

whether the clarifications will be taken up today or they will be taken up tomorrow. I have some meeting with the Prime Minister and other people. I have to go at seven o' clock. So, I just wanted to know whether clarifications are not needed. Otherwise, I will give clarifications.

SHRI MENTAY PADMANABHAM : Some other time.

SHRI P. UPENDRA: When Mr. Seshan creates another problem, you can combine ' them.

SHRI V. NARAYANASAMY (Pondicherry): They can be combined. ... *(Interruptions)*

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): I think there is a lot of substance in the submission of the hon. Minister, but now it is up to the sense of the House. ... *(Interruptions)*

If you agree, it may come in another form. If you refuse,... *(Interruptions)*

SHRI V. NARAYANASAMY: On Monday, Mr. Vice-Chairman.

SHRI P. UPENDRA: He has been sincerely sitting here throughout the day.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI)-. That is true. So, some concession should be given to him for his sincerity. I think the sense of the House is, is it appears from the statement now, that it stands redundant. At some other time if Members want to have some further clarifications about the role of the Election Commission and other problems relating to States, they may come in other forms.

PROF. SAURIN BHATTACHARYA (West Bengal): Dangerous situation must be discussed.

श्री जगदीश प्रसाद भास्कर : दूसरे कार्य में करने में सम्मा समय लगेगा । मन्त्रे को केवल 15 मिनट का समय रख दोजिये । मे को खाने वैकाल है । दो-चार बिन्दु है जिन पर सरकार धुक्कने पड़ेगे ।

श्री डेचराज भारद्वाज : मन्त्रे को एक को . . . *(अवधान)* ।

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Please let him finish with this problem. The sense of the House is A at this very statement should be taken as redundant and ... *(Interruptions)*

(The Denary Chahmajji in the chair]

SHRI H. R. BHARDWAJ: It could be on Monday.

THE DEPUTY CHAIRMAN: On Monday he is ready. OX

STATEMENT BY MINISTER

Derailment of 5609 Avadh-Assam Express near Mairwa Station on the Chhapra-Bhatni Section of North Eastern Railway on 3rd August, 1993—

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI K. C. LENKA): Madam, my submission is that the accident took place on 3rd of August There is no relevance to it now. So, the suo motu Statement listed for today is not relevant

SHRI P. UPENDRA (Andhra Pradesh): Lay it on the Table of the House.

THE DEPUTY CHAIRMAN: No clarifications. Mr. Lenka, please lay it on the Table of the House and take care of the people who have been hurt in the accident

SHRI V. NARAYANASAMY: Madam, copies have to be furnished to us.

THE DEPUTY CHAIRMAN: They will be furnished.

SHRI K. C. LENKA: Madam, I beg to lay on the Table a Statement regarding derailment of 5609 Avadh-Assam Express near Mairwa Station on the Chhapra-Bhatni Section of North Eastern Railway on 3-8-1993.

STATEMENT BY MINISTER

Fatal Bomb attack on Shri P. Siva Reddy, Tetnga Desam MLA.—Contd.

DR. YELAMANCHILI SIVAJI (Andhra Pradesh): The hon. Minister in his Statement has drawn attention to certain differences between the security in the case of the Naxalite activities and the security in the case of the factional fights. What are the existing guidelines that are available with the State Governments under these two circumstances ?

Another clarification I would like to ask is mat in the writ petition dated 3rd December, 1992, fee late Mr. Siva Reddy appealed to the High Court for additional security, ft is mentioned that the Minister of Home Affairs in

Andhra Pradesh, Dr. Mysoora Reddy filed a counter-affidavit. What made Dr. Mysoora Reddy file a counter-affidavit? Does that not show that he was responsible or was contemplating a conspiracy to finish off Mr. Siva Reddy? It should be clarified by the hon. Minister. It is mentioned that on 5th of August, the DIG Security had been to Chirala in connection with the visit of the Chief Minister.

But to my knowledge the Chief Minister had visited Chirala on the 9th August. So what made the DIG to be away at Chirala on the 6th August when the Chief Minister was there only on the 9th August evening? It has been mentioned that in the absence of the DIG' Security, the Additional Commandant of Eleventh Battalion, APSP, Kumool had been contacted. When such a good number of people were available from the Police Force at Hyderabad, why did the Superintendent of Police (Security) in the meantime contacted the Additional Commandant Eleventh Battalion, APSP, Kumool on 6th August and requested him to select two good commando trained PSOs?

