

be better if we believe in give-and-take. I don't think I can do anything more or better than what I have admitted to in my own humble, small way. I am sure that the House will be satisfied. I am really expressing my deep sense of gratitude for the appreciation which was given by almost all the Members including Dr. Murli Manohar Joshi, Gujralji, Maulana Obaidullahji, Afzal Bhai and others. I thank them through you, Sir. I am sure that the House will co-operate fully in the discharge of any duties for which I have already resolved.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Minister, Shri Salim would like to have a clarification on one point. Kindly reply to that. ...*(Interruptions)*...

SHRI MD. SALIM (West Bengal): I am not objecting to that. I am only supplementing him. We know requirements are there. My point is that you should make it available where it is required. Recently, we have come across a case where an Air Force school principal's husband had died and immediately the wife took the courage to inform all those people so that different parts of his body could be used for other patients who actually needed them. So, my point is whether you will take care of those persons who want to donate their organs. The second thing is that this should be speedy. You promise to the Committee, because you passed the Human Transplantation Act, but the notification was not there and it was not being implemented. So, it should be speedy. I am not asking for any time-frame. The monitoring committee should also be there as early as possible.

SHRI A.R. ANTULAY: Thanks for supplementing. But, I think, it will be better if the hon. Member also uses his good offices with the States which have not yet enacted such a law and also enforce it. So far as other deficiencies are concerned, I shall welcome the suggestions and certainly they will be

considered with due respect and also with utmost thought. That is what he wanted of me and I believe together we can certainly do a lot. But, I will repeat that those States which, unfortunately, have not yet found favour with this Act or the Act has not found favour with those Governments, they will, at least, be a little alert in doing it so that there is uniformity throughout the country because of the integrity of the nation. Thank you.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): The matter is over. Now, we shall take clarifications on the statement of the Minister of State for Home Affairs, Shri Rajesh Pilot. Mr. Rajesh Pilot, have you circulated copies of the statement to the Members? ...*(Interruptions)*...

SHRIMATI JAYANTHI NATARAJAN: It was laid on the Table of the House yesterday.

[The Vice-Chairman (Shri Md. Salim) in the Chair]

CLARIFICATIONS ON STATEMENT BY MINISTER

Re: Escape of LTTE Cadres from the Vellore Special Camp, North Arcot, Ambedkar District, Tamil Nadu

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Sir, I read the statement of the Minister which he has laid on the Table of the House yesterday. This is merely a repetition because the Minister cannot do anything else. He is giving us such information as the State Government has provided to him. Sir, the facts of the matter are that from the time these militants have been detained in our State, 16 times the militants have escaped. Sixty-nine persons have escaped apart from the 43 persons who supposedly escaped on the 14th. Out of the 69 who had escaped earlier less than 30 have been arrested and from the prisons where the militants have been detained, more than 30 have escaped since May 1992. It is a fact that,

according to even the 'Q' Branch officials, two days after the escape of the militants from a camp or jail, any possibility of apprehending them becomes zero because Andhra Pradesh border is just two kilometres away. As they are close to the sea and Sri Lanka is so close, they can easily escape. Sir, a 150-foot tunnel was dug below a 20-foot wall. Another fact that I would like to place before this House is, on January 12, 1991 there was a riot in the camp and they held two policemen and one woman constable as hostage. On November 16th, 19 militants escaped and seven of them have still not been caught and the rest of them surrendered. The police did not catch them. Sir, it is not only that. Commissions have been appointed by the State before this. I would like to know from the hon. Minister whether it is a fact or not that even though Commissions have been appointed by the State Government, not even one Commission has met. No report has been given. Not one report, no suggestions, no new suggestions have been implemented by the Commissions of Inquiry which have been formed to go into these escapes by the State Government. Sir, after that, an important factor is, just a couple of months ago, the police found evidence of a tunnel being dug by the militants. They were supposed to have locked the room. I would like to know from the hon. Minister whether the State Government took any steps whatsoever, after having found out that these militants were already digging a tunnel, and locked the room. Did they take any steps to see that such action would not be repeated? Sir, I have only two or three points and I will state them very briefly. Did they take

any steps as they already knew about the fact? Secondly, Sir, it has been widely circulated in the Press that the police had advance information of this. Two militants escaped and they were apprehended and kept in jail and the police right up is supposed to have received the phone call and he is

supposed to have taken those militants who came to surrender, who told him the truth about this escape, and allow those militants to escape. I do not know if this is true. This was only after it was published by the Press that that police constable has now been suspended. From the day on which those two militants were allowed to escape earlier, till the day on which it was exposed in the press, no action has been taken against the policemen. I would like the hon. Minister to verify whether this is true or not. Sir, two or three important facts are there. The police now say that a tunnel was dug. The fact is, on the day of escape, according to the newspaper report which came out on the 16th of August, the DGP of Police of Tamil Nadu refused to show the Pressmen the tunnel. He refused, he did not give them any reasons. He gave them the reasons later. He refused to show them the tunnel. He refused to divulge the sequence of events leading to the escape. Sir, I think there is a problem with this. The tunnel was shown to the public and to the Press more than one week after, for no reason at all. They changed their minds and they showed the Press the tunnel, 153 foot tunnel. Sir, a 20-foot high wall was there. It will take more than 30 or 40 lorry-loads of sand to be removed. The police now say that the militants kept that sand, whatever earth has been dug up, in three or four locked rooms. What were the police doing without finding these lorry-loads of mud? Is it possible to dig such a big tunnel for so many days without the police having any idea, with implements like wooden rods, with implements like nails and rusty cooking implements? This is what the police say, has been done.

Secondly, Sir, my charge is that the police dug the tunnel after the militants escaped. I would like the hon. Minister to clarify why the DG of Police refused to show the press the tunnel. My charge is that there was no tunnel at all. Those militants were allowed to escape. The police dug the tunnel after the escape in

order to show it to the press. And that is why there was a week's delay to show it to the press whether the tunnel was there or not. Secondly, Sir, there was advance information and there were press reports—and nobody has bothered to contradict this—that the militants escaped even earlier than the 14th, that they escaped as early as 9th, because, if they escaped as they said on the said day, it was not possible for 19 of them to reach Madras so quickly. It was not just possible for them. I would like the hon. Minister to clarify whether there was advance information and whether they had already escaped, much earlier.

Thirdly, Sir, a very important fact which we have to notice, which is the reason why I have lost faith in the State Government to handle the issue, is that those militants who were arrested were not arrested by the State Police but by the Railway Protection Force. They were arrested by the Railway Protection Force who saw them at the Egmore railway station. The State police has done nothing to arrest them. Heads should have rolled, Sir. The DGP should have resigned or he should have been suspended. What is the point in asking one police constable to go? *(Interruptions)*

THE VICE-CHAIRMAN (SHRI MD. SALIM): Allow her to speak.

SHRIMATI JAYANTHI NATARAJAN: Sir, officers in the highest places should have been asked to go. That is why I suspect connivance, Sir. I would like the hon. Minister to answer whether it was only the Railway Protection Force who arrested them, and that the State Government had nothing to do with their arrest, they have no intention whatsoever of capturing these militants.

Sir, today the State Government says that because they do not have powers under the Foreigners Act delegated by the Government, they are not able to control these militants. Sir, this is just

white-washing the issue. I want to seek a specific clarification from the hon. Minister whether it is possible to delegate powers to the State Government under the Foreigners Act. My charge is that they needed no powers. If they wanted to take proper security precautions, if they had taken proper care, the militants would not have escaped. They wanted to let the militants escape, and because of connivance they were allowed to escape. An important fact about the Foreigners Act is that this will then give the State Government the power to suppress all other Tamil groups and help only the LTTE. They will send out all the other Tamil groups and they will keep only the LTTE people in the State, and the State which has been a 'Garden of Peace' till this Government came to power will be totally destroyed. So, I would like the hon. Minister to kindly tell us whether they are actually going to delegate the power and whether the Government is aware of the fact that it would be extremely dangerous to delegate such powers to the State Government. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. V. Narayanasamy.

SHRI G. SWAMINATHAN: Sir, you call from this side.

SHRIMATI JAYANTHI NATARAJAN: He gave his name first.

SHRI V. NARAYANASAMY (Pondicherry): Mr. Vice-Chairman, Sir, thank you for giving me this opportunity. Sir, it is a very sad incident that had happened at Vellore, in what we call a camp or a jail, where the LTTE militants were lodged. We have given the authority to the State Government to see that those people do not escape. But unfortunately, Sir, the State Government was complacent, and they have not taken proper measures and the militants have escaped. Sir, about eight jail breaks took place in the last one and half years. In that, Sir, the major incident...

