowed.

THE VICE-CHAIRMAN (SHRI
SURESH PACHOURI) Mr. I
Narayanasamy, please continue.
(Interruptions).

SHRI S. MUTHU MANI: You face
elections. (Interruptions). The people
will
teach a lesson to the Congress.
(Interruptions).

SHRIMATI JAYANTHI
NATARAJAN: Hold elections
...(Interruptions).

SHRI S. MUTHU MANI: They will
teach you a lesson

SHRI S. JAIPAL REDDY: Mr.
Narayanasamy, there should be no
reference to Tamil Nadu.

SHRI V. NARAYANASAMY: I do
not go there at all.

Sir, Mr. S. Jaipal Reddy was pointing
an accusing finger towards me. I would
like him to read para 6.2 of the report. It
says:—

"In certain States, like Bihar,
Haryana and UP, these gangs enjoy
the patronage of local level
politicians, cutting across party lines
and the protection of Government
functionaries. Some political leaders
become the leaders of these gangs/
armed senas and, over the years, get
themselves elected to local bodies,
State Assemblies and the national
Parliament."

Sir, when a persons is elected as the
people's epresentative by hook or by
crook, by ignoring the rules and
regulations and the electoral reforms and

by rigging the elections, how can we expect such a politician to serve the people of this country? this is a very political leader and very Member of Parliament should think over. If the elected person himself is a criminal, how can we expect a good character from him? What can we expect from him? It is a national issue. Sir, every political party should take a vow in this regard and every political party should bring it in its party constitution and they should make it a policy. I would like to request the Home Minister to call a meeting of all the political leaders and have a discussion with them, there should be some parameters and norms which every political party should follow while selecting its candidates and also while doing other things. There are electoral reforms, rules and regulations, procedures and other norms in this regard. I would like to know from where the political parties get funds. I am not talking about a particular party. I am talking in general. No political party can run without collecting funds. But, it should be done in a proper manner. They should get funds, but it should be done in a proper manner. Sir, various persons who give funds to the political parties are themselves criminals and all the political parties have to oblige those criminals. What we find in that process is, the entire system is paralysed. Sir, the other day I said that there should be a soul-searching. They are accusing one party in a particular Naina case and are accusing another party in some other case. Sir, the biggest number of crimes are being committed in Maharashtra where the Shiv Sena-BJP Government is ruling. Shiv Sena, the political party, is internationally known for its activities.

Money power is another aspect and I have already stated about it. Thugs and mercenaries are being used for the purpose of winning elections and also to control the entire State and the

constituency. the political leaders keep goondas with them and they are running goondas politics. The political party which is doing it is known to everybody and I do not want to say anything more about it. Therefore, I congratulate the hon. Home Minister and the hon. Minister of State for Home for having appointed a nodal agency on the basis of the recommendations made in the Vohra Report. You should fix a time-frame. Whenever a complaint is received, fix the time, investigate into the matter quietly and secretly and take immediate action. Do not have any political considerations or any other consideration. Take action against any persons, irrespective of the political party he belongs to. What are some of the political leaders doing? They are indulging in secessionist activities, they are inciting communal feelings in the

minds of the people. But we are helpless, the electoral laws are not very tight. We are not in a position to take action against them. The time has come to ban all those political parties which try to woo

people on religious lines. Let us do it. Let them prove to the people that they are a secular party as laid down in our Constitution(*Interruptions*)....

PROF. VIJAY KUMAR MALHOTRA: is this what the Vohra Report says?

SHRIMATI JAYANTHI NATARAJAN: This is another report. Maybe, they are not aware of it. The report on the communal situation is also being discussed(*Interruptions*).... The Report on the communalisation of politics is also being discussed(*Interruptions*)....

SHRI V. NARAYANASAMY: There is one political party which is threatening the Government saying that if they are not given the power they will secede from India.

PROF. VIJAY KUMAR
MALHOTRA: This is the best defence
.....(*Interruptions*)....

