

लाभ होंगे-एक तो स्पेशल मेंशन वाले इस बहाने हाउस में बैठेंगे और दूसरे उपस्थिति बनी रहेगी।

श्री सतीश प्रधान (महाराष्ट्र): उपाध्यक्ष महोदय, मैं भी एक स्पेशल मेंशन दिया था जोकि 6 दिन से पोस्टपोन रीगुलरली हो रहा है। मेरे स्पेशल मेंशन का सम्बन्ध बहुत इम्पोर्टेंट है कि इंडियन रेडक्रास ने एच०आई०वी० पोजिटिव ब्लड ग्रुप डिस्ट्रीब्यूट किया है। दो साल से यह चलता आ रहा है। इस विषय को मैं उठाना चाह रहा हूँ, लेकिन 6 दिन से यह पोस्टपोन हो रहा है।

SHRI PARAG CHALIHA: I have been waiting for thirteen days for my Special Mention.

THE VICE-CHAIRMAN (SHRI MD. SALIM): The problem is, we have to finish it. Only two or three days left. Special Mentions and Zero Hour submission were pending for several days. that is why there are so many names in the list. We will try to finish these after the debate on Vohra Committee's Report. Already several speakers have made their Zero Hour submissions and on Special Mentions also they were asked to speak.

THE VICE-CHAIRMAN (SHRI MD. SALIM): But we cannot finish it immediately. there are several names. So, let us take up the further discussion on the Vohra Committee Report. Then, immediately after that, we will take up the rest of the special mentions. If you all co-operate, we will do like that.

SOME HON. MEMBERS: Yes.

प्रो० राम बख्श सिंह वर्मा: मान्यवर, पहले स्पेशल मेंशन ले लीजिए। ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Okay. Mr. Satya Prakash Malaviya. ...**(Interruptions)**... Please sit down.

AN HON. MEMBER: Is the Home Minister coming?

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Sayeed is here. The Home Minister will also be coming.

Yes, Mr. Malaviya. You have to restrict it to five minutes.

प्रो० राम बख्श सिंह वर्मा: मैं इसके विरोध में हाऊस से वाक-आऊट करना चाहता हूँ। ...**(व्यवधान)**.

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): I may be given time according to the time given to the other parties.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Yes.

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

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश): माननीय उपसभाध्यक्ष जी, हम यहां पर एक बहुत ही गंभीर विषय पर चर्चा कर रहे हैं, जिसमें राष्ट्र का जो एंजिसमेंट है वह भी संबंधित है। अपराधियों, माफिया संगठनों, सरकारी पदों पर आसीन व्यक्तियों और राजनैतिक नेताओं के साथ सांठगांठ की जानकारी करने के लिए बोहरा कमेटी की नियुक्ति 9 जुलाई, 1993 को की गई थी। इसमें बोहरा साहब के अलावा चार और उच्चाधिकारी थे। उन्होंने 5 अक्टूबर, 1993 को सरकार को अपनी रिपोर्ट दी। पौने दो साल हो गया रिपोर्ट को दिए हुए। उपसभाध्यक्ष महोदय, इस रिपोर्ट में इस बात की भी चर्चा है कि बंबई में पुलिस और बंबई के अपराध जगत के सांठगांठ के बारे में सी०बी०आई० ने कोई रिपोर्ट 1986 में तैयार की थी। तो वोहरा कमेटी की रिपोर्ट, जो पौने दो साल पहले आई थी और सी०बी०आई० की रिपोर्ट, जो 1986 में आई थी, उन पर सरकार ने कोई कार्यवाही नहीं की। जो बहुत बड़े, उच्चाधिकारी थे सेक्रेटरी रेवेन्यू डायरेक्टर सी०बी०आई०, डायरेक्टर आफ इंटेलीजेंस ब्यूरो और मैम्बर सेक्रेटरी, ज्वॉयंट सेक्रेटरी मिनिस्ट्री आफ होम अफेयर्स, उन लोगों के मन में यह शंका थी कि सरकार कोई कार्यवाही करेगी या नहीं करेगी और यह अधिकारी स्वयं डरे हुए थे। इसकी चर्चा इसी रिपोर्ट में है—“विचार विमर्श के बाद मैंने यह देखा कि कुछ सदस्य खुलकर अपने विचार व्यक्त करने में हिचकिचा रहे थे और इस बात के प्रति

आश्वस्त नहीं थे कि सरकार वास्तव में ऐसे मामले में कोई कार्यवाही करना चाहती है कि नहीं करना चाहती।"

उपाध्यक्ष महोदय, मैं वोहरा कमेटी के इस उद्धरण की चर्चा इसलिए कर रहा हूँ कि जिन अधिकारियों को आपने नियुक्त किया, उनके मन में भी इस बात की शंका थी, इस बात का संशय था कि सरकार कोई कार्यवाही करेगी या नहीं करेगी। वह अधिकारी सहमे हुए थे। इस सारी रिपोर्ट में नौकरशाहों की चर्चा की गई है, व्यापारियों की चर्चा की गई है, राजनीतिज्ञों की चर्चा की गई है, लेकिन किसी के नाम का पर्दाफाश नहीं किया गया है बल्कि उसको छिपाने की कोशिश की गई है। यह मेरा आरोप है वोहरा कमेटी के ऊपर, क्योंकि उन्होंने आगे चलकर इस बात का इस में जिक्र किया है कि सबका एक-दूसरे से सांठगांठ है। जब सांठगांठ है और राजनीतिज्ञों का कहा है, नौकरशाहों का कहा है तो खुलकर के सामने आना चाहिए था वोहरा कमेटी और वोहरा कमेटी के सदस्यों को, कि आखिर यह कौन लोग हैं जो राष्ट्र के साथ खिलवाड़ कर रहे हैं, राष्ट्रवासियों के साथ खिलवाड़ कर रहे हैं, राष्ट्र की जनता के साथ खिलवाड़ कर रहे हैं, राष्ट्र की अस्मिता के साथ खिलवाड़ कर रहे हैं। यह एक ऐसा खतरा है, राष्ट्रीय खतरा है। इसका जल्दी समाधान निकलना चाहिए।

उपसभाध्यक्ष महोदय, इसमें कहा गया है कि इसके लिए कोई एक दल दोषी नहीं है, सभी राजनैतिक दल इसके लिए दोषी हैं। अगर राजनीति में अच्छाईयाँ हो जाएंगी, अपराधियों को राजनीतिज्ञों द्वारा सुरक्षा देने की प्रवृत्ति, भावना अगर खतम हो जाएगी तो राष्ट्र सुधर जाएगा। इसलिए मैं अपनी बात शुरू करने से पहले बंबई में सन् 1985 में कांग्रेस के हुए सम्मेलन का जिक्र करना चाहूँगा। राजीव गांधी जो उस समय, यहां तक मुझे स्मरण है, शायद महासचिव थे कांग्रेस पार्टी के, उन्हीं का मैं उद्धरण लेना चाहूँगा, जो सारे देश के लिए हैं, कहा तो उन्होंने अपनी पार्टी के लिए था, लेकिन कहीं कम और कहीं ज्यादा मैं इसको सारे देश के लिए लगाता हूँ।

I am quoting from "Rajiv Gandhi in Parliament". I cannot refrain myself from quoting his presidential address at the Centenary Celebrations of the Congress party in Bombay in 1985. "Our economy owes much to the enterprise of our industrialists. But there are some reputed business and industrial establishments, which shelter battalions of law-breakers and tax-evaders"

"The trade unions have glorious heritage of nationalism and of socially relevant radicalism. Today they are a mere shadow of their past."

"Teachers seldom teach and students seldom learn. Strikes, mass-copying, agitations are more attractive alternatives."

"What had become of our great organisation? Instead of a party that fired the imagination of the masses throughout the length and breadth of India, we have shrunk losing touch with the toiling millions. Millions of ordinary Congress workers are handicapped, for on their backs ride the brokers of power and influence, who dispense patronage to convert a mass movement into a feudal oligarchy. They are self-perpetuating elites who thrive by invoking the slogans of caste and religion and by enmeshing the living body of the Congress in their net of avarice."

This was said by Shri Rajiv Gandhi in 1985 at the Bombay Congress session.

तो सारे देश का जो रोग है, वह राजीव गांधी ने अपने भाषण में व्यक्त किया। यह दुख की बात है कि बाद में राजीव गांधी के ऊपर आरोप लगे, उनकी हत्या भी हो गई, लेकिन जो रोग है उसको राजीव गांधी ने रखा और अगर हम राजनीतिक लोग उसको सुधारने की कोशिश करें तो मैं समझता हूँ कि किसी भी अपराधी को, चाहे ब्लैक मार्केटियर हो, चाहे इंडस्ट्रियलिस्ट हो, चाहे जो बूथ पर कब्जा करते हैं, कहीं भी संरक्षण मिलने वाला नहीं है और देश की समस्या का समाधान हो सकता है। ... (व्यवधान) ...

SHRI DINESHBHAI TRIVEDI (Gujarat): Malaviya Ji, will you yield for a minute? I have a point of order. Are we treating the whole issue seriously and looking for a solution or are we discussing it since it is listed today? What I am trying to say is that no Minister of Cabinet rank is present here. I have utmost respect for Sayeed Ji. But no Minister of Cabinet rank is present. Yesterday, the Home Minister was present in the Lok Sabha throughout.

Why are you treating Rajya Sabha and this issue so callously?

THE VICE-CHAIRMAN (SHRI MD. SALIM): No, no. The Cabinet Minister was present here. The Minister of State for Home Affairs is noting down the points.

THE MINISTER OF STATE FOR HOME AFFAIRS (SHRI P.M. SAYEED): The Home Minister will be coming. I am taking note of every point.

SHRI DINESHBHAI TRIVEDI: It is such a serious issue. (*Interruptions*)

श्री सत्य प्रकाश मालवीय: राजनीतिज्ञों को बूथ पर कब्जा करने की जरूरत है। बूथ पर कब्जा कौन करेगा? बूथ पर कब्जा करेगा, जो अपराधी है और वही अपराधी अब चुनाव लड़ने लगे हैं। यह आप देखिए कि पालकीवाला की एक स्प्रीच है 30 अगस्त की, बहुत ही एमिनेंट आदमी हैं इस देश के, लाश्चर भी हैं—“गन्स, गुन्स एंड गोल्ड।”

Guns, goons and gold—this statement was delivered by Mr. Nani A. Palkhivala, on 30th August, 1995. He said and I quote: “Today the people of India associate democracy with guns, goons and gold.” “According to the Chief Election Commissioner, 180 out of 425 legislators in Uttar Pradesh have criminal records. During the Bihar State elections this year, the local police said that 243 candidates had charges pending against them.”

और जब उत्तर प्रदेश में भारतीय जनता पार्टी की सरकार थी आज से दो-ढाई साल पहले, उस वक़्त आज के समाजवादी पार्टी के अध्यक्ष ने एक लिस्ट जारी की जिसमें यह कहा कि करीब 125 ऐसे विधायक हैं इनकी पार्टी के, जिनका अपराधिक चरित्र है। उसको डिनाई नहीं किया उस पार्टी ने। उस भारतीय जनता पार्टी के अध्यक्ष ने, जो आज भी उसके अध्यक्ष हैं, उन्होंने एक दूसरी सूची जारी की, यह डिनाई नहीं किया कि हमारी पार्टी में 125 अपराधिक चरित्र के व्यक्ति हैं या नहीं, उन्होंने एक दूसरी सूची जारी की, उसमें उन विधायकों का नाम दिया और जहां तक मुझे याद है करीब-करीब 80 या 90 विधायकों की सूची थी और उन्होंने कहा कि आपकी पार्टी के यह-यह विधायक हैं, यह आज देश की हालत हो गई है।

मान्यवर मुझे एक किस्सा अच्छी तरह याद है कि 1990 में इलाहाबाद नगर महा पालिका के चुनाव हो रहे थे। उस समय मैं टिकट देने से संबंधित था। तो हमारी पार्टी के कार्यकर्ता एक व्यक्ति को लेकर आए कि इनको फला वार्ड से टिकट दिलवा दीजिए। उनके बारे में सारा बताया, जब बात करके जाने लगे तो हमारी पार्टी के कार्यकर्ता ने मुझसे मेरे सामने कहा कि इस व्यक्ति ने चार-पांच हत्याएं कर रखी हैं, निश्चित रूप से जीतकर आएगा। खैर, हमने उसको टिकट नहीं दिया, लेकिन मुझे कहते हुए दुख होता है कि जब चुनाव हुआ तो वही व्यक्ति उसी वार्ड से इलाहाबाद कारपोरेशन में जीतकर आया और आज भी इलाहाबाद कारपोरेशन का सदस्य वह बना हुआ है।

तो इस स्थिति का मान्यवर, जब तक सुधार नहीं होगा....। के० गणेशन् जो इलेक्शन कमेटी के सचिव थे, उनसे एक उम्मीदवार अपने किसी मामले में मिलने गए। तो उन्होंने यह कहा कि मैं कुछ वोटों से इसलिए हार गया कि तीन बम की कमी हो गई। अगर तीन बम हमको और मिल जाते तो हम बूथ को कैप्चर कर लेते और हम जीत जाते। यह लिखा है गणेशन् साहब ने—

“When asked how many votes he had lost by, he was good enough to answer that he lost the election by a narrow margin because of a shortage of three bombs thereby indicating that he would have captured three more booths to make good the difference in votes and won.”

तो मान्यवर, सिर्फ एक बात यह कहनी है जैसा कि वोहरा कमेटी की रिपोर्ट के पैरा-3 में कहा गया है—सी०बी०आई० ने सूचित किया है कि पूरे भारत में अपराधी सिंडीकेटों ने कानून से ऊपर अपनी एक अलग सत्ता कायम कर ली है। छोटे शहरों और ग्रामीण क्षेत्रों में भी लठैतों का दबदबा आम बात हो गई है। भाड़े के हत्यारे इन संगठनों के अंग बन गए हैं। अपराधी गिरोहों, पुलिस गिरोहों तथा राजनीतिज्ञों के बीच की साठगांठ अब देश के विभिन्न भागों में खुल कर सामने आ चुकी है। फिर आगे भी जाकर के उन्होंने कुछ बातें कही हैं, जिसको समय की कमी के कारण उद्धरण नहीं करना चाहता। लेकिन मैं जरूर कहना चाहता हूँ कि आज इस देश में जितने भी नोकरशाह हैं, जितने भी राजनीतिज्ञ हैं और जितने भी सामाजिक काम करते हैं, इस वोहरा

कमेटी के चलते सब के ऊपर एक प्रश्नवाचक चिन्ह लग गया है कि यह व्यक्ति अपराधी है या इस व्यक्ति की अपराधियों से सांठगांठ है और यह व्यक्ति माफिया गिरोह का सरदार है। इसलिए मैं इस बात की मांग करना चाहूंगा, गृह मंत्री जी आ गए, बहुत अच्छा हुआ, सईद साहब मौजूद ही हैं, मैं इस बात की मांग करना चाहता हूँ कि आखिर इतनी बड़ी रिपोर्ट में किसी अधिकारी का, किसी राजनीतिज्ञ या किसी व्यापारी का नाम क्यों नहीं लिया गया है और अगर उस रिपोर्ट में नाम था तो उस नाम को उजागर करना चाहिए, उस नाम को सामने लाना चाहिए, जिससे कि सारे देश को इस बात की जानकारी हो कि इस देश का जो राष्ट्रीय अभिशाप है, जो लोग राष्ट्रीय पाप कर रहे हैं, वह कैसे दूर होगा। मान्यवर, ऐसा नहीं है कि यह बात एक दिन में शुरू हुई हो। यहाँ पर कल चतुरानन मिश्र जी चर्चा कर रहे थे। जस्टिस वांचू कमेटी की रिपोर्ट, राजा चलेया कमेटी की रिपोर्ट है। संधानम् कमेटी की रिपोर्ट का चतुरानन मिश्र जी ने जिक्र किया। जस्टिस वांचू इलाहाबाद हाई कोर्ट में जज थे, सुप्रीम कोर्ट में जज थे, आपके राजस्थान में जज हुए और फिर सुप्रीम कोर्ट में चीफ जस्टिस भी हो गए सरकार ने 1971 में एक कमेटी बनाई। उन्होंने यह कहा:

"Over the years the parallel economy has grown in size and dimensions. Almost every sign of distress and human misery would appear to have been manipulated by anti-social elements to boost the parallel economy. This shatters the faith of the common man in the dignity of honest labour and virtuous living. It is, therefore, no exaggeration to say that black money is like a cancerous growth in the country's economy which, if not set right, is sure to lead to its ruination."

जस्टिस वांचू की यह 1971 की रिपोर्ट है। 1971 के बाद 1981 हुआ, 91 हुआ और फिर 1995 हुआ। तो आखिर इस संबंध में आपने क्या कार्रवाई की? यह एक दिन में राजनीतिज्ञों की और अपराधियों की सांठगांठ नहीं हो गई है। यह एक जमाने से चला आ रहा है। एंटी सोशल एलीमेंट के मायने क्या हुआ—समाजविरोधी लोग, अपराधी प्रवृत्ति के लोग। लेकिन यह सरकार या

जो भी सरकारें रही हों उनमें इच्छा शक्ति नहीं थी अपराधीकरण को रोकने की।

अभी एक मामला डिक्लेयरेशन आफ एसेट्स एंड लायबिलिटीज का था। इस पर मैं चर्चा करूंगा, चूंकि मेरा एक बिल था और गृह मंत्री जी के साथ बैठक हुई थी और एश्यूरेस उसको माना गया। बहुत दिनों से इस बात की मांग चली आ रही है कि जो मंत्री हैं, जो विधायक हैं और जो पार्लियामेंट के मेंबर्स हैं उनको अपनी एसेट्स और लायबिलिटीज की घोषणा के सिलसिले में एक कानून बने। उत्तर प्रदेश में यह कानून है। जब 1974 में बहुगुणा जी मुख्य मंत्री थे, हमने वह कानून बनाया। जब श्री संजीव रेड्डी 1961 में कांग्रेस पार्टी के प्रेसीडेंट थे, उस समय कांग्रेस पार्टी ने एक प्रस्ताव पास किया कि कम से कम कांग्रेस के जो मंत्री हैं, कांग्रेस के जो विधायक हैं, कांग्रेस के जो लेजिस्लेटर्स हैं उनको अपनी सम्पत्ति के बारे में, अपनी लायबिलिटीज के बारे में घोषणा करनी पड़ेगी। उस प्रस्ताव को भी पढ़ना चाहिए।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): लेकिन समय का भी ध्यान रखिएगा।

श्री सत्य प्रकाश मालवीय: मैं समय का ध्यान रख रहा हूँ। समय का पूरा-पूरा ध्यान रख रहा हूँ। यह कांग्रेस वैंकिंग कमेटी बनी थी नीलम संजीव रेड्डी की अध्यक्षता में

गृहमंत्री (श्री एस.बी. चव्हाण): ये सिर्फ कांग्रेस वालों के लिए हैं है?

श्री सत्य प्रकाश मालवीय: नहीं, नहीं, मैंने पढ़ दिया। आप देर में आए। आप सईद साहब से पूछ लीजिएगा, कर्नल राम सिंह से पूछ लीजिएगा, मैंने सब जगहों का कहा है। मैंने सब जगहों का किस्सा बता दिया है और अभी इलाहाबाद का बताया है। ये 1960 में कांग्रेस पार्टी की वैंकिंग कमेटी की बैठक हुई। श्री नीलम संजीव रेड्डी उस वक्त अध्यक्ष थे। उनकी अध्यक्षता में प्रस्ताव पास हुआ और प्रस्ताव यह है कांग्रेस पार्टी का—

"The working committee authorises the Congress President to require the Congress Ministers of Central and State Governments and Congress Members of Parliament and State Legislatures to submit to him (that is, the Congress President)

annual statements of their assets and income and expenditure."

वह नहीं हुआ है लेकिन जब ये राजेश पायलट जी. का भी बिल था, प्राइवेट मैनबर बिल था, कमल नाथ जी ने स्पेशल मेंशन के लिए रखा तो वहां पर हमें ऐश्वर्योरेस दिया गया और मेरा बिल था।

"Declaration and Publication of Assets and Liabilities of Ministers and Members of Parliament Bill, 1986."

अगस्त 87 में इस पर चर्चा हुई और 6 नवंबर, 1987 को तत्कालीन गृह मंत्री चिन्तामणी पाणिग्रही ने निर्देश दिए—

"It has to be thought of in the totality of circumstances as to how to fit in. We shall see that a perfect, foolproof Bill is introduced."

यह ऐश्वर्योरेस है 1987 का। उसके बाद चूंकि ऐश्वर्योरेस मान लिया गया और मामला चलता रहा कि ऐश्वर्योरेस है या नहीं है। गृह मंत्री की ओर से राज्य सभा सचिवालय को लिखा गया कि इसको ऐश्वर्योरेस नहीं मानना चाहिए लेकिन अटलीमेंटली यह तय हुआ कि ऐश्वर्योरेस है। तो 23 अगस्त, 94 को सारे विपक्षी दलों और युगों के नेताओं की बैठक बुलाई गई विद्याचरण शुक्ल जी की ओर से, जो पार्लियामेंटरी अफेयर्स मिनिस्टर है। उस समय गृह मंत्री मौजूद थे, सारे दलों के लोग मौजूद थे।

"मंत्रियों और संसद सदस्यों की सम्पत्ति और दायित्वों की प्रगति प्रकाशित करने से संबंधित राज्य सभा में लंबित सरकारी आश्वासन करने के बारे में संसद में विपक्षी दल के नेताओं के साथ बैठक करने के संबंध में मेरे दिनांक 22 अगस्त, 94 के पत्र देखें।"

यह बैठक शुक्रवार, 26 अगस्त, 1994 को हुई। बैठक हुई, गृह मंत्री जी वहां पर उपस्थित थे। साल भर बीत गया, कोई कार्यवाही नहीं हुई है। तो आखिर कैसे इस देश का संकट खत्म होगा? कैसे इस देश का जो राष्ट्रीय अभिशाप है, वह खत्म होगा? बार-बार ऐश्वर्योरेस देने के बाद मेरा सुझाव है कि कम से कम दो विधेयक जो हैं, लोकपाल वाला और यह, आपको लाना चाहिए। इससे हो सकता है कि शायद इस संकट को हम दूर न कर पाएं लेकिन कुछ कम कर पाएंगे। और चव्हाण साहब तो कांग्रेस पार्टी के प्रजीडेंट भी रहे हैं, कांग्रेस पार्टी इस देश में 1948 से लेकर बराबर सत्ता में रही कोई ढाई-तीन साल छोड़ करके। कामराज साहब की स्पीच है 20 सितंबर, 1963 की:—

"Since the Congress came to power, after the freedom struggle was over, paupers have become millionaires. There are Ministers who owned not even a cycle when they took office. But today they have a fleet of cars and limousines, that is, large and luxurious card."

This was the statement made in 1963. Now we are in 1995.

गंगा में बहुत पानी वह चुका है। तो मैं अंत में अपनी बात को बहुत न बढ़ाते हुए केवल दो सुझाव रखना चाहता हूं कि आपने जो एक नोडल एजेंसी बनाई है, जो आपने बोहरा कमेटी बनाई है, इसमें इतने बड़े-बड़े पदाधिकारी थे, उच्च स्तर के अधिकारी थे, सचिव रिजिन्यु थे, निदेशक, आसूचना ब्युरो थे, निदेशक, सी-बी-आई थे और सबने शंका ज़ाहिर की, सब डरे हुए थे और शंका ज़ाहिर की कि हम इसमें कुछ करें या न करें और करें भी तो पता नहीं सरकार कोई कार्यवाही करेगी या नहीं करेगी। तो इसलिए जो नोडल एजेंसी आपने बनाई है, उससे कुछ काम नहीं होने वाला है। यहां बिप्लव दासगुप्त जी हैं, और भी लोग हैं। इन लोगों ने यहां पर एक प्रस्ताव रखा है सरकार के सामने और उस प्रस्ताव में इस बात की चर्चा की है कि इसमें सुप्रीम कोर्ट के एक जज और जो इंटीग्रिटी के लोग हों, पब्लिक लाइफ के लोग हों, उनकी एक कमेटी बनानी चाहिए और उस कमेटी को बना कर, वह परमानेंट कमेटी होनी चाहिए। एक तो मेरा यह सुझाव है और दूसरा एक कोड ऑफ कंडक्ट जितने भी राजनीतिक दल हैं, उनका बनाना चाहिए। उस कोड ऑफ कंडक्ट में मैं इस बात को मानता हूं कि बहुत ज्यादा कानून से यह अभिशाप दूर नहीं होने वाला है। कोड ऑफ कंडक्ट बनाना चाहिए।

3.00 P.M.

और हर पोलिटिकल पार्टी को इस कोड ऑफ कंडक्ट को मानना चाहिए कि हम जिस पार्टी में हैं, उस पार्टी में आपराधिक चरित्र के जो व्यक्ति हैं, जिनका आपराधिक बैक-ग्राउंड है, वे हमारी पार्टी के सदस्य नहीं हो सकते, वे हमारी पार्टी के पदाधिकारी नहीं हो सकते और जब टिकट का मौका आएगा तो ऐसे लोगों को पार्टी की तरफ से टिकट नहीं देंगे। यह कोड ऑफ कंडक्ट जब बन जाएगा तो मैं समझता हूं कि इससे जो यह राष्ट्रीय अभिशाप है, राष्ट्रीय शर्म है इसमें कुछ कमी होगी। इसलिए गृह मंत्री को इस मामले में पहल करनी चाहिए। प्रधानमंत्री को इस बारे में पहल करनी चाहिए। जितने भी

राजनैतिक दलों के राष्ट्रीय अध्यक्ष हैं वो उनको बुलाये और उनके साथ बैठकर बात करें। हमारी समझ में, क्योंकि यह राष्ट्रीय हित का काम है इसलिए इसके लिए कोई मना नहीं करेगा। यही मेरे दो सुझाव हैं। लेकिन यहां जो नोडल एजेंसी की बात कही गयी है, वो इस नोडल एजेंसी से कुछ नहीं होने वाला है। अगर उनके कोई बात ऊपर से कही जाएगी तो वह कहेंगे वह एग्जी और अगर कुछ उनके अनुसार नहीं होगा, जैसे चीफ इलेक्शन ने कहा वह कह देंगे, आई एम सारी। उनको हमेशा ऊपर से डर रहेगा और इसी वजह से बोहरा कमेटी ने किसी राजनैतिज्ञ, किसी नौकरशाह और किसी व्यापारी को आइडेंटिफाई करने का काम नहीं किया।

SHRI SURINDER KUMAR SINGLA (Punjab): Mr. Vice-Chairman thank you very much. I am happy on one account that the Indian Parliament has started discussing this issue. One House has already concluded the debate and our House is likely to end this debate soon. I am not certain whether the Indian Parliament has honestly applied self-introspection to the whole issue of nexus between politicians, criminals and bureaucrats. If I am honest in saying so, the Indian Parliament actually failed in its responsibility to really go deep into this matter. When in this House and in the other House the members of Parliament pointed out that the Government did not act on the Vohra Committee Report, did they ever ask themselves these questions on three things. When the Election Commission and its various retired officers and the present Chief Election Commissioner pointed out that two major States in India have legislature who are history sheeters a majority of them, did the Indian Parliament react to it? Did the two State Governments act on it? My point is, none of the institutions really bothered to answer, bothered to react to various media reports, Election Commission's observations and eminent persons talking and discussing this issue for a number of years. So, it is not only the Government who failed to address this issue. The whole Indian polity failed

to address this issue. This Parliament is also totally guilty of not going deep into the roots of this issue.