THE VICE-CHAIRMAN (SHRI MD. SALIM): You please restrict yourself to seeking clarifications.

SHRI V. NARAYANASAMY: Sir, without framing this, how can I put a question? I cannot straightaway put a question to the hon. Minister.

DR. BIPLAB DASGUPTA (West Bengal): You must mention history. Okay. History is important. Why not?

SHRI V. NARAYANASAMY: I am giving the background.

SHRI G. SWAMINATHAN: Sir, only one clarification.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Swaminathan, you should follow the same thing when our turn comes.

SHRI G. SWAMINATHAN: Sir, I want to say only one thing. Please give me the same time which you are giving to others. That is all I want. Let them say whatever they want. You please give me the same time.

DR. BIPLAB DASGUPTA: History is important.

SHRI G. SWAMINATHAN: History is very, very important. I will come to that when I speak.

SHRI SATYA PRAKASH
MALAVIYA: No distortion.
(Interruptions)

SHRI V. NARAYANASAMY: Sir, in the last eight jail-breaks, none of the persons responsible for the escape of the LTTE militants were sacked. Not even single person was sacked by the State Government; neither the police officials nor the jail authorities. More serious incident compared to this was the jailbreak earlier when LTTE militants escaped from the Madras Central Jail. They scaled the wall and they went out of the jail.

In regard to this incident, the version of the State Government, which the hon. Minister is repeating, is that they dug a tunnel measuring 153 feet...

SHRI V. P. DURAISAMY (Tamil Nadu): Sir, again and again, he is trying to describe the incident. Let him put the questions.

SHRI G. SWAMINATHAN: All right; let him speak.

SHRI V. NARAYANASAMY: They dug a tunnel up a depth of ten feet and they escaped one by one. This is a clear case of connivance on the part of the police officials and the jail authorities as well as the State administration.

I would like to know one thing, in this connection, from the hon. Minister. A particular version has been given by the State Government in regard to this escape of militants from to Vellore Camp. But the opinion coming from the people of Tamil Nadu is entirely a different one. Nobody believes the version of the State Government. Therefore, my charge is that this incident had happened only because of the active connivance on the part of the jail and the police officials as well as the State administration. The militants escaped only because of this. Why do I say this? Sir, when the militants are caught redhanded at the Egmore Railway Station, the journalists were not allowed to take photographs. The police seized the cameras from them. They did not divulge any information either to the Press or to the people of Tamil Nadu. They kept it a guarded secret for more than a week. Thereafter, these people were allowed to see the tunnel there.

In regard to the Home Secretary's report which has been received, in regard to the feedback which the Home Ministry has received, I want the hon. Minister to be honest and share with the august House the information which he has received. I want the hon. Minister to be very honest on this issue.

SHRI G. SWAMINATHAN: The Minister is always honest. Mr. Narayanasamy, why are you doubting the honesty of the Minister? The Minister is always honest. I can doubt the honesty of

the Minister. You should not doubt his honesty. You are the Secretary of the Congress Parliamentary Party.

SHRI V. NARAYANASAMY: Do not try to impute motives.

SHRI G. SWAMINATHAN: I am only saying that you should not suspect the honesty of the hon. Minister.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Narayanasamy, please seek your clarifications.

SHRI V. NARAYANASAMY: I am seeking clarifications. Kindly permit me.

In regard to the information which the hon. Minister has received from the Central CID and other organisations, I would like the hon. Minister to tell us as to what the actual facts are.

Then, I would like to know whether the judicial enquiry which has been ordered by the State Government has commenced. I am asking this question because, Sir, as you know, within two-three days, all trace of evidence would be wiped out. Therefore, unless the judicial enquiry starts as quickly as possible, it would be very difficult, even during the course of the enquiry, to find out the truth. That is why I would like to know whether the enquiry by a retired judge of the High Court has commenced.

Mr. Vice-Chairman, it is a duty cast upon the State Government to maintain law and order and see that the militants do not escape. But it is a peculiar situation in Tamil Nadu. None of the people who are involved in economic crimes, murder and other offences escapes. But as far as the LTTE cadres are concerned, those people had escaped in a sequence. Why is it so? Is it a question of the State Government's laxity in keeping these LTTE militants properly or is it a question of the State Government's soft attitude towards the LTTE? Then, I want to know whether any official from the Central Home Ministry has visited the site to check the version given by the State Government.

To my mind, so far no one has visited the Vellore camp to find out the actual position about the escape of the militants. The information about the break at the Vellore camp, from which these 43 militants had escaped, is that nobody in Vellore knew about it except the police people who were there and who totally connived with them, and that two people were arrested in Madras in the early morning of the 14th. It was only on that day they came to know about the escape of the militants. I would like to know what the Administration was doing for more than eight or nine hours. According to the information given by the State Government itself, between the 14th and the 15th, there was a time gap of eight to nine hours. Then what have they been doing and how is it that they were not able to find out the escape of such a large number of militants from the Vellore camp?

Sir, in paragraph one the hon. Minister has said that a fact-finding team consisting of senior State Government officials had been sent to Vellore to make an on-the-spot inquiry into the circumstances leading to the escape of the LTTE cadres. What is the result of that inquiry? Apart from the judicial inquiry, senior officials of the State Government have been sent there. What is the report of that inquiry?

Then, Sir, the hon. Minister has expressed his concern about the escape of the militants. We in this House are fully aware of the fact that they have been making the plea that the State Government is hobnobbing with the LTTE militants and they are allowing them to escape. Seven to eight escapes had already taken place. It is not the responsibility of the State Government alone. Therefore, what steps have been taken on the part of the Central Government? The hon. Minister has said that though law and order is a State subject, they were giving them adequate police forces and para-military forces. All these things the Minister has been

stating. I quite agree, but when the State Government machinery failed to take care of the militants who have been put in its charge—people who have been notified as militants—what has the State Government done? That I would like to know from the hon. Minister.

The final point is about the Foreigners Act. I am coming to the final point.

THE VICE-CHAIRMAN (SHRI MD. SALIM): You are welcome to come to the final point. But the question is, if you want to seek clarification on each point, we have to sit late.

SHRI V. NARAYANASAMY: It is only a clarification, Sir. The State Government has demanded from the Central Government that it should be given powers under the Foreigners Act. I would like to know from the hon. Minister, what kind of powers they need. When they are not in a position to protect the citizens of Tamil Nadu from the atrocities committed by the militants, what kind of powers do they need? Even with the existing powers and the entire police machinery and authority with them, they were not able to keep the militants inside the jail or the camp. That is why I want the hon. Minister to clarify

My submission is, since the State Government has failed to take care of the situation and allowed the militants to escape, I totally charge the State Government that they were conniving with the militants, and the top boss of the AI-ADMK Government is afraid of the militants and, therefore, they are allowing a free hand to the militants. Thank you.

SHRI R. MARGABANDU (Tamil Nadu): Have some restraint in your attack.

SHRIMATI JAYANTHI NATARAJAN: Have some restraint on the militants first.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Don't show militancy in the House. ... (Interruptions)

SHRI G. SWAMINATHAN: Sir, I have heard them very patiently. I hope, both the members will also hear me patiently. (Interruptions)

SHRI R. MARGABANDU: We have not interrupted them. They should not interrupt us. ... (Interruptions)

SHRI G. SWAMINATHAN: The hon. Members who spoke on the statement of the hon. Minister on the LTTE, are not only hon. Members of this House but they are leading lawyers also. So, I was looking forward to a very difficult time, but, now, I find that it is easy for me to reply.

SHRI V. NARAYANASAMY: No, you will not reply to this. The Minister will reply to this. You have to seek clarifications. (Interruptions)

SHRI G. SWAMINATHAN: I know, the Minister will reply to this. I will seek clarifications. I have also to say a few words because I have to defend also. (Interruptions)

Please hear me. Don't get agitated.

THE VICE-CHAIRMAN (SHRI MD. SALIM): One at a time, please.

SHRI G. SWAMINATHAN: Sir, they are interrupting me. I have to defend my position. That is what I am doing.

THE VICE-CHAIRMAN (SHRI MD. SALIM): You defend yourself but in the form of questions.

SHRI G. SWAMINATHAN: Yes. I will do it in the form of questions. (Interruptions)

They have not been able to put a very strong argument. It is not because of their professional incapacity, but they do not have any truth in what they talked about the matter. Because there was no truth, they have not been very effective. Normally, both the Members used to be very effective, but, today, I found that they were very ineffective. It is mainly

because they do not have points to attack the Tamil Nadu Government.