SHRI V. NARAYANASAMY: I am speaking as a Member of Parliament. Where is the question of defence? I want one thing to be done. The Members of Parliament, whether in this House or in the other House—I have no authority to speak about the other board, the Members belonging to various political parties in this House should form an ethics committee and whenever complaints are received about Members of Parliament, they will be proving to the world, to the Indian society(*Interruptions*).... that they are clean.

SHRI GURUDAS DAS GUPTA (West Bengal): Sir, what about the disclosure of asset! by the Ministers? They should disclose their assets at the beginning of the the ministership and at the end of the ministership(*Interruptions*).... I am speaking not only about the Central Ministers, but also of Ministers at different places including former Ministers(*Interruptions*)....

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): Every responsible citizen has to file income-tax returns. The Ministers are supposed to declare their assets to the Government and also to the Head of the organisation. This system has always been prevailing in this country. We are all following it. I do not know whether it is followed by your Government. But our Government is following it.....(*Interruptions*)...

DR. BIPLAB DAS GUPTA: You have to make it transparent.

SHRI GURUDAS DAS GUPTA: Let the Hon. Home Minister agree to my suggestion. Let there be disclosure of assets and somebody should look into it(*Interruptions*)...

Let there be transparency(*Interruptions*)...

SHRI CHIMANBHAI MEHTA (Gujarat): Sir, in Gujarat, all the Ministers have declared their assets and liabilities. Of course, some criticism is there... (*Interruptions*)...

Of course, some criticism is there. But they should declare it to the public, not to the head of the Government.

SHRI RAJESH PILOT: Yes, this is a suggestion.

SHRI GURUDAS DAS GUPTA: Such declarations should be accessible to every citizen of this country.

SHRI INDER KUMAR GUJRAL: It will be unfair to confine this only to Ministers. I want to go further. I am personally aware, that every Minister has been filling his return to the Prime Minister. But such returns are left there. I think it is a good idea if such returns are disclosed to the public. Secondly, that should apply to all of us—Members of Parliament, Members of State Legislatures.

SHRI GURUDAS DAS GUPTA: Not only Members of Parliament and Ministers of the State Governments but Secretaries and Additional Secretaries of the Departments should also file such returns.

SHRI ' CHIMANBHAI MEHTA: There is such a law in the United States of America...(*Interruptions*)...

SHRI GURUDAS DAS GUPTA: Sir, we cannot fight the mafia in the air.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Mr. Gupta, when you get a chance, you can make your point.

SHRI GURUDAS DAS GUPTA: Mr. V. Narayanasamy is an important Member of this House. He is an important Member of the Congress party. Let him kindly respond to it.

SHRI G. SWAMINATHAN (Tamil Nadu): Sir, in Tamil Nadu, for the last several years, since the seventies, the Members of the State Legislature are being asked to place their statement of assets on the Table of the House. Such information is being published by the Secretariat. These copies are also circulated to the Press. Sometimes they also publish these -details. Some of the Members said that if the details of their liabilities were published, their creditors would come and ask them to pay the money and then they would be in a difficulty. Because of that, it was decided not to publish the liabilities and the publication was only limited to their assets. There were some people who were very rich. They said they would not place the details of their assets on the Table of the House because they did not want to let their assets known to others.

SHRI JAGESH DESAI (Maharashtra): In our State, even former Minister also disclose...(Interruptions)...

SHRI GURUDAS DAS DUPTA: That has been discontinued. The declaration of assets by former Chief Ministers has been discontinued in Maharashtra.

SHRI G. SWAMINATHAN: Mr. Vice-Chairman, there was a very rich Member of the Assembly. He declared that he had a very old house worth Rs. 5,500/- and jewellery and other things worth Rs. 4,500/-. The total worth of his assets, as per his declaration, was Rs. 10,000 /-. But it was well known that he was a very rich person. But no action could be taken against him. No action could be taken against him. If there is a liability, what kind of action could be taken? I don't see any use in merely placing the details of assets and liabilities on the Table of the House. There is no meaning in this. Those details have to be examined.