Sir, I come from the State of Punjab. I want to demonstrate, I want to bring facts to your notice as to how terrorism, a kind of political violence, threatened the State to make it out of existence. Neither I am aware nor many of my colleagues in this House and in the other House are aware that they were political forces. I don't want to name them. I don't want to come to that level at all. The mover of this discussion, Shri Malhotra, tried to mention the names. I can mention the names.

I have names of the people. For example, in Rajasthan, there are nine Ministers belonging to the BJP, who have been convicted of various criminal offences. So, I do not really want to talk about it because I felt that it is not the issue. They are a threat but not a grave threat. But I am talking of the political violence that existed in the State of Punjab. It was nurtured and it was inspired and encouraged by political forces. It aimed at destroying the Indian State. All the political forces, which normally should have opposed that kind of violence, did not oppose it. I recollect and I want to bring that fact before the House. The Congress Government was in power in the State of Punjab. Sant Jarnail Singh Bhindranwale was in the Golden Temple. At that time, a grand alliance of Opposition parties was taking place in 1982 at Calcutta. A saner element, a very senior leader, who is today the leader of the CPI in the House, mentioned at the meeting of that grand alliance at Calcutta, "We must say that Sant Jarnail Singh Bhindranwale should be thrown out of the Golden Temple". And the Akali leader then said, "It is we who are fighting your battle for Delhi, for coming to the gaddi. The Akalis are fighting against Mrs. Gandhi's politics. We will throw her out. But we will not sit on the gaddi of Delhi. You will be

sitting. So, let us not talk about that. Let us not condemn that terrorism". That was the statement made at the conclave. (*Interruptions*)

SHRI M. A. BABY (Kerala): If you don't mind, I want to mention one small thing only for clarification. (*Interruptions*)

SHRI SURINEDER KUMAR SINGLA: Yes, Please.

SHRI M. A. BABY: Since you have directly referred to Sant Jarnail Singh Bhindranwale, is it not a fact that a very prominent leader of the Congress. Who is no more, described Jarnail Singh Bhindranwale as the highest religious leader? (*Interruptions*)

SHRI SURINDER KUMAR SINGLA: No. I am on a different point altogether, Sir. I am on a different point. That innocuous statement was made by the grand alliance of Opposition parties who were planning to capture power at the Centre. Now, do you not see this as a graver danger than the petty mafia that exists and does not really destroy? They do not really have that great an influence. What happened in Ayodhya was that some political parties with the aim of capturing power of the Indian state destroyed the place of worship and then we had the Bombay riots and the Bombay blasts. Aren't they more dangerous? Now, this report came as flashpoint. When Naina Sahni and Sushil Sharma's case took place, it came to be presented to this House. Does it really look into the problems?

Are they the only two cases and are there no other cases in this country of nexus between politicians and criminals in the last 15 years, as Mr. Malaviya and rightly pointing out? So, the Indian polity has not addressed this issue. It is not the Government. None of the political parties addressed it. If I go further, I would like to say that 95% of such offences lie with the State Government. The federal offences are very minimal, not even five

per cent. The Central Government has a very limited role. One way in which you can ask the Central Government to take action, as rightly observed by the hon. Home Minister yesterday in the other House, is strengthening of the Central agency like the C.B.I. as also the other Central agencies. My point is that you strengthen them, you have more powers. I would say that in offences like kidnapping for ransom, the Central Government cannot intervene. In offences like bribery, of an all-India character, the Central Government cannot intervene. This morning there was a question in the House too. So, if you want the Central Government to take action in such offences, let these be federal offences and you give more powers to the Central Government to deal with them immediately. So, rather than depend on the nexus that exists, where there are some chances of getting protection from the local forces, I would suggest: Let the Central Government be armed with or the CBI be armed with more powers and offences which are presently being dealt with by the State Governments can actually be handled by the Central Government. This is one suggestion which I want to make.

The second suggestion which I would like to make is about the nodal agency. I would like to pay tributes to a very honest and really brilliant officer in Shri N.N. Vohra who produced this report. Para 2.2. of the Vohra Committee Report says, "... members appeared to have some hesitation in openly expressing their views and also seemed unconvinced that Government actually intended to pursue such matters...." is it a reflection on the Government? But, again some members gave this suggestion in writing. Is it really a reflection on the Government or were they afraid of each other or talking to each other? This has happened. We have been seeing these things for so many years. So, basically they are not officers, they are not trusting each other.

SHRI M.A. BABY: It is a reflection on the Government.

SHRI SURINDER KUMAR SINGLA: The point I am making is that I am saying about the political part of the Government. If you have a nodal agency of this kind where members are not even willing to share information with each other, then there is a lack of officers who really play an honest role in the system. As was rightly stated by Shri Jagmohan in the morning, India's steel frame is now becoming a bamboo frame. It is no longer powerful enough to stand and say that this is its view and it must be accepted. If you have that kind of bureaucracy, I am not saying that there are not many people in these services who are honest, who are dedicated to the State, but their number is very small. It is not the Government policy which has made them demoralised. The prevalent atmosphere that you have in services affected by a lot of corruption and other things has really made them to be so. I would say that the nodal agency idea is good in one way that, if provided, you can choose people of integrity and I would suggest that the Government should ensure that those officers remain for a particular period of tenure, say, two years, three years, whatever decision the Government takes, and they should be promoted. That way the honesty and integrity of these officers will be encouraged which has not happened.

Now, I would like to touch upon the Ethics Committee.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Now, you conclude. You have already taken two-three minutes extra.

SHRI SURINDER KUMAR SINGLA: I am talking about the Ethics Committee. I welcome the idea of an ethics committee. It is basically going to supervise the conduct of the Members of Parliament in the House and outside. But, does the nexus exist only with the Members of Parliament? Is it the total

answer to the nexus between the politicians, bureaucrats as well as criminals?

It is a very limited answer for having the Ethics Committee. Do you think that only politicians and Members of Parliament are involved and nobody else? How are you going to look after them? ...*(Interruptions)*...

SHRI M. A. BABY: Petition idea...*(Interruptions)*...

SHRI SURINDER KUMAR SINGLA: I am coming to the petition idea. I am coming to that. But, my basic point is that the answer to the problem would be, as I have said, in the political parties refuse to indulge in refusing violence. It is not really a code of conduct but you have to have strong leaders who can say "come what may." I gave you the example when certain political parties and forces tried to capture the power in the States, they were actually destroying the States. And it actually happened. In Punjab, it was a clear-cut case. It happened in the case of Ayodhya and when the Bombay blast took place, it was a total threat to the Indian States. If the Indian political parties take a vow not to pursue blindly their political power game, but adhered to strictly to some kind of a code of conduct and not misuse religion...*(Time Bellrings)*.. it would be better.

THE VICE-CHAIRMAN (MD. SALIM): Please conclude now.

SHRI SURINDER KUMAR SINGLA: Sir, I thank you for giving me time to speak. Lastly, I would like to say that the Indian Parliament by and large has failed to address this issue. Nobody has really gone deeper as to where the real problem lies. The country is still having some forces which are being backed by the outside agencies. This is where the real problem lies. This is the problem which is to be addressed by the Indian political system before coming to this smaller issue of nexus, which is threatening the other areas, politics, economy, law and order. So, if you really want to

restore the rule of law etc. ultimately the decision lies with the Indian political parties rather than anywhere else. Thank you.

श्री रामगोपाल यादव (उत्तर प्रदेश): श्रीमन, वोहरा कमेटी पर जो चर्चा चल रही है, इस रिपोर्ट में केवल एक पैरा ऐसा है जिस पर बहुत गंभीर विचार किया जाना चाहिए। बहुत सामान्य रिपोर्ट है जिसमें पोलिटिशियंस से लेकर अधिकारियों, जजेज और मीडिया से जुड़े हुए सारे लोगों को अपराधियों से जुड़ा हुआ बताया गया है। किसी का नाम नहीं है। इसलिए इतना जनरल है कि सारे लोगों पर लांचन लगाया गया है। इसका जो पैरा 2.2 है यह सबसे ज्यादा इम्पार्टेड है—

“In the course of the discussions, I perceived that some of the Members appeared to have some hesitation in openly expressing their views and also seemed unconvinced that Government actually intended to pursue such matters.”

मान्यवर, जिस कमेटी का अध्यक्ष गृह सचिव हो और उसमें डाइरेक्टर, इंटेलीजेंस (ब्यूरो), डाइरेक्टर, सी०बी०आल ई० और अन्य बड़े-बड़े अधिकारी हों उनको भी इस चीज में हिचक हो कि अगर वे कोई रिपोर्ट देंगे और गवर्नमेंट शायद कार्यवाही न करे तो फिर लोग क्या निष्कर्ष निकालेंगे।

मान्यवर, गृह मंत्री जी से मैं अनुरोध करना चाहूंगा कि इस पैरा की लाइट में अपने अधीनस्थ कर्मचारियों को कम से कम इतना विश्वास दें, इतनी ताकत प्रदान करें कि वे बड़े से बड़े अपराधी के खिलाफ अगर कार्यवाही करना चाहें तो करें। उनके मन में कोई भय न हो। जहां तक राजनीतिज्ञों और अपराधियों के नेक्सस का प्रश्न है। कुछ मूल बातों पर भी हमें ध्यान देना होगा। महोदय, एक दार्शनिक ने लिखा था कि, “कोई व्यक्ति दुखी इसलिए नहीं है कि क्योंकि वह भूखा है बल्कि दुखी इसलिए है कि सामने बैठा हुआ आदमी मजे मार रहा है, गुलछरें उड़ा रहा है।”

श्री सत्य प्रकार मालवीय: पड़ोसी के सुख से दुखी है।

श्री रामगोपाल यादव: बंबई के फुटपाथ पर बैठा हुआ व्यक्ति गगनचुम्बी अट्टालिकाओं में बैठे हुए लोगों के बारे में सोचता है कि उन के सामने तो समस्या यह है कि धन कैसे खर्च किया जाए और उस के लिए फुटपाथ

पर लेटना भी दण्डनीय है, बैठना भी दंडनीय है। तो जिन के लिए बैठने को सड़क का फुटपाथ भी न हो, जिन के लिए जेल और फुटपाथ में कोई फर्क न हो तो पैसे के लालच में या पैसा कमाने के लिए ऐसे लोगों में से ही कभी “मिची” और “हाज़ी मस्तान” जैसे लोग पैदा हो जाते हैं। फिर करप्सन या भ्रष्टाचार तो इस झगड़े की जड़ है। सरकार आज जो डेवलपिंग कंट्रीज हैं। उन में राजनीतिज्ञों को करए करने के लिए ऐसी गुंजाइश होती है क्योंकि जब “डील्स” होती हैं और हिन्दुस्तान तो पिछले दो-एक साल से ज्यादा ही इन चीजों को देख रहा है, तो उन डील्स में जो लोग इनवाल्वड होते हैं, उन में से कुछ किसी-न-किसी तरीके से पॉलिटिक्स में प्रवेश कर जाते हैं। फिर उन लोगों के खिलाफ राजनीतिज्ञों की यह हैसियत नहीं होती है कि वे किसी तरह की कार्यवाही करें। इस तरह से आर्थिक अपराधियों और राजनीतिज्ञों का “नेक्सस” बन जाता है।

मान्यवर, एक चीज पिछले कुछ वर्षों से डवलप हो रही है जिसकी आड़ में अपराधी बढ़ते ही जा रहे हैं। और बचते भी हैं और वह यह है कि चाहे जो हो, जो सोसायटी में है वह कानून की, अपराधियों की जिस में अपराधी क्या है और अपराध क्या है, अपने तरीके से व्याख्या करता है और जो उस के साथ है, वह दूध का धुला है और जो उस के खिलाफ है, वह अपराधी। महोदय, जस्टिस कृष्ण अय्यर ने “माकिर्सज्म हायपोथिसिस” में इस संबंध में लिखा है और इस से मैं दो चीजें उद्घृत कर रहा हूँ—

“The act is criminal because it is in the interest of the ruling class to so define it.”

और दूसरी चीज.

“Persons are labelled criminals because so defining them serves the interest of the ruling class”

महोदय, मैं आप के माध्यम से माननीय गृह मंत्रीजी का ध्यान चाहूंगा कि आजकल आप जैसाकि बढ़ रहे हैं, उत्तर प्रदेश में खास तौर से, मैं इस पर इसलिए एतराज करता हूँ क्योंकि कोई डिटेल्स में नहीं जाता है कि “क्रिमिनल की हिस्ट्री” क्या है, वह किस तरह से क्रिमिनल बनता है? महोदय, हमारे उत्तर प्रदेश से एम०पी० हैं, चौधरी हरिमोहन सिंह जी, इन की तीन पीढ़ियों में से किसी बच्चे के खिलाफ आ०पी०सी० 313 के तहत मुकदमा दायर नहीं हुआ, लेकिन इन पर गुंडा एक्ट लगा दिया गया। महोदय, एक भी मुकदमा इन की

तीन पीढ़ियों में दायर नहीं हुआ। वह बहुत प्रतिष्ठित व्यक्ति है और कभी किसी से ऊंची आवाज में नहीं बोलते हैं। इन का एक लड़का एम०एल०ए० है, एक मिनिस्टर है और ये राज्य सभा के सदस्य हैं, किसी के भी खिलाफ कोई मुकदमा नहीं लेकिन ये गुंडा एक्ट के मुजरिम थे भा०ज०पा० की सरकार में।

श्री जगदीश प्रसाद माधुर: अगर ये गुंडे हैं तो हिंदुस्तान में कोई शरीफ आदमी नहीं है। कहीं-न-कहीं किसी आ फिस्स ने गलती की ... (व्यवधान) ...

श्री रामगोपाल यादव: मान्यवर, देखिए यह गुंडा एक्ट लगाया गया चौधरी हरिमोहन सिंह जी पर और फिर कोई प्रेस वाला देखता है और न कोई और देखता है। गवर्नमेंट अपने इंटरस्ट में भेज देगी कि इन-इन की क्रिमिनल हिस्ट्री है। चुनाव चल रहा था उत्तर प्रदेश में काउंटरमांड चुनाव होने के बाद एक दिन हमें पता चला कि हमारे 40 लोगों पर एक हमले में 302 का मुकदमा कायम हुआ उसमें लोक सभा में कुछ एम०पी० हैं, एम०एल०एन भी हैं, मैं भी था और आज तक किसी को नहीं मालूम कि कौन मरा और इन्हीं की सरकार में मुकदमे कायम हुए, उसी में फाइनल रिपोर्ट लगी और खत्म हो गया, नोबा डी नोज़ हू बाज़ किल्ड। लेकिन क्रिमिनल हिस्ट्री में आएगा रामगोपाल के खिलाफ 302 का एक मुकदमा था (व्यवधान) मैं इसलिए कह रहा हूँ कि जब सरकार में बैठे हुए चाहे हम हों, चाहे आप हों और चाहे कोई हो, जब इस तरह से अपराधियों की व्याख्या करने लगेंगे तो कोई बच नहीं सकता है जो क्रिमिनल हिस्ट्री के अंतर्गत न आता हो। ... (अव्यवधान)

श्री दिनेशभाई त्रिवेदी: यादव जी, एक मिनट पूछना है।

श्री रामगोपाल यादव: पूछिए।

SHRI DINESHBAHI TRIVEDI: Mr. Vice-Chairman, Sir, what Yadavji is mentioning is a very serious thing. I would like to know from the hon. Home Minister, through you, Sir, whenever he replies, whether there is any law against such false filing of cases. If that happens, I fully agree with Yadavji that there is no end to it. Everyone of us will become criminal somewhere or the other.

SHRI S. B. CHAVAN: If the State Governments have levelled these charges and treated them as criminals, under the

IPC, there are provisions where, if they are deliberately done against them, they can definitely take action. But the intention must be there.

श्री रामगोपाल यादव: और राजनैतिक सारे लोग जब विपक्ष में होते हैं पोलिटीकल एजीटेशंस करते हैं, शांतिपूर्ण आंदोलन करते हैं। उन आंदोलनों में राजनीतिक व्यक्तियों पर जहां हिंसा भी नहीं होती मुकदमे कायम हो जाते हैं। वे भी क्रिमिनल हिस्ट्री में जोड़े जाते हैं। उत्तर प्रदेश में हमने बताया था कि कितने एम० एल० हैं। चाहे वे बी० जे० पी० के हों, चाहे समाजवादी पार्टी के हों या कांग्रेस के हों, ये इस तरह के लोग अपराधी हैं। इस संबंध में कम से कम समाजवादी पार्टी का यह स्पष्ट रख है। गांधी जी को मैं इस संबंध में कोर्ट करना चाहूंगा:

"I have found that it is our first duty to render voluntary obedience to law, but whilst doing that duty, I have also seen that when law fosters untruth it becomes a duty to disobey it."

The final court of appeal is not the court, nor the executive, nor the legislature, but the electorate as a whole. The civilly disobedient appeal is a special way to this body... Yet if justified civil disobedience seems to threaten civic concord, the responsibility falls not upon those who protest but upon those whose abuse of authority and power justifies such opposition."

इस तरह का काम करते हुए भी जो मुकदमे कायम किए गए हैं उत्तर प्रदेश में विभिन्न राजनीतिक दलों के ऊपर उनको भी क्रिमिनल हिस्ट्री में बताया जाता है। सामान्य तौर पर प्रदर्शन कर रहे हैं, आंदोलन कर रहे हैं। यह जब वे आफ् थिंकिंग हो जाता है तो असली अपराधी बच जाते हैं। असली अपराधी जो हत्या में शामिल होते हैं हत्या करते हैं और मिनिस्टर हैं और आधा जीवन जिनका जेलों में बीत जाता है जो एफ०आई०आर० कर रहे हैं लोगों के खिलाफ इन पर रामुका लगाया जाए। आधा जीवन जेलों में रहा है और उत्तर प्रदेश में मिनिस्टर तक हैं, आज तक भी दूसरों को अपराधी बताते हैं। इसलिए मैं कहता हूँ कि यह कहने का जो तरीका है, जो सत्ता में आता है दूसरे की लिस्ट कलैक्टर से कह देता है कि

भेज देना जरा 144 के अंतर्गत चालान हुआ क्रिमिनल हिस्ट्री है, इमजैसी में मीसा में बंद रहे, क्रिमिनल हिस्ट्री है, लेकिन यह सारी चीजें जो हैं चलती रहती हैं। इसलिए जो असली अपराधी हैं वे बच जाते हैं। उनके खिलाफ कोई कार्यवाही नहीं हो पाती है।

उपसभाध्यक्ष जी, मैं माननीय गृह मंत्री जी से आपको माध्यम से अनुरोध करना चाहूंगा कि एक बहुत जबरदस्त किस्म का जो अब हिन्दुस्तान में कुछ वर्षों से शुरू हुआ है, था तो पहले से भी, लेकिन एक आर्गेनाइज्ड अपराधीकरण शुरू हुआ है कम्युनल स्तर पर कोई भी हिन्दुस्तान का बड़े से बड़ा डकैत अगर किसी के हमला करेगा तो घर वाले अलर्ट होंगे तो मरेगा नहीं, कुछ थोड़ा बहुत ... (व्यवधान) मैं एक मिनट लूंगा, कुछ लूट हो सकती है, मारा जा सकता है, लेकिन जिस तरह की सांप्रदायिक हिंसा होती है, डकैतों के भी अपने उसूल होते हैं। मानसिंह जैसे लोग भी अगर किसी महिला को उनके गैंग का कोई आदमी छेड़ देता था उसे गोली से उड़ा देते थे। लेकिन बम्बई और दूसरी जगहों पर जो सांप्रदायिक दंगे और हिंसा हुई है, तीन बड़े जो कम्युनल, जो सांप्रदायिक एक तरह से आर्गेनाइज्ड गैंग पैदा हो गए हैं, यह इस देश को सब से बड़ा खतरा है। इस पर आपको रोक लगाना है। छोटे-मोटे अपराधियों की तो बात अलग है, यह इसी के गाँव में सब पल रहे हैं। किसको छुरा भौका जाए, किसको गोली चलवाई जाए, किसको आग लगवाई जाए, किस पर बम फिक्काया जाए, यह सबसे पड़ी जो संस्कृति पैदा हो गई है इसके लिए सब लोगों को बैठकर सोचना होगा।

उपाध्यक्ष महोदय, चूंकि समय नहीं है इसलिए ज्यादा और कुछ नहीं कह सकता। सिर्फ एक सुझाव देना चाहता हूँ कि हिन्दुस्तान के आई० पी० एस० कैडर में अब भी इतने ईमानदार और अच्छे आफीसर हैं। लोगों की धारणाएं बदल चुकी हैं। मुकदमें दस दस साल पहले कायम होते हैं और चलते रहते हैं। ... (व्यवधान) ... अगर यहां बैठे लोगों के मन में यह बात हो कि आफीसर दबाव में काम न करें, तो हिन्दुस्तान में तमाम ऐसे आई० पी० एस० आफीसर हैं तमाम राज्यों में हैं। किसी रिटायर्ड जज से आपका काम नहीं चल सकता क्योंकि अपने अपने तमाम इंटेरेस्ट हो जाते हैं। सिटिंग जज की अध्यक्षता में बहुत ईमानदार, सख्त और किसी के दबाव में न आने वाले अधिकारियों की एक कमेटी बनाकर दुबारा से यह काम करें क्योंकि इस बोहरा कमेटी से काम चलने वाला नहीं है। इस ने तो नई नई चीज

पैदा कर दी है कि हर कुर्ता, पाजामा पहनने वाला या जिसके साथ एम० एल०ए०, एम०पी० लगा हुआ है, उसको अपराधी कहने के लिए लोगों को अपना एक प्रीन सिग्नल दे दिया है कि सबको ऐसा कहा जा सकता है। मेरा सुझाव है आप कमेटी बनाइए, जांच कराइए और चाहें तो पीपुल रिप्रेजेंटेशन एक्ट में अगर संशोधन करना पड़े तो संशोधन कीजिए कि भविष्य में जो अपराधी हो वह चुनाव लड़ ही नहीं सके। धन्यवाद।

THE VICE-CHAIRMAN (SHRI MD. SALIM): Shri Chimanbhai Mehta. He is not here. Shri Satish Pradhan. Be very brief.

SHRI SATISH PRADHAN: I will be brief, Sir.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Your Group has six speakers.

श्री दिग्विजय सिंह: इनको कितना समय दिया है?

उपसभाध्यक्ष (श्री मोहम्मद सलीम): 12 मिनट में अगर 6 सदस्य भाषण देंगे तो 2 मिनट का समय मिलेगा। आप पांच मिनट में बोल दीजिए।

श्री सतीश प्रधान (महाराष्ट्र) उपसभाध्यक्ष महोदय, यह रिपोर्ट 15 जुलाई, 1993 को आई। माननीय मंत्री जी से मैं यह जानना चाहूंगा कि 15 जुलाई, 1993 को आई हुई इस रिपोर्ट में, जिस पर हम आज चर्चा कर रहे हैं, इस रिपोर्ट में जो भी कुछ बातें बताई गई हैं उन पर अभी तक उन्होंने, उनके मंत्रालय ने क्या क्या कार्यवाही की है? यह जानने के लिए मैं बहुत उत्सुक हूँ।

दूसरा उपसभाध्यक्ष महोदय, जो रिपोर्ट के पैराग्राफ 2(2) में लिखा है, उसके आधार पर जानना चाहूंगा कि क्या सरकार ने अभी तो अपने आफीसरों में इतना ही विश्वास पैदा किया है? यहां हम खुलेआम चर्चा करना चाहते हैं और डेमोक्रेसी में हर व्यक्ति को खुलेआम बात करनी चाहिए, ऐसा हम चाहते भी हैं। हमारे आफीसर खुलेआम कुछ कहने को तैयार नहीं हैं। यह रिपोर्ट कौन सा संदेश सब लोगों को देती है। मैं मंत्री जी को और से इसका जवाब सुनने का बहुत उत्सुक हूँ।

महोदय, मैं एक सुझाव भी देना चाहता हूँ। इसके पैरा 6(3), जो पेज 5 पर है, उसमें जो लिखा है, उसकी ओर आपका ध्यान चाहूंगा। इसके ऊपर मैंने कुछ सवाल भी पूछे थे, लेटर भी लिखे थे कि हर पुलिस स्टेशन को, एअर पोर्ट को, पुलिस कमिश्नर आफिस को

कम्प्यूटर से लिंक करने का क्यों कोई बंदोबस्त नहीं किया गया है? मुझे ऐसी इंफोरमेशन है कि मुंबई में बम ब्लास्ट होने से पहले हमारे गृह मंत्रालय से एक संदेश मुंबई पुलिस कमिश्नर को भेजा गया था और वह वायरलेस से भेजा हुआ संदेश मुंबई में पुलिस कमिश्नर को 4 दिन के बाद मिला और तब तक, जो कि अपराधी को मुंबई से बाहर जाने से रोका जा सकता था, वह मुंबई एअरपोर्ट से वहां से निकल चुका था।

तो ऐसी कुछ सुविधा करने का हम कुछ बंदोबस्त कर सकते हैं, इस विषय में भी प्रकाश डाला जाए तो अच्छा रहेगा।

यहां पर चर्चा कर रहे हैं तो और एक बात पर में जानना चाहूंगा। मुंबई बम विस्फोट, जो मुंबई में रायट्स हुए, उस टाइम पर हमारे दो केन्द्रीय मिनिस्टर, सेंटर से मुंबई आए, वहां पर जिन लोगों को पकड़ा गया था, पुलिस ने जिनको पकड़कर रखा था, जेल में रखा था, उनको मिलने के लिए और छुड़ाने के लिए दबाव डालने के लिए पुलिस स्टेशन में गए और वहां जाकर कई हरकतें की थीं। यह सब मुंबई की अखबारों में उस टाइम पर आया था। मंत्री जी जानना चाहें तो मैं नाम भी देने के लिए तैयार हूं। ... (व्यवधान) श्री गुलाम नबी आजाद और श्री जाफर शरीफ ये दोनों थे। तो ये दोनों गए थे, ऐसा हुआ। यह श्री कृष्ण आयोग के सामने उधर भी आया है और वही जो लोग पकड़े गए थे, उनमें से छोड़ा हुए आदमी एक बम-विस्फोट के केस में इन्वाल्स है, ऐसी भी बात आई है श्री कृष्ण आयोग के सामने में, क्या आप इस पर कुछ प्रकाश डालेंगे?