One point that they have repeatedly said is that the militants have escaped. Mr. Narayanasamy said that they escaped eight times. Other hon. Members said that they escaped sixteen times.

SHRIMATI JAYANTHI NATARAJAN: They escaped eight times in one-and-a-half years and sixteen times in a longer period.

SHRI G. SWAMINATHAN: Maybe. She said, "Sixteen times." I do not know this time-frame. he has said, "Eight times" only. Mrs. Jayanthi Natarajan always gives some thing more than the officials facts. ...*(Interruptions)*

Please wait. Please hear me. It may be a longer period. I do not know the time-frame. I do not know the time-frame of the Minister also.

The argument is that the militants have escaped. Since the militants have escaped, they say, there should be a collusion of the Government because without the collusion and support of the Government, these people would not have escaped.

My only point is that militants are escaping not only from Tamil Nadu but from other places also. I will give only one example, that of terrorists escaping from Kashmir. After the Charar-e-Sharief incident, after the burning of the Mosque, the terrorists escaped. *(Interruptions)* Please allow me to speak. ...*(Interruptions)* Why are you impatient?

Sir, they should have patience to hear me. They are not able to hear me. ...*(Interruptions)* You charged me first. Please allow me to speak. ...*(Interruptions)*

Please allow me to speak. This is unfair. I am able to reply. If you are not able to reply, please keep quiet. ...*(Interruptions)*

SHRIMATI JAYANTHI NATARAJAN: Sir, I want to know whether Charar-e-Sharief and Kashmir relate to this statement. *(Interruptions)*

SHRI G. SWAMINATHAN: I have to draw a parallel. Allow me to speak. If you are not allowing me to speak, you are feeling weak. ...*(Interruptions)*

Your argument is weak. You are not allowing me to speak. If you are not allowing me to speak, you are feeling weak. ...*(Interruptions)*

SHRI V. NARAYANASAMY: We did not deviate from the subject.

If he admits that Tamil Nadu is like Kashmir, he can say whatever he likes. We will have no objection to what he says. ...*(Interruptions)*

SHRI G. SWAMINATHAN: They have no business to interrupt me. I have never interrupted them. ...*(Interruptions)* They attacked us. We kept quiet. Now I have got a right to reply to that. ...*(Interruptions)*

When you say that, I have got the right to reply to defend. ...*(Interruptions)*

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Margabandu, will you please allow your leader to seek clarifications?

SHRI G. SWAMINATHAN: When they are saying that, I am saying that terrorists are not only in Tamil Nadu but that they are all over. There are terrorists everywhere in India. ...*(Interruptions)*

Today, I read from the newspapers that terrorists brought weapons and other things to Madhya Pradesh. There is a no-confidence motion in the Madhya Pradesh Assembly. So many guns and other things have been brought in. So, terrorists are operating in your State, Madhya Pradesh, also. Terrorists are not only here. ...*(Interruptions)* What happened in Kashmir? With all your military strength and with all your people, somehow the terrorists came in and then they went to Charar-e-Sharief.

How could they go without your collusion? Without you collusion they would not have gone. *...(Interruptions)*

SHRIMATI JAYANTHI NATARAJAN: Sir, I have an objection. He restrict himself to his State. He should not talk about Kashmir. *(Interruptions)*

SHRI G. SWAMINATHAN: Suppose with the same argument I say that with all your Army, the terrorists were there in the Charar-e-Sharief. *(Interruptions)*

SHRI V. NARAYANASAMY: Sir, he is comparing Kashmir with Tamil Nadu. *(Interruptions)*

SHRI G. SWAMINATHAN: You should have the courage to hear me. This is not fair. *(Interruptions)* What are you shouting? You should have the patience to hear me. You should have the courage to hear me. You don't have the courage. *...(Interruptions)...* You are responsible. You are colluding with the militants. Without your collusion how could they go inside the mosque?

SHRI PASUMPON THA. KIRUTTINAN (Tamil Nadu): sir, both these parties are in collusion with the militants. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI MD. SALIM): You took ten minutes to ask the questions. He elaborated it. *(Interruptions)*

SHRI V. NARAYANASAMY: Sir, if he says Tamil Nadu is also like Kashmir, we will sit down. *(Interruptions)*

SHRI G. SWAMINATHAN: Sir, I am asking a simple question. It is under your direct control. How did they go inside the mosque with all your defence and with all your police *...(Interruptions)...* Sir, they have to answer. It is not right. You should have the courage to hear me. My argument may be right or it may be wrong. That is a different matter. Let the Minister answer that. I am only drawing a parallel to say that if militants have escaped in Tamil Nadu, they have

escaped from Kashmir also. The militants have not only escaped from Kashmir. They went inside the temple. Not one militant, hundreds of these people were in the Sharar-e-Sharief and you have said that they have burnt the whole thing. How did they go inside the mosque without your connivance? I have every right to say that. What was the action of the Government of India and the police personnel. *(Interruptions)*.

SHRI V. NARAYANASAMY: When you are comparing Tamil Nadu with Kashmir, you declare Tamil Nadu also as a terrorist State. Then we will sit down. *(Interruptions)*.

SHRI G. SWAMINATHAN: Don't put words into my mouth. Please keep quiet. Why should I declare Tamil Nadu as a disturbed State? There is no necessity for me to do that. *(Interruptions)* I am only drawing a parallel. If you say the Chief Minister of Tamil Nadu is in collusion, then I would say the Governor of Kashmir is in collusion. *(Interruptions)* Allow me to say. Why are you feeling so sensitive? *(Interruptions)*

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Swaminathan, please confine yourself to the clarifications.

SHRI G. SWAMINATHAN: Another most important point is that refugees have come inside the State. How did they come? They have come via the Indian Ocean. You have got your Navy. How did you allow them to come inside Tamil Nadu? It is under your charge.

SHRI JAYANTHI NATARAJAN: You let them escape.

SHRI G. SWAMINATHAN: It is under your charge. How did they go back to Sri Lanka? How did they go back? You have got your Navy. You have got your surveillance. And now when 17 people have gone to Sri Lanka, you say the Tamil Nadu Government is ineffective. How effective are you? What happened to your Navy? What happened to your surveillance? You are not able to

prevent them from escaping from that place. Then, naturally I will also charge the Government of India with incompetence as you have charged my Government.

You have forgotten another fact. Somebody said about the history. I am sorry to bring the history factor also here. Who was in charge at that time? Now, there are 56,000 Tamilian refugees in the State. They may be LTTE or non-LTTE in several camps there. Keeping these 56,000 refugees is a great problem. Not during the last one or two years, but during the last ten or fifteen years, so many refugees have come. But before that also, during the Indira Gandhi Bhandaranaike days, another about one lakh of Indian citizens had been repatriated and they all have come.

Apart from these 56,000 people in the camps, there are 54,000 Tamilians from Sri Lanka who have registered themselves. This apart there may be another about one lakh people unregistered, who are roaming about. I ask who was responsible for all these things. Again, it was a history. Who has supported these LTTE people? It was during the period of the Congress party that they were supported. I am sorry to say in this House that at one time you felt the LTTE people would be favourable because the Sri Lankan Government may be supported by Pakistan or they may go to the U.S.A. This was your foreign policy instrument. The LTTE factor was your foreign policy instrument. Until the Thimpu conference, when you felt that a settlement would come..(Interruptions).. You were instrumental in the coming in of all these refugees. I am only saying that you parented the LTTE.

SHRI V. NARAYANASAMY: You are not able to control the LTTE in Tamil Nadu. You say that.
..(Interruptions)...

SHRI G. SWAMINATHAN: I was in the AIADMK party. I was a functionary.

I was a Presiding Officer of the Legislative Council. Now, I am a Member of this House. I know what has happened. It was under the guidance of the Government of India, under the directions of Mrs. Indira Gandhi, these LTTE people came over there. Their camps were established. You gave all weapons to them. ..(Interruptions)... You gave all weapons to them. I charge that you asked the Tamil Nadu Government to give money to the LTTE during MGR's period. Under the direction of the Tamil Nadu Government, money was given to the LTTE. You were also responsible for the creation of the Bhindranwala factor in Punjab. You were responsible for this monster. ..(Interruptions).. Who is responsible? The Bhindranwala factor in Punjab was your creation. Similarly, the LTTE factor was also created by you.
..(Interruptions)...