It has been mentioned in the statement that Head Constable K. Nathaniel and Police Constable K. Nageswara Reddy were attached with Mr. Siva Reddy as personal security guards. They went back from a certain place. They did not follow Mr. Siva Reddy. Are these constables who were on duty, supposed to go back? Under whose orders did these constables leave Mr. Siva Reddy? Are they supposed to obey the orders of any person other than their superior officers? Can they go back on their own? Can they go back on the orders of any person? I would like to know about this from the Minister.

The other day, the Minister had mentioned about criminalisation of politics.

उपसमापति : अभी खबर दे का मत चुकिए । खबर दे तो उन्होंने इस हादसे में क्या-क्या भेला होगा । तो खबर . . . (व्यवधान) ।

DR. YELAMANCHILI SIVAJI: It is very much connected with this.

THE DEPUTY CHAIRMAN : Just a minute. He had made a statement and you had sought full clarifications. Now that matter is over. On the demand of two or three Members he had promised that he would come back with facts.

DR. YELAMANCHILI SIVAJI: Because he was not present on that particular day.

THE DEPUTY CHAIRMAN : Now he has brought with him facts.

DR. YELAMANCHILI SIVAJI. He was not present He was not informed. Therefore, he came back.

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): This is only a fiction. These are not facts. That is what he says. It is not a statement of facts. There is a lot of deviation which I would like to point out.

THE DEPUTY CHAIRMAN : You can ask. But what happened on that day is over. Now he should confine himself to today's statement.

SHRI JAGDISH PRASAD MATHUR: Madam, there is a statement in response to the demand made by the Members. Then, clarifications, clarifications and clarifications.

श्रीमती रेणुका चौधरी : मायुर साहब, वह जिनकी ओर मैं कह सकती हूँ : कल मैं भर जाऊंगी तो आपके आफिस नहीं जाऊँगी ।

DR. YELAMANCHILI SIVAJI: Madam, in this connection when Mrs. Siva Reddy was going to the State Assembly to observe fast, she was stopped on the way and was physically lifted just like a luggage. She was thrown into the police vehicle. The entire Andhra Pradesh State Assembly was in a pellmell. The State Government was not in a position to run the Assembly. May I know from the Minister whether he is aware of these facts which have occurred after this incident?

SHRI V. NARAYANASAMY: Madam Deputy Chairman, thank you for giving me this opportunity. The hon. Minister's statement on the clarifications sought by the hon. Members is self-explanatory. I feel the killing of Mr. Siva Reddy was gruesome. The hon. Minister had explained in his statement that Mr. Siva Reddy had approached the court for providing him with additional security. The court had ordered a thorough enquiry and, after two writ petition* came to the conclusion that additional security was not required for him. The legal battle was over. (Interruptions)... I will read the last sentence of the first page from the Minister's statement. I quote : "In this order, the High Court held that no mala fide was made out against the State Home Minister and that Shri Reddy had not provided any material against the Home

Minister regarding the assertion that the latter had instructed to reduce his security." ..(*Interruptions*)...Kindly hear me. The Court ordered that there were no grounds for its interference and accordingly, it dismissed the writ petition. The prayer of Shri Siva Reddy was not granted by the Court. That means, his plea of security on the ground of threat to his life was not accepted by the Court. Then, the matter was taken up by the MLA and his leader to the Legislative Assembly. It is a fact that the hon. Speaker of the Andhra Pradesh Assembly gave an order that additional security was to be provided to him. That was on 6th August 1993. Between 6th and 7th, according to the information I have got, he wanted security personnel of his choice and the two persons whom he brought, as the Minister had stated, were from Battalion No. 11. The other persons of his choice had to be sent. But the area is far away and they have to report for duty. In the meanwhile, under the guise of going to his leader's house, N. T. R.'s house,...

THE DEPUTY CHAIRMAN: Mr. Narayanasamy, are you making a statement or are you asking questions?

SHRI V. NARAYANASAMY: I am going to ask only three pointed questions.

THE DEPUTY CHAIRMAN : Please ask the three pointed questions. Do not make a statement

SHRI V. NARAYANASAMY: Madam, I would like to know from the hon. Minister...(*Interruptions*)...