SHRI V. NARAYANASAMY: Mr. Vice-Chairman, Sir, I was referring to an Ethics Committee to be¹ formed for the Members of Parliament

...{Interruptions}...

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Mr.

Swaminathan, please don't interrupt him.

SHRI V. NARAYANASAMY: Sir, such Ethics Committees should also be formed in the State Legislatures. Complaints received by the Committee should be examined and the people involved in those activities should be taken to task. The economic offenders are contributing a lot towards criminalisation of politics. The Government is taking action against them. I am not saying that the Government is not taking action against such people. But what I find is that a large number of people who are involved in economic offences...(Interruptions)...

SHRI S. JAIPAL REDDY: Give some examples of the action taken by your Government.

SHRI V. NARAYANASAMY: Everyday Dr. Manmohan Singh is telling you the action taken by him.

SHRI S. JAIPAL REDDY: Very good, Narayanasamy.

SHRI V. NARAYANASAMY: Mr. Vice-Chairman, the problem is that the hon. Members, instead of asking the Minister for clarification, are asking me to clarify their point.

SHRI SATYA PARKASH MALAVIYA: It is because you are a Minister in waiting.

SHRI V. NARAYANASAMY: Sir, a large number of people who are economic offenders are encouraging the mafia gangs. They are financing such mafia gangs. They are using their services to save their skin, for the purpose of amassing wealth. Such people should be dragged out and should be punished.

Sir, various agencies have been mentioned in the Vohra Committee report. On the basis of this report, I find that there is no coordination between these agencies. This is a very important point. Whether it is the C.B.I., the I.B., the R.A.W. or the various revenue intelligence agencies which are involved in inquiring about people who are involved in various economic offences and criminal offences, these agencies are not sharing their information. This has been clearly brought out in this report. It says that whenever information is required, these agencies do not come out openly. Why are they afraid of? Therefore, the hon. Home Minister should share more information, that is being given by these agencies, with this House so that it can help cleanse the politics.

One area on which I have my own strong views is this. The politicians are being blamed day in and day out that they are corrupt. Why aren't the bureaucrats? They say that the politicians are corrupt. Why aren't the bureaucrats? Corruption starts from the bureaucrats and it percolates down to the....

AN HON. MEMBER: Politicians!

SHRI V. NARAYANASAMY: No, no. You can have your own views. But that is not my view. Sir, when the Ministers, the Members of Parliament or the Members of the State Legislatures go and approach the bureaucrats and ask them to violate the rules, why do the bureaucrats do it? They are the biggest criminals. Sir, I feel that the entire system of governance, which we have been following right from the British period, has to be reviewed. Let us review it. (*Interruptions*) I told you that it is not the politicians alone, Mr. Swaminathan. Kindly don't mention this party or that party. I have not attacked your party so far. If I start doing it, then you will not sit in this House. Kindly keep quiet.

Therefore, Sir, whether it is the politicians, the bureaucracy, the Police, the criminals and the mafia groups who are working in a sort of a syndicate in perpetrating crime in this country and who are involved in communalisation of politics, or it is the big industrial houses which are purchasing the politicians, these things have to be eliminated. The hon. Home Minister and the hon. Minister of State for Home are here. They are capable of doing it. I have the courage to say this in this House. They have to act on the basis of the Vohra Committee report. For this, the nodal agency which they are setting up, should be given more teeth. They should take

action. Sir, day in and day out, we are facing this situation. This has been our practical experience. A politician works very hard in his constituency. He meets people. He helps people and he contributes towards the development of his area. But a criminal, who has got money power and muscle power, comes there and hiacks the entire constituency by winning the elections by his money power and his muscle power and also by using all sorts of methods including both-capturing, therefore, I said it is not a party issue. It is not an issue of an individual Member of Parliament. It is a national issue. We have to address ourselves and the political parties should have the ethics and the morals and they should also have the courage to remove the criminals from politics. I support the hon. Home Minister in taking action against the criminals for cleansing the politics in our country.