Now, there are three small questions I want to ask of the Minister. I want to know from the Home Minister, how much money was requested for by the Tamil Nadu Government. We told the Minister very clearly that it was very difficult to control the LTTE people. I would not say that the LTTE people are the most terrifying terrorists. But, in the whole world, the LTTE is considered to be one of the most organised terrorist organisations. It is difficult for anybody to contain them. So, we have requested the Centre to provide us Rs. 100 crores to have modern weaponry. What is the kind of weapons we have got? The hon. Minister says, "I have given Rs. 10 crores." We wanted nearly Rs. 100 crores from the Centre to modernise our police force because the LTTE people have got the most sophisticated weaponry. Our police is not equipped with modern weaponry. This Rs. 10 crores is not sufficient. That is one thing.

The second most important point is this: Please see that the Sri Lankan Tamil refugees are repatriated to Sri Lanka. Don't allow them to stay in Tamil Nadu

any more. You never give us permission to repatriate them. I do not know why these people are staying here. We are sympathetic towards them. We have been sympathetic towards them. The people of Tamil Nadu have been sympathetic towards them because, all said and done, they belong to our ethnicity. They are Tamilians. They are suffering. When the Sinhalese bombed the Tamil areas and killed Tamilians in Sri Lanka, we felt emotional. Please see that these people... *(Interruptions)*... Now, the people are different. Because of their Tamil origin, many of them have got their relatives in Tamil Nadu. They come and go. There is an emotional bondage, whether they like it or not. *..(Interruptions)..*

SHRIMATI JAYANTHI NATARAJAN: What is he talking about? *..(Interruptions)...*

SHRI G. SWAMINATHAN: In spite of that, please see that these people are repatriated. They are becoming dangerous. He may be your own son. He may be your own brother. But when they become inimical to us, please see that some punishment is given to them immediately. You repatriate all the people immediately. The Government of India has never given us permission for their repatriation. They should have made some arrangements. Why are the people kept there for so many years? We have to guard them. How to guard them? We do not have powers. *..(Interruptions)....* We told them, "Let us imprison them." They say, "Under the Foreigners Act, you cannot imprison them. You can only keep them in the special camps." You know, Sir, what is happening in the special camps. About 56,000 odd people are being kept in three kinds of special camps. One special camp is meant for the ordinary people, who can go and come. Another set of people, that is, their family members are kept there who can also go and come. Hundreds and hundreds of people are being kept in these special camps. When

they are imprisoned, not allowed to move, when we check them, they write to the Human Rights Commission. The Human Rights Commission has asked the Tamil Nadu Government twice, "What is the charge?" It said, "Simply because they are suspected militants, you cannot treat them like that." It is under these circumstances that we have to deal with these people. We do not have the power to arrest. Even if we put them in the jail, it becomes very difficult. Lady police officers went inside and they started molesting. They started killing people. That kind of difficulty is there. *(Interruptions)*. With all the difficulties we are managing. What I am saying is, we do not have any sympathy for them, we want them to be repatriated. But this Government has been slack. It is the AIADMK which wanted the extradition of Prabhakaran, in this House also. Also, our Chief Minister demanded several times the extradition of Prabhakaran. But this Government has dragged its feet for 2-3 years. We wanted a ban on the LTTE. Only after repeated demands, they banned the LTTE. We are the people who had been asking for it. We have no sympathy for the LTTE. We have been trying to *(Interruptions)*. To accuse us of complicity and collusion is the worst kind of insinuation somebody can make on our Chief Minister. Her life is in great danger. If the Minister is convinced that we have colluded, you could have dismissed our Government long back. The Minister cannot accept it. The Minister had been convinced. Even the Minister said that the life of our Chief Minister was in great danger. *(Interruptions)*.

Finally, I would only wish to say.... *(Interruptions)*

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please listen to him. He is completing his speech.

SHRI G. SWAMINATHAN: Both the hon. Members have narrated how these people escaped and what the newspapers

said. In Tamil Nadu, we have a lot of newspapers. Every newspaper has now got a right to write anything. And on the basis of newspapers, these hon. Members are talking! Now, we have got a judicial commission. That is going to give its verdict. If we have anything to hide, we would not have appointed a judicial commission. Sir, they say that the judicial commission is delayed for three days. For how many days did you delay the Jain Commission? What happened to the Jain Commission? It never took off. You are talking about three days. What happened to the Jain Commission for three years? That is a great accusation against your party. *(Interruptions)*. I am very sorry that without any basis, you are trying to build up a case. Because you do not have a base to build up your case, all your capabilities as advocates are failing. *(Interruptions)*. I am sorry you are building up a case from nowhere. You will not succeed, you will only fail. I want to know whether you will give the powers needed by the Tamil Nadu Chief Minister under section 3(2) (g) for which she has already requested the hon. Prime Minister when she came here two days back. I would also like to know when you will give permission and make arrangements for the repatriation of these people, for them to go to Sri Lanka, maybe to the United Nations or whatever. Let them not be a botheration to us. Thirdly, I would like to know whether you will give some more money for modernisation. The problem of terrorism is not a problem of Tamil Nadu alone. It is a problem of the country. Thank you very much.

SHRI PASUMPON THA. KIRUTTINAN (Tamil Nadu): Mr. Vice-Chairman, thank you very much for giving me this opportunity to seek some important clarifications from the hon. Minister.

Sir, I have gone through the statement of the hon. Minister. It is a reproduction of the State Government's report. Forty-three LTTE detainees including four

women reportedly dug a tunnel from their prison in Vellore Fort and escaped on Monday night. This meticulously planned escape from the said camp at Vellore is another grim pointer to the creeping laxity on the part of the State police and the State authorities. Such escapes have been too frequent to be dismissed as administrative lapses. The State Government ought to live up to its political responsibility and address itself to the security issue with a greater degree of seriousness. This is not the first case but the ninth escape since the present Government took over in 1991. So, I would like to know from the hon. Minister whether it is a fact that among these nine escapes recorded so far in Tamil Nadu, the prime accused in the EPRLF leader, Padmanabha, murder case of 1990, and a key witness in the Rajiv Gandhi assassination case, have also escaped and they are not yet traceable.

Another interesting but a heart-burning point is that a 150-foot long tunnel has been dug to reach the moat surrounding the historic Fort. Digging of such a tunnel should have taken quite some time and that would not have been possible without the connivance of the police personnel in charge of the Camp, especially for procuring the necessary tools and implements. I would like to know whether there is any tunnel or not. I would also like to know why the Minister has chosen to keep himself away from visiting the place. Doubts have been created as to whether there has been any tunnel at all. This point should be clarified by the Minister. The police terms it as sheer negligence and some connivance at the lower level. I would like to know why and how the top-brass could be excused. assassination trial, escaped from the Saidapet Sub-jail in Madras. In November 1992, two militants who were branded as the supporters of the LTTE and who were detained under TADA, gave a slip and escaped from the Melur Jail in Madurai. The State

Government has been trotting out excuses each time such escapes take place. The Chief Minister of Tamil Nadu, by justifying such an escape, has said that jail breaks were not uncommon in the country. Mr. Swaminathan explained this thing away a little while ago. What should this action be called? Should we call it a conspiracy or complacency or connivance? If it is complacency, then at what level it is? And if it is connivance, then at whose behest it is? I would like to know this thing.

Sir, the State Government of Tamil Nadu has given an argument that in the absence of powers to imprison the foreign militants, it is not possible to do it. This is an attempt by the State Government to put the onus on the Centre. I am not saying that the Centre has no responsibility. They have got certain responsibilities to discharge, which they don't do. Yes, the yardstick to measure the actions of the State Government are apparently different for the AIADMK.

According to the statement of the Minister, over the last three years, eight incidents of escape have been reported from Tamil Nadu. I would like to know whether all these escapes took place from the Special Camps only.

Just six months ago, there was an escape from the Madras Central Jail. While nine militants slipped out of the Madras Central Jail on February 27, this year, the prime accused in the killing of the EPRLF leader, Padnabha and thirteen others escaped in April 1993 when they were being taken to Pattukottai from the Madras Central Jail. From the Salem Central Jail, two militants escaped in May 1992 and April 1993. In May 1993, an LTTE sympathiser and a key witness in the Rajiv Gandhi one time, made a charge that the RAW and the CBI were aiding and abetting the LTTE to eliminate her. I would like to know whether this charge is correct or not.

Another important point is that up to 1990 the militants, irrespective of their groupings, were put together in one camp. The militants were found in the repatriates' camps also. There were frequent clashes between the groups. So, there was a discussion between the then Prime Minister Shri Chandra Shekhar, and the then Chief Minister of Tamil Nadu, Dr. Kalaignar. It was decided in that meeting that different groups of militants should be identified, separated and put in separate camps. Among the militants, the LTTE and the EPRLF were the powerful groups. At that time the EPRLF militants were put in Puzhal camp and the LTTE militants were put in Vellore camp. Then the DMK Government was dismissed. At that time, in the Vellore camp there was a clash between the police and the militants and there were shootings and killings. In view of this incident, the militants were sent from the special camp to the Central Jail. After this, nobody knows what had happened when these militants were brought out of the Central Jail and how they were brought to the special camp at Vellore. These are some of the points to be clarified by the Minister.