At that time, when he went out, he asked one of his security guards to remain in the quarters and he took with him only one security person and three of his gunmen, his own gunmen. (*Interruptions*), Madam, I want to have clarifications from the Minister, not from Mrs. Renuka Chowdhury. I want to know from the Minister whether Mr. Siva Reddy had his own personal gunmen for the purpose of giving protection to him. Further, there were several murder cases pending against Mr. Siva Reddy. In the documents which I could gather....

(*Interruptions*)..

AN HON MEMBER: How is it relevant?

SHRI MOTURU HANUMANTHA RAO: Does it empower other candidates to attack and murder him?

SHRI V. NARAYANASAMY: You are trying

to politicalise the issue. Therefore, I have to say that. Otherwise, why should I say that?

Madam, it is only rivalry continuing for years together between two groups and there is no politics. That has been politicised by the former Chief Minister and leader of the Telugu Desam Party, Shri N. T. Rama Rao, for his own political ends. Therefore, I am pained to say this in this House. The murder took place and the police is taking action and the Telugu Desam leaders took law into their own hands and they were creating a law and order problem in Hyderabad and other places. Madam, I would like to remind the hon. Members also...

THE DEPUTY CHAIRMAN : You ask the Minister questions; do not remind Members of anything because we do not have any provision for reminders. Please ask the Minister pointed questions.

SHRI MENTAY PADMANABHAM (Andhra Pradesh): Madam obviously, Mr. Narayanasamy is politicalising the statement.

SHRI V. NARAYANASAMY: I would like to know from the hon. Minister whether the persons who were involved in the murder came by an auto-rikshaw. ...(*Interruptions*). They are not allowing me to speak. How can I speak. Madam ?

THE DEPUTY CHAIRMAN: Let him speak. If he is also concerned about the murder of the MLA, let him speak.

SHRI V. NARAYANASAMY: What is the stage of the investigation ? Madam, in an earlier incident, one of our Congress MLAs, Mr. Mohanaranga • Rao, who was on fast, was killed.

SHRI MENTAY PADMANABHAM : This is not part of the statement.

THE DEPUTY CHAIRMAN : Right. It is not part of the statement.

SHRI MENTAY PADMANABHAM : He is going beyond it I would like to seek a clarification from you. If you allow him to go beyond this statement (*Interruptions*). Madam, you should also allow us to go beyond the statement.

THE DEPUTY CHAIRMAN: Mr. Narayanasamy, I would be very thankful if every Member, who is speaking on the statement of the Minister, confines himself to these two pages. There were specific clarifications which

were asked and that is the reason why the Minister has come over here to make a statement about the points raised. Now, please confine yourself to those points. (*Interruptions*).

SHRI MOTURU HANUMANTHA RAO: I plead with Mr. Narayanasamy, the murdered man, Shri Siva Reddy, was an MLA and was an ex-Minister in the TDP Government. The present Home Minister is a Congress man, who refused to provide security to Siva Reddy. (*interruptions*).

SHRI V. NARAYANASAMY: Madam, here I dispute his concern. (*Interruptions*) Don't try to say anything which is not on record. (*Interruptions*).

THE DEPUTY CHAIRMAN. Mr. Hanumantha Rao, if I remember, I was listening to the long clarifications which you asked for, in my Chamber. It was rather a speech. I would very humbly request you—the Chair is never too humble, but still in your case because of your age—to keep quiet for a minute and allow him to make his point.

SHRI V. NARAYANASAMY: Madam, one of our Congress legislators was brutally murdered when he was on fast during N. T. Rama Rao's Chief Ministership. Now, the issue is between the two rival groups. There is a direct charge and accusation against the present Home Minister of the State levelled by the TDP leaders. The High Court has rejected the petition which was filed by Mr. Siva Reddy. But on the Speaker's direction, security was to be provided to him. In the meanwhile, Mr. Siva Reddy was murdered. I would like to know from the hon. Home Minister whether the TDP legislators entered the well of the Legislative Assembly as a result of which the House was adjourned. I would also like to know whether they took the floor and conducted parallel proceedings there. (*Interruptions*). Why are you agitated? My last point is, when is the investigation going to be over? I would also like to know whether any leader is involved in this incident. According to my information, it has happened due to rivalry between two groups which led to the murder of Mr. Siva Reddy. The reasons given are that he was a noted criminal, who had been involved in 32 murder cases. (*Interruptions*)