SHRI DINESHBHAI TRIVEDI : Sir, Mr. V Narayanasamy has made a very, very accusing statement. Obviously, he was quoting from the Vohra Committee report which says that there are even Members of Parliament. Since I am not in a State Assembly, I don't want to get into that. So, I would like to know on what basis it has been said. This is where.

hon. Home Minister, we want your reaction. If the Vohra Committee report has mentioned "Members of Parliament", the accusation could be on each one of them, unless and until you say as to who this Member of Parliament is, in which House he is. And, if you don't say that, I am afraid, hon. Home Minister, that each one of you—I am sorry, you are also a Member of Parliament; I am also a Member of Parliament—could be accused. It is very important for us if the Vohra Committee has mentioned "Members of Parliament". I am sure they must have gone into it with some specific details and I don't think it is unfair for the people to know which M.P. it is. I would request you to kindly react to that. I would request him to kindly react on that.

SHRI RAJESH PILOT: The report has said, "those who are elected to Assemblies and Parliament". He has not named any M.P. ...*(Interruptions)*..

SHRI DINESHBHAI TRIVEDI: This is what the Vohra committee has said, that they get themselves elected to the National Parliament as well. On what basis? Mr. Minister, on what basis are you saying this? ...*(Interruptions)*..

SHRI S.B. CHAVAN: You will get it in the course of the reply.

SHRI CHATURANAN MISHRA: There are two aspects of it. one is what Mr. Trivedi has said and another is that if nobody says that Members of Parliament are like that, then that means criminals will be covered up...*(Interruptions)*... Is it your intention to cover up all the criminals?... *(Interruptions)*...

SHRI SATISH AGARWAL: Our intention is to identify the criminals... *(Interruptions)*...

SHRI DINESHBHAI TRIVEDI: Why consent?...*(Interruptions)*...

SHRI CHATURANAN MISHRA:because you are ruling the country. No bureaucrat has the courage to say that you are corrupt. Unless the political parties agree on this, nobody will come. You are ruling the country... *(Interruptions)*...

DR. BIPLAB DASGUPTA: Who is going to oppose this in Parliament?

SHRI CHATURANAN MISHRA: Consensus comes only when all political parties agree on this....*(Interruptions)*...

SHRI DINESHBHAI TRIVEDI: Unless you name the M.P. You must name the M.P....*(Interruptions)*...

SHRI CHATURANAN MISHRA: Otherwise, it will give cover to criminals.... *(Interruptions)*...

SHRI DINESHBHAI TRIVEDI: Mishraji, are you objecting to the naming of the M.P. Then why?

SHRI CHATURANAN MISHRA: I am saying that bureaucrats cannot react to certain observations.... *(Interruptions)*...

उपसभाध्यक्ष (श्री सुरेश पचौरी) : मिश्र जी
आपका नाम है तब आप बोल लीजिए ।

DR. BIPLAB DASGUPTA: I would just make one point. Mr. Trivedi has raised a very important point. It is a matter of collective shame for us when the Report says that some Members of Parliament are corrupt. Unless those M.P.s. are identified, in the eyes of the people, all of us will be suspect. We want the name to be cleared. On behalf of my party, I am saying that I have absolutely no objection in naming the M.P.

THE VICE-CHAIRMAN (Shri Suresh Pachouri): The Minister will cover all these points in his reply... *(Interruptions)*...

SHRI DINESHBHAI TRIVEDI: I, as a Member of Parliament, demand that... *(Interruptions)*...

SHRI S.B. CHAVAN: I will beg of all the hon. Members, kindly try to understand the purpose for which this Report has been submitted.

Unfortunately, on the eve of elections when we are discussing this Report, everybody is trying to say something or the other against other parties. If every M.P. is so clean, non-corrupt, on what ground can you say that an MLA is corrupt or non-corrupt? Even a *Zila Parishad* man is corrupt or non-corrupt. If you expect the names from all these agencies, then these agencies will never divulge anything. They want that kind of situation. I will beg of all the Members to kindly treat this as a non-party issue. There is no denying the fact that this ailment has gone deep into our polity and the whole nation is suffering because of that. So, we have to rise above the party and consider on which line we should act.