Another point was put forward that the militants were put in the camp not on specific offences. Yes, they were not involved in any specific cases. So, they were put in the special camp. This is the information given by the State Government. How long were they put in the camp? I would like to know if any inquiry was conducted or any investigation was made as to whether these militants were involved in any specific offences. If so, how many of them were involved in specific offences? What were those specific offences? Why were they not charge-sheeted and separated from the camp? How many of them were not involved in specific offences? I would like to know whether they had offered to go back to their nation. If so, how many of them had made such an offer? What steps did the State and the Central Governments take

to send them back to Sri Lanka? Who is responsible? I would like to know whether the Central Government or the State Government should take such a decision to keep them in the special camps for years together, though they have not involved in any specific offences, when they themselves offer to go back to their own home.

What is surprising is that when it was pointed out by some senior police officers that the Vellore camp was not suited to house the militants, it was not acted upon.

THE VICE-CHAIRMAN (SHRI MD. SALIM): You must conclude now.

SHRI PASUMPON THA KIRUTTINAN: A senior police officer said and I quote:

"We had written to the State Government, but nothing came out of it."

He further went on to say and I quote:

"There is little doubt that there is a failure on the part of the police."

I would like to ascertain the facts on this point from the Minister.

Sir, I take this opportunity to make a statement that law and order in Tamil Nadu is completely broken down. The judicial system has been sidelined. (Interruptions)...

SHRI G. SWAMINATHAN: No, no. (Interruptions)...

SHRI R. MARGABANDU: No, no. This is wrong. (Interruptions)....

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Kiruttinan, you please confine yourself to the Minister's statement.

SHRI PASUMPON THA KIRUTTINAN: The political system, from top to bottom, has been completely demoralised. Democracy has become a mockery. The legislature has been converted into a fighting ground. Corruption is rampant. There has been dereliction of duty. ... (Interruptions)...

SHRI R. MARGABANDU: Sir, this is wrong. (Interruptions)...

SHRI PASUMPON THA KIRUTTINAN:on the part of the Government (Interruptions)... Sir, we have no other go except to make a demand for the dismissal of the Tamil Nadu Government. Will the Minister come forward and render justice to the people of Tamil Nadu? Thank you.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश): माननीय उपसभाध्यक्ष जी, 14 और 15 अगस्त के बीच में जब सारा राष्ट्र अपनी आजादी की वर्षगांठ मना रहा था, तामिलनाडु में जो लिट्टे रखे गए हैं उस शिविर से उनके इस तरह से भाग जाने की जो घटना है वह न केवल दुर्भाग्यपूर्ण है बल्कि हमारे राष्ट्र की जो राष्ट्रीय सुरक्षा है उसके लिए भी खतरा है। मंत्री जी ने खुद स्वीकार किया है कि पिछले तीन वर्षों में इस प्रकार की आठ घटनाएं हुई हैं जिनमें दो घटनाएं जेलों में हुई हैं।

ये केवल तीन चार स्पष्टीकरण पूछना चाहंगा। एक न्यायिक जांच आयोग बैठाया गया है जैसा कि राज्य सरकार ने सूचित किया है और उसमें मद्रास हाईकोर्ट के सिटिंग जज को नियुक्त किया गया है। तो इसके कोई टर्म्स आफ रेफरेंस अभी तक बने कि नहीं बने और यदि बने हैं तो वे क्या हैं? दूसरा, जांच आयोग को अपना काम पूरा करने के लिए कोई सीमावधि भी तय की गयी है कि नहीं की गयी है? तीसरा, जो इस प्रकार की घटना 14 या 15 तारीख को हुई इसमें कहीं न कहीं वहां के जो स्थानीय अधिकारी हैं उनके कनाइवेंस को रूल आउट नहीं किया जा सकता है। लैप्स तो हुआ ही है लेकिन कनाइवेंस भी हो सकता है। वहां विभागीय कार्यवाही तो हुई है वहां के शायद पुलिस अधीक्षक के खिलाफ और जो शिविर हैं उससे संबंधित कर्मचारियों के खिलाफ लेकिन पीनल आफेंस के अंतर्गत भी क्या कोई कार्यवाही राज्य सरकार ने अभी तक किसी के विरुद्ध की है या नहीं की है यह मैं जानना चाहता हूं। डिपार्टमेंटल कार्यवाही के अतिरिक्त कोई पीनल आफेंस की कार्यवाही राज्य सरकार ने किसी के विरुद्ध की है या नहीं की है या एफ०आई०आर० कहीं दर्ज हुई है या नहीं हुई है? क्योंकि जुडीशियल इन्कवायरी जो टर्म्स आफ रेफरेंस है उसके अंतर्गत होगी लेकिन पीनल आफेंस के सिलसिले में किसी को अरेस्ट करने या गिरफ्तार करने का काम वहां की स्थानीय पुलिस का है, तो इस सिलसिले में कोई जानकारी केन्द्र सरकार को है या नहीं है? चौथा, अभी स्वामीनाथन जी कह रहे थे कि उनकी सूचना के अनुसार

करीब करीब 56 हजार लिट्टे उग्रवादी, तमिलनाडु के जो विभिन्न केन्द्र हैं वहाँ पर हैं।

उपसभाध्यक्ष: (श्री मोहम्मद सलीम): 56 हजार उग्रवादी नहीं रिफ्यूजी।

श्री सत्य प्रकाश मालवीय: आई एम सारी।

जो वहाँ पर जो उग्रवादियों के केन्द्र हैं वे कितने केन्द्र हैं और कितने उग्रवादियों की संख्या इनमें है? पाँचवाँ, तमिलनाडु सरकार ऐसा समझती है कि जब तक उनकी फोरेंस एक्ट के अंतर्गत जो शक्तियाँ हैं वे नहीं दी जाएंगी तो शायद वे अपने कर्तव्यों का निर्वहन नहीं कर पाएँगे। केन्द्र सरकार ने इस पर विचार भी किया। लेकिन जो कानूनी सलाह है उसके अंतर्गत इस नतीजे पर पहुँची कि पहले देना ठीक नहीं। तो पुनः उस पर विचार कर रही है। तो मेरा यह कहना है कि क्या इसके पूर्व में कभी कोई उदाहरण है कि किसी राज्य सरकार को इस तरीके से फोरेंस एक्ट के अंतर्गत कभी अधिकार दिए गए थे, या नहीं दिए गए थे? आप इसका रिव्यू तो कर ही रहे हैं लेकिन जब तमिलनाडु की सरकार समझ रही है कि बिना इस अधिकार के वे अपने कर्तव्यों का निर्वहन नहीं कर सकते हैं तो मेरा सुझाव है कि इसका रिव्यू करके अगर कोई विशेष कानूनी कठिनाई न हो तो यह अधिकार आपको उनको दे देना चाहिए।

DR. BIPLAB DASGUPTA (West Bengal): Sir, at the very outset, let me say something which is a bit too general. This is about the situation that we have everyday whenever an issue on Tamil Nadu comes up. As soon as somebody from, say, the AIADMK, says something, somebody from the DMK has to contradict it. If the DMK contradicts it, then the MDMK is there to take a different position.

SHRI SATYA PRAKASH MALAVIYA: And we are sandwiched.

DR. BIPLAB DASGUPTA: Then, who can replace Shrimati Jayanthi Natarajan; (Interruptions)

THE VICE-CHAIRMAN (SHRI MD. SALIM): You seek your clarification now.

DR. BIPLAB DASGUPTA: Then, who can stop Narayanasamy from speaking. So, what I am saying is this.

May be, there should be a rule from now on, that whenever an issue on Tamil Nadu comes up, no Member from Tamil Nadu should be allowed to speak. (Interruptions)

SHRIMATI JAYANTHI NATARAJAN: Such a good suggestion! (Interruptions) Then, I will speak about West Bengal!

SHRI PASUMPON THA. KIRUTTINAN: Sir, the problem is that nobody comes to our rescue. (Interruptions)

DR. BIPLAB DASGUPTA: I thought that by making provocative comments against all of them, I will be able to unite them, may be against me. (Interruptions)

THE VICE-CHAIRMAN (SHRI MD. SALIM): Now, please come to your clarifications.