SHRI MENTAY PADMANABHAM: Thank you very much, Madam. This statement, as is evident, tells very less. We expected that the

Home Minister would throw some light on some of the vital questions raised by us the other day when this matter was taken up. The statement clearly shows the complicity of the State Government in the murder of Mr. P. Siva Reddy. The first part is with regard to High Court's direction. We are all aware that the High Court gives directions to the State Government to assess the security needs of an applicant and then to come to a conclusion. That kind of an order was given to the State Government. But what did the State Government do? Some of the police officers, who are directly working under the Home Minister or the Government of Andhra Pradesh, apprised the State Government. They have gone into the matter. They have discussed it. They have been dillydallying. Ultimately they *have come to the conclusion* that there is no need to give him security. This is exactly what we have pointed out, Madam, because this is a *Sarkari* murder. This is a murder committed with the active collusion of the Government of Andhra Pradesh. That is our accusation and this statement amply proves that this is absolutely true and I am really thankful to Mr. Pilot for giving this kind of statement which proves beyond doubt that the State Government is the prime accused in the entire case.

Madam, there is another issue, the proceedings of the Assembly of the 6th. This man, the unfortunate Siva Reddy, was killed on 7th. On 6th he pleaded vociferously in the Assembly for about an hour or one-and-a-half hours requesting the Government to provide him adequate security, because the Government has all along been dilly-dallying, the Government was not coming forward to give adequate security, the Government was going on denying him the security he was pleading for. Madam, what happened on 6th was that the Speaker had given a specific direction to provide him security—"Don't worry about other things. Don't try to assess the antecedents. Don't try to assess the need of the security and other things. You just provide him the security he needed, the security he wanted." That is the specific direction of the Speaker. Sir, this is a very, very pathetic case because the DGP was not available in Hyderabad. The DGP had gone somewhere else. Here the Government the DIG or whoever it is, had contacted an SP who was 200 kms. away from Hyderabad. What is all this? Can anybody believe this? This is really more pathetic. Madam. This is the pathetic...

THE DEPUTY CHAIRMAN: Ask questions.

SHRI MENTAY PADMANABHAM: Two minutes more.

THE DEPUTY CHAIRMAN: Questions only.

SHRI MENTAY PADMANABHAM : This is the question I am asking. This is the question. These are all the questions I am addressing to (he hon. Home Minister. Does he really believe that this kind of thing would happen? This is the information given by the State Government ! Therefore, I would say, the Government is here, the *bonafides* of the State Government are suspect, the intentions of the Home Minister of the State Government are suspect I agree about the *mala fides* of the State Home Minister. That is amply proved by the statement itself. Therefore, I would like to know from the Government of India whether it would entrust the entire investigation to the CBI. That is number one. Number two is whether the Government of India would institute an inquiry by a single sitting Judge to investigate this matter. These are the two questions I would like to ask the Home Minister.

Madam, there is another aspect here. Yesterday there were a lot of things which happened in Hyderabad. I am really unhappy to see that in the statement nothing is mentioned. Yesterday, Madam, the widow of the slain MLA was coming to Hyderabad to fight for seeking justice, to impress upon the Government the need to provide her security and also to see that a free and fair investigation is conducted in the case. She was arrested and the two MLAs who accompanied her were beaten up. And she was arrested and she was kept in wrongful confinement Till relatives of this unfortunate widow approached the Magistrate's Court, she was not released. She was released around 4.00 or 4.30. Before that, the Magistrate gave specific orders to the Government to release her immediately. She moved for bail and the bail was granted. He gave specific orders to the local Police Officer to release her immediately. Then only the Government released her. Madam, this is the most unfortunate situation and the police is let loose. Their hooliganism is known to everybody in Hyderabad. A number of people, MLAs, came from almost all parts of the State to attend the Assembly. And, Madam, they were all beaten up. They were prevented from attending the Assembly session (Interruptions)...

SHRI V. NARAYANASAMY: Madam, this is also a part of the statement? _____ (Interruptions) ...

SHRIMATI RENUKA CHOWDHURY: Yes.

SHRI V. NARAYANASAMY: I am asking this question because he told me that I was raising extraneous issues __ (Interruptions)...