SHRI M.A. BABY: Sir, the issue raised by the hon. Member is of a very serious nature. It is all right, we are discussing the matter, but considering the importance of the issue raised it relates to two Union Cabinet Ministers and, fortunately, the hon. Home Minister is present here is would be in the fitness of things if the Home Minister intervenes at this point of time.

SHRI S.B. CHAVAN: The whole issue is now before the Sirkrishna Commission. Justice Srikrishna is a High Court Judge who is inquiring into the entire matter. If any such information is available with any of them, certainly that can

be submitted to the Commission which has been appointed for the purpose.

SHRI DINESHBHAI TRIVEDI: Do you have any further information which you can share with the House?

SHRI S.B. CHAVAN: I can't. When the Commission is sitting, I cant.

श्री सतीश प्रधान: उपसभाध्यक्ष महोदय, मुम्बई में सबसे ज्यादा टेररिज्म का, मुम्बई और महाराष्ट्र में इस विषय में सबसे ज्यादा केसिज़ इस ढंग से हुए। जलगांव स्कैंडल, हुआ, वहां जिन लोगों का नाम आया, वे लोग भी पोलिटिक्स में किसी एक पक्ष की तरफ से उम्मीदवार बनकर खड़े हुए थे, चुनकर आए थे, बैठे थे, एम०एल०ए० चुनकर आए वे भी उस असेम्बली में जाकर बैठे, नगर अध्यक्ष चुनकर आए थे उल्लास नगर के। इस ढंग से इन सब विषयों में इन्वाल्स होते हुए भी ऐसे लोग आए पोलिटिक्स में और उन लोगों ने पोलिटिक्स करते-करते उसको गलत ढंग से इस्तेमाल किया। इस विषय में इस सदन में या और सारी जगहों पर बहुत बार चर्चा हुई। लेकिन इसे बंद करने के लिए, यह नहीं होना चाहिए, इस विषय में जो ठोस कदम उठाने की आवश्यकता थी, वह आज तक उठाए गए या नहीं मालूम नहीं पड़ा है। (समय की घंटी) मैं एक-दो मिनट और लेना चाहता हूं।

जब हम क्रिमिनलाइजेशन की बात करते हैं, उस वक्त सिर्फ हम गुंडागर्दी करने वालों के बारे में ही सोचते हैं। मेरा यह सुझाव है कि साथ-साथ में गवर्नमेंट फाइनेशियल जो अफेइडस हैं, उनके बारे में भी इस तरह से कुछ बंदोबस्त करने की आवश्यकता है। हमारे सेल टैक्सिज़ कोई भरता नहीं है, इन्कम टैक्सिज़ कोई नहीं देता है, मुझे ऐसे कई लोग मालूम हैं कि जिन्होंने 40-40 लाख रुपए का सेल्स टैक्स नहीं दिया है, सालों से इन्कम टैक्स नहीं भरा है लेकिन फिर भी ये लोग पोलिटिक्स में हैं। पोलिटिकल पार्टी से कैंडिडेट चरते हैं, चुनकर आते हैं और पोलिटिक्स करते हैं। तो जिस ढंग से हम गुंडागर्दी को यहां से बाहर निकालने की कोशिश कर रहे हैं, उसी ढंग से इन लोगों को भी बाहर निकालने की आवश्यकता है और इस बारे में भी कार्रवाई करने की आवश्यकता है।

बाकी स्मॉलिंग करने वाले, नारकोटिक्स, ड्रग्स अफेक्टिड क्राइम करने वाले, प्रॉस्ट्यूशन से इन्वाल्स लोग, ये सब कुछ जो है और झोंपड़-पट्टी में पड़े हुए जो गुंडे हैं, इन सबके बारे में भी हमें बंदोबस्त करने की आवश्यकता है।

यह लोग उस जरिए से आते हैं, ठेका लेते हैं और यह सब करते हैं। इन लोगों का टी०वी० के ऊपर इंटरव्यू लिया जाता है और यह दिखाया जाता है कि कैसा हुआ, क्या हुआ। यह खुलेआम से इस ढंग से चलता है जैसे कि यह कोई बहुत बड़े लीडर है, उनको पोज किया जाता है। टी०वी० के माध्यम से या आकाशवाणी के माध्यम से या न्यूज पेपर के माध्यम से। जो उनको पोज किया जाता है, यह भी सबसे बड़ा गुनाह है। यह भी सबसे पहले फुल, स्टाप करने की आवश्यकता है, उनके बिना यह बंद नहीं होगा। लोगों के सामने आदर्श रखना चाहिए तथा ऊँचा आदर्श रखने वाले सामने आने चाहिए। उनके बदले में ऐसे गंदे लोगों को यहां सामने लाया जाता है, इस वजह से यह सब होता है। मैं इसकी कड़ी निंदा करता हूँ और आपसे विनती करता हूँ कि सरकार ऐसा कानून लाए जिससे यह सब न होने पाए। इसके लिए किसी कानून का बंदोबस्त कीजिए। धन्यवाद।

SHRI V. GOPALSAMY (TAMIL NADU): Mr. Vice-Chairman, Sir thank you very much for giving me this opportunity to take part in this Discussion on criminalisation of politics. Of course, the Vohra Committee Report highlighted manifold dimensions of the malaise of criminalisation of politics. The Report starts with this:

"Government had ...established a Committee....to take stock of all available information about the activities of crime Syndicates/Mafia organisation which had developed links with and were being protected by Government functionaries and political personalities."

I come to the concluding paragraph on page 12 of the Report.

Mr. Vohra says, and I quote:

"I have prepared only three copies of this Report. One copy each is being submitted to MOS(IS) and HM, the third copy being retained by me. After HM has perused this Report. I request him to consider discussion further action with Finance Minister. MOS(IS) and myself. The emerging approach could thereafter be got approved from Prime Minister before being im-

plemented. At that stage other concerned senior officers would be taken into confidence."

May I know from the hon. Home Minister whether the discussion took place as per the suggestion of Mr. Vohra? If not, what are the reasons for that?

This Report was submitted on the 5th of October 1993. Since the 5th of October, 1993 this Report was gathering dust in the archives of the Government. Only the flames which were consuming the mutilated body of a young woman in the oven of the Yatri Niwas under the very nose of the Government have compelled the Government to place this Report before the House.

What were the details, the detailed reports submitted to the Government by Mr. Vohra? If we go through the Report we find that money-power plays a crucial role in criminalisation of politics. So money power decides the political power. Power corrupts and absolute power corrupts absolutely. This was the saying of Lord Acton.

Sir, I remember the ebullient parliamentarian from the Congress party, who used to roar and thunder on the floor of this House.

Rauf Valiullah, a young man and a former Member of the Rajaya Sabha, used to take part in almost all the debates here. One day I was shocked to read in the newspaper that he was killed in cold blood. When I read the news, tears rolled down my cheeks. He was such a lovable person and he was killed. There was a charge that due to a political conspiracy he had to meet this fate. Even the head of that State, the Chief Minister at that time, was involved in that crime. A CBI inquiry was ordered. But what was the finding? What was the follow up action? Sir, this criminalisation of politics has not spared anybody. It has affected the system itself. It has affected the society itself. Therefore, we are very much pained.

Sir, I have gone through the speeches and valuable suggestions made by my learned colleagues here. The root cause of criminalisation of politics is the political power. And money power plays a crucial role in it. Political power breeds this criminalisation. What action has the Government taken to tackle this problem? I quote here from the Vohra Committee Report at page 2:

"Over time, the money thus acquired is used for building up contacts with bureaucrats and politicians and expansion of activities with impunity. The money power is used to develop a network of muscle-power which is also used by the politicians during elections."

So, to capture power you could utilise any kind of means. That is the root cause for this cancerous growth of criminalisation. If my memory goes right, during the 15th century or 16th century in his famous book "The Prince" Machiavelli wrote the dictum "ends justify the means." And that book was gospel for Mussolini and Hitler. So, to that book was the gospel for Mussolini and Hitler. So, to capture power, you could pursue any means. The ends justify the means. But, that has not been the thinking in this land for thousands of years. Sir, it is a very sad aspect that the ruling parties have now started utilising *goondas* and criminals to capture power. To capture the booths, first the criminals were utilised, rowdies were utilised.

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

SHRI V. GOPALSAMY: Sir, I have just now started.

THE VICE-CHAIRMAN (Shri Md. Salim): But you have to finish.

SHRI DIGVIJAY SINGH: Sir, where is the Home Minister? He has disappeared. Who is taking notes here? Nobody is taking notes. Everybody is sleeping.

SHRI M.A. BABY: Perhaps the Home Minister may have to go out, but some other senior Minister must take notes also.

SHRI V. GOPALSAMY: Mr. Karunakaran is here.

The Minister of Industry (Shri K. Karunakaran): Sir, note taking does not mean that one should be writing.

SHRI V. GOPALSAMY: He is a moving computer.

Sir, ten years ago, in 1984, thousands of people were killed in broad daylight in the streets of the capital, Delhi. Innocent people, men, women and children were killed. They were massacred. Blood was flowing on the streets. By whom was it done? I former Judge, Mr. Tarkunde, and some other eminent citizens formed themselves into a Committee.

They made a survey. They listened to the grievances of the people. They made an inquiry. They submitted a report under the caption "Who are the guilty?" They came to the conclusion that the guilty are none other than the members of the ruling party. They organised the crime, innocent people were killed. Tall personalities tried to justify what had happened by saying that when a big tree falls, the earth is bound to shake. Till date, the culprits have not been put behind the bars. Till date.. (Interruptions)..Some of them were given tickets to contest elections. They have not been punished. So, slowly they themselves became candidates to contest municipal elections, to contest Assembly elections, to contest Parliamentary elections.

Sir, I have got one more thing to say. In the Report many things have been stated about the role of black money. With the help of black money a paralysed Government is being run. I would like to know what steps have been taken by the Government. I would also like to know whether the Government has taken any

serious steps to get the accounts in the Swiss bank frozen, where money running into crores and crores of money was deposited. This money was looted here. I would like to know whether the Government has taken any action.

In the Philippines such criminals were utilised by Mr. Marcos. When Mr. Aquino entered the country, he was killed at the airport. What has happened there? that country had to face a revolt. Finally, Madam Aquino, made a request to the Swiss authorities to freeze the accounts. The looted money was frozen. On the floor of this House, umpteen number of times, I myself asked of the Government whether they would take any action to freeze the accounts. But so far nothing has been done. Only during the days of Mr. V.P. Singh, something was done. So, the black money is the root cause. Of course, Sir, without money, the parties cannot contest elections. That is the system. Therefore, what is the remedy? I want to make my submission. The accounts of the political parties should be scrutinised by a Government auditor. I would like to know whether the Government, whether the ruling party, is prepared to make a commitment that the accounts of all the political parties would be submitted for public scrutiny, would be audited by the Government. Those who are pouring money and controlling lobbies, use assassins and criminal gangs. They play a vital role. therefore, criminalisation of politics is posing a grave threat to the system itself.

Sir, even the Fourth Estate is not spared. When the Fourth Estate tries to point out corruption committed in higher places hired assassins are sent. They go after the blood of these Press personalities, journalists. What has happened in Madras? The corruption of the State Government was highlighted by a weekly magazine, "Tarasul" and hired assassins were sent and they entered the office of the weekly magazine and in day

light, by 11 o'clock, in the morning, two innocent and poor servants in the office of the magazine were killed and their dead bodies were thrown out from the first floor. Till date no action has been taken. These assassins were sent by the Government itself, by the ruling party itself.

One day, acid was thrown on the face of a lady senior I.A.S. officer. This was done by the ruling party. One day morning, an advocate was proceeding from his house to the Madras airport to catch a flight to reach the Supreme Court. At the door step, goondas gheraoed, his limbs were broken and he was hospitalised. These are all facts. *(Interruptions)*... These are all facts. One well-mannered advocate, Mr. Shanmugasundaram, was preparing a case against the Chief Minister, Madam Jayalalitha.

SHRI V. GOPALSAMY: He was preparing a case against the Chief Minister, Madam Jayalalitha. And the assassins went there. And he was attacked. *(Interruptions)*. He was mortally attacked. Shanmugasundaram was mortally attacked. These are facts. *(Interruptions)*.

SHRI V.P. DURAISAMY: I object to it. *(Interruptions)*.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please sit down.

SHRI V. GOPALSAMY: Without pointing out these things, how could the debate take place? There is no purpose of having the debate then. It appeared in newspapers. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please sit down, Mr. Duraisamy. *(Interruptions)*.

SHRI V.P. DURAISAMY: My learned friend, who is the General Secretary of his party, *...(Interruptions)*.

SHRI V. NARAYANASAMY:.....Is the Congress ruling in Tamil Nadu? *(Interruptions)*.

SHRI V. GOPALSAMY: I am not yielding. These are all facts. The whole country knows that an advocate was attacked by hired assassins and thugs. It was done.

I want to register it. It should go on record that it was done*

Everybody knows that. Today, Sir, not

THE VICE-CHAIRMAN (SHRI MD. SALIM): Let me handle it. (*Interruptions*).

SHRI V. GOPALSAMY: The ruling party is responsible.

They are setting up rowdies(*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please sit down, Mr. Duraisamy.

SHRI V. GOPALSAMY: They are setting up rowdies to go after politicians, to go after Press people, to go after advocates....(*Interruptions*)....to go after advocates within the precincts of the High Court of Madras. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): Just a minute. (*Interruptions*). Nothing will go on record in this way.

SHRI V.P. DURAISAMY:*

SHRI V. GOPALSAMY:*

SHRI V.P. DURAISAMY:*

SHRI V. NARAYANASAMY:*

THE VICE-CHAIRMAN (SHRI MD. SALIM): Nothing of that is being recorded. Why are you speaking like this? Mr. Duraisamy, will you please take your seat?

SHRI PASUMPON THA. KIRUTTINAN (Tamil Nadu): Sir, whatever may be the differences between me and Mr. Gopalsamy, I completely endorse his view. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Duraisamy, will you please take your seat? Mr. Gopalsamy, please restrict yourself. Do not take names.

SHRI V. GOPALSAMY: There is no protection for advocates. there is no protection for judges. There is not protection for Press people, for Opposition parties. this is what is happening today in Tamil Nadu.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please conclude, Mr. Gopalsamy.

SHRI V. GOPALSAMY: If you want to tackle criminalisation of politics, first of all, corruption should be eradicated and particularly, corruption in high places--those who are wielding power, those who are involved in 'havala' transactions, those who are afraid of action, enforcement action. The whole country is watching what is going on. The Chief Secretary of a particular State is the No.2 accused in a case, corruption case. The Chief Secretary of the Government of Tamil Nadu,*

Sir, I am shocked that the Central Government is giving him extension for the second time. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): Don't get provoked, Mr. Gopalsamy. Don't take names.

SHRI V. GOPALSAMY: Extension for the second time was given by the Central Government. Our Finance Minister is sitting here. He knows what is happening. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please sit down. (*Interruptions*).

Mr. Digvijay Singh, please do not provoke him.

THE MINISTER OF FINANCE (SHRI MANMOHAN SINGH) I have nothing to do with it.

SHRI V. GOPALSAMY: This is the reward. You are rewarding a person who was involved in a crime, corruption. there is *prima facie* a case against him and the Government headed by Mr. Narasimha Rao is giving him a second extension. Is it for any political patch-up? There are

many things going on, political patch-up through wedding ceremonies and other things. I do not know what happened regarding this particular incident. There is a case against the Chief Secretary of the Tamil Nadu Government who is involved in corruption charges. There is *prima facie* a case against him. There is evidence against him. And this Government headed by Mr. Narasimha Rao is giving him a second extension. *(Interruptions)* That is the point. *(Interruptions)* And unless you eradicate corruption and curb the use of money power, you cannot eradicate criminalisation of politics. *(Interruptions)*.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please conclude.

SHRI V. GOPALSAMY: Now, I come to the Vohra Committee Report.

SHRI V. NARAYANASAMY: From Tamil Nadu, you are coming to the Vohra Committee Report.

SHRI V. GOPALSAMY: Without mentioning Tamil Nadu, how could you speak about corruption and criminalisation of politics? The growth of MIRCHI proves this fact. At page three of the Vohra Committee, a reference has been made about the growth of MIRCHI and I quote: "The Growth of MIRCHI is due to the fact that the concerned Enforcement agencies did not timely take action against him and, later, this perhaps became difficult on account of the enormous patronage that he had developed. If MIRCHI is investigated, the entire patronage enjoyed by him and his linkages will come to light. The Director, CBI has observed that there are many such cases, as that of MIRCHI where the initial failure has led to the emergence of Mafia giants who have become too big to be tackled.

Sir, this is a warning. In the Report, only the MIRCHI's episode has been mentioned. There are hundreds and hundreds of MIRCHIS getting the patronage of the people in high places and the

patronage of the Government. Therefore, first of all, the accounts of the political parties should

*Not recorded

*Expunged as ordered by the Chair.

*Expunged as ordered by the Chair

be subjected to thorough scrutiny to eradicate corruption.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Gopalsamy, you have already made this point. Kindly conclude.

V. GOPALSAMY: Whosoever is involved in the criminalisation of politics and howsoever high a position he may be occupying, he should be taker to task. With these words, I conclude my speech.

SHRI V.P. DURAISAMY: Sir, I would like to submit one point. He has said something about the Chief Minister of Tamil Nadu. This is my prayer. *(Interruptions)*

V. GOPALSAMY: I have not said anything unparliamentary. There are so may references. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI MD. SALIM): I will go through the record and if there is anything objectionable, I will remove it. *(Interruptions)*

V. GOPALSAMY: So many instances are cited everyday against so many Chief Ministers of the country. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Duraisamy, you were not listening to me. I said that I would go through the record and if anything objectionable has been said, it would be removed. *(Interruptions)*

Now, shri

Majumdar.

SHRI TARA CHARAN MAJUMDAR (Assam): Mr. Vice-Chairman, Sir, I thank you for giving me this chance to speak on the Vohra Committee Report on the nexus between crime syndicate, mafia organisation and their links with bureaucrats and politicians. The Vohra Committee Report neither discloses any names nor it gives any specific data on

which the conclusions arrived at and incorporated in the Report are based. It is also doubtful if all the facts known to the different departments involved, are incorporated in the Report. It was observed at page I, para 2.2 of the Report that Mr. Vohra perceived that some of the members appeared to have some hesitation in openly expressing their views and a so seemed unconvinced that the Government actually intended to pursue such matters and that he had to address separate personal letters to each of the members of the Committee, seeking their well-considered suggestions and recommendations and their responses were briefly brought out in the Report. The sincerity of the Government to act on the Report is doubtful in view of the fact that the Report was gathering dust for the last two years without any action and that it was under pressure of circumstances that the Report had to be brought before this House. The Nodal Agency announced by the Government to regularly collect information and pursue cases against the activities of crime syndicate, mafia organisations which had developed links with and were protected by the Government functionaries and the political personalities will not be able to deliver the goods in view of its inborn constraints and if the Government is sincere to stop criminalisation of politics, some independent high-powered body, under the chairmanship of a Supreme Court Judge should be established to deal properly with the menace.

I would like to draw the attention of the House to only two incidents to show how much openly the politicians, the high police officials and the beauracrats give patronage to the criminals. The CBI is investigating into the L.O.C. Scam worth Rs. 200 crores in Assam and they have arrested one Rajer Bora, the key-accused and several others including one Executive Magistrate in connection with the Scam.

It has come out during the interrogation of the arrested accused and the documents seized that the previous Veterinary Minister, who is at present the President of the Assam Pradesh Congress Committee, and the Chief Minister are connected with the LOC-scam. The CBI people have not been able to go near them, not to speak of taking down their statements or taking other actions. The other incident relates to the killing of a lady and her ten year old daughter which has shocked the people of the State of Assam. In this case a contractor, having patronage of the High officials and the politicians, his wife, a friend of the family who happens to be a surrendered member of the ULFA, his PSOs, the PSO of the surrendered ULFA-Man, have been arrested. It has also been established that the weapon used in shooting down the victims belonged to the PSO of the surrendered ULFA Man. The clout of this contractor can be gauged from the fact that he flouted the Court orders and evaded arrest for several years in a case of rape pending against him. This contractor has two high-ranking police officials as his tenants. The DG of Police since retired, lives in the same building with this man as a tenant. The other high police officer, a DIG of Police, has his office in the same building, and in spite of that the police did not arrest this man nor attach the properties, as per the orders of the Court, on the ground that his whereabouts were not known. When this man appeared in the Court in 1993, it was discovered that the case-records were missing. There is no action against these officers for their part in flouting the orders of the Court.

In my State, Assam, persons with criminal records are provided with personal security officers and licences to hold fire-arms and many such persons have been detected committing criminal acts. The surrendered members of the ULFA have been given Rs. 2 lakhs,

Maruti cars, and many of them were found to have indulged in crimes. In fact, this section of former ULFA are in control of fish business, coal and big contract works and extracting protection money from the persons engaged in these businesses. The present leaders and political workers are unaware of the high principles, ideals and values which inspired the political leaders and workers of your party to fight the imperialist power and to undergo untold hardships and sufferings. Many of them faced the allows valiantly in the battle for achievement of freedom. They commanded universal respect and confidence. Political parties and leaders have almost become irrelevant today. The leaders and workers do not command any respect and confidence of the people. There is a crisis of confidence. The only way to revive and restore confidence is to ensure transparency, accountability and supremacy of the rule of law in governance and administration. Thank you.

SHRI M.P. ABDUSSAMAD SAMADANI (Kerala): Thank you, Sir, for allowing me to take part in this very important debate. To make it brief, Sir, I would only make a few suggestions.

Sir, our interest in dealing with the situation can be understood from the very fact that the Vohra Committee Report was tabled after two years of its preparation. But the importance of the Report is that it has accorded official stamp to what has been suspected and widely talked about. The Vohra Committee Report suggests usual bureaucratic solutions. It is quite natural because the Committee was stuffed by senior bureaucrats. The Committee is silent on the way in which the important issue of political interference in the law enforcement is to be tackled. Sir, our fear is, even the nodal Committee which is going to be formed, will sometimes be influenced by politicians.

Sir, actually the problem is the unholy alliance between criminals, bureaucrats and politicians. Then there are social crimes, economic crimes and crimes of institutions. Sir, the crimes of institutions are more serious. I am reminded of a couplet of the renowned poet, Allama Iqbal:

“फितरत अफराद की अगमाज भी कर सकती है,
कभी नहीं करती मिल्लत के गुनाहों को माफ।”

‘The nature may excuse the mistakes of individuals but it does not forgive the crimes of the society.’

The problem is not scarcity of laws to tackle the situation. There are even special laws. But these laws are not implemented properly and there is the problem of grave misuse and abuse of laws. See the example of the notorious TADA. under this jungle law, Hitlarian Act, an artist like Sanjay Dutt can be arrested and persecuted in an inhuman way for the simple reason of keeping a rifle. Even innocent children were arrested under TADA. But the reals criminals, who are notorious for their terror and horror, are moving freely in the country under the very nose of the officials. The TADA is not applicable to them. No law is applicable to them. The police and the politicians nexus is a very important part of criminalisation of our national polity.

SHRI M.A. BABY: Mr. Samadani, will you yield for a minute? Sir, with your permission, may I make a submission? Mr. Samadani has referred to an important issue, the police-criminal nexus. In this context, I would like Samadaniji to throw some light on a recent happening in Kerala. The whole country was rocked by the ISRO espionage case and the Kerala High Court, after going through the classified information supplied by the Central investigating agencies, (*Interruptions*)...

V. NARAYANASAMY
(Pondicherry): We know what the

observation of the Supreme Court is. (Interruptions)... You have said something about the Supreme Court. (Interruptions)... The High Court might have said something. (Interruptions)... But the Supreme Court has (Interruptions)... I am very sorry. Let us not talk all these things here. (Interruptions)... When an hon. Member is speaking, let him speak on the subject. (Interruptions)...

SHRI M.A. BABY: Mr. Narayanasamy, the hon. Member has referred to the police-criminal nexus. (Interruptions)... The Chair has permitted me. (Interruptions)... This intervention is not fair. (Interruptions)...

V. NARAYANASAMY: Sir, I know the intention of our hon. Member. (Interruptions)... I know his intention. (Interruptions)...

SHRI M.A. BABY: You have your say. I may be permitted to complete. (Interruptions)... Let me make my submission. (Interruptions)... If you want to say something, you can say later. (Interruptions)...

V. NARAYANASAMY: You have said something about the Supreme Court judgment. (Interruptions)...

SHRI M.A. BABY: I will say about the Supreme Court judgment also. (Interruptions)...

V. NARAYANASAMY: Sir, let me say what I want to say. (Interruptions)...

SHRI DIGVIJAY SINGH: You can say after him. (Interruptions)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): I would like to know whether you referred to Kerala or Tamil Nadu. (Interruptions)...

SHRI M.A. BABY: Sir, I sought your permission. (Interruptions)... I have not referred to Tamil Nadu. I don't know why Mr. Narayanasamy is objecting to me. (Interruptions)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Narayanasamy, please be seated. (Interruptions)...

V. NARAYANASAMY: Sir, I may be permitted after him.

M.P. ABDUSSAMAD SAMADANI: Sir, I may be allowed to complete.

SHRI M.A. BABY: Sir, what I would like to submit is that a very senior police officer, who was found *prime facie* to have some association with the ISRO espionage case, was put under suspension. Karunakaranji, who was the

Chief Minister than, had even lost his Chief Ministership. Fortunately, he is now here. (Interruptions)...

SHRI V. NARAYANASAMY: Sir, I am very sorry, he should not make remarks like this. (Interruptions)...

M.A. BABY: But before the closure of the case he is being reinstated. (Interruptions)... Before the closure of the case, when the investigation is still continuing, the police officer is being reinstated. (Interruptions)...

SHRI V. NARAYANASAMY: There was a judgment of the Supreme Court. It is on the basis of that the officer has been reinstated. (Interruptions)... Let me make it very clear. (Interruptions)...

SHRI M.A. BABY: The Supreme Court did not pass any such verdict. Mr. Narayanasamy, does not know what the Supreme Court verdict was. I know it. The Supreme Court said that the High Court made certain observations when the investigation was still in progress. This is the only observation made by the Supreme Court. Now this police officer, who was put under suspension when Karunakaranji was the Chief Minister of Kerala, is being reinstated. He has been found guilty in an espionage case where the interest of the country is involved.