7.00 P.M.

DR. BIPLAB DASGUPTA: Sir, I have gone through the Note and it does not speak highly about the law and order situation in Tamil Nadu. Certainly, the way the whole thing has been handled is very unfortunate. If it is true that, during the last three years, there had been eight such incidents involving 42 and almost half of them have not been apprehended yet, then it is a very very serious situation. At the same time, while criticising and censuring the Government in Tamil Nadu for this, I should say that Tamil Nadu has an unfortunate legacy. When friends from Tamil Nadu speak, they speak about history. They are all very selective about history because each and every party in Tamil Nadu has had some connections with the LTTE at some stage in their career and they had been contributing to the promotion of the LTTE and becoming what it is today.

SHRI PASUMPON THA. KIRUTTINAN: Including the Central Government.

DR. BIPLAB DASGUPTA: Yes, including the Central Government. The Congress Party is there, of course. They

all had nexus with the LTTE militants and none of them can take a holier-than-thou' attitude and say that they never had anything to do with the LTTE. Each and every major party has something to do with the LTTE. That is a fact. For instance, when the DMK was in the Government, there was a very unfortunate incident in which, Shri Padmanabha, who was the General Secretary of the EPRLF, and his associates, were holding a meeting in the centre of Madras, in the core of the city of Madras, the entire Central committee of the rival group of the LTTE were there with machine guns. In a matter of a few seconds the people moved in, shot them, killed them and went away and nobody was apprehended! There was no inquiry and nothing has come out of it. I think, it is very very unfortunate that such things have happened.

SHRI PASUMPON THA.
KIRUTTINAN: The accused were arrested and later on remanded.
...(Interruptions)...

DR. BIPLAB DASGUPTA: The tendency of the LTTE to cannibalise has always been there. For example, all groups which were an eye-sore to the LTTE in Sri Lanka have been eliminated in one way or the other. They are also trying the same thing in Tamil Nadu too. So, this is not something new. My party has always said that there is something suspicious about the LTTE. What are their connections? Where are they getting arms from? Where are they getting money from? All these issues are very very unclear and our party has been consistently saying that we should handle this issue very firmly.

One point has been made by Shri Swaminathan and that is the emotive feelings of the Tamil people. I would like to make a distinction between two situations. In Sri Lanka, the Tamils are fighting for their autonomy and I will support the demand for autonomy of the Tamils in Sri Lanka. It is true that the Sri Lankan Government in those areas have

treated them brutally and savagely, in many cases, to put down their legitimate demands or the aspirations of the Tamil population in Sri Lanka. That is one aspect of it. The other aspect of it is this. The method they follow, for example, is a very brutal terrorist method, the facist method, either in relation to every group which is fighting for the same objective or in relation to groups which are in India, including the group involved in the murder of Shri Rajiv Gandhi which is a very tragic incident which we have. At the same time, I would say that even though I am talking about the AIADMK and the DMK, the point which Shri Swaminathan made is absolutely correct. He said that the LTTE was parented by the Government in India. Prabhakaran was a creation of the Congress Party Government. ...(Interruptions)... It was the creation of the Rajiv Gandhi Government. They gave Prabhakaran shelter; they gave him money; they gave him food and arms and that is how the LTTE has what it is become. So, let not any of the three major parties take a holier-than-thou' attitude. But, it is a very very serious situation and a very very serious condition. Certainly, whatever has happened in the past, at least from now on, all parties concerned should now take a pledge, a very solemn pledge, that they would have nothing to do with these militants who are out to undermine even our own country's integrity. They should not be permitted to continue with their functioning like this any more. That pledge should be taken by everybody concerned. Unfortunately, they have not done in the past. At least, in future, it should not be continued. And the Government at the Centre in Delhi should certainly ensure by talking to the Government in Tamil Nadu that this type of escape does not take place. Certainly, the Navy should have been more cautious. This point has already been made. The Navy should be properly patrolling the border, the ocean. That is never properly done. All kinds of incidents are taking place. Proper

patrolling should be there to ensure that such infiltrations do not take place. They have communication network between the Indian main land and Sri Lanka...

SHRI T.A. MOHAMMED SAQHY (Tamil Nadu): You have to clear one point. Your CPM Tamil Nadu unit is with which party?

DR. BIPLAB DASGUPTA: We are very neutral. We are observing. That is a different question. When it comes to elections, we will see to it. We are observing the Tamil Nadu situation. We are very much worried about the three major parties. There are two brides and two bridegrooms. Now, maybe three bridegrooms. We are not part of that. I am not going into it. That is a different question. I am happy that you are provoked. If all of you are provoked against me, my objective would be met that at least the Tamil Nadu Members will be united against me. This is what I wanted. I hope you will maintain this situation and remain united against us. Thank you, Sir.

SHRI PASUMPON THA. KIRUTTINAN: You please do not try to divide us.

DR. BIPLAB DASGUPTA: I will be happy if you remain united against us.

SHRIMATI MIRA DAS (Orissa): Mr. Vice-Chairman, Sir, much has been discussed about the Tamil Nadu law and order situation, and I want to make only one or two points.

Sir, the situation in Tamil Nadu is really grave as also the law and order situation. The security of our citizens and the security of India are involved. Sir, I have not even the slightest doubt about the sincerity of the Minister. Mr. Narayanasamy might be having a doubt, but I do not have even the slightest doubt about the sincerity of the Minister. But the thing is that on a request from the Tamil Nadu Government, why did the Government of India take two long years to decide something? It is a very sensitive and serious issue. The Government of

India should not have taken two years to decide it. Miss Jayalalitha met the Prime Minister recently. In the wake of the present scenario in Tamil Nadu, the Central Government will re-examine whether the State Government need any help or not. The Government of India should not have failed to perform its own duty sincerely.

Sir, another thing is that our electronic media are to some extent responsible for these jail-breaks and escapes because the way it is shown how to escape from the jails, from the custody. So, who is responsible for it? Is it the State Government's duty? Is it not the duty of the Central Government to stop it. I know the hon. Minister is very sincere. I request him to stop it. Otherwise, the country is going to be finished. You have to stop this. You cannot take it lightly. I am saying this with all sincerity. You must stop this because it is not only a question of escape of militants in Tamil Nadu. Everywhere in the country, such things are happening. Take, for example, the Tihar Jail. Some prisoners escaped from the Tihar Jail sometime ago. Who is responsible for this? What about Kashmir, as Mr. Swaminathan had asked? Who is responsible for the situation in Kashmir? Our society today is at a critical juncture. We have to save it from disaster. It is the duty of the Government of India. Thank you.

SHRI TRILOKI NATH CHATURVEDI (Uttar Pradesh): Mr. Vice-Chairman, Sir, I have just one clarification to seek. So far as this incident of escape of LTTE militants is concerned, it is very unfortunate. But I would like to remind the hon. Minister that there have been, in the past, a series of escapes and jail-breaks in Manipur, apart from Kashmir. Would the hon. Minister consider, therefore, so far as such high-risk detenus are concerned, evolving some kind of a special policy, by appointing a Committee to go into this question select some of these places for determining the kind of precautions that

ought to be taken in this regard? Why am I saying this? We have the National Socialist Council of Nagaland. Manipur is a border State. Kashmir is a border State. Tamil Nadu, again, is a border State. That is why, from that angle, would the hon. Minister consider working out a policy in regard to these high-risk detenus, of course, in consultation with the State Governments and extending all help to them?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): Mr. Vice-Chairman, Sir, this is a very serious subject which is being discussed today. The Government shares the concern of the hon. Members over this particular incident.

I had given the figures earlier. In the last three years, there were nine such incidents. Out of a total of eighty-five people who had escaped, thirty-two have been traced. *(Interruptions)*

SHRIMATI JAYANTHI NATARAJAN: Sir, I just want to seek one clarification from the hon. Minister. When Mr. Swaminathan was speaking earlier, he said that we were giving different figures. I would like the hon. Minister to clarify whether there were sixteen such incidents from the beginning. *(Interruptions)* I just wanted to get a clarification on this point.

SHRI RAJESH PILOT: I had given the figures for the last three years. If the hon. Member wants the total number from day one, from the day they came to power, I can furnish that.

SHRI G. SWAMINATHAN: Then, you should start from the time of Rajiv Gandhi's assassination. You should start from the time of President's rule. You should start from there.

SHRIMATI JAYANTHI NATARAJAN: My name was taken, Sir. *(Interruptions)*

SHRI G. SWAMINATHAN: The militants escaped during your time.

SHRIMATI JAYANTHI NATARAJAN: Sir, since my name was taken, I wanted to get the point clarified. *(Interruptions)*

SHRI G. SWAMINATHAN: Only during your period, only during the President's rule, Rajiv Gandhi was assassinated and the militants escaped. *(Interruptions)*

SHRIMATI JAYANTHI NATARAJAN: I wanted this clarification. The figures given by me were for a different period. *(Interruptions)*

SHRI G. SWAMINATHAN: You should start from the time of President's rule. Rajiv Gandhi was assassinated only during your period. You start from there.