SHRI MENTAY PADMANABHAM: You had gone beyond the statement and I am not going beyond the statement. This is a part of the same incident. The other day this murder took place and yesterday. Madam, something else happened (Interruptions)...

THE DEPUTY CHAIRMAN: May I remind you of one thing? In a country like ours, we have a Parliament and we have the State Assemblies. What happened in the Legislative Assembly, you don't discuss here. You are concerned with the death of a particular Member of the Assembly for which the Minister has come twice to this House (Interruptions)...

SHRIMATI RENUKA CHOWDHURY: He is a voter for this House _____ (Interruptions) ...

THE DEPUTY CHAIRMAN: That is why we have allowed this matter to be discussed here. Otherwise, we would not have allowed this matter at all. But that does not mean that we will go beyond the jurisdiction of our House and go to the proceedings of the Legislative Assembly.

SHRI MENTAY PADMANABHAM. Madam, I am not going beyond the jurisdiction of the House. Kindly hear me. I am only referring to the unfortunate situation in which the widow of the Slain MLA was put.

SHRI V. NARAYANASAMY: You are referring to the proceedings of the Assembly (Interruptions)...

SHRI MENTAY PADMANABHAM : No; I am not. I am only referring to the fact that the MLAs who came to attend the Assembly session were prevented and that is not beyond the purview of the House (Interruptions)...

SHRIMATI RENUKA CHOWDHURY: They were beaten up __ (Interruptions)...

SHRI MENTAY PADMANABHAM: They were beaten up and they were prevented from entering the House ____ (Interruptions)...

THE DEPUTY CHAIRMAN I have given you permission. But you should know what the parameters of our House are. The matters you are raising, you should raise with the Minister and he will answer. What you are saying is a matter which is beyond his answer because you are talking about the State Assembly. There is a State Government and that State Government should take a certain responsibility.

SHRI MENTAY PADMANABHAM: Madam, I would only like to bring to the notice of the honourable Minister that the Government of Andhra Pradesh is misusing its State power for political ends, that the Home Minister is misusing his power to settle scores with a private individual. That is the point I am appealing to the Home Minister here to institute an inquiry by the CBI or by any other agency. That is exactly the reason why I am making this plea.

There is one more point Madam. Anyway, Mr. Narayanasamy raised it___ (*Interruptions*)... When Mr. Mohan Ranga Rao was killed, in deference to the public opinion there, the NTR Government asked the Home Minister to resign and he also shifted the DGP from that position and appointed somebody else. Since Mr. Narayanasamy raised it. I would like to ask: If they have got any sense of responsibility, if they have got any sense of shame, they should also dismiss their Home Minister and they should transfer the DGP from there. Will they do it? This is what I am asking on the floor of this House in response to what Mr. Narayanasamy and other Members on the Treasury Benches have asked. Thank you, Madam.

SHRI MOTURU HANUMANTHA RAO: Madam, only one sentence.

THE DEPUTY CHAIRMAN: You have uttered many sentences.

SHRI MOTURU HANUMANTHA RAO: My submission is that you are referring to the law and order situation in a State. You are saying that this should not be raised. Why did the Home Minister go to Calcutta and made a statement there and passed strictures on the State Government? Why did he do it?

THE DEPUTY CHAIRMAN: Mr. Hanumantha Rao, when I am here in the Chair, mts does not happen under my chairmanship, V% must know what our parameters are and I have said that also. We should not go beyond our parameters. Whichever State it may be, we should leave the matter to it. If we don't do that

VK would be impinging upon their responsibility. That we should not do. That is what I am saying. I do not have two yardsticks----- (*Interruptions*).. .Yes, Mr. Jadhav, before you start, I have to state that I have thirteen names here and, I think, some other names also. It is now 7-15 p. m. Would you not prefer that those people coming from that State, concerned about this killing, are given the chance first?

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashh-a): Madam, Mr. Narayanasamy also spoke.

SHRI V. NARAYANASAMY. I am concerned with that State. It is nearer to my State.

THE DEPUTY CHAIRMAN: Mr. Narayanasamy, you are not concerned with it. You please take your seat

SHRI VITHALRAO MADHAVRAO JADHAV: Madam, I am really closer to Andhra Pradesh because we were previously from the Hyderabad State. I know so many Reddys there. I know the politics also.