If this is how we are going to conduct ourselves, it will be a very sad commentary on the political....

SHRI V. NARAYANASAMY: Sir, the same issue was raised two days back.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. baby wanted to ...*(Interruptions)*...

SHRI V. NARAYANASAMY: Sir, you allowed others to speak.

THE VICE-CHAIRMAN (SHRI MD. SALIM): I have not allowed anybody to speak.

SHRI V. NARAYANASAMY: Sir, the same issue was raised two days back in this House relating to. *(Interruptions)*... The hon. Minister, Shrimati Margaret Alva, clarified the position. She said that he was reinstated on the basis of the judgment. *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please sit down.

SHRI M.A. BABY: Then I will move a privilege motion against Shrimati Margaret Alva. There is no such Supreme Court verdict. *(Interruptions)*... Sir, it is a privilege issue against Shri V. Narayanasamy and Shrimati Margaret Alva.

SHRI V. NARAYANASAMY: Sir, when he raised this issue yesterday I told him not to raise individual cases. I told him, let us discuss politics. Unfortunately, it is the style of Shri M.A. Baby to accuse each and every political

SHRI M.P. ABDUSSAMAD SAMADANI: Sir, I may be permitted to complete. The police-politician nexus is an important part of the criminalisation of our national arena. A surgical operation is needed to snap this nexus. Like the Army, the police must act in a professional manner. It must be made to enforce the laws of the land impartially irrespective of the personalities involved. Its accountability should be to the law and law alone. Corrupt system leads to many crimes in politics. There is an urgent need for eradicating the varus of

corruption to purify the system. A corrupt system cannot fight the social evils and it cannot bring reforms in the society.

Another issue related to the subject under discussion is the criminalisation of the administrative system itself. The administrative system itself is sometimes criminalised. The system is supporting and sponsoring injustice under the guise of the enforcement of law. TADA is a very good example. It was a Hitlerian law. There was a long discussion regarding TADA in this House and in the Lok Sabha. But, we do not know what has happened to TADA. We do not know what would come in place of TADA. the political parties must take lead in fighting criminalisation. No political party should go for candidates with dubious records. Nowadays to the criminals entering political life is the surest and shortest way of evading the law. This must be averted. Crimes like booth-capturing can be avoided by this move alone. The criminals believe that the system would protect them. Our political parties must have guts to face this challenge. Ability to terrorise cannot be the qualification of a politician. Sir, legal measures are essential to arrest the trend of criminals being elected to assemblies and Parliament. There is a reference in the Vohra Committee Report to the parallel Government run by the criminals. I may say that this parallel Government is run through the legitimacy accorded by the electorate. Here is the relevance of educating the society with regard to the criminalisation of politics. The role of the Indian cinema and our Doordarshan is very important in spreading the virus of criminalisation in the minds of our younger generation. Erosion of values is there. Most of our films and serials are nothing but artistic pieces of crime education. This is a more serious problem. The problem is with the concept of art that those who are in charge of these affairs possess. There is

an utter loss of the sense of right and wrong in the society. The dividing line between the moral and the immoral has been ceased to exist. Criminals of the society think that through politics money can be earned and influence over society can be assumed. The erosion of moral values in public life has to be tackled with more deeper solutions. If money power are allowed to control politics that would lead us to a kind of fascism and democracy will perish. Finally, I would like to stress on the need for linking politics with ethics (*Interruptions*).

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Samadani, you please conclude now. (*Interruptions*).

SHRI CHIMANBHAI MEHTA: I am not referring...(*Interruptions*).

SHRI M.P. ABDUSSAMAD SAMADANI: That's enough. (*Interruptions*). That's enough, Mr. Mehta.

SHRI CHIMANBHAI MEHTA: I am not referring to that. But I want to know because the legislators...(*Interruptions*).

SHRI M.P. ABDUSSAMAD SAMADANI: We all have to contribute (*Interruptions*). We all have to contribute to the discussion.

So, Sir, I was talking about linking politics with ethical values. I underline it, Sir. Linking politics with ethical values is different from linking it with religion. Let there be no confusion regarding this. The widespread moral degradation is the basic cause for all these ailments and the real remedy lies in moulding man's private and public life in a moral pattern. Sir, to Mahatma Gandhi, the Father of our Nation, politics was only a means to a great end, a glorious pathway to a great Mission. There was a political philosophy to guide his political activity. As Iqbal said, "Politics without ethics is nothing but Chengiskhanis"

जलाले बादशाही हो, जम्हूरी तमाशा हो
जुदा हो दी रियासत से, तो रह जाती है चंगेजी।

"Whether its the splendour of despotism or the drama of democracy, politics is separated from ethics, what remains is nothing but Chengiskhanism."

Thank you, Sir.

SHRI DINESHBAI TRIVEDI (Gujarat): I thank you very much, Vic-Chairman, Sir. I fully realised it when I was told that I would have only two minutes to speak. Sir, in two minutes one can cook Magic Noodles but one cannot discuss and deliberate on such a vita and serious matter for which I am terribly worked up, as you all know. All of us are worked up. That is the reason why, to begin with, had emphasised on the first day itself that the Vohra Committee Report should be taken up or two consecutive days without any break in between. What have we done? We are talking in bits and pieces. The day before yesterday they said that there was no business in the House, the House may collapse, so let us discuss the Vohra

Committee Report. Is this the way to deal with such a serious document? Absolutely callous! I don't want to impute any motive but I am not very sure whether we are doing our duty as well.

Sir, the entire spirit of discussion on the Vohra Committee Report is lost—may I have your indulgence, Sir—and I am not very certain whether at this strange juncture I am in a position to talk anything about the Vohra Committee Report because it is very strange; the Vohra Committee Report talks about criminals also becoming politicians. The reasons why I say I am not very sure and whether I am competent to talk are these. We have had a lot of sermons, a lot of wise things said in the House, but we do not know who was the criminal talking and who was the hon. Member of Parliament talking. I am not very sure whether I am that criminal or not. This is where, Sir, it is very important to mention, to clarify as to who these criminal Members of Parliament are. It

was very very important. Otherwise, it is just the reverse of the philosophy, that you are innocent unless proven guilty. What has happened today is that you are guilty till proven innocent. Under these strange circumstances, I am not very sure whether whatever I talk will be believed by the nation at large. Otherwise, like Mr. Swaminathan mentioned the other day, in movies, they portray the character of an otherwise social worker, the politician and at the end of the episode is found that social worker, that politician who had all the respect from the society, was none other than the criminal they were looking for.

That is why I am not very sure unless and until the hon. Home Minister or the Government clarifies this issue. Sir, we have been discussing on many occasions, and this morning as well, just now also, that you cannot name this, you cannot blame this, you cannot tell anybody that X, Y, Z, is a criminal or not. You have got to substantiate that. I am not very sure, we are talking about a document—Vohra Committee Report—which does not substantiate anything. We are talking in thin air. So, my first question before I can even proceed, through you, Sir, is whether the hon. Home Minister—I have the utmost regard because he has much more experience in public life than me and a clean record—would say whether he agrees on the findings of the Vohra Committee or not. I would yield if you can react. Then only I can proceed because it is very important. If you don't agree, then I don't want to waste the time of the House and my time talking about something which has no basis. On what basis do I talk, Sir? The country's integrity, the country's security is in danger. Mafias have taken over the country. There is a parallel Government running and the official apparatus has been pushed to irrelevance. Do you agree, Sir? And if you do, then I would like to know who the Prime Minister is,

for example, of this parallel Government. Which is that parallel Government and which is the real Government? We are confused, Sir. We would like to know who is the Finance Minister, who is the Home Minister, who is the Principal Secretary, when you talk about a parallel Government. All these days we have been hearing about a parallel economy, a black market economy. Today, Sir, we are talking about a parallel Government and that also, Sir, it says that the official apparatus has been pushed to irrelevance! does it mean that this Parliament has become irrelevant? If it does not, demand, Sir, before I can proceed, on what basis? This morning...

THE VICE-CHAIRMAN (SHRI MD. SALIM): You demand before you conclude.

SHRI DINESHBHAI TRIVEDI: I know that there is hardly any gap, in terms of time, between my conclusion and my beginning. It is a very serious matter. When I got the Vohra Committee Report and read it, I must tell you, like any citizen of this country, any true patriotic citizen of this country, not by holding an Indian passport alone, that I have a lot of faith in this country. The common man today is very very honest and patriotic. I have a lot of faith in politicians and legislators as well. It is just a microscopic minority, may be a few, for which we all collectively are blamed. There are wonderful patriotic IAS officers as well. Why should we shield these names? On what basis? I don't understand.

When the Bombay bomb blasts took place I was very much here. I watched the T.V. and I was one of the first persons to come and report. After that what happened? With all might under their command, the Government rightly mentioned that they would go into the depth of it. We will not leave anybody however length and mighty. What has happened? You got the report. What

happened to the high and mighty? It becomes a clear-cut nexus. The report says, that officials should be allowed freedom to do their duty. Who is stopping this. These are very serious questions. Sir, after so many hours of debate which we have, I come to two conclusions out of this. Conclusion Number one: All of us put together agree at just whatever has been said, whatever the perception of the people at large was, that is true, that there is a nexus between criminals, politicians, police and big business houses.

The second conclusion out of this debate in both the Houses is that we are going to have a committee called the Ethics Committee. I am not trying to denigrate that. I am not trying to make a mockery of that. Are you in a position to save the security and the very existence of this country and the democracy and the safety of common man... (Time Bell rings).. by an Ethics Committee of Parliament? On what basis? what is the Ethics Committee going to do? Is it going to run the customs? Are they going to ask for proofs there? If I name a Minister that he has got a record of criminalisation the general perception even today, Sir, is that*—you will immediately ask,, "What is the basis?" "How do you substantiate?" Sir, I know you have given the warning signal. I will take—I do not know, how long—two or three more minutes, but it is a very important aspect... (Interruptions).... We all know. *I would like to get an assurance from the hon. Home Minister—we are happy that Dr. Manmohan Singh and hon. Mr. Chavan, both of them we can get inspiration from, which is a very good sign and that is why I was saying that we have very good people amongst us, but, at the same time,* these good people*—on the floor of this House that no Minister in his Government ever had a criminal record?

(Interruptions).

I am giving him a chance. He should not say that he did not get a chance to get up and say. That is the answer itself.

DR. BIPLAB DASGUPTA: His silence is eloquent.

SHRI DINESHBHAI TRIVEDI: I am convinced that this document is nothing, nothing but a conclusions of tons and tons of other reports by other agencies who have been so put by the taxpayers' money. I would just point out a couple of portions when it says in the first paragraph itself, "That this Committee was set up based on informations about activities of crime in the countrs..." So, 'information' itself must be there. It says in the beginning itself—if you read para 2.1, and if you permit me, Sir,—it says, "In the first meeting of the Committee held on 15th July, I had explained to the members that Governmnt had established the Committee after seeing the reports of the intelligence agencies." 'Reports'—it is quite evident that this particular document is based on reports. Sir, it also says in para 3.1—the Director of CBI says,—"A report on the nexus between the Bombay City Police and the Bombay underworld was prepared by the CBI in 1986." Cannot we have access to this report? Why not? I, as a Member of Parliament, I, as a citizen of India, have full right to information because I should know who I should be keeping away. If it say that there are MPs, the comman man does not realise. If a member of Parliament goes out, he expects a lot of respect and rightly so perhaps. Now, he does not know that he is respecting a criminal or an honourable Member of Palriament. It is for his safety and security. You must name not only the MPs but also the bureaucrats, whoever are involved and the names which are available with you. It is may basic right. Tommorrow, Sir, I may be seen with somebody and I do not know that he is a criminal. I may have some photographs with him and after two years his criminality will come out because of

certain incidents and they will say, "Oh! this and this was also involved."

Why are we shielding, Sir? I took such a gruesome murder of late Naina Sahni for the Government to give this Report. If that incident had not taken place, do you mean that this Report would ever have seen the light of day? If bombay blasts had not taken place, we would not have known anything about criminality. What worries me more, Sir, is this occurred two years back. So much time has passed. Do we wait for another blast? Unfortunately, I hope these things never take place. But the report talks, Sir, in conclusions about the common man. It says that the common man has been alienated because the mafias man, the functionaries, the politicians, the police, all have become one. And if this be true, what is the function of the Government after all? The function of Government is to protect the life and property of the common man. What does it say? As criminalisation has taken place and politicians, mafias, police, bureaucrats, functionaries are all involved because of such elements. I would just read two lines, it is on page four, para 6.21,

"Resultantly, such elements have acquired considerable political clout seriously jeopardising the smooth functioning of the administration and the safety of life and property of the common man, causing a sense of despair and alienation among the people."

What are we doing in this House, Sir, may I ask? We are representatives of that common *rickshaw walla*, of that common *Sabzi walla*. His life and property is at stake and we just want to be satisfied with a Committee on ethics. Sir, I must conclude now because of lack of time. I had a lot of points. I demand a full-fledged background paper on the Vohra Committee and I still feel that even now you will share whatever information is available with you in the interest of

security, integrity and the very survival of our democracy. I thank you very much, Sir.

श्री संघ प्रिय गौतम (उत्तर प्रदेश): उपसभाध्यक्ष, महोदय, इस रिपोर्ट में सिर्फ एक कमी है और बाकी मैं अपने दिमाग से कोई इसमें कमी नहीं समझता हूँ। कमी इसमें यह है कि यह केवल अधिकारियों की कमेटी बनायी गयी थी। काश, इसमें रियायत जज, कुछ सामाजिक संस्थाओं के अधिकारी रहे होते तो जो तथ्य हमारे मित्र इसमें चाह रहे हैं, वे तथ्य इसमें आ जाते। मिस्टर वोहरा ईमानदार रहे हैं और उन्होंने अपनी मजबूरी जाहिर की है। मैं पैरा 2.2 पढ़ रहा हूँ:

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

He is an honest enough to accept this report.

बड़े अधिकारियों के खिलाफ या पोलिटेशियंस के खिलाफ लोग नहीं जायेंगे और सरकार इसमें कोई कार्यवाही नहीं करेगी, यह ईमानदारी से उन्होंने स्वीकार किया है। लेकिन इसके बावजूद भी एक मेरी बड़ी भारी शिकायत है कि बड़े बड़े विद्वान, अनुभवी सम्मानित सदस्य यहां बोले हैं और उन्होंने इस सारे मुद्दे को केवल यहां तक सीमित कर दिया है कि केवल राजनैतिज्ञ ही अपराधी हैं। इन्हीं तक इसको सीमित कर दिया है। मैं समझता हूँ कि या तो गलती से या जानबूझकर—इसमें राज्य सभा सचिवालय भी भागीदार है। कल भी यह विषय कार्यावली में था और आज भी है। विषय क्या रखा गया? प्रो० विजय कुमार मल्होत्रा द्वारा 8 अगस्त को अपराधियों और राजनैतिज्ञों के अंतर्संबंध पर वोहरा समिति के प्रतिवेदन के संदर्भ में आरंभ की गई चर्चा पर आगे चर्चा। वोहरा कमेटी क्यों स्थापित की गई? मैं माननीय सदस्यों का ध्यान चाहता हूँ। मैं रिपीट कर रहा हूँ—

"1.1 The Government had established a Committee, comprised as below, to take stock of all available information about the activities of crime Syndicates/Mafia organisations which had links

with and were being protected by Government functionaries and political personalities."

"Government functionaries" means and includes bureaucrats as well as the police and other officers.

इसका उद्देश्य यह था। वोहरा कमेटी समीक्षा करने के बाद किस नतीजे पर पहुंची? मेरे लायक दोस्तों ने उस पर किसी ने ध्यान नहीं दिया। मैं आपका ध्यान चाहता हूँ पेज 2 पेरा 3.3 पर—

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

I again refer to para 6.2 (ii) at page 4:

"Even the members of the judicial system have not escaped the embrace of the Mafia."

इसका सीधा अर्थ यह है कि अपराधियों, माफियों का जाल सारे देश में फैल गया है जिसने जनजीवन को अस्त-व्यस्त कर दिया, देश की अर्थ-व्यवस्था को चकनाचूर कर दिया। आज विदेशियों के सामने हम कर्ज के लिए हाथ फैला रहे हैं। हमारी योजनाएं कार्यान्वित नहीं हो रही हैं। देश का विकास रुका हुआ है। इसके लिए कौन कौन जिम्मेदार हैं? पुलिस जिम्मेदार है, अधिकारी जिम्मेदार हैं न्यायपालिका जिम्मेदार है और राजनीतिज्ञ जिम्मेदार हैं। मैं क्षमा चाहूंगा अपने राजनीतिज्ञ भाइयों से। अफसरशाह और दूसरे लोगों के बारे में कहना चाहता हूँ। यह जरूरी नहीं है कि राजनीतिज्ञ पढ़े-लिखे हों, बगैर पढ़ा-लिखा भी एम०एल०ए० और एम०पी० बन सकता है लेकिन अफसर, पुलिस का अधिकारी और न्यायपालिका का सदस्य निरसंदेह पढ़ा लिखा होता है और वह कानून को ज्यादा समझता है। नम्बर दो, राजनीतिज्ञ की रोज़ी की कोई गारंटी नहीं है। वह आज एम०एल०ए० या एम०पी० चुना गया, वह एक साल के बाद घर भी बैठ सकता है और दोबारा चुन कर नहीं भी आए लेकिन पुलिस का अधिकारी और न्यायपालिका के सदस्य के लिए 58 साल की रोज़ी की गारंटी है। उसे रोज़ी भी मिलती है, मकान भी मिलता है, सारी सुविधाएं भी मिलती हैं। अगर राजनीतिज्ञ बेईमान हो जाए तो एक बात समझ में आती है लेकिन जिसकी रोज़ी की गारंटी है वह बेईमान क्यों, भ्रष्ट क्यों है, वह अपराधियों से क्यों मिला हुआ है? यह एक अहम प्रश्न

आज देश के सामने है। इसलिए सब से बड़ी जिम्मेदारी आज अपराधियों और माफिया को बढ़ावा देने में पुलिस की है, अफसरशाहों की है और न्यायपालिका की है। न्यायपालिका जमानत भी दे देती है, घर पर बैठ कर दे देती है। मैं चकित रहा हूँ। मुझे तजुर्बा है। संगीन अपराध हो, न्यायपालिका मामूली बातों का बहाना ले कर संगीन अपराधों में अपराधियों को छोड़ देती है, मुक्त कर देती है, सजा नहीं देती है तो फिर यह क्या करेंगे। अपराध बढ़ेंगे ही बढ़ेंगे। जमानत आसानी से मिल जाएगी, सजा होगी नहीं। न्यायपालिका कसूरवार है। समय नहीं है, मैं उदाहरण नहीं दे सकता हूँ। इसलिए सब से ज्यादा जिम्मेदारी इन लोगों की है। हमारी राजनीतिज्ञों की जिम्मेदारी, हमारी कमी सिर्फ यह है कि हम अपराधियों को, एम०एल०ए०, एम०पी० के टिकट देते हैं। हम अपराधियों का संरक्षण करते हैं। हम अपराधियों का सदन में बचाव करते हैं। लोक सभा में हमने एक सुप्रीम कोर्ट के अपराधी जज का बचाव किया। यह एक उदाहरण है और हम इसी सदन में बचाव करते हैं अपराधियों का और अपराधियों के खिलाफ जो कारगर कानून है उनके बारे में हम टिप्पणी करके उन्हें रद्द कर देते हैं।

आखिर वोहरा कमेटी ने सुझाव क्या दिये? वोहरा समिति ने तीन सुझाव दिए। पहला सुझाव जो हम सबके लिए है पैरा 3.7 में है—

"Identification of offences and award of deterrent punishments, including preventive detention".

यह सुझाव है वोहरा का। डिटेरेंट पनिशमेंट। सजाए मौत, और हम कहते हैं कि अपराधी को हथकड़ी मत डालो। हम पोलिटिशियन कहते हैं इन्हें दूध पिलाकर जलेबी खिलाकर ले जाओ। हमको शर्म आनी चाहिए। यह हम कहते हैं। एक बालिका के साथ बलात्कार करके, उसकी हत्या करके अपराधी पकड़ा जाए, कहते हैं हथकड़ी मत डालिए। कौन है जिम्मेदार इसके लिए? हम ही इनका बचाव करते हैं, और प्रिवेंटिव डिटेन्शन के लिए क्या हुआ? टाडा का क्या हुआ? यह प्रिवेंटिव डिटेन्शन के लिए था। कौन इसके खिलाफ बोला? सिवाय भारतीय जनता पार्टी को छोड़कर आपके पेट का पानी नहीं थमा जब तक आपने इसको खत्म नहीं करा दिया। कौन है जिम्मेदार इसके लिए? आज अपराधी आजादी से घूम रहे हैं। कौन जिम्मेदार है?

एक दूसरा सुझाव वोहरा ने दिया, इसी का छठा है—

"Suitable amendments should be introduced in the existing laws to more effectively deal with the activities of mafia organisations, etc;"

आप लाए क्रिमिनल अमेडमेंट। आपने सबने विरोध किया सिवाय भारतीय जनता पार्टी के। आपने वापस ले लिया दबाव में—विश्वास दे करके भी, वायदा करके भी। हमने आपसे वायदा किया था कि हम सपोर्ट करेंगे आप इसको लाइए। कौन है जिम्मेदार? आप सब लोग। भारतीय जनता पार्टी ने समर्थन देने का वायदा किया था.. (व्यवधान) आप हमारे साथ हैं। आप हमारे एलाइ हैं। सतीश प्रधान जी कह रहे हैं। हमारा अपना साझा है। आप हम एक हैं।

तो इसके जिम्मेदार कौन है? आप लोग जिम्मेदार हैं। आप नहीं लेंगे जिम्मेदारी 6-7 कैसेज आज तक हो गए। किसी विधायक या सांसद की आपने मेम्बरशिप खत्म करायी? बिहार के अंदर एक विधायक ने बलात्कार किया एक शिड्युल्ड कास्ट की महिला के साथ। उसने उसका गुनाग काट लिया, इससे ज्यादा क्या प्रेक्टिकल इविडेंस होगा। आपने उसकी मेम्बरशिप खत्म करायी असेम्बली में? बिहार में एक एम०एल०ए० ने एक एम०एल०ए० का कत्ल करवा दिया, क्या आपने उसकी मेम्बरशिप खत्म करवाई? एक राज्य सभा के एम०पी० के घर में महिला की हत्या हुई, क्या आपने उसकी मेम्बरशिप खत्म करायी? एक एम०पी० ने अपनी पत्नी का फोटोग्राफ पासपोर्ट पर लगाकर विदेश में एक महिला को भेज दिया, क्या आपने उसकी मेम्बरशिप खत्म करायी? You are shielding the criminals You are encouraging the criminals. Such examples you will never find in the B.J.P. today. I cannot say about the future.

तो कौन हैं इसके लिए जिम्मेदार?

इसमें ये सुझाव हैं। जैसा और मेरे लायक दोस्तों ने कहा—एक सुझाव सरकार के लिए दिया है। गृह मंत्री जी यहाँ हैं, मैं वह पोरशन पढ़ना चाहता हूँ, 15.2—

"I have prepared only three copies of this Report. One copy each is being submitted to the Minister of State (Internal Security) and the Home Minister, the third copy being retained by me. After the Home Minister has perused this Report, I request him to consider

discussing further action with the Finance Minister, the Minister of state (Internal Security) and myself"

"The emerging approach could thereafter be got approved from Prime Minister before being implemented. At that stage other concerned senior officers would be taken into confidence."

यह बोहरा ने कहा।

Lastly,

"After an initial discussion at the level of MOS(IS) and HM I could send a copy of this Report to FM, before the issues are discussed with him."

यह आपको सुझाव दिया। आपने क्या कार्यवाही की? यू हैव मिज़रेबली फेल्ड। तो जो सुझाव आते हैं आप उन्हें मानते नहीं। जो कानून अपराधियों को दंड दे आप उन्हें खत्म करा देते हैं। जंगल लॉ, डैकोनियन लॉ, एक उदाहरण देता हूँ!... (व्यवधान) दो मिनट लूंगा ज्यादा नहीं।

उपसभाध्यक्ष: (श्री मोहम्मद सलीम): उदाहरण पर समय चला जाएगा, आप बात कर लीजिए।

श्री संघ प्रिय गौतम: नहीं, ट्रेखिए, एक हमारे सम्मानित सदस्य थे लोक सभा के, यू०पी० में मिनिस्टर रहे जनता पार्टी में और 90 हजार रुपया ट्रैक्टर खरीदने के लिए बैंक से निकाल कर लाए और रात को उनके उसकी चोरी हो गई। उन्होंने रिपोर्ट लिखाई तो नाम किसी का नहीं लिखाया। आज प्राइम मिनिस्टर की सैक्युरिटी में एक आफिसर है जो वहाँ एस०एस०पी० था, वह उसके पास गए कि साहब, तीन दिन हो गए आपने कोई चोर नहीं पकड़ा? उन्होंने कहा आपने नाम तो किसी का लिखाया नहीं हम किसको पकड़ें। कहा कि फलों-फलों तो कहे कि आपने उसमें शक में भी नहीं लिखाया। आप साहब उन्हें पकड़ कर लाइये तो उन्हें ले आए। कहा कि आप उन्हें पूछिए, तो उन्हें पूछ रहे हैं। तो जो मैंने पहले मिसाल दी कि भईया-दूध पी लो और जलेबी खा रहे और बताओ कि तुमने चोरी की है। तब वह मेम्बर, वह एम०पी० साहब, हंसने की बात नहीं है, आप लोगों के लिए एक वार्निंग है। एम०पी० साहब बोले कि यह ऐसे बता देगा? आप थर्ड डिमि इस्तेमाल करिए।

कहा एम०पी० साहब, क्षमा करना, कल एक गुंडे को पकड़ कर जब मैं यह कर रहा था तो आप मेरे खिलाफ डिमार्शेशन करवा रहे थे। इसलिए मैं कहना चाहता हूँ कि पहले आप अपने गिरिबां में हाथ डालिए कि आप क्या करते हैं। आपका कसूर यह है कि जो बात पहले बीत गई है मैं उसमें नहीं जाना चाहता....(व्यवधान)

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आप किसी में न जाइये, आप खत्म कीजिए।

श्री संघ प्रिय गौतम: मैं वही तो कर रहा हूँ। ऐसा है उपसभाध्यक्ष जी, मैंने पहले कहा कि बड़े-बड़े विद्वान अनुभवी सम्मानित सदस्य बोले, मैं छोटा सदस्य हूँ। But I try to talk relevantly and talk sense. Therefore, you kindly allow me.