SHRI RAJESH PILOT: Under whatever Government such a thing happens—whether under my party Government or during President's rule or under some other party Government—it is a matter of concern to all of us. It is not a question as to which party is running the Government. The question is: why is this happening? That is why I could sense the mood of every Member and his concern.

We are concerned about it not because the Tamil Nadu Government is being run by a different party. We are concerned because it has happened in Tamil Nadu. That is why we are concerned. Tamil Nadu is one of the very exemplary States in our country. It has taken the lead in administration. Generally, we talk about Tamil Nadu as a model State. Tamil Nadu has taken the lead in education and in many other fields.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Health care.

SHRI RAJESH PILOT: Tamil Nadu has been leading the nation. We are proud of it. Generally, we quote the example of Tamil Nadu to the other States.

The incident which has happened is a matter of concern to all of us. I think it is

a matter of concern to every citizen in the country today because it concerns the security of our nation in that part. I totally share the concern of hon. Members. But Sir, it is a very complex problem. It is not so simple that we discuss it here and, tomorrow, the problem would be solved. Let us also appreciate that the Tamil Nadu Government is putting in its best efforts.

SHRI G. SWAMINATHAN: Thank you.

SHRI RAJESH PILOT: They are doing whatever they could. I had a discussion with them. I had a detailed discussion with the Chief Minister. Whatever I found out, I mentioned it to her. She insisted on a few things, that naval detachments are required and some more monies are required. I said, "Well, this is the requirements, but whatever you have today, at least put that in such a system so that results are produced."

Every Member has mentioned about Tamil Nadu Government's requirements of section 3(2)(g) of the Foreigners Act. Sir, if you read the amendments to the Foreigners Act, 1957, already the power under 3C, CC and 3E there is sufficient power to deal with the subject, but we have found that from the last two years, as my colleague has said, 3(2)(g) is more important for them. We have checked it up. It was not possible. But we found that there is an insistence from the Government that 3(2)(g) will help them. So, we don't want to say, "No, this cannot be done." We want a solution of the problem. So we discussed it with the Law Ministry. If this also could be given to the State Government, we have no hesitation. The idea is that we should stop this thing happening in this part of the country so that we can be comfortable and confident that this will not happen.

Sir, so far as the main point today is concerned, the situation in Tamil Nadu today is, the total number of refugees in the camps is, roughly, 56,293 in 123

camps. Out of that, militants or their sympathizers, including those booked for non-registration under the Foreigners Act are, roughly, 1,334. So, this is the problem they are facing. Now, whatever information I have got in my briefing—I stand for correction—I am giving. Every Member is saying that we are repeating that it is a State subject. We have got to trust a Government which has been elected and is running. The day the Central Government feels that this Government is not running in line with the Constitution, in the national interest, there is a provision available to us. So, we are not that incompetent that we will allow a Government to run when they are not running in the national interest or within the provisions of the Constitution. We are aware of that. So, I was given a briefing, and I would respectfully plead with every hon. Member here, with our level of debate, that we have a federal system in this country. I for one would say that when any party is running a Government in any State, we keep full faith in them, we fully trust them, but they must be accountable to the nation also because State and nation are not two different things. Nation becomes the State. One cannot say it is a State subject and nation cannot ask it. One cannot say the State is not doing well but the nation is doing well. It is a total combination, and we should have that spirit behind our discussion and debate.

From whatever briefing I have been given on this camp, there is a double-storey building. The refugees are staying on the first floor. Thinking that it is more safe to put them on the first floor, the Government has blocked the lower room. It was blocked all over. The door was not locked, but some arrangement was done whereby it was totally blocked. What these people did was, they somehow made a passage to the room and carried on digging a tunnel, I do not know, for three, four or five months. Nobody doubted because this room was closed all over. So, four or five people used to go

down, do the job, come back and sit and be comfortable there. So, I am sure they did not create a situation where the State Government could doubt them or the police could doubt them, and they went on digging the tunnel. And the mud was being positioned in the closed room. The security people were two companies of TMP under one Assistant Commandant. It comes to 150 or 200 people in two companies. There were floodlights, there was fencing—all arrangements were there. But this unfortunate thing had happened.

I do not know why the press was not allowed to see the tunnel. In a democracy, transparency is a must—I totally agree with the feeling of the hon. Members here. Immediately if we—we in Government or you in Government—open up and make it transparent to the nation, the nation appreciates it. But if we carry on saying, “No, hold on, hold on”, such apprehensions come, which have been shown today, that the tunnel had been dug later on. I don’t think any Government would ever do it. And any Government which does it has no moral right to continue.

SHRIMATI JAYANTHI NATARAJAN: But why did they not show?

SHRI RAJESH PILOT: This is what I am saying. So we should not doubt that the Government will arrest the people or that they will dig a tunnel. I don’t think that that apprehension should ever be there.

The only thing today is, whatever points have been brought out by hon. Members, let me assure you two things, Sir. From the Central Government side, knowing very well that it is a problem—it is not only a State problem but it is a national problem also—because they are refugees from a different country and they have been a burden on the State, we have been helping them. Repatriation has been taking place, and this year also we have a target of about 12,000 refugees to

be sent back. We have spent nearly Rs. 116 crores on that.

We are doing it yearwise.

But I am more worried about this. Sometimes the State Governors also misunderstand my statement. What I am saying is that maybe the LTTE is taking India as the real base. They may not be so much active as they could be but one day they can be more dangerous to us. So this is the right time to curb them at this stage so that they do not harm our nation.

The Chief Minister’s name has been mentioned. About her security yes she has got security. We have provided the NSG from here. We know that there is a threat to her from the LTTE. We are aware of it. We have made all arrangements whatever is needed by the State Government for her security. Whatever Centre could provide, it has provided because she is the Chief Minister of the State. She has been elected by the people. It is our duty to give whatever possible security she needs. We have been always given her whatever information we got.

I may tell the hon. Members from that State that the State Administration has to be more organised and more accountable because you will appreciate that eight or nine incidents have occurred and after that any State Government will be in a bad position. Suppose I give a statement today from my Government side that this has happened but that it will not happen in future. Suppose it happens again it reflects upon me as the Minister and on my Government. We have been telling this to the State Government that there should be some sort of modernisation of the police. They have done it. The communications in Tamil Nadu have improved. The only thing that we feel is that, it being a complex task, more professionals trained by professional people should be deployed in these places. We have been telling this to the hon. Chief Minister and senior officers in

our meetings with them. Last time there was the DGs' Conference. I had a special discussion with the DG Tamil Nadu dealing with these problems. This is a complex task. I have advised him to have professional people to guard the LTTE personnel to chase them and to trace them. I am happy that eleven persons were traced immediately the next day.

SHRIMATI JAYANTHI NATA-RAJAN: They were traced by the Railway protection Force not by the DGP.

SHRI RAJESH PILOT: The Railway Protection Force must have been told by them.

SHRIMATI JAYANTHI NATA-RAJAN: The Railway protection Force told the police about them. The police had no idea about them. I am surprised that you are congratulating the State Government for this.

SHRI RAJESH PILOT: I am not congratulating it for that. What I am saying is that you must see the complexity of the problem. Where they have failed we have told them, We have told them of the lapses on their part. We have also said that the State Government must improve upon it. This nation cannot afford to have such jail-breaks every year. Seven or eight incidents have occurred. Let us also appreciate the complexity of the problem. They need to be given full support from the Centre. We are ready to give them our full support but in the national cause they must also see that their police is more effective and that their communication becomes better so that no such incident takes place.

The hon. Member asked five or six questions. One is about the commission which has been set up. She says that no progress has been made. I just got a small note that one judicial commission was set up on the 4th of March, 1995 under Justice G. Ramanujam. It has started functioning. It has received

affidavits. It is working on it but they have not completed it.

Then, she has asked about the tunnel. I have given the information I got from the State Government. It is also a fact that we have different channels. It is not that we do not have channels and that we do not get correct information. As the Central Government we also keep our eyes and ears open. We keep an eye on them. I think some people have gone there and seen this tunnel. It has been inspected a few days back. They found out how they got the implements there. We are getting further details from the State Government.

Then, she talked about the action against the police. The State Government has taken some action against six police officials. They have given the details. I think it is against the S.P. the Additional S.P. some Inspector and the Commandant. I agree with her that the message goes from the top. Some senior police officer should inspect them regularly. Somebody should go and check what they are doing. That message must also go. Till such time that the bell rings at the higher level at the I.G. level and at the D.G. level the Assistant Commandant is responsible. But ultimately it depends on the responsibility at the top. If the top accountability is there it must go.