THE DEPUTY CHAIRMAN : That is why you are everready to speak.

SHRI VITHALRAO MADHAVRAO JADHAV: Madam, I will ask only pointed questions.

Madam, wherever any act of violence, took place, I strongly condemned it in this House. And any MLA or any public representative who is working with the people must be given full security whenever he wants. So, that is the first thing. Madam, the second thing is that you might know that a few months back, in Bombay, Mr. Ramesh More and Mr. Vithal Chavan, two Shiv Sena MLAs were assassinated.

THE DEPUTY CHAIRMAN: That is beyond the purview. I have to put some restriction.

SHRI VITHALRAO MADHAVRAO JADHAV: I am mentioning the facts.

THE DEPUTY CHAIRMAN: You have already mentioned. If you have not mentioned it, then it is not going on record.

SHRI VITHALRAO MADHAVRAO JADHAV: Madam, I have condemned the act of violence strongly. As it happened in Bombay, in the same way, things can happen in Hyderabad and other places also. Madam, in

the statement itself, it has been given that there was a threat to Shri Siva Reddy from factional rivalry and not from extremist elements. So, it clearly shows that his assassination took place out of factional rivalry. In the same way, the High Court has held that no mala fide was made out against the State Home Minister and that Shri Reddy had not provided any material against the Home Minister regarding the assertion that the latter had instructed to reduce his security.

THE DEPUTY CHAIRMAN: I have heard the statement. Please put your question.

SHRI VITHALRAO MADHAVRAO JADHAV: What I mean to say is that I am analysing these facts. The High Court has given a clear verdict that there is no threat from the Home Minister to Mr. Siva Reddy's life. So, we cannot say, as some hon. Members are making allegations, that the Home Minister of the State is involved in the act of assassination of Mr. Siva Reddy. I think that attitude is totally false.

Madam, the second thing is that two constables were attached to Mr. Siva Reddy—Mr. Nathaneil and Mr. K. Nageswara Reddy. When there was a threat to his life, I do not know why he did not use those constables (*Interruptions*.) ... I am asking the Chair. I am asking the hon. Minister. What were these constables doing when there was a threat to the life of Mr. Siva Reddy? I am equally anguished like you. I have first strongly condemned the act of violence, whether from the Congress party or the Telugu Desam or any other party. If such a thing takes place, it is an act of shame on the part of our society. So, Madam, I want to know from the hon. Minister as to what these bodyguards were doing.

Madam, the other thing is the political rivalry and the political drama. I want to know why the postmortem of the body could not take place. It is reported in today's newspapers that Mr. N. T. Rama Rao had taken the dead body of Mr. Siva Reddy to the Raj Bhavan. I do not understand this. If there is such a depth of seriousness in the incident, when one of the MLAs has been assassinated, it is the duty of any leader to see that postmortem or other enquiries are conducted. Madam, there is a statement by 7 or 8 MLAs from Andhra Pradesh that this act of assassination took place from the Telugu Desam party itself. I want to know from the hon. Minister whether it is a fact. Madam, I mentioned in the

beginning about the Shiv Sena because the internal faction of the Shiv Sena has resulted in the assassination of their own MLAs. In the same way, it might have happened. There might have been rivalry amongst the groups of the Telugu Desam party, and they might have committed this act of violence. And they must have been putting this allegation against the Home Minister. So, I want to know from the hon. Minister as to the reason why this hon. MLA has been assassinated. Who is responsible for that? Even if the Telugu Desam people are responsible, the hon. Minister must see to it that they are punished.

SHRIMATI RENUKA CHOWDHURY: He should substantiate his statement.

SHRI VITHALRAO MADHAVRAO JADHAV: Any culprit who is responsible for that, should be punished. I know it very well because Andhra Pradesh is quite close to my taluka. So many districts are there; Godhara is there which is nearest to my native place. Because Mr. N. T. Rama Rao is an expert artiste and drama-player — (*Interruptions*)...

SHRI MENTAY PADMANABHAM: I object to this. He has no business to mention the name. I strongly object to it.

SHRIMATI RENUKA CHOWDHURY: It is none of his business to mention his name — (*Interruptions*)...

THE DEPUTY CHAIRMAN : Mr. Jadhav.