तो मैं आपसे कह रहा था,

"काजल की कोठरी में कैसे की सयानो जाए, एक लीक काजर की लाग है पे लागे।"

सारे समाज का चारित्रिक ढांचा बिगड़ गया है। पुलिस वाले भी इसी में से आते हैं, आफिसर भी इसी में से आते हैं, राजनीतिज्ञ भी इसी में से आते हैं।

मेरे पांच-छः सुझाव हैं गृह मंत्री जी, नंबर एक, जो वोहरा ने सुझाव दिए हैं, कल जो विधेयक आने वाले हैं यूनिवर्सिटी वाला, आज तक आपने केन्द्रीय यूनिवर्सिटी जो घोषित की थी, आज तक एस्टैब्लिश नहीं हुई। डा० अम्बेदकर यूनिवर्सिटी लखनऊ में दस साल से, पहाड़ नहीं गिर जाएगा। कल आप दो विधेयक लाइये। एक तो टाडा की जगह कोई विधेयक लाइये क्रिमिनल अमेंडमेंट लाजो पेंडिंग है। अगर आप सीरियस हैं और अगर आप सीरियस हैं वरना तो फिर आप जिम्मेदार होंगे अपराधियों के संरक्षण के लिए। इसलिए एक तो कल यह लाइये टाडा को रेस्टोर करिए और दूसरा क्रिमिनल अमेंडमेंट या कोई और लाइये। तीसरी चीज़ जितने उदाहरण आपके सामने आफिसरों के हैं, जैसे केरल का दिया। इन सब को सस्पेंड मत करिए बल्कि मीसा में बंद करिए या इनकी परेड कराइये। गांवों के अंदर थानेदार अब भी लड़कियों को कोई छेड़ ले तो वह सर मुंडा कर और गधे पर चढ़ा कर काला मुंह करके निकलवाते हैं। दो-चार एम० पी०, दो-चार बड़े-बड़े ब्यूरोक्रेट, दो-चार मिनिस्टर, दो-चार एम०एल०ए० जिनके बारे में सिद्ध हो जाए इनके सर मुंडवा के, कले मुंह करवा के, गधे पर चढ़ा कर निकलवाइये। "दाये मोरे, टट्टू कोपे" ताकि दूसरे लोग उस से सबक लें।

गृह मंत्री (श्री एस० बी० चव्वाण) — यह सुझाव गवर्नमेंट ने करना चाहिए, यह कह रहे हैं?

श्री संघ प्रिय गौतम: आप मत पूछिए, मैं तो इस को करता हूँ मैं तो वही बात कहता हूँ, जो करता हूँ। मैं ने अपने जीवन में कभी क्रिमिनल्स से कंप्रोमाइज नहीं किया। मैं ने उन्हें कभी डिफेंड नहीं किया।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आप चौथा सुझाव दे रहे हैं?

श्री संघ प्रिय गौतम: चौथा सुझाव मैं आप को दे रहा हूँ। आप सब पार्टियों के सदस्यों की एक कमेटी बनाइए। अभी जो फर्जी कमेटी आप ने बना दी है, वह कुछ नहीं करनेवाली है। आप नई कमेटी बनाइए। और इस काम को उस के सुपुर्द करिए। यह कमेटी कुछ नहीं करेगी। इस में एक सुझाव और दिया गया है जोकि महत्वपूर्ण है। उन्होंने कहा कि, "कॉस्टली कंटेस्टिंग इलेक्शन।"

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आप समाप्त कीजिए।

श्री संघ प्रिय गौतम: और ये तमाम लोग "शेशन" के पीछे पड़ गए। उन्होंने पिछले चुनाव इतने कम खर्चें वाले करवाए कि कोई अंदर अपने घर को भले ही लुटा दे, लेकिन एक गाड़ी से दूसरी गाड़ी नजर नहीं आई, पम्फलेट्स, पोस्टर्स नजर नहीं आए, टोपी, झंडे नजर नहीं आए और गरीबों को पहली बार वोट डालने का मौका मिला क्योंकि माफिया नजर नहीं आए। इस प्रकार की स्थिति रही केवल बिहार में छुटपुट घटनाओं को छोड़कर, वह भी आप लोगों की वजह से। आप "शेशन" की तारीफ करिए कि चुनावों को उन्होंने कम-खर्चिला बनाया। आप शेशन के पीछे मत पड़िए। आप ने दूसरे बिठा दिए हैं, लेकिन आप उसे और पावर दीजिए। उन्होंने सुधार करने शुरू करवाए। आप एक काम और कीजिए। अभी लोकसभा के चुनाव आने वाले हैं, आईडेंटिफाय करिए कि "अब खाई सो खाई, फिर खाई सो राम दुहाई।" किसी तरह से भी अगर अब अपराधी आ गए, ईश दत्त जी मैं आप से कह रहा हूँ....(व्यवधान)

श्री ईश दत्त यादव: पहले अपने को सुधार लीजिए।

श्री संघ प्रिय गौतम: एम०एल०सी० और राज्यसभा के चुनाव 96 में आ रहे हैं और लोकसभा के चुनाव आ रहे हैं। ऐसे किन्हीं लोगों को टिकिट मत दीजिए। हमारी

पार्टी ने तो कैसला ले लिया है। हम से अगर गलती हो जाएगी तो कान फड़ लेंगे, माफी मांग लेंगे और उस को निकाल देंगे। ... (व्यवधान) ... हम ने यह कर के दिखाया है जब कल्याण सिंह जी की सरकार थी... (व्यवधान) ... एक मंत्री पर चार्ज लगा, डा० दिनेश जौहरी, हेल्थ मिनिस्टर पर चार्ज लगा कि उस ने पैसा लिया है ट्रांसफर में।

He was asked to resign, but he did not obey and refused to resign. So, he was dismissed. This is an example of the BJP Government.

आप के यहां क्या है? इसलिए मैं हाथ जोड़कर प्रार्थना करना चाहता हूँ कि हमारे देश में संपदा है, हमें कहीं विदेश से कर्जा लेने की जरूरत नहीं है। यह जो समानांतर अर्थ-व्यवस्था है और जो काला धन हमारे पास है, यह हमारे पास आ सकता है, अगर इन अपराधियों और माफियों को हम खत्म कर दें। हमारी सारी योजनाएं कार्यान्वित होंगी और हमारे देश का विकास होगा। बहुत-बहुत धन्यवाद।

श्री एस०एस० सुरजेवाला (हरियाणा): धन्यवाद उपसभाध्यक्ष महोदय। महोदय हरियाणा जिस का कि इस रिपोर्ट में विशेष उल्लेख है, अगर मैं उसकी चर्चा न करूँ तो मैं समझता हूँ कि यह जो बहुत ही उपयोगी चर्चा यहां मेम्बरों ने की है, यह शायद अधूरी रहेगी।

5.00 P.M.

कोहरा कमेटी की रिपोर्ट के पैरा नंबर "6" के सब पैरा "1" में हरियाणा का विशेष उल्लेख है। इसमें अपराधी गिरोहों को स्थानीय स्तर पर प्रत्येक राजनैतिक दल के राजनेताओं तथा सरकारी पदों पर आसीन अधिकारियों का संरक्षण प्राप्त है। कुछ राजनेता इन हथियार-बंद सेनाओं के नेता बन जाते हैं तथा कुछ ही वर्षों में स्थानीय निवासियों, राज्य की विधानसभा तथा संसद के लिए निर्वाचित हो जाते हैं। जाहिर है कि हरियाणा के बारे में इस चर्चा का संकेत* के नाम पर हथियार-बंद अपराधियों व गुंडों की सेना से है। उसने सबसे पहले इलाहाबाद के लोकसभा के उप-चुनाव में सन 1988 में, जिसमें वी०पी०सिंह खड़े हुए थे, उस चुनाव में काम किया था। उस चुनाव के बाद* और* ने कई बार पब्लिक तौर से यह घोषणा की कि अगर* इलाहाबाद में वी०पी०सिंह की मदद को नहीं जाते तो वी०पी०सिंह चुनाव नहीं जीत सकते थे। यह ऐसे कुख्यात और बदनाम गुंडों की एक जो तथाकथित सेना थी उनको एक इज्जत मिली।

उपसभाध्यक्ष महोदय, हरियाणा में 1987 से लेकर 1991 के बीच में जब देवी लाल और चौटाला का राज था, जितने भी उपचुनाव हुए हरियाणा में, आधे दर्जन के करीब, सब में इस ग्रीन ब्रिगेड के गुंडों ने बूथों पर कब्जे किए, हरिजन, गरीबों को डराया और वोट नहीं डालने दिया। इस प्रकार से उन्होंने चुनाव प्रणाली को पूरे तौर से तहस-नहस किया। हरियाणा के मेहम कांड ने उस समय पूरे देश की आत्मा को झंझोरा और उनकी अपनी पार्टी की सरकार को, ओमप्रकाश चौटाला जो उस समय मुख्यमंत्री थे, डिसमिस करना पड़ा। यह मेहम पर सैकिया कमीशन ने जो भारत सरकार को रिपोर्ट दी थी, वह रिपोर्ट इस सदन के पटल पर रखी जा चुकी है। उस सैकिया कमीशन की रिपोर्ट में उन जज ने यह बात कही है कि 1990 की 16 और 17 मई की रात को अमीर सिंह नाम के प्रत्याशी की हत्या और उसके पश्चात् आनंद सिंह डांगी के घर पर पुलिस एक्शन, इसके बारे में इस रिपोर्ट में चर्चा है। सैकिया कमीशन की रिपोर्ट में है, फरवरी, 1990 में हुए मेहम के उप-चुनाव में, मेहम के गांव खरकबंसी में बूथ के कैप्चरिंग करने की बात। उसके लड़के अजय सिंह द्वारा बूथ पर कब्जा किया गया और गांव वालों के रेजिस्टर करने से वहां पर पुलिस फायरिंग में तीन आदमी मरे। हरबंस लाल नाम के एक सिपाही को, अजय सिंह को बचाने के लिए उस सिपाही की वर्दी पहनाई गई स्कूल के अंदर और अजय सिंह के कपड़े, उस सिपाही को पहना कर बाहर निकाला गया तो लोगों ने, वहां की भीड़ ने उस सिपाही को लाठियों से मौके पर कल कर दिया। उसकी बीडियो फिल्म पूरे देश में दिखाई जा चुकी है और अजय सिंह सिपाही की वर्दी पहन कर बच निकलने में कामयाब हुआ। इस फरवरी, 1990 के चुनाव को भी काउंटरमांड किया गया।

उपसभाध्यक्ष महोदय, मैं यह कहना चाहूंगा कि इस सैकिया कमीशन की रिपोर्ट के पैरा "7" के पाईट "22" में यह कहा गया है कि परिस्थितियों और ओमप्रकाश चौटाला के कार्यकाल को ध्यान में रखते हुए यह निष्कर्ष निकलता है कि अमीर सिंह की मृत्यु चौटाला के कारण हुई है और इस पर कमीशन ने जो संकेत दिए हैं उनसे यह साबित है कि अमीर सिंह, प्रत्याशी की जो वहां उम्मीदवारी थी उसके नोमिनेशन चौटाला ने स्वयं भ्रवाए थे और जब चौटाला ने यह समझा कि वह चुनाव नहीं जीत सकते..... (व्यवधान)...

श्री सत्य प्रकाश मालवीय: सर, पाईट आफ आर्डर।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): क्या है?

श्री सत्य प्रकाश मालवीय: जो डाक्यूमेंट वह पढ़ रहे हैं, क्या वह वोहरा कमीशन की रिपोर्ट पढ़ रहे हैं? इसमें कुछ ऐसी चीज भी इन्होंने कही है, जो इनके कंटेन्शन है, उसमें मेरी सबमिशन यह है कि जिस डाक्यूमेंट से यह पढ़ रहे हैं, उस डाक्यूमेंट को यहां रखें। क्योंकि सारी चीज, इलाहाबाद के चुनाव का, देवी लाल के चुनाव, वी०पी० सिंह के चुनाव की बात, यह इनको नहीं करनी चाहिए।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आप वोहरा कमीशन की जो रिपोर्ट है उसी पर बोलिए।... (व्यवधान)

श्री एस० एस० सुरजेवाला: इनका क्या एतराज है? क्या आपति है इनकी?

उपसभाध्यक्ष (श्री मोहम्मद सलीम): वोहरा कमीशन के संदर्भ में आप बताएं तो अच्छा रहेगा।

श्री सत्य प्रकाश मालवीय: अगर ऐसा होगा तो शाह कमीशन की भी बात होगी, जिसमें इंदिरा गांधी के लिए कहा गया है। वह भी यहां पढ़ा जाएगा।... (व्यवधान)...

श्री एस० सुरजेवाला: सैकिया कमीशन की रिपोर्ट के पेज नंबर 55 पर... (व्यवधान)...

उपसभाध्यक्ष (श्री मोहम्मद सलीम): सैकिया कमीशन की जो रिपोर्ट है उस पर यहां बात नहीं कर रहे, वोहरा कमेटी की रिपोर्ट की बात कर रहे हैं। उस पर आइए। किसी का नाम न लें।... (व्यवधान)...

श्री एस० एस० सुरजेवाला: वोहरा कमेटी की रिपोर्ट में ही इसकी चर्चा है, हरियाणा की चर्चा है... (व्यवधान)...

श्री सत्य प्रकाश मालवीय: इसमें यू०पी० की चर्चा भी है। खाली हरियाणा की चर्चा नहीं है, इसमें यू०पी० की चर्चा है, महाराष्ट्र की चर्चा है।... (व्यवधान)...

श्री एस० एस० सुरजेवाला: उपसभाध्यक्ष महोदय, वोहरा कमेटी की रिपोर्ट के पृष्ठ 7 पर 6.2 के (1) प्वाइंट में "बिहार, हरियाणा और उत्तर प्रदेश जैसे कुछ राज्यों में इन गिरोहों की स्थानीय स्तर पर प्रत्येक राजनीतिक दल के राजनेताओं तथा सरकारी पदों पर आसीन व्यक्तियों का संरक्षण प्राप्त है।" आप कैसे कहते हैं कि वोहरा कमेटी की रिपोर्ट में हरियाणा की चर्चा नहीं है? और जैसा मैंने कहा कि इस चर्चा में

अगर हरियाणा की चर्चा न की जाए तो क्रिमिनलाइजेशन आफ पोलिटिक्स जो है, उसके बारे में साफ आपको कोई बात समझ में नहीं आ सकती है।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आप अपनी बात को समाप्त करें।

श्री एस० एस० सुरजेवाला: मैं बहुत जल्दी अपनी बात समाप्त करते हुए यह कहना चाहता हूँ, उपसभाध्यक्ष महोदय, कि अमीर सिंह इस परिवार के सबसे ज्यादा विश्वासपात्र आदमी थे, उसका नामांकन पत्र ओम प्रकाश चौटाला ने कवरिंग कैंडिडेट कहकर भरवाया।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): व्यक्तियों के नाम से अगर चर्चा न करें तो ठीक रहेगा।

श्री सत्य प्रकाश मालवीय: मैं इस पर आब्जेक्शन करता हूँ। भजन लाल के दामाद अनूप बिशनोई काँ केस मैं लाऊंगा। उस पर भी फाईंडिंग हो चुकी है। सुप्रीम कोर्ट ने आई०पी०एस० आफिसर्स को कंटेम्प्ट आफ कोर्ट की सजा दी। मैं अनूप बिशनोई का केस भी लाऊंगा।

श्री एस० एस० सुरजेवाला: उपसभाध्यक्ष महोदय, मैं जो कह रहा हूँ उसकी रिपोर्ट सदन के पटल पर रखी जा चुकी है।

श्री सत्य प्रकाश मालवीय: माननीय उपसभाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है कि इन्होंने जो नाम लिए हैं, जो इस बारे में कहा है, उसको रिकार्ड से एक्सपेंज किया जाए।

श्री एस० एस० सुरजेवाला: इसके अंदर नाम से चर्चा है, इसके बाहर मैं एक नाम भी नहीं ले रहा हूँ और यह रिपोर्ट सदन पर रखी जा चुकी है पिछले सेशन में।

श्री चिमन भाई मेहता: आप दोनों नाम ले लीजिए, भजन लाल का भी ले लीजिए।

श्री एस० एस० सुरजेवाला: अगर कोई बात आएगी तो ले गुंगा।... (व्यवधान)...

श्री सत्य प्रकाश मालवीय: मैं बता रहा हूँ कि भजन लाल के दामाद है अनूप बिशनाई। वहां के आई०पी०एस० आफिसर्स को कंटेम्प्ट आफ कोर्ट में सजा हुई, सुप्रीम कोर्ट ने उसमें फाईंडिंग दिया कि अनूप बिशनाई जो चीफ मिनिस्टर के दामाद है, उनकी फैक्टरी के सिलसिले में इन अफसरों ने उनका साथ दिया।... (व्यवधान)...

श्री एस०एस० सुरजेवाला: जब आप बोलेंगे तो आप जो मर्जी कह सकते हैं।

श्री सत्य प्रकाश मालवीय: मैं जो मर्जी नहीं, मैं फैक्ट कह रहा हूँ। मैं जब बोला था तो मैंने किसी का नाम नहीं लिया।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): सुरजेवाला जी, सदन की भी कुछ गरिमा है, कुछ मर्यादा है। आप जब बोल रहे हैं, आप बोले, एक तरीका है। व्यक्ति का नाम न लें तो अच्छा है।

श्री एस०एस० सुरजेवाला: उपसभाध्यक्ष महोदय, मैं यह कहना चाहता हूँ कि दुनिया में कृतघ्नता सबसे बड़ा पाप है और अपने सबसे प्यारे और नज़दीकी आदमी का नामांकन पत्र ... (व्यवधान)...

श्री सत्य प्रकाश मालवीय: आज सोनिया गांधी ने अमेठी में कहा है कि चार साल हो गए हैं राजीव गांधी की हत्या हुए और अभी तक उनके अपराधियों के खिलाफ कुछ नहीं हुआ है। यह आज सोनिया गांधी ने कहा है।

श्री एस०एस० सुरजेवाला: आप सच्चाई सुनने के लिए तैयार नहीं हैं।... (व्यवधान)...

श्री सत्य प्रकाश मालवीय: आज सोनिया गांधी ने कहा है, भाषण हुआ है अमेठी में इस सरकार के प्रति। ... (व्यवधान) ... आज सोनिया गांधी ने कहा है कि चार साल हो गए नरसिंह राव की सरकार को बने हुए और राजीव गांधी की हत्या के सिलसिले में सरकार ने कुछ नहीं किया है। यह आज सोनिया गांधी का भाषण अमेठी में हुआ है। ... (व्यवधान)...

श्री एस०एस० सुरजेवाला: आप दिन-रात सरकार को और कांग्रेस को गाली देते हैं पानी पी-पी कर के, हमने कभी मना किया है, इनको रोका है? इनको क्यों इस बात के लिए मिर्च लग रही है क्योंकि आज इनकी पार्टी का हम पर्दाफाश कर रहे हैं। ... (व्यवधान)...

श्री शंकर दयाल सिंह: पानी पीकर नहीं बिना पानी पिए इन्होंने कहा है।

श्री एस०एस० सुरजेवाला: उपसभाध्यक्ष महोदय, मैं यह कह रहा था कि उस आदमी का नामांकन-पत्र खुद भरवाया और वह आदमी सबसे ज्यादा विश्वासपात्र था, उस आदमी को 16 तारीख की रात को खाना खाने के लिए लेकर गए ... (व्यवधान)...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please conclude. आपने कहा था कि दो या तीन मिनट का समय आप लेंगे, आप समाप्त कीजिए, बहुत से नाम हैं।

श्री एस०एस० सुरजेवाला: पांच मिनट तो इन्होंने खराब कर दिए, इसमें मेरा कोई कुसूर नहीं है। मैं अपनी बात कहकर खत्म करने लगा हूँ।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आपने 12 मिनट ले लिए हैं।

श्री एस०एस० सुरजेवाला: मैं बात पूरी करके समाप्त कर रहा हूँ और 16 और 17 तारीख की रात को अजय सिंह को उनकी अपनी कार के अंदर बिठाकर ले जाते हैं और उसी रात की सुबह उनकी लाश मिथाल गांव के पास पड़ी मिलती है और काउंटरमेंड हो जाता है। यह जो हत्या करी गई अपने खास आदमी की, केवल उस वक्त के मुख्य मंत्री अपनी इज्जत बचाना चाहते थे, हार के कारण जो उनकी इज्जत खराब होने वाली थी, उसे बचाना चाहते थे। ऐसे जघन्य पाप का पूरे देश में कोई दूसरा उदाहरण नहीं मिल सकता है। तो ऐसे आदमी हैं और, उपसभाध्यक्ष महोदय, इन्होंने ... (व्यवधान)...

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आखिरी बात आपने कही, अब खत्म कीजिए अपनी बात।

श्री एस०एस० सुरजेवाला: *मैं यह कहना चाहता हूँ कि एक आदमी की बात नहीं है, ऐसे-ऐसे परिवार हैं जिन्होंने राज सत्ता में आने के बाद अरबों, करोड़ों रुपयों का बेईमानी से काला धान एकत्र किया और उसके बाद में अपनी एक फौज बनाकर फिरका परस्ती के नाम के ऊपर उन्होंने पूरे प्रांत की राजनीति को खराब कर दिया है और ... (व्यवधान) मैं यह मांग करता हूँ कि ऐसे लोगों को राजनीति में हिस्सा लेने से वंचित किया जाए। ... (व्यवधान)...

श्री सत्य प्रकाश मालवीय: क्या यह जाएगा रिकार्ड पर? जरा आप देखिए। आप सिर्फ व्यवस्था का प्रश्न है। यह सीधे-सीधे एलीगेंस है, नाम लेकर के इन्होंने किया है, जो कि यह कर नहीं सकते हैं।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): रिकार्ड देखा जाएगा।

श्री सत्य प्रकाश मालवीय: आप इनको डायरेक्शन तो दीजिए। जो मन में आता है वह कहते चले जा रहे हैं।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): नहीं वह नाम नहीं लेंगे आगे।

श्री एस०एस० सुरजेवाला: देश में व्यापक चुनाव सुधार किए जाएं और उसके साथ में पार्लियामेंट की कमेटी का जो सुझाव लोक सभा ने दिया है, वह बहुत पावरफुल कमेटी होनी चाहिए ताकि इन सारी बातों को देखकर निर्णय ले सके। आपका धन्यवाद।

श्री रामजीलाल: मैं सम्मिलित करता हूँ।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): प्लीज सिट डाउन, नो। अभी हाऊस का सेंस लेना पड़ेगा। जितना समय इस शार्ट डूरेशन के लिए था, उससे काफी ज्यादा समय हम लोगों ने व्यय किया। जितने लोगों को यहां बोलना था ... (व्यवधान) ... हमारी बात तो आप सुने।

श्री अनन्तराम जायसवाल: हम चाहते हैं कि समय बढ़ाएं।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): मैं तो बोल रहा हूँ, बैठिए न, खड़े होने से क्या है।

SHRI PASUMPON THA. KIRUTTINAN: Mr. Vice-Chairman, I have a submission to make. So many Members have spoken. We have to speak also.

THE VICE-CHAIRMAN (SHRI MD. SALIM): I am saying that the time is yours. But we have to take the sense of the House.

SHRI S.B. CHAVAN: Sir, before you take the sense of the House, may I make this request? Now it is almost for three days that we have been discussing this subject and there are a number of bills which are pending, which are going to come up tomorrow also. I would request all the hon. Members to kindly speak for a few minutes. If you have to give instances of your respective States, it is not going to help the debate at all. So, kindly conclude this debate so that we are able to take up the Appropriation Bill.

SHRI SATYA PRAKASH MALAVIYA: You should have suggested this before Shri Surjewala spoke.

उपसभाध्यक्ष (श्री मोहम्मद सलीम): हमें बोलने दें। ... (व्यवधान) ... यहां जितना समय शार्ट डूरेशन के लिए दिया गया है, जो पार्टी व इंडिविज्युअल्स के लिए दिया गया था, वह सब खत्म हो गया है, एक्सेज टाईम लिया गया है। उसके बावजूद भी कई नाम ऐसे हैं, यहां सदस्य बैठे भी हैं, वे बोलना भी चाहते हैं। लेकिन बोलना अगर ऐसा हो कि हम अपने-अपने स्टेट में पिछले 10-15 साल में क्या-क्या घटनाएं हुईं, कौन-कौन लोग उसमें आ रहे हैं, फिर हम खत्म नहीं कर सकते। सटर्डेन क्या आने वाले कई साल तक चर्चा करते रहेंगे। लेकिन विषय की गंभीरता को सामने रखकर के अगर सदस्य बोलना चाहते हैं, अभी जैसा गृह मंत्री जी भी बोले हैं। यहां जो 7-8 लोग और भी हैं। मैं यह चाहता हूँ कि यह विषय आज ही खत्म हो, उसके बाद लेजिस्लेटिव बिजनेस भी होगा। अगर आप एक-दो मिनट बोलना चाहते हैं तो अच्छी बात है। इतने लोग बोले हैं, बाकी भी हो जाएंगे। लेकिन आप दो मिनट की जगह बीस मिनट लेना चाहेंगे तो यह चल नहीं सकता। तो आप बताइए कि क्या करना है?

SHRI CHIMANBHAI MEHTA: No incidents will be given. Only formulations and proposals will be given.

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

SHRI JAGMOHAN (Nominated): Now, if you kindly permit me, I will just make a general submission first, for one minute. The very fact that we are discussing this Report, all these problems arise because fairness has gone out of the Indian mind. Now, we have been waiting for the last three days for our turn. I was a signatory to this and the Members who were allotted three minutes, have spoken for thirty minutes and some have spoken for sixty minutes and there have been unnecessary interventions, unnecessary names, which are not related to the subject, have been taken. Who is to suffer for all this? I have been waiting for three days and the Chairman said: "Since you are there, we will call you first." Now, what is this? this is not fair. And now you say, speak for two minutes. You prepare your subject, you prepare your data and then you are told that you will

speaking for two minutes and here you speak so many things which are not related to the issue involved but to other things. (*Interruptions*) No, I will not be speaking if this is the attitude. What is the point in speaking? Sir, you require speakers and you have also to decide whether those people, who are nominated by the President, in view of the fact that they can make some contribution on certain subjects in view of their experience, have to be allocated time. Otherwise, there is no need to have nomination. The issue is only this. (*Interruptions*) I know it. I have been sitting here. I have counted the time taken by each speaker. The time allotted to different parties was fixed. So, how has it been extended? Sir, my request is that the Chair should stop it. The Chair should force it. But it is not stopped.

सारे प्रब्लम ही यही है कि शराफत का जमाना ही नहीं रहा।

And we demonstrate this everyday in our House.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Jagmohan Ji, you formed a group. Your group has been allotted time. Six people are from your group. So, the time will be divided accordingly.