So I am sure that the State Government will make sure that the top level people also are aware of their duties. It is not that if the Commandant makes a mistake the D.G. has not business to be aware of it.

Next she asked about the refusal to show the tunnel. As I have said it was on the part of the State. They have done their part. But as the Central Government we feel that such things should be totally transparent so that there is no doubt about it. About your point regarding the arrest by the RPF, I really do not have information about the RPF or the local police, but the information

that I have is that the State Government has arrested them. Then, about the powers under the Foreigners Act, as I mentioned about it, the Government will re-examine it with the Law Department and we will certainly do it.

SHRI G. SWAMINATHAN: What about the visit of the Central team to Tamil Nadu.

SHRI RAJESH PILOT: I think you asked three questions. One question you had asked is about the power to be given. On that I have said. Then you asked about the permission for sending them back. As I said, it is a process which is going on. Twelve thousand people are likely to go this year. Then you have asked for some more money. The proposal is under consideration. You will appreciate, Sir, that in spite of whatever little money we get from the Planning Commission, this is the first time that we have asked for more modernisation of the police. I have been pleading that instead of giving ten rifles, I better give one good rifle to a chap. This will be more effective than having ten and not being effective. We are trying to modernise the police. I am happy that the Central Government has time given more money to modernise the police system. So, I will be able to help the States with more money which we could not do earlier.

We have also tried to train people in a different capacity. For instance, in Tamil Nadu, Karnataka, Andhra Pradesh and Kerala, we have made a small coordination group of the four States and whatever specialised professional training is required from the Centre we are helping them in this direction. We have also asked them about whatever equipment they need. Today terrorism has become so advanced that sitting here you could have a remote bomb exploded somewhere. So, any State which wants anything to be imported from outside can seek the help from the Centre. The Central Government will help them. We want all States to be totally effective to curb terrorism. Some of the States did

not have even telephone tapping machines. If some threat call comes, that telephone has to be immediately monitored. So, I have personally written to the Chief Ministers that if they need anything that is required to be imported the Central Government will help them. Please send your demand, but be totally independent in your State so that you can curb terrorism in your State at your level. All this has been done. Money is no consideration. I am sure the Planning Commission will help all the States.

SHRI G. SWAMINATHAN: I have read in papers that you are sending a Central team to Tamil Nadu. Is any team going there?

SHRI RAJESH PILOT: I will check up from the Home Ministry. If officers have planned with the State Government, I do not know, but I feel that I am likely to go there next week to attend some function. I will go there personally and see how this thing has happened. I want to go and have discussions with the State Government on what could be done further where we can cooperate further and curb terrorism.

According to the Government of Tamil Nadu, Mr. Charles Nawaz, who was a witness in the Rajiv Gandhi assassination, and had escaped from the State camp on 16th May, 1993, has not yet been traced. He is missing. The State Government is working on it.

Lastly, let me tell you as far as terrorism is concerned, we cannot compare one State with another State. Every State has a different problem. Kashmir has a different problem, Punjab had a different problem, Tamil Nadu has a different problem, Bihar has a different problem and Andhra Pradesh has a different Problem. There are different forces which are raising their heads with their own vested interests. From the Centre we have been very hard in trying our best. For the first time, the coordination all over the country is better. I am not saying that I am totally

satisfied, but today we have the coordination among the States and with the Centre. IB normally used to brief the Central agencies. We have asked that IB officers would go to the DM every Monday, have a cup of tea with him and discuss with him and tell him if his district is not safe, so that the DM and the SP of the State can take action immediately. It is not that first Delhi knows, then the State knows and then the DM knows. We are trying to change the whole system so that we are effective and we are accountable to the nation. We spend so much of money in such institutions that they should deliver things to the nation. It is working now. But you will appreciate that it will take some time. Teething problems are there. It is very difficult for IB officers also to have the change-over with every Monday going to DC's office and having a cup of tea with the DM and SP. But the culture is changing. I am sure with this sharing of information, coordination and modernisation of the police system and then with the social fight against such elements, which we have discussed in the last few days, the nexus between the criminals and others will be broken. To tell you honestly, Sir, the Vohra Committee Report took birth. I held a meeting with DGPs wherein the Secretary (Revenue) also attended. He told us that nearly Rs. 60,000 to Rs. 70,000 crores is being generated as easy money. On that day I also called the Home Secretary and told him that we should find out the nexus. In the last three years we in the Government are applying our minds as to what could be done to stop this nexus so that these militants are not helped. These militants cannot work without money. Easy money comes from sectors like drugs, narcotics, smuggling, havalas racket, etc. From wherever the Government got information about havalas racket and other things we are immediately ordered a CBI inquiry and taken action. We have some information from the Southern States where some are involved in such a

thing. We are going very hard on those elements. So, let me assure the House that we are concerned about the militants, whether it is the LTTE, whether it is the KLF, whether it is the Hizbul Mujahideen or any militant organisation. The Central Government is very hard, very sincere to curb these activities at the earliest and in a very hard way.

As far as the LTTE militants escaping from the jail are concerned, I will convey to the Chief Minister of Tamil Nadu, the feelings of the hon. Members expressed here and see that these escapes from the jail not become a routine, not only in Tamil Nadu, but, in other States also. ... (Interruptions)... I know the situation is complex. We have written to all the State Governments, the moment this incident took place. We have been repeatedly writing to them. The Special Secretary (Internal Security) wrote to all the Chief Secretaries informing them of the jail problems and telling them that they should see that jail breaks do not take place. Once again I assure the hon. Members that I will convey the feelings of the House to the Chief Minister of Tamil Nadu.

Yesterday, a point was raised by the hon. Member, Dr. B.B. Dutta from Meghalaya.

SHRI PASUMPON THA. KIRUTTINAN: When there was a clash between the police and the militants in the camp, they were sent back to the jail. When have they been brought back to the camp? That is one point.

Another point is, if they are not involved in any specific offence, whether they have offered to go back to Sri Lanka. How many of them have expressed their willingness to go back to Sri Lanka? Why have you not allowed them to go back?

SHRI RAJESH PILOT: Sir, it is regarding a particular case, I need some more time to furnish him details. If the hon. member gives me the details or the

date of the particular incident, I can get back to him.

Sir, let me clarify just one more thing. Yesterday, when I was sitting in this House, an hon. Member had raised a question here that one of the Foundations has shown India's map where the North-East was cut off from the map. I told the hon. Member yesterday that I would inform him of the position after checking up the matter with the Foundation.

In response to the feelings expressed in this august House yesterday by Dr. B.B. Dutta and other hon. Members on depiction of a map of India without the North-Eastern States and Jammu and Kashmir on the cover of a book by Macarthur Foundation at a function held at the India International Centre, New Delhi, I had promised to ascertain the factual position and inform the Members.

According to the enquiries made from the Office of the Macarthur Foundation located in Delhi, it has come out that the Foundation has received from its headquarters in the U.S.A., copies of the prestigious Amartya Sen lectures which included the map of India in question on its cover page. According to the Foundation on detecting the errors, they withheld distribution of the copies of the lecture at a function organised at the India International Centre on 17th August, 1995 and proceeded to destroy the copies. According to the Foundation, out of a total of 300 copies that were received by them from the U.S.A. by courier, 20 copies may have been inadvertently distributed to the invitees at the said function and the remaining copies have already been destroyed by them.

The Foundation has assured this Ministry that all necessary steps to prevent an error of this nature from occurring again have been taken by them. Besides they have also tendered an apology for the inconvenience caused by this lapse.

SHRI JOHN F. FERNANDES: What were the Customs people doing?

SHRI RAJESH PILOT: That is what I am saying. That is why I have told them that these copies came by a courier service which the Customs people have cleared it. We are also finding out where the lapse is in the system. Luckily, it has been caught and the issue was raised by the hon. Member here and the I.B. also got it. Yesterday, I held a meeting and we are trying to improve the system so that such lapses do not recur because this could become a part of the debate all over the world and in the international fora. That is why we took a very serious view about it yesterday itself. I have also told them that we should take all further action needed so that much people, intentionally or unintentionally, do not do such acts in future where our national feelings are hurt. I have given them instructions.

I have not much to add on this issue. With these words, I thank you.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Thanks to everybody. Now, the House stands adjourned till 11 a.m. tomorrow.

The House then adjourned at thirty-six minutes past seven of the clock till eleven of the clock on Thursday, the 24th August, 1995.