SHRI VITHALRAO MADHAVRAO JADHAV: This is a very relevant point.... (*Interruptions*)... Mr. N. T. Rama Rao could make use of his expertise either to his side or the other side — (*Interruptions*)...

SHRIMATI RENUKA CHOWDHURY: I am very sorry to say it. He has no business to say like this.

SHRI MENTAY PADMANABHAM : Mr. N. T. Rama Rao is not a Member of this House. Mr. Jadhav has no business to mention his name. There is a tradition in the House.

THE DEPUTY CHAIRMAN: Even the Home Minister is not a Member of this House.

SHRI MENTAY PADMANABHAM: But the Home Minister is a part and parcel of this statement, and this is a State subject which we are discussing. So I have every right to mention the name of the Home Minister or the Chief

Minister or the state Government.

SHRI VITHALRAO MADHAVRAO JADHAV: I want the Home Minister to explain the facts as to what had actually happened, and with these words I conclude. I know when Mrs. Renuka Chowdhury starts, she speaks so aggressively that others may also feel sometimes aggrieved. I now request the hon. Home Minister to clarify the points raised by me.

THE DEPUTY CHAIRMAN: Shall we move on to other person? Mrs. Renuka Chowdhury.

SHRI SURINDER KUMAR SINGLA (Punjab): My name comes earlier in the list

रेशुका जी तो बाद में हैं ।

नपसन्नायति : आपका नाम इनके बाद में है ।

And it was on the request of Shrimati Renuka Chowdhury that the statement is being made, and I am permitting her to speak. She has got a meeting with the Prime Minister and she has to go. Later on I will call according to the list. And she says that she did raise her hand when Mr. Sibtey Razi was in the Chair but she could not catch his eye.

SHRI SURINDER KUMAR SINGLA: We know you have preference for your own people—I mean for ladies.

THE DEPUTY CHAIRMAN : I must remind the Members that in this House I have no friends and no enemies. I am just the Chair. I have no likes and dislikes while I am presiding. If you say it in a humorous way, then it is a different matter. But we do sometimes consider that some Member may have some very urgent meeting; somebody may be sick or ill. In fact, this matter was raised by her very vehemently and the Minister did react that he will come back. So I think I will allow her now and later I will call you according to the list. Everybody is busy, I know. I am also busy. I have a dinner with the Vice-President. But we all have a responsibility to the House and if you ask questions, we will sit late in the night to finish it.

SHRIMATI RENUKA CHOWDHURY: I am not interested in casting aspersions on anybody's character or ability. What I want is facts. That day also I asked for facts when the House was working. I want to reiterate what my colleague, Dr. Sivaji had asked. When an elected representative to any House asks for protec-

tion, what are the parameters to decide that he will be given the protection, and whether it is in case of extremists violence only and not otherwise. Whatever the statements that are made in the Parliament and whatever the interpretation to the allegations that are made, the fact remains that the elected member said that he was afraid that he was going to be killed, and it did happen. Here lies the tragedy of the system. The man said 'There is a threat to my life'. He is dead today. It is for us to collectively apply our conscience to this. I am not concerned whether it is Telugu Desam or A B, C or Congress. But the fact remains that a citizen of this country, more so, an elected representative of thousands of peoples, said 'I am under threat • I need protection'. He is dead today.

Therefore, firstly, based on what evidence, did the intelligence agencies come to the conclusion that he did not need additional security? Based on what facts, did they assume that two P.S.Os were adequate security? If two P.S.Os were deemed adequate security, how is it that Mr. Siva Reddy is dead today?

Then, why is there a discrimination? Whether it is a factional feud or, what you call, an extremist activity, you cannot treat them separately. You have to take one action. There is no recourse to the other action, when the person is dead. He cannot come back after that. Is the State Government or the police absolved of their responsibility, that if it is established that it is not an extremist activity, people can be allowed to be killed by others? What is factionalism? Under whose portfolio does it come? Is factionalism a State law and order subject or, a Central law and order subject? Or, is it that law and order cannot be applied to factionalism? What is it? Let us examine this matter because that is where the whole problem of the Andhra and Rayalaseema regions starts.