SHRI JAGMOHAN: The point is, even then, I have a submission. We should be told in the very beginning that we will get only this much time. Then why do we sit for three days? We will do some other useful work. We are not interested in knowing who settled scores with whom. If that is the situation, we should be told that we will not be allowed to speak or we will be allowed to speak for two minutes or three minutes. Then we will decide what points are to be made and what points are not to be made. Now, I have got so many points and I am told that I can speak for two minutes and all these points are not to be spoken. What is the use? Anyway, I thought I should bring it to the notice of the House because that itself is a prob-

lem-the unfairness of the Indian mind today. We are the House of Elders. If we cannot act in a fair and just way, what right do we have to tell others to act in a fair and just way? That is the crux of the problem, not politics, crime and so on. Everything is related to mind. Are we conscious of all these things? Anyway, this was my first point. The second point which I would like to make is that I would not like to repeat any of the points which have already been made so far. My main emphasis is only on one point and I would like to remind this House what Gandhi Ji said. He said: "Politics, bereft of principles, is like a death trap. It kills the soul of the nation." This is the real issue which is involved here. What you see in every walk of life, in every public sphere, whether it is public administration or political life or something like this, it is this issue that is involved. It is the nasty, brutish and unscrupulous way of seizing power, asserting oneself, trying to aggrandise oneself and that is the main issue. I have heard everybody. But nobody has touched the real issue which is involved in this. Then I heard, "Oh, some great revelation has come!" We knew it all along. I was surprised to hear the Members saying that the Director, CBI said so and so and the IB said so and so. Were we not aware of this earlier?

गालिब का एक मिसरा है—

"हाये-उस जुदे पशेमां का पशेमां होना"

You knew everything. But you are pretending that you did not know it. We slept over it, we wept over it but did nothing about it. In this very Hosue, the Scam was discussed Every component concerned, whether he was working in bank, whether he was an auditor or whether he was working in the police organisation, was found to be tainted for something or the other and nothing was done. Do you require a Commission or a Committee or a Nodal Agency to find out what is wrong with this country? You

*Expunged as ordered by the Chair

go to any sphere, you will find corruption. At the local level, from Patwari onwards, you will find that it is reeking of corruption, it is reeking of callousness. Corruption is not only in taking money.

It is intellectual corruption. Every sphere suffers from corruption. The culture of indifference and apathy is also corruption. You do not assert yourself when you are right and, as they say, the best lack all conviction and the worst are full of passionate insensitivity. No officer three days is willing to discipline his subordinate, knowing fully well that he is a corrupt. He cannot. First he will get into trouble; and then he has got a feeling, "Why should he bother about it? Let it go as far as I can go." Why is it so? do you ever enquire? Have you ever asked why we are indebted to the extent of 92 billion dollars? Have you ever asked why 2½ crore cases are pending in the lower courts, why there is only 9 per cent conviction in serious cases whereas in Japan there is 90 per cent conviction? Have we ever asked ourselves? Do you want to know it? For the last ten years, for the last one decade, everybody knows that these arrears are mounting day by day. Where is justice? Naturally, every system, every lever of the power, has been polluted. The real thing is our Ganga has got polluted at the source and now the water that is flowing in every sphere of life, that water is planting seeds of poison everywhere. If you go to the university, are there not factions there? Are there no groups there? Where is the education that should be going on? It is all of a very low order, and we are going from bad to worse. You now require some great Lord Shiva who can come and suck the poison out of our ocean. Now the poison is so widespread in this country that it requires a united effort. And I am sure, this is not the task of the Government alone, this is not the task of the politicians alone.

It is also the task of the social and cultural reformers who have to come up.

This case, the *tandoor murder* case, is really symbol of brutalisation of the Indian mind. It is an indication of the increasing brutalisation that has taken place. Then you see our imitative economic Policy. We are just following what other Latin American countries are already following.

It is an indication of barrenness of the Indian mind. And you see what goes on on our television! It is an indication of vulgarisation of the Indian mind. And every day all these pitfalls are compounding. They are being compounded because nobody has the moral courage or the ethical courage to set the matter right. In 1947 or in 1950 we established the Constitution. We said, "We will have a Democratic, Sovereign, Socialist Republic." Are we a democracy in the real sense? When our minds are prejudiced, when our minds are prisoned by these castes and communal prejudices, do you say, when we put our vote in the ballot box that it is a free vote? Or is it a vote of a slave mind? We call ourselves a democracy! Is it a democracy that we are seeing these days? Whatever is decided at the seat of power, that becomes democracy for that party in power and even for the country. You call yourselves socialist! The highest differences and disparities in income are there in this country! Why has it happened? We have empty slogans. Our habit is to do things without content; That is the issue involved, and we go on saying this and that. But I am sure, even after ten years, we will also weep in the same manner and we will also end in the same manner as now. I tell you that this country requires another Vivekananda who can say, "Look, you are the people who have destroyed. You are the real illusion in the world of Maya." I would like to remind you what Swami Vivekananda said on 25th December, 1892. After having gone throughout the country, he went in meditation on the Kanyakumari Rock for three days. Do you

know the first word that he uttered on 25th December, 1892, after this meditation, after reflection and after seeing all the seeds? He said, "India's bloodstream is poisoned and that bloodstream needs to be purified and then only the country will wake up and we will rise." And if another Vivekananda were to arise, what would he say? I am sure, he would say the same thing that your bloodstream needs to be purified. The ruling elite of this country are the real problem. They are the real illusion. They are living with some wishful thinking. They are the persons who should disappear from the scene and give way for another ruling class which emerges. They should arise, awake and build a new country. If you permit me—just have rung the time bell—I will speak. I will just quote from one of my articles, if you permit, if another Vivekananda were to arrive what he would say to the present generation.

SHRI JIBON ROY: An evolution is necessary.

SHRI JAGMOHAN: Yes, I would only say this. I will just take two minutes to read this. I would like to invite your attention to what he had said to the elites in India, when he arrived in India after his famous Chicago Address. He said:

"In the world of Maya, you are the real illusion. You merge yourself in the void and disappear. Let a new India arise in your place."

If another Vivekananda were to appear on the scene today, I am sure he would speak to the present-day ruling elites in the same tenor and tone. He would tell them, "You have betrayed the country. You have stifled the underlying inspiration for constitutional goals. You proceeded to set up political and administrative institutions, but failed to create the mind and motivation that would have given the life and meaning to them. You built bodies without souls. You ignored the ancient nobility of temper engendered in *tyaga* and *tapasya* and started worship-

ping the new gods of power and pelf. From the great store-house of the past, you should have picked up the gems and thrown out the stones. You did exactly the opposite. You threw out the gems and picked up the stones. And they now hang around the country's neck like a dead albatross. You have done enough damage. Go; in the name of Mother India, go." This is what is my view, he would have said.

SHRI DINESHBHAI TRIVEDI: I totally agree with what you have said. The only thing which I want to remind you is that during those days India was not a free country. Today we are flogging ourselves.

SHRI JAGMOHAN: That is your illusion. Mr. Trivedi, it is our prejudices, our social vices, our cultural degeneration that are rulling us.

The point which I was making was that it required a different type of treatment. If you are suffering from cancer, you cannot treat it by taking a few digestive pills. The country requires a new environment, a new atmosphere. I would remind you that crime and culture are always linked, whether it is a political crime or an administrative crime or a social crime. They are always linked. I will give you one example. There is a gun culture in America. More than 10,000 people are killed or wounded by this culture. They are very educated. But then why do they kill or wound 10,000 people every year by the gun whereas in Japan even 5 persons a year are not killed by this method? In Britain only 30% is killed by this method throughout the year. It is a matter of culture. You have to create a climate and culture which will solve our problems. That is not being done. That is the issue. What you require is to build a new culture of construction, contentment, compassion and understanding. But what we are doing is just the opposite. We are just exploitative. This democracy is not the real democracy. This is an exploitative democracy. In

the name of democracy we are perverting the whole system. It is culture of corruption, callousness, confusion, chaos and casualness. I refuse to admit that it is only limited to politicians. You go to any office. You can see that the casualness is writ large on the face of the person. You go to any telephone office or any post office or any police station. Casualness, indifference and apathy are written on the face of India. And there is corruption. If we have the power to set things right, why don't we do that?

It is an issue of moral character. We not want to get into trouble. Today the police is criticised. The police is bludgeoned. It is true. You have created the CBI. You have created the IB. You have created the Directorate of Enforcement. What is the condition today? When they were created five per cent of the national income went into black money. That was the estimate at that time. It was the estimate of the Government. Now it is more than 70 per cent with all these institutions created! These institutions are used to cover truth, not to discover truth. What is this? It is because of the inner corruption. You cannot hope to solve by outward manifestation the evils which are within. You cannot do that. So, who is attending to it for the last 45 years? Nobody. Whosoever is born in this country, wants to become a politician. He does not want to do social work. He does not want to function like Vivekananda. I am just giving an example. He just wants to get all these powers. Now many more people have come in this field in the country and healthy cultural values are disappearing. That is the main issue. I have heard about the Lokpal. You may have the Lokpal. You may have the new Panchayat System. You may have this and that. All of them will be corrupted by the system. All of them will be corrupted by the climate and the culture about which I am talking.

Mr. Vice-Chairman, you have rung the bell. I would not disobey something which I have been advocating myself. I will not violate your order. I would conclude. I have said in the beginning that the method which is being adopted here is not fair. I have given it in writing to the Chairman also. Sir, you are the presiding officer. You kindly ensure that the time is equitably distributed. Thank you.

SHRI PASUMPON THA. KIRUTTINAN (Tamil Nadu): Mr. Vice-Chairman, Sir, the Vohra Committee was set up in 1993 in the wake of the blasts in Bombay and the substantial preliminary evidence of complicity of law enforcement personnel in the arrangements for the clandestine import of deadly explosive, RDX. It was headed by the then Home Secretary, Shri Vohra who gave his findings within a few months. But the Government of India was never bothered about releasing this document. I do not know why the Government chose to sleep over this report for all these days. At least, the Government could have taken some action on the basis of this report to check the present menace. Even after this report much water has flowed under the bridge. The Government cannot be happy with the situation in which the people have begun to lose faith in official inquiries, so many untoward and ugly incidents took place all over the country. I can quote several such cases in Tamil Nadu. I think the Government of India is much more aware of these cases than me. What was expected of the Vohra Committee was to disclose the sources of patronage that the criminals enjoy. Unfortunately, nothing of that sort has been accomplished, not even one politician has been mentioned in the 12-page report although it proclaims that crimes indicate flourish under political patronage. No inquiry is required to discover that many politicians and mafias are in league. Inquiries needed to trace such politicians and the Vohra Committee has failed

miserably in this respect. Although the report does not mention any name, it otherwise contains the sharpest ever indictment of the murkiness produced by the collusion of criminals and politicians not excluding those in power from time to time.

But the Vohra Committee Report has become a valuable document now. Now-a-days politics have become very dirty. The politicians have lost their respect among the public. Full-fledged criminals have become half-baked politicians, while fullfledged politicians have converted themselves into half-baked criminals. This has become the order of the day. In spite of all this, there are some respectable politicians but they are being sidelined because of their dishonesty. What, after all, is the central point of this Report? The mafia and the organised groups of the underworld influence the various branches of administration as also the process of dispensing justice. It speaks of the deadly combination of muscle power and money power and the way it has distorted the electoral politics. The significance of the Report lies in the official confirmation it provides to the popular belief about the unholy nexus that exists amongst the politicians, the policemen, the criminals and the bureaucrats. Sir, Mr. Vohra has said that some political leaders become the leaders of gangs and armed *senas* and get themselves elected to the local bodies, the State Assemblies and the national Parliament and that they acquire considerable political clout, seriously jeopardising the administrative functioning and the safety of life and property of the public. The House and the M.Ps. have the right to know as to how Mr. Vohra had arrived at these conclusions. Why the Report is silent or mentioning the names of such politicians-cum-criminals and the names of the political parties to which they are affiliated? Sir, Mr. Vohra has further alluded to some of these syndicates having international linkages, including the foreign in-

telligence agencies. Who are those M.L.As. and M.Ps.? What are their connections? Surely, Mr. Vohra cannot be branding generalisations about so serious a matter without having substantiated and specific information. So, it is widely suspected that the inputs that helped Mr. Vohra to form his opinion have not been made public. Sir, I am happy that the Report has brought out certain facts which disturb our minds. During the course of the discussions of the Committee with the Secretary (Revenue) and his principal officers, the following observations were made and I quote, "Of late, currency amounting to crores of rupees is being seized invariably stacked in suits, cases and gunny bags". According to the report of the Director of the C.B.I., "In the bigger cities, the main source of income relates to real estate, forcibly occupying lands, buildings, procuring such properties at cheap rates by forcing out the existing occupants, tenants, etc. Over a time, the money power thus acquired is used for building up contacts with brokers and politicians and expansion of activities with impunity. The money power is used to develop a network of muscle power which is also used by the politicians during elections". Further, the report has said and I quote, "The C.B.I. has reported that all over India the crime syndicate has become a law into themselves. Even in smaller towns and rural areas, muscle men have become the order of the day. Hired assassins have become a part of this organisation. The nexus between the criminal gangs, the Police, the bureaucracy and the politicians has come out clearly in various parts of the country"

Sir, you might have heard that a palatial building at Mylapore in Madras....
(Interruptions)

THE VICE-CHAIRMAN (SHRI MD. SALIM): ...has been purchased by the people who are very close to the Chief Minister of Tamil nadu at throw-away prices. The owners of the building have

been forcibly evicted and were forced to give a statement in favour of the political bigwigs in Tamil Nadu. Sir, in my district and in my constituency, thousands of acres of land have been purchased from the poor *harijans* and backward class people at cheaper rates and they are fenced with barbed wire. It is a fact that some land is purchased here and there and the rest, whether it is Government land or it is private land, is being forcibly occupied by the so-called purchasers. Who are they? How this money came to them? Sir, with regard to hired assassins, I can give many examples from my State. On August 14, 1991, just three months after the AIADMK Government came to power, armed assassins attacked the office of the Tamil Weekly, "Tharasu", and stabbed two employees to death. No one knows if the culprits have been brought to book or not. Only the Central Government and its agencies know who the culprits are.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Please conclude. ...*(Interruptions)*...

SHRI G. SWAMINATHAN: He is going to link up so many cases. He is going to link up the whole of India. ...*(Interruptions)*...

SHRI R. MARGABANDU: He is going to link up the whole of India ...*(Interruptions)*...

SHRI PASUMPON THA. KIRUTTINAN: Sir, an IAS officer, Ms. V.S. Chandralaksha who was the Commissioner of the Tamil Nadu Investment Corporation, was attacked by some people by throwing acid on her face because she did not oblige the political high-ups in Tamil Nadu. It happened in May, 1992. Dr. Ananthakrishnan, the Vice-Chancellor of Anna University was attacked and his house was ransacked on 13th July. ...*(Interruptions)*...

SHRI G. SWAMINATHAN: There is no proof ...*(Interruptions)*...

THE VICE-CHAIRMAN: (SHRI MD. SALIM): Don't give any list of incidents. We are discussing the Vohra Committee Report. ...*(Interruptions)*...

SHRI PASUMPON THA. KIRUTTINAN: Sir, there are several such incidents. ...*(Interruptions)*...

SHRI G. SWAMINATHAN: Let him prove it. ...*(Interruptions)*...

SHRI PASUMPON THA. KIRUTTINAN: Sir, one advocate, M.V. Vijayan at Madras was brutally attacked and his right arm and left leg were broken. This happened on 21st July, 1995. Five persons were involved in this attack. Sir, on 30th May, 1995 five persons attacked a criminal lawyer, Mr. R. Shanmugasundaram. ...*(Interruptions)*...

SHRI R. MARGABANDU: I know what has happened in Tamil Nadu. ...*(Interruptions)*...

SHRI PASUMPON THA. KIRUTTINAN: What was his crime? His crime was that he was preparing a criminal case against Ms. Jayalalitha. ...*(Interruptions)*...

SHRI R. MARGABANDU: All these matters are before the court. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Kiruttinan, the Home Minister wants to say something. Please sit down. ...*(Interruptions)*...

SHRI S.B. CHAVAN: Sir, what I would like to submit to you is that we can have a break and take up the Appropriation Bill and get it passed and we can have a separate discussion of Jammu and Kashmir. I have no objection to it. You can fix the time with the office of the Chairman and call a meeting of the Business Advisory Committee. Unless there is some other urgent business before the House, and if it does not come, certainly, even in the morning I am prepared to discuss that. ...*(Interruptions)*...

DR. BIPLAB DASGUPTA: Sir, I am not in agreement with this. I feel that by separating the discussion from the passing of the Bill will not really work. Unless there is a discussion on the Bill, the discussion becomes meaningless and Kashmir is very very important for us. We cannot simply pass it in five minutes and abandon the discussion. That will be very very wrong. ... (Interruptions)... Please listen to me, Chavanji. What I suggest is this: Today we are already too late. Let the rest of the time be devoted to the Vohra Committee Report, it may be up to 7 o'clock and let us finish it. Chavanji, please listen to me.

SHRI S.B. CHAVAN: How much time are you going to take for the Vohra Committee Report?

DR. BIPLAB DASGUPTA: I am suggesting, let us finish the discussion on the Vohra Committee today. Tomorrow we have the Private Members' Day. We can shift the time a bit in the morning for an hour or two for discussing Kashmir. After that we can switch over to Private Members' Bills. ... (Interruptions)...

विपक्ष के नेता (श्री सिकन्दर बख्त): सदर साहब, मुझे कुछ कहना है। मेरी बातचीत हुई लीडर ऑफ द हाउस से, मेरी बातचीत हुई डिप्टी-चेयरमैन साहिबा से। काश्मीर के डिस्कसन को खत्म करने का कोई सवाल नहीं है, अगर उस का इल्तबा, जैसेकि लीडर ऑफ द हाउस ने कहा, उन्होंने कहा "शॉर्ट ड्यूरेशन", काश्मीर पर अपनी जगह रहेगा; फर्क इतना रहेगा कि उस के लिए वक्त कब निकालना है? इसलिए एप्रोप्रिएशन का जहां तक सवाल है, वह लाज़मी है और उस का कोई सवाल नहीं है। लिहाजा दोनों चीजों को अलहदा कर के — एप्रोप्रिएशन को पहले पास कर किया जाए और काश्मीर की बहस के लिए वक्त अभी से तय कर लिया जाए, बस इतना ही मुझे कहना है।

+ [नितारदरो वही] श्री सिकन्दर बख्त
सदर साहब - मुझे कुछ कहना है - मेरी
मात वित्त मंत्री लीडर ऑफ द हाउस

हैं - मेरी बात वित्त मंत्री लीडर ऑफ द हाउस
सेन साहब से नितारदरो वही
करने का लोचन मिला है - अंतर
असाधारण कि लीडर ऑफ द हाउस नुसार
अबनो ने कहा "नितारदरो वही" नितार
अभी नुसार - फर्क असाधारण कि लीडर ऑफ द हाउस
वित्त नुसार - असल में "अंतरदोषी" नितार
का जमा नुसार - वही लीडर ऑफ द हाउस
सवाल नितार है - लीडर ऑफ द हाउस नुसार
वित्त नुसार "अंतरदोषी" नितार
कर लिया जाये - और नितार वित्त नुसार
अभी से नुसार - बस अंतरदोषी
[...]

SHRI Inder Kumar Gujral (Bihar): We had a word with the Leader of Opposition, Shri Sikander Bakhtji, and the Leader of the House. I think sometimes even expediency must not be yielded to against the national interest. What is the national interest today? Not that I am a greater patriot and they are not. We all are the same. The main difficulty today is that Kashmir has some very vital dynamic issues which are confronting us-not long-term, but short term. Four people have been kidnapped. Ambushes are going on. That is one dimension. The Ambassador of America is making some statements, which are also very vital for us. To give wrong message to the people of Kashmir at this stage that we are indifferent and we pass their Budget without discussion, I am sorry, I cannot be a party to it.

SHRI G. SWAMINATHAN: Sir, as per our rules, you can refer to your matter, but can a Member read from beginning to end? It is because somebody would have given the notes to him and he is not applying his mind.

SHRI PASUMPON THA. KIRUTTINAN: No, no, you are making a wrong statement.

SHRI G. SWAMINATHAN: As a rule, Sir, somebody can refer to the notes but he cannot, from beginning to end, read. The rule is, one should speak from his mind and not from another person's mind. Let the Member refer to his notes.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Shri Swaminathan, let him conclude.

SYED SIBTEY RAZI: When his leader, Miss Jayalalitha was a Member of this hon. House, all the time she was reading from the. ...*(Interruptions)*...

SHRI G. SWAMINATHAN: Sir, I refute it.* ...*(Interruption)*.

THE VICE-CHAIRMAN (SHRI MD. SALIM) Nothing will go on record. You sit down. ...*(Interruptions)*... Will you please sit down? Nothing is going on record.

SHRI PASUMPON THA. KIRUTTINAN: One fine morning, one I.A.S. officer, M.V. Panda was brutally attacked and his house was looted by hired assassins. Sir, even the MLAs of the Opposition Parties were attacked within the Assembly by the ruling party. Is it not criminalisation of politics? This is a warning to every one of us. Moral values have gone down in Tamil Nadu. All sections of the society are demoralised. There should be and end to it. Otherwise, the people in general will lose faith on the very system of our democracy. The honest people, whether they are in politics or elsewhere, are being sidelined and the dishonest people in all walks of life are being given a chance at the helm of

affairs. This is the situation in this country, at the Centre as well as in Tamil Nadu. Thank you, Sir.

SHRI JOHN F. FERNANDES (Goa): I was one of the signatories to the Short Duration discussion, but I am going to be the last Member of my party. Thank you very much for permitting me. Sir, we are discussing here the so-called Vohra Committee Report. I do not find anything interesting in this Report. It is a lukewarm Report, Sir. This is a report of a bureaucrat. This Report had a term of reference and the Committee was not *suo motu* appointed by the Government. It was appointed because there was some bombing in Bombay. There was a report that there was a nexus between the criminals and the politicians. I do not find anything interesting in this Report which is not in the knowledge of our country. This shows how we politicians have corrupted our own system. But this Report gives us a reason to discuss the malady facing our society. I said that I do not find anything interesting in the Report because we can define a Committee as a group of persons who individually can decide on nothing, but they collectively come together and decide that nothing can be decided. And that is what has been done in this report, Sir. Sir, in para 2 itself, one of the officials has mentioned that he is not going to reveal the truth because he was scared to speak and here he has mentioned in this Report that he has blamed the four categories, the nexus between the four categories; the politicians, the bureaucrats, the businessmen and the underworld. And who is sitting in judgment? It is the bureaucrats themselves. I do not think it would be appropriate for us to give credence to this Report in this house. It would have been appropriate for the Government if a partial authority was appointed, a judge of the Supreme Court on the lines of the Lok Pal...

who can command respect and who can command the authority of the

investigating authorities in the country and question the people. Now, we have a Report by the Home Secretary. He is a subordinate officer in the Home Ministry, under a politician, under a Member of Parliament. So, I don't think that this will be a foolproof Report. So, I would request the Home Minister to see that a fullfledged Commission is appointed under the Commissions of Inquiry Act, where a sitting Judge of the Supreme Court is made to go into the nexus between different strata of the society.

Sir, I made it a point to sit here and to insist that I should speak because I made some references in this House for the last two or three years. After the bombing of Bombay, I did mention, Sir, that there is a nexus between a Minister in my State and the Mamon brothers. Nothing was done. And when the Mamon brothers were arrested these people gave out that there is a gentleman in Goa who is holding crores of rupees belonging to them. And this money was attached in the Special Court, trying the Mamon case. But nothing was done by the system. When I raised this issue, the Home Ministry made an investigation and they found the culprit. About two months back, again raised the point in this House that this very gentleman is boasting in the streets of Goa that nothing can be done, he cannot be touched by the CBI because he has taken care of the CBI. But nobody made a point to come and investigate and get the information. This gentleman boasts that he has given golden necklaces and diamond necklaces and cars and furniture. If this is the way we are going to run the system and allow the criminals go scot-free in the streets, I don't think that there is any relevance for us to sit in this House. Mr. Vice-Chairman, Sir, that was the main thrust of my request for speaking.

Secondly, Sir, we have a federal system, and we say, under the Seventh Schedule of the Constitution, law and order becomes the State subject.

Yesterday, we have seen the statement of the Home Minister that there was a jail-break and the Federal Government has no control. How can we run this country if the Union Government has no control? Even when you send the CBI to a State for investigation, you function under the Delhi Police Act. You have to take the permission of the same Ministers and the Chief Minister to investigate against them. So, I think, we are making a total mockery of our system. So, unless we have a Federal Police as they have in the United States, and a Federal judiciary system and legal system, unless we have a foolproof system in this country, unless we amend our laws, nothing can be done. We should have a Commission, not a nodal Committee which you have mentioned. What can this Committee do? The IB people will have to investigate, and they will be compelled by the Home Ministry. So, I would suggest, in the end, before I conclude, that we should have a Commission. A sitting Judge of the Supreme Court should sit there, and this nodal agency, the investigating agency may assist him. And we also should have a certain different pattern of law that any citizen can go and complain if he feels that there is a nexus between the politicians and the criminals. And I don't think that the judiciary should be excluded. The other day, there was a statement from the lawyer who got the bail for Sushil Sharma in Madras that he had to spend one and a half lakhs of rupees to get the bail. So, this is the system which we are running. So, I don't think the judiciary should be excluded from it. That is the only way in which we can remove the disparities and the malady facing this nation. Thank you, very much, Sir.