If you try to protect that everybody is clean, then of course, there is nothing wrong.... (Interruptions)...

SHRI DINESHBHAI TRIVEDI: If my name is there, you have full permission to name me. Similarly, all the M.P.s should give a clean chit that they have no objection for naming them. What is the problem? Why are we hiding? Why are we shielding anyone? ... (Interruptions)...

S.B. CHAVAN: There is no question of shielding anyone.

DR. BIPLAB DASGUPTA: Why should they be shielded? No one is going to identify him.... (Interruptions)...

SHRI S.B. CHAVAN: If you start like this, then we cannot have any discussion. Kindly bear in mind that there is something wrong with some people. Who are they? You expect the officers to name them.... (Interruptions)...

DR. BIPLAB DASGUPTA: We want to know it from the Government and not from the officers.... (Interruptions)...

SHRI S.B. CHAVAN: You must also be knowing who those MLAs and public representatives are. We are not afraid of naming anybody. We would like to see that public life is clean and everybody is able to function in a proper manner. ... (Interruptions)...

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): At this rate, we will not be able to finish the discussion. ... (Interruptions)...

DR. BIPLAB DASGUPTA: Sir, it is THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Nothing will go on record. I am not allowing anybody. Nothing will go on record. ... (Interruptions)...

SHRI INDER KUMAR GUJRAL: THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): I have called Mr. Baby.

SHRI M.A. BABY (Kerala): thank you very much, Sir. When I start Sir, I am sorry, I have to question the sincerity of the initiator of this Short Duration Discussion and his party whether they are actually interested to see that the Congress(I) is freed from the clutches of criminals and corrupt elements. I am saying this because, unless the Congress(I) continues to be controlled and led by criminal gangs and corrupt people, as it is today, a political party like the BJP with vicious communal content can not come to power in a State like Maharashtra. Therefore, to my mind, the BJP would be wanting that the Congress should continue in the same fashion having corrupt people and criminal elements. I am very sorry to state.... (Interruptions)...

श्री एस.एस. अहलुवालिया : उपसभाध्यक्ष महोदय, यह किसी पार्टी का नाम क्यों नहीं ले रहे हैं। वोहरा कमेटी में किसी पार्टी का नाम लिखा हो तो बताएं (व्यवधान)....

*Not recorded.

श्री चतुरानन मिश्र : वोहरा कमेटी कोई बाईबिल हैं क्या(व्यवधान).... जो वोहरा कमेटी में हैं, तो क्या हम वही करेंगे। यह क्या तरीका है। यह क्या लॉ हैं(व्यवधान)....

श्री एस. एस. अहलुवालिया : आप बहस क्यों करना चाहते हैं। उपसभाध्यक्ष महोदया, बहस का मुद्दा सिर्फ यही है कि देश में राजनीति के साथ अपराधीकरण को रोकने के लिए कोई रास्ता ढूँढना है(व्यवधान).... वोहरा कमेटी का कोई ऐसा आरोप किसी पार्टिकूलर पार्टी के बारे में नहीं है।(व्यवधान)....

SHRI M.A. BABY: For the information of Mr. Ahluwalia I want to submit that the Congress (I) is named in the report. (Interruptions) Will you listen? (Interruptions) May I submit? (Interruptions) I want to submit that Congress (I) is named squarely in this Vohra Committee report on page 4. The only point is, you have to read with intelligence. I shall quote. Page 4, 6 subsection 1. "In certain States like Bihar, Haryana and U.P., these gangs enjoy patronage of local level politicians, cutting across party lines...." So, is the Congress(I) excluded? Congress (I) is named here and very much (Interruptions) Now, Sir. I have something to speak about the subject. But, before I proceed, I want to start with a quiz because everybody should be more interested in that. I want to make it abundantly clear that the question is not for how many days we should discuss this