उपसभाध्यक्ष (श्री मोहम्मद सलीम): श्री अनन्तराम जायसवाल। संक्षेप में आप अपनी बात रखेंगे।

श्री अनन्तराम जायसवाल (उत्तर प्रदेश): बहुत संक्षेप में, लेकिन आप जितना संक्षेप में चाह रहे हैं, उतना नहीं।

उपसभाध्यक्ष महोदय, माननीय सदस्य श्री जगमोहन जी ने जहां से खत्म किया है मैं वहां से शुरू करना चाहता हूं। उन्होंने कुछ उद्धरण दिए विवेकानन्द जी के। मैं इस सदन को याद दिलाना चाहता हूं कि हमारा खून कितना गड़बड़ हो गया है। विवेकानन्द जी ने कहा है कि हमारे स्वागत में भीड़ आती है हजारों की, फूल मालाएं पहनाते हैं, हमारी बातों को लोग सुनते भी हैं। लेकिन दुख की बात यह है कि उस पर अमल नहीं करते और इस तरह का अनुभव अकेला उनका नहीं है। डा० लोहिया ने भी एक दफे कहा कि सभी पहलुओं पर विचार करके हम इस नतीजे पर पहुंचे हैं कि यह देश सुधरना नहीं चाहता है, बदलना नहीं चाहता है। लेकिन निराशा के भी कुछ कर्तव्य हैं जिनको हम कर रहे हैं। तो आज यह हालत है हमारे अपने देश की।

6.00 P.M.

जो विवेकानन्द के समय, भी गुलामी के वक्त में था और उससे ज्यादा खराब आज हमारी हालत है। मैं आपको यह कहना चाहता हूं कि वोहरा कमेटी ने बहुत अच्छी बातें खोली हैं। हमारा खाल है कि वे बातें हम सब लोग जानते हैं। उन्होंने कहा कि राजनेताओं और नौकरशाहों जिसमें सभी विभागों के नौकरशाह शामिल हैं, खास करके आर्थिक विभाग के और अपराधियों का अंतर्संबंध, यह बात उन्होंने कही है लेकिन मैं आपको कहना चाहता हूं कि मामला इससे भी आगे जा चुका है। इस गठबंधन को या इस अंतर्संबंध को आज अपने देश में सरकार का भी समर्थन प्राप्त है। सरकार की छत्रछाया में यह गठबंधन फल-फूल रहा है और इस कथन को साबित करने के लिए मैं आपको याद दिलाना चाहता हूं उत्तर प्रदेश की पिछली सरकार की। उस वक्त हमारे उत्तर प्रदेश में हालत यह थी कि उसकी गुंडा राज कहिए, उसके जंगल का राज कहिए, सभी विशेषण या ऐडजेक्टिव उसके लिए नाकाम्य हैं और जब वह राज गया तो लगा कि जैसे लोगों के गले से फांसी का फंदा उतर गया और लोगों ने राहत की सांस ली। यह उत्तर प्रदेश की हालत थी लेकिन उत्तर प्रदेश की उस गवर्नमेंट के समर्थक यहां पर अभी हैं, बराबर उसका समर्थन करते रहे और आज भी करते हैं। एक बात और उस वक्त की हम बताना चाहते हैं और चन्हाण साहब की खिदमत में अर्ज करना चाहते हैं, वे हैं या नहीं, यह रिकार्ड पर है कि उत्तर प्रदेश के चीफ सेक्रेट्री ने श्री मुलायम सिंह जी से दस लाख रुपए लिए हैं। एक आई०ए०एस० अधिकारी हैं, क्या आप उनके खिलाफ कोई कार्रवाई करेंगे? जिस दिन यह बात खुली थी उसी दिन

उनको सस्पेंड करके उनके खिलाफ कार्रवाई होनी चाहिए थी, सरकार ने अभी तक नहीं की। इसलिए मैं कहना चाहता हूं कि आज पानी बहुत आगे बह गया है। इस गठबंधन को सरकार का समर्थन भी प्राप्त है और ये खूब फल-फूल रहा है। आखिर ये गुंडे, बदमाश राजनीति में आते क्यों हैं? फिर जो धंधे इन्होंने निकाले हैं आर्म्स की, एम्पुनिशन की, विस्फोटक की स्मगलिंग के, इन सबकी वजह से इनके पास इतना पैसा आया रिपोर्ट में ठीक कहा गया है कि उस पैसे के सहारे से इन्होंने बाहुबल इकट्ठा किया। तो अंधाधुंध पैसा और बाहुबल, उसके जरिए से इनके हाथ फैल गए ब्यूरोक्रेसी में भी, राजनीतिक दलों में भी। लेकिन शुरू में ये कोशिश करते हैं कि राजनीति में इसलिए जाएं कि उनकी बचत हो। पहले आते हैं बचत के लिए, पुलिस से बचने के लिए, कानून से बचने के लिए, कानून की मार से बचने के लिए, जेल से बचने के लिए पहले इसमें आते हैं। फिर जब इनकी बर्ख मालूम होती है राजनेताओं की कि इनके पास अथाह पैसा है, अथाह बाहुबल है तब फिर इनका इस्तेमाल बृथ कैप्चरिंग के लिए किया जाता है। उनके पैसे का इस्तेमाल इलेक्शन में किया जाता है और समाज का कोई भी क्षेत्र ऐसा नहीं है जो इनसे बचा है। इसलिए मैं आपसे कहना चाहता हूं कि यह मामला बहुत बढ़ गया है और यहां तक बढ़ गया है कि इनके संबंध खुफिया एजेंसियों से भी हैं, विदेशों की खुफिया एजेंसियों से। तो इसके बाद चन्हाण साहब, क्या कुछ रह जाता है जब हमारे देश की स्वतंत्रता पर ही खतरा आ गया? जब हमारे देश की, राष्ट्र की सुरक्षा पर ही खतरा आ गया? तो इसके आगे कुछ नहीं बचता है। इसलिए मैं गांधी जी का एक किस्सा आपको याद दिलाना चाहता हूं। एक दफा एक लड़की जिसके साथ कुछ लड़कों ने छेड़छाड़ की थी, वह गई गांधी जी के पास। आप सब लोगों ने शायद पढ़ा भी हो तो याद होगा। तो उसने अपनी विपदा गांधी जी से बताई तो गांधी जी ने कहा कि तुम इसके लिए खूब हल्ला मचा दो। लोगों को बता दो कि क्या हुआ तुम्हारे साथ। उस लड़की से कह रहे हैं जो बेचारी लाज के मारे बोल नहीं रही है लेकिन गांधी जी कह रहे हैं कि सब सुना दो और गांधी जी ने उस वक्त कहा कि

“Vice Crawls in the darkness. The moment you throw light on it, it disappears.”

तो बुराई तो पनपती ही अंधेरे में है। और जब उसको प्रकाश में आप ला देंगे तो वह बुराई खत्म हो जाएगी।

इसलिए मैं आपको कहता हूँ कि वोहरा कमेटी में नाम नहीं है लेकिन वोहरा कमेटी ने इतना तो काम किया कि इस गठबंधन को पूरी ताकत के साथ खोंगों के सामने ला दिया।

मैं एक और निवेदन करना चाहता हूँ ... (व्यवधान) ... विप्लव दास जी आप क्यों विप्लव पैदा कर रहे हैं। आप अपनी जगह पर आ जाइए, चौव्हाण साहब को भेरी बात सुनने दीजिए।

मैं यह निवेदन कर रहा हूँ कि उस रिपोर्ट में नाम भले ही न हों लेकिन आपके पास आई०बी०, सी०बी०आई०, एकानामिक विभाग, रेवेन्यू विभाग की रपट मौजूद हैं। इन रिपोर्टों में ये नाम मौजूद हैं। आखिर क्या वजह है कि इन नामों को आप खोलना नहीं चाहते हैं?

उपसभाध्यक्ष (श्री मोहम्मद सलीम): अब आप समाप्त करें।

श्री अनन्तराम जायसवाल: मैं समाप्त कर रहा हूँ। मैं अपने कुछ सुझाव देना चाहता हूँ। इनमें एक सुझाव है कि आप उन नामों को खोलिए, उनको जाहिर कीजिए। मैं विश्वास के साथ कहता हूँ कि चाहे वह नौकरशाह लोग हों, चाहे वे राजनेता हों और चाहे वे बदमाश हों, आए अगर उनका नाम खोल देंगे, उनके खिलाफ कार्यवाही करेंगे तो सम्झिए कि रूप में 50 नहीं, 75 से 90 पैसे तक आपको इस मैलेडी से तुरन्त छुट्टी मिल जाएगी। लेकिन आप खोलना नहीं चाहते हैं। मेरी समझ में नहीं आता है कि आखिर आप क्यों नहीं खोलना चाहते हैं। जब बंबई में बम ब्लास्ट हुए तब आपने, यह कमेटी बिटायी और जब यहां पर तंदूर कांड हुआ तब आपने यह रपट यहां रखी। आज हम इस पर चर्चा कर रहे हैं। क्या आप चाहते हैं कि पार्लियामेंट में भी इसी तरह का विस्फोट हो जाए/ उसी तरह के बम फटे तब आप कार्यवाही करेंगे? मैं चाहता हूँ कि आप उनका नाम खोलिए।

दूसरी चीज मैं यह कहना चाहता हूँ कि बहुत पहले डाक्टर लोहिया ने कहा था, आज से 50 साल पहले कि इस देश में गुंडों, पुलिस और प्रभावशाली व्यक्तियों की तिकड़ी है और यह तिकड़ी इतनी सशक्त है कि इस की मर्जों पर है कि किस इलाके में शांति रहेगी और किस इलाके में अशांति रहेगी। उन्होंने यह भी कहा था कि इस तिकड़ी को तोड़ने की कोशिश में जाने भी जा सकती है। यह 50 साल पहले की बात है और आज तो यह

तिकड़ी बहुत मजबूत हो गयी है। अभी कुछ दिन पहले उत्तर प्रदेश

में यह हालत थी कि बड़े से बड़े लोग धरारते थे कि न जाने कब हमें मार दिया जाए, कब उठा लिया जाए। यह हालत वहां थी। मैं आपसे कहना चाहता हूँ कि यह उचित वक्त है आप उनका नाम खोलिए। दूसरी चीज, यह किसे मालूम नहीं है कि रातों रात लोग बड़े हो गए और उन्होंने अथाह दौलत पैदा की और सम्पत्ति बढ़ायी। इस रिपोर्ट में यह कहा गया है कि इस दौलत को, इस सम्पत्ति को जप्त करने के लिए कोई मजबूत कानून नहीं है। मैं आपसे कहना चाहता हूँ आज और अभी बगैर किसी देरी के ऐसा कानून लाइए और अगर पहले से मौजूद है तो उसका इस्तेमाल करके उन लोगों को, जिन्होंने अनुचित रास्ते से, संदिग्ध रास्ते से दौलत पैदा की है, मकान और जायदाद बनायी है उनकी दौलत और उनकी जायदाद को जप्त कीजिए। आधा सुधार तो हमसे हो जाएगा। लेकिन आप इसको करना नहीं चाहते हैं। बहुत सी बातें जो यहां पर कही गई हैं वह सब मानिए लेकिन इन दो बातों पर खासतौर से ध्यान दीजिए।

महोदय, इस सदन में बोलते हुए मैंने कई बार कहा है कि ऊटपटांग चीजें टेलीविजन पर और रेडियो पर आती हैं। आप कम से कम इतना कर दीजिए कि गांधी जी के उद्धरण, विवेकानन्द जी के उद्धरण, डाक्टर लोहिया के उद्धरण और ऐसे ही दूसरे ऐसे लोगों के उद्धरण छंटवाकर उनको बराबर प्रसारित करवायें और देखिए कि लोगों पर इसका असर पड़ता है या नहीं पड़ता है।

महोदय, श्री कल्याण सिंह ने कहा कि मुलायम सिंह के दल में कौन कौन विधायक हैं जो दागी हैं, उन्होंने इसको खोला है और इसी तरह से श्री मुलायम सिंह प्रादव ने कहा कि कल्याण सिंह या बी०जे०पी० में कौन कौन दागी हैं। यह जो रिपोर्टें हैं आप कम से कम उनको मंगा लीजिए और आप उनको बुलाकर कहें कि आपके बीच में जो ऐसे लोग हैं उनको निकाल बाहर फेंकिए। शायद इस मौके पर वे मान जाए। जब लोहा गरम होता है तभी चोट की जाती है। अन्यथा आप कितनी भी कोशिश कर लीजिए, कुछ होने वाला नहीं है। तो मैं आपसे कहना चाहता हूँ कि तमाम एवीडेंस जो आपकी फाइलों में बिखरे पड़े हैं और दूसरे लोग जो कहते हैं उनसे भी आप एवीडेंस लीजिए और आज ही, अभी ही, अगर इसके लिए कानून नहीं है तो नया कानून बनाइए, इसमें पूरे हाउस का आप को समर्थन मिलेगा, उनके खिलाफ कार्यवाही कीजिए।

आखिर बात मैं आपको और सारी पोलिटिकल पार्टियों के लोगों से कहना चाहता हूँ। आदमी का चरित्र निर्माण या तो होता है उसके माता-पिता और परिवार में फिर स्कूल में होता है और तीसरी ऐसी जगह है राजनीतिक पार्टियाँ। राजनीति भी आदमी का सुधार करती है। ऐसा नहीं है कि यह खाली लफ्फडों का अड्डा हो, राजनीति भी सुधार के लिए होती है। मैं इसलिए सभी पार्टियों से कहना चाहता हूँ कि थोड़ा इस तरफ भी ध्यान दीजिये ताकि लोगों का चरित्र निर्माण हो। रोग बहुत गहरा है। इस पर जब तक मुतवातिर सभी क्षेत्रों से हमला नहीं किया जाएगा तब तक यह रोग खत्म नहीं होगा। मैं निवेदन करना चाहता हूँ कि इस रोग की वजह से आदमी त्राहि-त्राहि कर रहा है। साधारण आदमी अपनी जान और जायदाद के लिए मर रहा है। यहाँ दिल्ली में जो बूढ़े कपुल हैं, औल्ड कपुल हैं, रोज़ अखबारों में आता है, उनका कत्ल कर दिया गया, उनकी जायदाद लूट ली गई। इसी दिल्ली में साधारण लोगों के साथ यह बात हो रही है। लोगों का जीना हराम है। गुंडागर्दी चरम सीमा पर है। इसलिए मैं सभी राजनीतिक पार्टियों से कहना चाहता हूँ विकास के काम ठप्प पड़े हैं करप्शन के नाते। यह बात ध्रुव सत्य है कि जहाँ करप्शन होगा, वहाँ विकास नहीं हो सकता। इन सब चीजों को देख कर मेरी पार्टियों से अपील है कि ज़रा अपने दामन में झाँकिये और देश जिस दुर्दशा को प्राप्त हो गया है, उस दुर्दशा से देश को निकालने के लिए अपने यहाँ सुधार कीजिये और चरित्र निर्माण का काम जो छूटा पड़ा है, जिस पर लोगों का पूरा ध्यान नहीं जाता है उस काम को भी आप करिये। बहुत बहुत धन्यवाद।

SHRI JOYANTA ROY (West Bengal): Hon. Vice-Chairman, Sir, we have had a lot of discussion on this subject yesterday and today. Some of our respected colleagues have given a lot of suggestions here to prevent the prevailing nexus amongst criminals, politicians and bureaucrats.

However, it seems very funny that our Government constituted a committee of its own men to conduct an indepth study of the politicians-bureaucrats-criminals nexus. It was only to conceal the Government malpractice and malfunctioning. Naturally, we should take this issue very seriously. If we take this issue as a crisis of democracy, we should

come forward. All the political parties should come forward. We should sit together and evolve a way to prevent this danger of the growing nexus amongst criminals, politicians and bureaucrats. To me, it is funny that the Government constituted the Vohra Committee with the Government's own men. They were also a part of parcel of the bureaucracy. Naturally, if we realise the danger, to my mind, we should be more sincere to our task, and we should rather try to assimilate more ideas for national growth, national integrity and so on and so forth.

First, I endorse the views expressed by Mr. Gujral yesterday. I endorse his suggestions on electoral reforms and on checking the role of money and muscle power in elections.

Secondly some effective measures to bring down the parallel growth of black money in the country should be taken. Thirdly, form a National Commission of Ethics with sufficient provisions of the law to take stock of the situation and take appropriate measures against the politicians of all types and government functionaries like the Prime Minister and the Council of Ministers at the Centre and the Supreme Court and High Court Judges. This Committee should be an independent body like the Election Commission. fourthly, some sort of a formula should be made so that the honest officers in the bureaucracy and police are protected from harassment on political considerations, which is going on even among the States. Fifthly, it has to be ensured that bureaucracy and the police under the Centre and the State act as per provisions of the law and rules of business and not on political considerations. These are my suggestions for consideration.

SHRI CHIMANBHAI MEHTA (Gujarat): Sir, I am not blaming anyone. I want to make only one point. The point is how to challenge corruption within one's own party and within one's own

Government as a legislator. Sir, you know that the Democrat Party President, Mr. Clinton, is being criticised by a Democrat Senator in the US Senate or in the House of Representatives and nothing goes against the Senator, who speak against Mr. Clinton. Unless this sport of freedom is available in our country, how can we challenge things? If I am nominated by my party leader as a candidate for the Assembly or for the Parliament and if my leader is corrupt as a Minister or as a Chief Minister, is it possible for me, a person who is always eager to get nominations and nominations till one dies, to challenge his corruption? I am not naming any political party, because then it goes totally out of the focus. In other advanced democracies this is not the system. In our country, the high command or the leaderships are nominating candidates. Now, those candidates can never challenge the leaders, if they are corrupt. In advanced democracies, it is the local constituencies and the general supporters of the political parties who nominate candidates first and then they elect afterwards. It can be done easily. Suppose I am a Congressman staying in Delhi. If I am asked to vote for my party candidate as a general supporter and as a workers, I will nominate a particular person. In America, a person is nominated for below. Therefore, if Mr. X is nominated and elected, he will challenge the corruption of his Ministers inside and outside the Parliament. This is the only way by which you can improve the system.

SHRI V. NARAYANASAMY: You can have an Ethics Committee.

SHRI CHIMANBHAI MEHTA: I am demanding a basic electoral reform where the people have the right to nominate their own candidates and not that the bosses have this right. Our leaders, Some of them have started taking money for giving tickets to contest elections. Mafia men are given tickets. If the local party workers decide and nominate a candidate

to contest elections, it is not accepted. It may happen only in a few cases. But the people down below will not nominate. If a person is of a bad character, political parties will nominate him. This is the basic electoral reform. I am not talking of it. I am talking of Seshan reforms. This reform has not taken place. In India, leadership of political parties are adopting a clandestine dictatorship policy. Take any M.P. or any M.L.A. or take their leader in the House or outside. If somebody does something, he is thrown out. Then, they say, "You are changing parties." That is another matter. Unless you give this right. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Mehta, you told me that you will take only one minute.

SHRI CHIMANBHAI MEHTA: I am taking only one minute. I am not repeating the point. This was not raised by any Member here. I have been waiting for the last three days. Somehow when my name came, unfortunately, I was out of the House. That is why I am taking the last minute chance and making only one point. I know that all Members and party workers are suffering from this. They are right in doing that. Unfortunately, they don't do that. If you don't criticise yourself, you are a hypocrite. Therefore, I say, let us come to the conclusion. There should be nomination of a candidate by the local constituency supporters of a political party. Why don't you give them the right who are making you win elections? To my mind, you give your right to the boss. If you want to remove corruption, you have to do this. This is the only one point, I wanted to submit. Of all the names which are there from our group, only Mr. Mann is yet to speak. So, please permit him so that all Members can feel satisfied that they have been allowed to speak. Thank you, Sir.

श्री मोहम्मद मसूद खान (उत्तर प्रदेश): सदर साहिब, बहुत-बहुत शुक्रिया कि आपने मुझे मौका दिया मैं कोई तकरीर न करके खाली सुझाव दूंगा। यह बड़ी

खुशी की बात है और मायूसी नहीं है कि कम से कम मर्ज तो हम लोग जान लिये कि हम लोगों के अंदर मर्ज क्या है। वोहरा कमेटी से जो सब से बड़ा फायदा हुआ वह कि अपनी मर्ज भी हम नहीं बता रहे थे, वोहरा कमेटी की रिपोर्ट की वजह से मर्ज आ गया। हमारा दो-तीन मशविरा है। एक तो इतनी हिम्मत पैदा कर दी जाए इस मुल्क में कि वोहरा जैसी कमेटी भी नाम ले ले अपनी रिपोर्ट के अंदर वह भी हिचक रही थी, उसके भी जुरअत नहीं थी कि जो शहादतें आई थीं उन शहादतों से जो नाम आए थे वे नाम हमारे सामने रखते। सब से बड़ी वजह जो है कि यह इसाफ ताकत से और गैर जानिबदारी से नहीं मिलता। इस वजह से यह चीज ज्यादा बड़ी है। देहात में कहते हैं कि हमको अदालत में जाने की जरूरत नहीं है क्योंकि बीसियों साल लगेगा और इसके बाद पुलिस के यहां भी जाने की जरूरत नहीं है कि पुलिस हम से दस हजार ले तो हमारे फरीक से बीस हजार ले। तो कहां जाने की जरूरत है? गुंडों की जो कमेटी है उनके यहां जाकर पैसा दे दो तो वह कम से कम वायदा खिलाफी नहीं करेगी और हमको जमीन का कब्जा दिला देगी। जब यह स्थिति हो जाए और जब यहां तक हम पहुंच जाएं तो शायर यह कह दें कि,

“यह अहले सियासत की क्या कोर निगाही है,
महलों में उजाला है कुटिया में सियाई है,
महसूस हमें होता है यह दौर तिबाही है,
शोरो की अदालत है पत्थर की गवाही है।”

जब तक हम पत्थर की गवाही खत्म नहीं करेंगे तब तक इसाफ गैर जानिबदारी के साथ नहीं मिलेगा और जब तक इसाफ नहीं मिलेगा तब यह क्रिमिनल बढ़ते जायेंगे। उसको हम रोक नहीं पायेंगे।

तीसरा मशविरा हमारा यह है कि यह हलफ से काम नहीं चलेगा। मैं आज भी इस राय का हूँ कि लोकपाल बिल आना चाहिए। अगर कोई है तो उसके यहां बड़े से बड़ा आदमी चाहे एम०पी० हो, चाहे एम०एल०ए० हो, चाहे चीफ मिनिस्टर हो, चाहे कोई हो, उसका केस वहां जाने के बाद और वहां फैसला होने के बाद उसके खिलाफ कार्यवाही होनी चाहिए।

आखिर में मैं आपके माध्यम से इंटेलिक्चुअल लोगों से अपील करता हूँ। यह जो सियासत में अंधेरगद्दी आई है, वह घर बैठ गए हैं, उन्होंने जगह छोड़ दी है और दूसरे लोग आकर घुस गए हैं जिनकी वजह से वह सियासत में आने के वास्ते घबरा रहे हैं। उनसे मेरी

अपील है कि चाहे वह डाक्टर हों, वकील हों और चाहे कोई और हों, जुरत के साथ पॉलिटिक्स में आएँ। पॉलिटिक्स में वह जुरत के साथ आएंगे तो इस में जो भी खामियाँ हैं, वह खुद-व-खुद दूर हो जाएंगी। इतना कहने के बाद मैं चाहूँगा कि मेरी अपील को ये लोग भी सुनें और जो मैंने मशविरा दिया है, अगर वह कीमती हो तो होम मिनिस्टर साहब मान लें।

۳۲ شہری محمد مصد خان اتر
ہر دینس: صدر صاعب بہت
شکریہ کہ آپ نے مجھے موقع دیا میں
کوئی تقریر نہ کرے گا خالی سمجھاؤ دوں
گا۔ بہتر یہ کہ خوشی کی بات ہے اور مالکی
میں ہے کہ ہم سے کم سے کم شروع لوگ
جہاں سے کہیں لوگوں سے اندر مومن کیا
ہے وہو ایکٹیو سے جوہں سے بہرہ فائدہ
موا وہ یہ کہ اپنا میر غریب لوگ نہیں بنا
رہے تھے وہوہ لیٹی کی رپورٹ کی وجہ
سے مومن الگا۔ سمارا دو مومن مشورہ
ہے۔ ایک تو اتنی سمجھتا پیدا کر دی
ہے اس ملک میں کہ وہوہ اجمعی
کمیٹی بھی نام لے لے اپنی رپورٹ کے آغاز
وہ بھی صاف لکھی تھی۔ انکو بھی عزت
ہیں تھی کہ جو سارا تین آل یقیں ان

مستشارتوں سے جو نام آئے تھے وہ نام بھلا
ماننے رکھتے۔ سب سے بہتر وہی وجہ جو کہ
الغاف طاقت سے اور غیر جانبداری سے

ہیں ملتا۔ اس وجہ سے یہ جیسے زیادہ بڑی ہے۔ دیہات میں پہنچتے ہیں کہ کیم کو عدالت میں جانے کی ضرورت نہیں ہے کیونکہ بیس سال پہلے گا اور اگلے بعد پولیس کے یہاں بھی جانے کی ضرورت نہیں ہے کہ پولیس ہم سے دس ہزار لے۔ ہمارے فرتوق سے بیس ہزار لے تو کہاں جانے کی ضرورت ہے۔ غنٹوں کی جو کمی ہے انکو ہمیں جانر پیسہ دے دو تو وہ کم سے کم وہی دھاتی نہیں لڑے گا۔ اور کم کو زمین ما فیضہ دلانے کی۔ جب یہ امتیازی ہو جائے اور جب یہاں ملک عام پنہج جائیں کہ شاعر یہ کہ لکھنا

یہ احمد سیاست کی کیا کوزہ سی ہے
معلو میں اچالے لکھا میں سیاست ہے
خمس سن میں مہم تاج ہے دو تاجی
مستے کی علف ہے پتھر کی پانی ہے

جنگ ہم پتھر کی کو اس فتح نہیں کر کے تکیہ افغان
غیر جانبداری کے ساتھ نہیں ملتا اور جنگ
الفاظ نہیں ملے مانتب تدیہ "کرہ منظر"

بڑے جانتے۔ اسکو ہم لوگ نہیں مانگے۔
تیسرا مشورہ ہمارا یہ ہے کہ یہ حلف
سے کام نہیں لے گا۔ میں آج بھی اس رائے

کامیوں کہ رو بہ بر آنا چاہیے۔ اگر کوئی ہے
تو اسے یہاں بڑے سے بڑا آدمی چاہیے۔ ایک۔
بی۔ بیو۔ چاہیے ایک۔ ایل۔ ایل۔ بیو چاہیے جیف
منٹر بیو۔ چاہیے تو کی بیو۔ انکا ہمیں وہاں
جانے کے بعد اور وہاں فیصلہ ہونے کے بعد
اتلہ خلع کا روالہ ہونی چاہیے۔ آخر
میں آجے مادیم سے "انٹیلیجنٹ" لوگوں
سے اپیل کرنا ہوں کہ یہ جو سیاست میں ابھی
کر رہی آئی ہے۔ وہ گھر بیٹھے لے لیں۔ انہوں
نے جگہ چھوڑی ہے۔ اور دوسرے کو اب
گھسی لے لیں جنٹل و بیہ سے وہ سیاست
میں آنے کے واسطے گھبرا رہے ہیں۔ ان سے
میں اپیل ہے کہ چاہیے وہ ڈاکٹر بیوں۔
ڈاکٹر بیوں اور چاہیے کوئی اور سوں۔ جرات
کے ساتھ پولیٹیکس میں آئیں۔ پولیٹیکس
میں وہ جرات کے ساتھ آئیں گے تو اس میں
جو بھی خامیاں ہیں وہ خود بہ خود دور
ہو جائیں گی۔ اتنا کہتے کے بعد میں چاہوں گا
کہ میری اپیل کو یہ لوگ بھی سنیں اور
جو میں نے مشورہ دیا ہے اگر وہ
تیسری مرتبہ تو ہم منٹر صاحب مان لیں