issue as emotionally, with solid grounds, demanded by my hon. colleague, Shri Trivedi—though about the way in which he forced the demand, I have my own reservations and disagreements. I want to submit, Sir, unless we come squarely to the concrete question as to how we can deal with this difficulty, there is no benefit if we discuss it for two days or four days. Here comes the question as to how you are going to deal with this problem of politicians giving patronage to criminal gangs, narcotics smugglers, gun-

runners and so on. Of course, I want to deal with this issue of criminalisation of politics in a different dimension. I may even agree to some of the formulations made by Shri Narayanasamyji—whether communalisation of politics is also a form of criminalisation of politics, I want to deal with this issue and I shall do so, if time permits. Sir, if we want to squarely deal with this question—I want to concretely deal with this issue—each of the political parties should muster courage and demand that it wants the names. In my State, Kerala, there is a practice that wives do not name their husbands. They would say 'father of Ashok', 'father of Lails', or something like that—referring to their children. Similarly, this Vohra Committee Report has been accused of escaping from the crucial question of naming the political parties and the political leaders. But, I am here with my own reservations and disagreements on some of the ways in which this report has dealt with this issue. On this particular issue of not naming the politicians. I

do not blame Mr. Vohra. This is a Report by the bureaucracy. I do not expect a committee of bureaucrats to come with the names of the politicians who have nexus with criminals and the various other gangs. But, he should give an appendix — and he might have given —

explaining on the basis of what he has come to this conclusion, because in this Report he has concretely come to the conclusion that there is a nexus between the politicians and criminals. He is bound to reply either to the Home Minister or the minister of State for Internal Security or to the Prime Minister. On the basis of what proof, he has come to this conclusion that there is a nexus between the politicians and criminals? Is it not logical that we should give the benefit of doubt to the Committee also? Can any bureaucrat muster courage without any solid proof to accuse politicians that they are having nexus with criminals? I do not

think so, In this Report, if you carefully read it, he has brought out a big problem being faced by the bureaucracy — Malhotraji also referred to that - that many senior officers and the heads of the investigating agencies area hesitant to come out with facts because of their fear that they would ultimately be crucified.

That is the sad plight to which they have brought our country. Here I would like to deal with the issue raised by Shri Narayanasamyji. He has said that bureaucrats are to be blamed for all these maladies. I am sorry, I beg to differ. Who are calling shots in our country? Politicians. Who is the chief executive? The Prime Minister politically elected. We cannot blame others. We can say with full confidence that we are stating the facts when we say that there is corruption in bureaucracy. This Report, the Vohra Committee Report, states with remarkable courage that even the judiciary could not escape the embrace of the mafia. Even the members of the judicial system have not escaped from the embrace of the mafia. With all the limitations of this Report, I want to appreciate that so much of explosive material is now IN the hands of the public, the Members of Parliament. And in her death, Naina Sahniji has served the country. But for the gruesome, ghastly murder of Naina Sahni perhaps this Vohra Committee Report might not have come out and seen the light of day. ...*(Interruptions)*... Now, if you say so, I want to say about various other important documents.

श्री संघ प्रिय गौतम (उत्तर प्रदेश) : महोदय, सात बज गए हैं, अब सदन को स्थागित कर दिया जाए।

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): I was saying the same thing. This Short Duration Discussion was to start at 4 p.m., but it started at 5.30 p.m. I would take the sense of the House as to whether we should continue or not.

श्री संघ प्रिय गौतम :आज सिर्फ ले कर दीजिए।

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Before the House is adjourned for the day, there is another Supplementary List of Business. Mr. Chidambaram has to make a statement

SHRI S.B. CHAVAN: I have only again half a dozen names will be added and there will be no end to the debate. Keeping this in mind, I have no objection to it.

STATEMENT BY MINISTER

On the Recently Concluded Services Negotiations under the World Trade Organisation

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF COMMERCE (SHRI P. CHIDAMBARAM) : I beg to lay on the Table of the Rajya Sabha a statement on the recently concluded services negotiations under the World Trade Organisation.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): I adjourn the House till 11.00 A.M. tomorrow.

The House then adjourned at two minutes past seven of the clock till eleven of the clock on Wednesday, the 9th August. 1995.