उपसभाध्यक्ष (श्री मोहम्मद सलीम): लास्ट स्पीकर
श्री भूपेन्द्र सिंह मान।

श्री रामजीलाल: उपाध्यक्ष महोदय, मेरा नाम लिखा
है आप के पास, दो मिनट मुझे दे दीजिए।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): आप न कहा कि हरियाणा के दो नाम हैं, एक को बुलवा दीजिए।

श्री रामजीलाल: इतने लोग बोले हैं, दो मिनट में क्या फर्क पड़ता है? यहां पर हम चार घंटे से बैठे हैं।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): वायदे का पक्का होना चाहिए। श्री मान।

श्री भूपेन्द्र सिंह मान (नाम- निर्देशित): उपसभाध्यक्ष महोदय, एम०एम० वोर ने डरते-डरते एक रिपोर्ट दी और डरते-डरते मैं इसलिए कह रहा हूँ कि उन्होंने पहले अपने ऑफिसर्स को कहा कि यह सरकार चाहती है? तो वह मानने के लिए तैयार नहीं थे। उस के बाद उन्होंने जो रिपोर्ट दी, उस में किसी का नाम नहीं लिया, किसी को कोट नहीं किया जबकि उन के पास सारा मैटेरियल था, लेकिन वह डरते थे और मुझे लगता है कि वह इसलिए डरते थे क्योंकि इस से कोई मकसद पूरा होनेवाला नहीं है। मुझे लगता है कि उनका यह शक ठीक ही निकला होगा क्योंकि सन् 93 में उन्होंने रिपोर्ट दी और 95 में तंदूर केस हुआ और उस के बाद इस रिपोर्ट को हवा लगी। तो वह अपनी बात पर ठीक थे।

दूसरी बात जहां कि यह पार्लियामेंट "सॉवरेन" है, इस पार्लियामेंट में किसे नहीं पता कि सारे देश में भ्रष्टाचार है, रिश्तखोरी है? हालांकि रिश्तखोरी हमारे कंस्टीट्यूशन में कहीं नहीं है, रिश्तखोरी का नाम नहीं है, रिश्तखोरी कोई कर नहीं सकता, लेकिन हरेक को पता है कि रिश्त तो चलती ही है। तो इस पार्लियामेंट की "सॉवरेनिटी" तो उसी दिन खत्म हो गयी जिस दिन यह पता चला कि हर जगह रिश्तखोरी है। फिर हम बहाना लेने लगे कि कौन किम को कहे? किसी का नाम लिए बिना, किसी की मुखालफ किए बिना यह बीमारी कैसे

इसका सबसे बड़ा खतरा हमारे देश के लिए हो सकता है। हमारे देश के लोगों के मन में पार्लियामेंट के प्रति, कंस्टीट्यूशन के प्रति इतना सम्मान होना चाहिए कि पार्लियामेंट के मैम्बर ने यह कहा है और उसमें कतई तटन नहीं हो सकता।

सर। मैं कहना चाहूंगा कि इस देश में जिस स्याही से लेख लिखे जा रहे हैं, उस स्याही बनाने वाले ने किसी कोटे वाले को, किसी परमिट वाले को, किसी इन्कम टैक्स वाले को, किसी सैल्स टैक्स वाले को रिश्त दी होगी। उस रिश्त के कम्पोजेंट उसने इस स्याही की कीमत में डालकर यहाँ वह स्याही दी है। हमारी

क्वालिटी कहां तक आ गई है? जिस स्याही से हमारे देश के लेख लिखे जा रहे हैं, उस स्याही में भी हमें शक है कि रिश्त के कम्पोजेंट कहीं न कहीं होंगे।

सर, मैं ज्यादा नहीं कहूंगा क्योंकि शुरू में ही आपने कहा था कि कम बात करनी है। आखिर मैं यही कहना चाहूंगा, जैसा यहां इलेक्शन के बारे में कहा गया कि इलेक्शन में खर्चा बहुत होता है, तो अभी हमारे पंजाब में गोदड़वाहा की इलेक्शन हुई। वहां आम आदमी ने, सभी पार्टी की बात है किसी एक पार्टी का नाम नहीं लेता, वहां पांच-पांच सौ से कम के नोट तो कहीं देखे नहीं। किसी ने अगर 1100/- रुपए वोट की कीमत मांगी तो उसको तीन पांच-पांच सौ के नोट थमा दिए गए और बाकी 400/- किसी ने नहीं मांगा। यह एक कंस्टीट्यूटरी की बात है कि वोट की कीमत कहां तक आ गई है। किसने दी है यह वोट की कीमत? लोगों ने दी है या पार्टी ने दी है? इसमें पहली बात तो यह है कि यह पैसा आया कहां से? क्यों नहीं उसकी तहकीकात हुई? कोई भूली बात नहीं है। आज तक क्यों नहीं उसकी तहकीकात हुई? देश की हालत यह हो रही है, बुराई हद से बढ़ती जा रही है। इसको रोका क्यों नहीं जा रहा?

हमने पार्लियामेंट में अपने कंस्टीट्यूशन की सौगंध खाई है। मैं समझता हूँ कि उस सौगंध का हमें जुबान से नहीं खाना चाहिए, गले से नहीं खाना चाहिए बल्कि मन से उस सौगंध को लेना चाहिए और मन हमारा यह के कि इस कंस्टीट्यूशन को पूरा पूरा लागू होना चाहिए, सारे देश में लागू होना चाहिए। इसके विरोध में जो कुछ भी देश में हो उसे कुचलने के लिए इस कंस्टीट्यूशन को इम्प्लीमेंट करने वाली पार्लियामेंट और पार्लियामेंट ने जो सरकार को जिम्मेदारी दी है, उनको आगे आना चाहिए। लोगों का जो पार्लियामेंट और कंस्टीट्यूशन पर जो अनडिवाइडेड विश्वास है वह टूटना नहीं चाहिए क्योंकि ऐसा देश के लिए सबसे भयानक खतरा होगा। मैं समझता हूँ कि देश को बाहर के खतरे की बजाय देश के अंदर का जो खतरा है उस पर सरकार की नजर जानी चाहिए। जो देश को चलाने वाले लोग हैं उनके किरदार से देश को जो खतरा है, वह सबसे भारी खतरा है, जैसी इस रिपोर्ट से बात सामने आई है। इसको छिपाने की बिल्कुल कतई बात मन में नहीं आनी चाहिए।

इसी बात के साथ मैं आपका शुक्रिया अदा करता हूँ।

(SHRI S.B. CHAVAN): Thank you, Mr. Vice-Chairman. Though I wanted to give a very detailed reply to the discussion which has taken place, extending over quite a long time, and a large number of Members have participated in the discussion and according to their own estimation, they have given the assessment of a situation, as prevailing in their respective States.... Though the Vohra Committee Report not speak in terms of any particular State, it is a general kind of document, and I would like to request the hon. Members to consider that this is not a document or a report which normally the Commissions appointed under the Commissions of Inquiry Act are supposed to submit. They will take evidence; they will try to give an opportunity to the other party also to refer to the evidence which has been produced and thereafter they will come to their own conclusion and submit their reports. This is not based on any such matter. This is a kind of an internal document which, in fact, was never contemplated to be placed on the Table of the House for a discussion on this. All the Officers are very experienced. Mr. Vohra—he retired as Home Secretary—the Director CBI, the Director, RAW, and the Director, Narcotic Bureau—these are very experienced officers and they have, with their own experience, given a general idea as to what exactly the malady is, from which our society is suffering at large. There is nothing new that they have said, but, at the same time, to consider this as a conclusive Report based on some kind of evidence is not proper, and unfortunately or fortunately I did not know that there had been some mistakes about the numbering of some paragraphs, which unfortunately had been misinterpreted by some hon. Members, that portions which were very damaging to the Government of India had been deleted and the rest of the Report was placed on the Table. The same issue was raised in the Lower House, Lok Sabha, and I requested the

hon. Speaker, "Let them come together with the Leaders of the Opposition; I would show them the original Report and also the copy of the Report." Before doing this, I had called Mr. Vohra and asked him whether any portion of it had been wrongly printed or whether he himself had committed a mistake by giving a wrong number. He said, "It is by mistake that this numbering has been done, but, in fact, this is the total Report which has been given to the Government and now which is being placed in both the Houses."

Now let me make it absolutely clear that there is no scope for any kind of misunderstanding, that I will be the last person, if anything of this nature which is demanded by the House, is in my possession and still I am trying to suppress the same; I will be the last man, I will never do this, I will never utter a lie in Parliament; whatever happens to me, I won't bother about it, but when people begin asking the very *bona fides* of the person who is speaking about it, that is the thing which hurts me much. In fact, they should not have done, but, at any rate, you are free to cast all kinds of aspersions. The more you would do,....(*interruptio*ns)...

SHRI INDER KUAMR GUJRAL:
We believe you.

SHRI S.B. CHAVAN: Now I am also getting used to this kind of allegations being made without any substance. And thereafter you, knowing fully well,...(*Interruptions*)

श्री संघ प्रिय गौतम: आप पर किसी ने आरोप नहीं लगाया।

श्री एस० बी० चव्हाण: मेरे ऊपर आरोप लगाया या नहीं लगाया, वह बात अलग है लेकिन जिस ढंग से बात कही कि आपके पास कुछ और है, वह आप हमको दिखाना नहीं चाहते। क्या मतलब हुआ इसका? इसका मतलब यह है कि मुझे मालूम है कि इसके सिवा कोई और चीज़ है। मैं बार-बार आपको कहता हूँ कि इसके सिवा मेरे पास कुछ नहीं है। मैंने कोहरा साहब को

बुलाकर कहा कि, भाई, खुदा के लिए मुझे बताओ अगर और कोई चीज़ आपके पास थी, जिसको आप पेश किए हैं और जिसको हम दबाना चाहते हैं, ऐसी कोई चीज़... (व्यवधान)...

SHRI INDER KUMAR GUJRAL (Bihar): No, no; we are satisfied with your feelings. Please proceed further. ..(Interruptions)... We are satisfied with this. You proceed further.

VICE CHAIRMAN (SHRI MD. SALIM): Everybody is satisfied. the entire House is satisfied.

SHRI S.B. CHAVAN: Thank you very much.

Now, Sir, I am in full agreement with what the hon. Member, Shri Jagmohan, has said, that there is a crisis of character. The entire system they are trying to destroy.

Unfortunately, we are not taking matters as seriously as they deserve. In every sphere of life it is there. Why should we blame the politicians? We can talk about the quality of the politicians. We can talk about the bureaucrats. Since 1956 I have seen the deterioration which has been brought about in the bureaucracy. I had Secretaries who were never afraid to write things down on a piece of paper. In the very first meeting I assured them, "You are being paid for giving me proper advice and not the advice which I want. You are not paid for giving me the advice which I want. It is your duty to give me proper advice and if I do not agree with you, I must have the courage to overrule you on paper." But a system is being developed where people would like to have their opinion given by the Secretary, which they would not like to sign. Let somebody take the responsibility and when the time comes the fellow is hanged and we are just keeping ourselves aloof. I think this is the basic tenet of a democratic set-up which we have to understand. This is a permanent bureaucracy and certain rights and privileges are given to them. I have

been openly saying this. But I must also admit that from 1956, when I actually joined this parliamentary system, to 1995 I have been in the government in one capacity or the other and I have seen the kind of deterioration that is taking place. There are only a few members left, who are honest to write what they feel. Nobody should tell them. Now they also understand what is going to please you. They will be the first to write the same kind of language. We just sign it. Sometimes, the files go away even without signing. I don't think this is a proper thing for anyone of us. So, bureaucracy has, in fact, deteriorated. Let any political party stand up and say, "We have not got any money from any businessman." As far as the donations to political parties are concerned, the Finance Minister had made an amendment. In spite of that, what the total amount given to each political party is, is a matter, which, in fact, you need not tell me. It is for your self-introspection. I am requesting you to kindly go into it. If you are honest enough, we would be able to correct the system. What is the idia of saying that for getting a ticket you have done this? You have committed a great crime. Why did you give them the money? Then you must have courage enough to say, here is a person in the party who has taken money from you for getting you a ticket. Thereafter, you are trying to collect more than what you have paid to the person who has taken money from you. So, this is a cycle where the entire thing goes on. I don't want to say anything more. But slowly and slowly I am getting, rather feeling, frustrated. We may continue for some time and we may go. Somebody else will come. But the entire system has to be preserved. If you do not preserve the system and destroy the same, then whatever you say will be a great disservice, which anybody can do, to this country. It is in this context you have to work.

SHRI M.A. BABY: Chavan Sahib, will you kindly yield for a minute? I am not going to oppose anything. It is a very relevant point which you have raised, Chavan Sahib. But may I request you, through the Chair, whether there can be any legislation to make it obligatory on the part of the political parties to make a frank disclosure of all the income and the contributions which they receive from individuals or corporate managements? Why can't you come forward with a legislation?

SHRI S.B. CHAVAN: Yesterday, there was a debate in the Lok Sabha. I have no hesitation in repeating the same thing here also. These are matters which cannot be tackled by any kind of legislation, without political leaders and political parties coming together. I can assure you that whatever decision all of us will take, we are prepared to abide by it.

SHRI INDER KUMAR GUJRAL: Mr. Home Minister, I agree with you that there are certain things which are lying in the area of politics and not in the legislation. But you know that legislation has one advantage. The advantage is, it sets a trend. Take for instance, electoral reforms. We have been talking about electoral reforms for ages and ages. We have been talking about the Lokpal for ages and ages. Let us take this opportunity to at least clinch these issues.

SHRI S.B. CHAVAN: You may have any kind of legislation. I am not opposed to any kind of legislation being brought before the Parliament and getting it passed. But the whole idea is, you are not interested in sincerely following what is being legislated.

SHRI JAGESH DESAI: That is the point.

SHRI S.B. CHAVAN: How to overcome the difficulties, everybody knows. The election Commission has

prescribed a ceiling. The Election Commission has prescribed that you cannot spend more than this. If you are sincere to yourself, you will have to admit that you could not fight elections within that ceiling, though it is the enhanced ceiling.

SHRI INDER KUMAR GUJRAL: Basically, it is not as if everything can be corrected by legislation. Many countries have made laws. It is not that those laws are not flouted there. But all the same it sets a trend, it sets a norm and those who default can be pointed out. Let us not escape by saying that till everybody tells the truth we will not legislate. That stage will not come.

SHRI S. B. CHAVAN: That is why I said that I am not opposed to the idea of a legislation at all. But the basic philosophy you have to understand is that this is a crisis of character and so long as we do not go into the basics of it, I don't think that this kind of a patch work is going to help us anymore. That is why it is absolutely... (*Interruptions*). In fact, I wanted to be very brief so that Dr. Manmohan Singh was also given time for the Appropriation Bill. But Mr. Jagmohan's speech prompted me to say certain things which normally I would have avoided.

DR. BIPLAB DASGUPTA: Sir, just one point. Why did it take such a long time for the Government to present the report before the House? Why was no action taken for two years? That is the question which is agitating us. The suspicion has come because of this.

SHRI S. B. CHAVAN: The kind of suspicion which has come in your mind. I am really guilty for the same, if at all guilt has to be fixed on anyone. I never thought that this report would be laid on the Table of the House and it would be discussed. I thought that it would be discussed among the officers and thereafter some kind of a note would come to us and the first thing that I

would have done was, I would have discussed it with the Finance Minister because there were a number of things enumerated which were the responsibility of the finance Department and certain things were with the Home Ministry. If we take the case of CBI, I would say out of 100 cases we have found, 99 per cent of the cases belong to the State Governments. That is why I require your assistance. We have to think in terms of the safety and security of the country first. The State governments, the federal policy and all other things can come later. There are certain crimes which are of a heinous nature and which, ultimately, are going to damage the entire fabric of our policy and are also going to pose a threat to the security of the country. Are you prepared or are the State Governments prepared to hand over those cases to the CBI so that they can proceed in that matter? I don't say that they are a paragon of virtue and there is nothing wrong in the CBI. Mr. Fernandes is not here. In fact, I am interested in getting the information about one person who seemed to have given some money in some other form. He seems to have been rewarded by the culprits. He saw to it that the case is almost closed. I am interested in getting that information. Another officer who was named in U.P., who seems to have taken some money.... (*Interruptions*) Instead of discussing these names in the House, the best thing will be that you give a written complaint to me that this is actually what happened. If it is within my power, certainly I will try to take action against those people.

Sir, to end the matters, I will request that if all the political parties come together, you decide at least one thing that you will not give ticket to a person who has got a criminal record. Don't try to find excuses as to whether it forms a criminal record or it doesn't form a criminal record. All sorts of things can definitely be said. But everyone of you

and, I am sure, the people at large know as to who is having a criminal record and who is not having it. So, if they were to take this decision not to give the ticket and not to directly or indirectly help the person who has been denied the ticket to get him elected and thereafter, if all the political parties were to come together—and what I have agreed to in the Lok Sabha—a similar kind of a Committee can be appointed, then we can definitely take concrete steps in this direction, if the hon. Members are really interested in this matter. Sir, I have done.

SHRI SIKANDER BAKHT: There is just a little observation that I want to make. I was waiting for you to come to the end of your observations. I have understood the status of this Report. But such reports over a passage of time have the habit of acquiring some sort of legitimacy. I want to know how you want to bring on record the suggestion about the nodal agency, the nodal agency which has been suggested in Mr. Vohra's Report. I think it is a very ominous approach to things. At least, personally I am totally against that sort of an approach.

SHRI S. B. CHAVAN: In fact, I wanted to finish and that is why I had finished it earlier. That is a very valid point and we will never accept any judge or any non-official member to be the member of the committee. There are three stages through which everything has to pass. This is the intelligence collecting agency. Army has its own agency. The D.I.B. is there. The C.B.I. is also having some agency. The R.A.W. is there. So, different agencies are there. In the Narcotics Bureau they will be interested only in finding out whether there is any crime committed so far as the narcotics are concerned. But the other information which, in fact, is not very valuable to him, will be valuable to me. If there is coordination, the nodal agency will get all the information. And, this kind of a report, the suspicion that the members

have in their mind not the Members of this House, even the bureaucracy is that everything is very secret and till I book the culprit, he would like to see that the information is kept secret. And, if it is a committee, it might be that that information might be leaked. And, if it is leaked, then, of course, you can take no action against the person. After the nodal agency submits its report, thereafter, the question of investigation comes. After investigation, if the man is found guilty, and *prima facie* he is convinced that there is a case against the person, then the prosecution will start. These are three stages through which you have to start and, for God's sake, please don't insist for the first stage, otherwise, the very purpose for which the Vohra Committee was appointed will get totally defeated. And, that is why, we are not interested in having any ...*(Interruptions)*

SHRI SIKANDER BAKHT: The nodal agency is meant to oversee all the different sections of society. I don't think that we can allow the bureaucrats to oversee everything about the politicians. That is what I am saying.

SHRI S. B. CHAVAN: About the politicians only, in fact, I am not interested ...*(Interruptions)* If the politician is a guilty person, merely because he happens to be a politician, you can't possibly say that you can't take any action against him. *(Interruptions)* No, No. I am not prepared to accept this. ...*(Interruptions)*...

SHRI G. SWAMINATHAN: Sir, yesterday, I made a suggestion regarding concretisation of your proposal. The Prime Minister can call all the party leaders and start talking on that. Do you accept that proposal?

SHRI S. B. CHAVAN: Yes, I am prepared to accept that. Let all the parties come together.

SHRI G. SWAMINATHAN: Sir, the Prime Minister can call all the party

leaders and then we can have a meeting. The first meeting can start, otherwise it will not get concretised. Are you prepared for this, Sir?

SHRI S. B. CHAVAN: Certainly, I will request the Prime Minister to call all the party leaders and there you can unanimously take certain decisions. If decisions are taken and seriously followed, I think, you will be doing the greatest service to the country. Let us at least make a beginning so far as politics is concerned, and, thereafter, whatever steps are called for, there will be no opposition to the idea about which I have already spoken to the Speaker and I am going to have further discussions where it will get concretised. Something will be applicable so far as Rajya Sabha is concerned. So, there should be no harm. In fact, the Committee is going to be there. The Committee of the House is going to be there. They cannot share the intelligence with you, but the rest of the things, certainly, you can discuss, monitor and try to find out and give suggestions through the Committee as to what needs to be done. Certainly, ...*(Interruptions)*...

SHRI G. SWAMINATHAN: My point is whether you will call the political leaders of the parties. You have been talking about the political parties.

SHRI S. B. CHAVAN: Leaders of the political parties.

SHRI G. SWAMINATHAN: Because we are Parliamentary Party leaders.

SHRI S.B. CHAVAN: No, no.

SHRI Inder Kumar Gujral: Unfortunately, Sir, the hon. Home Minister was in the other House when I spoke on the subject and I don't know what you are going to call this Committee, but I have suggested the name as Ethics Committee and I wrote to the Chairman also. I understand that you have made a commitment in the other House that you are for it. Kindly, say that you are for it here also. That is number one.

Secondly, so far as the nodal committee function is concerned, I have only one submission to make. You see in the bureaucracy you keep on collecting information and the Home Secretary, whom you have appointed to Chair the Nodal Committee, has huge business at his desk. If you are keen on this—because we are already having a Committee in the Cabinet Secretariat to co-ordinate also, it is there—I don't know how the work will be apportioned between the Nodal Committee and that Intelligence collection Committee, maybe there is some difference—

but the difficulty is, are you thinking in terms of giving it some sort of a support organisation? Because, if the Home Secretary is to do this and also do Kashmir, and also do Nagaland and also do everything, then obviously this will be the last item on his agenda. How are you going to sort this out?

Thirdly, the Home Minister has tried to put it in a different fashion. It is not as if an individual is caught or if not caught, must be caught. More important is that this alarm bell Mr. Vohra has rung, and he has given us the whole dimension of the national life. I don't get some sort of a feeling from your speech that you are taking any steps. You are concerned, I concede; you are worried, I concede; you are with us, I concede; you are a great man and an honest man, I concede; but you have not given us an indication that you are going to do something which will really try to deal with the totality of the problem, about which Vohra has talked.

SHRI SANATAN BISI: I want to know whether the Nodal Agency will be statutory or not.

SHRI S. B. CHAVAN: Whether it is a statutory body or a non-statutory body is not going to make much of a difference so long as it is a permanent bureaucracy and they are very responsible people who will come together, exchange ideas, co-ordinate the intelligence, and, thereafter

decide the course of action. So, there should be no hesitation on that point. About the Ethics Committee, certainly, I have no objection; what I have stated in the Lok Sabha, the same thing I am prepared to say here also, but the function will not be of sharing of any kind of intelligence—intelligence will not be shared. You can give any kind of suggestions to the Government saying that on these lines they have to proceed and, certainly, they are most welcome.

7.00 P.M.

THE VICE-CHAIRMAN (MD. SALIM): We shall now take up the Kashmir Appropriation (No. 2) Bill ...*(Interruptions)*...

DR. BIPLAB DASGUPTA: Just a minute, Sir. ...*(Interruptions)*... I would like one more clarification. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI MD. SALIM): You cannot start a discussion again. ...*(Interruptions)*...

DR. BIPLAB DASGUPTA: Sir, I will take only one minute...*(Interruptions)*... Please, Sir, I would like to discuss one point publicly. ...*(Interruptions)*... Sir, there is a suggestion at page 7, which has arisen out of the note given by the Revenue Secretary, where he mentions that in the case of economic crimes and all that one difficulty that is being faced is that he has not been able to tap the telephones for catching the criminals. Now, while they can give justification for tapping of telephones for catching the criminals, my fear is this that it can also act as a double edged-sword and may be used for tapping the telephones of those who are not criminals. It can be used against politicians too. The other point is, which is also in the mind of Bakhtji, that...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI MD. SALIM): You cannot start a discussion again on this issue.

DR. BIPLAB DASGUPTA: ...there should be some check and balance in this system to ensure that there is no concentration of information which can be used against other individuals for blackmailing them.

SHRI S.B. CHAVAN: So far as tapping is concerned, we are governed by certain rules. Whenever any request has come from the Narcotics Bureau or any other intelligence agency of the Finance Department, we have been very liberally giving the same. And hereafter also, instead of giving any kind of assurance on the floor of the House, in fact, there is no question of any kind of misunderstanding. If it is not being done, certainly, I will look into it and see that it is done and done in a proper manner.

THE JAMMU AND KASHMIR APPROPRIATION (NO. 2) BILL, 1995

THE VICE-CHAIRMAN (SHRI MD. SALIM): Now, we shall take up the Jammu and Kashmir Appropriation (No. 2) Bill, 1995.

THE MINISTER OF FINANCE (SHRI MANMOHAN SINGH): Sir, I beg to move:

"That the Jammu and Kashmir Appropriation (No. 2) Bill, 1995 to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Jammu and Kashmir for the services of the financial year 1995-96, as passed by the Lok Sabha, be taken into consideration."

As the hon. Members are aware, the Budget of the State of Jammu and Kashmir for 1995-96, was presented to the Parliament on the 24th March, 1995, and a Vote-on-Account to meet the requirements of the State Government for the first six months ending September, 1995 was obtained and the Appropriation (Vote-on-Account) Act, 1995 was passed in March, 1995.

The Lok Sabha has granted the balance of the Demands for Grants and has passed the connected Appropriation Bill, which is now before this august House. To meet the total estimated expenditure during the current year, the Bill provides for the payment and appropriation from and out of the Consolidated Fund of Jammu and Kashmir a total sum of Rs. 4222.41 crores, comprising Rs. 3546.86 crores voted by the Lok Sabha and Rs. 675.55 crores charged on the Consolidated Fund of the State, which is inclusive of the sum earlier authorised for withdrawal under the Jammu and Kashmir Appropriation (Vote-on-Account) Act, 1995.

Sir, in March, 1995 while discussing the Appropriation (Vote-on-Account) Bill, this House had a general discussion on the Jammu and Kashmir Budget for 1995-96. I do not, therefore, wish to take the time of the House by again dwelling on the various provisions in the Budget. I shall, however, endeavour to deal with the points that may be raised by the Hon'ble Members, in my reply to the discussion.

The question was proposed

SHRI INDER KUMAR GUJRAL (Bihar): Just a minute, Sir. Let not an impression go that without discussion we are passing this Bill. I want the media and the country to know that we are going to discuss Kashmir tomorrow.

THE VICE-CHAIRMAN (SHRI MD. SALIM): It is already agreed that it would be discussed in some other form.

I shall now put the motion for consideration of the Bill to vote.

The question is:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Jammu and Kashmir for the services of the financial year 1995-