Madam, other people have hastily spoken that he was a person with a criminal record. It is not proper. Have we lost all our decency and sentiments even in death? If that be the case, we have many sitting M.LAs, sitting M.Ps, and Ministers in Andhra Pradesh who have a criminal record, who are the first accused in murder cases including that of a cabaret artiste. Don't ask me to open my mouth. It is not going to be very nice for you people. (Interruptions). I am not threatening. I am asking you to remain sensitive.

SUR! MENTAY PADMANABHAM: And sensible.

SHRIMATI RENUKA CHOWDHURY:
And sensible: yes.

SHRI P. UPENDRA: Don't provoke her.

SHRIMATI RENUKA CHOWDHURY: I am sensitive. Please do not interrupt me. As I said, there are many people who have criminal charges against them. Does it mean that you can say that he was a person with a criminal record and, therefore; he was entitled to be killed?

SHRI V. NARAYANASAMY: Nobody said that.

SHRI P. UPENDRA: Don't interrupt her.

SHRI V. NARAYANASAMY: She is drawing her own conclusion. How can it be ?

SHRIMATI RENUKA CHOWDHURY: Madam, the other point I want to make is this. The wife, the widow, of the deceased MLA, goes to the House of public representatives, the Legislative Assembly of Andhra Pradesh, in grief, to ask for justice, to ask for an independent enquiry, .or, whatever. Based on the assumption made in some newspapers that she was coming to attack the Assembly, that a bereaved woman, a woman in grief, was coming to attack the Assembly, this lady was arrested, physically assaulted, picked up, dumped into a truck and taken away. (Time-bell) Madam, what is the recourse left for women? Which forum does the Minister or anybody else give to a lady who has been, all her life, begging for her husband, for her husband's protection ? He is killed. She goes to the public representatives' forum to say that this is the problem and wants that justice should be done. She is prevented and arrested. Excesses are committed, some consciously and some automatically, which are a fall-out of overreaction by the State Government.

I am not blaming anybody. It has happened in other people's times. It is time that we put our heads together. If we are talking of accountability, it starts now. We are not going to mention past history. Prime Ministers have been attacked. You cannot say that because it happened, we will do it next time. That is the most ridiculous attitude to the whole thing. I am pleading for collective wisdom and judgement. This statement, I am afraid, does not reflect the facts in regard to what had happened.

Madam, here, I have a personal note to add. This is not to divert or dilute the issue. This

happened incidentally and I just want to mention it. Last night, when my two children, the youngest of them 8 years old, were alone in my residence in Hyderabad, the police went there, in the name of preventive arrests. Why preventive arrests in the twin cities of Hyderabad and Secunderabad when one lady is capable of upsetting the entire police force and the State Government gives a direction, I do not know. They go and arrest my domestic workers. My driver, my personal cooks, my gardener and my watchman were taken under preventive arrest saying that they were going to take part in the Assembly dharna. This is carrying absurdities to the ultimate limit These fellows have no criminal record, no rowdy sheet. They are people who have come for employment They work for ffile for a salary and they like to work there. How can you have them arrested like that ? My children have been terrorised. My aging parents were not at home.

This is the height of it I am still saying that mis happened unwittingly. I am giving that much concession to the Government that somebody at the top must have passed an order and the jurors would have over-reacted, but the fact remains that I deem it a political bias against me. I am concerned that this situation may repeat itself. Tomorrow we will sit in postmortem and discuss the case. So, please let it not happen. This is a sad thing. We have reached a stage where you say that he was bombed because he was a criminal; somebody else was bombed because he was a criminal. No, this is not the way. We have to try to improve things. (*Interruptions*). I will show you pictures and photographs of Vangaveeti Mohana Ranga Rao mounted on the same pedestal as Jawaharlal Nehru. Mera Bharat Mahan. Beyond that I do not want to say anything.

THE DEPUTY CHAIRMAN: Shri Meena. (*Interruptions*). I have your name after that Then Mr. Upendra, then Mr. Singla, then Mr. Reddy, then Mr. Kotaiah, then Mr. Gautam, then Mr. Virumbi and then Mr. Hanumanthappa. (*Interruptions*). I have the names. I have your name.

SHRI S. MUTHU MANI (Tamil Nadu) : You have not taken my name.

THE DEPUTY CHAIRMAN: I have your name.

श्री मुलचन्द मीणा (राजस्थान) : मेहम, गुड राज्य मेन्त्री जी
आ वक्तव्य, सहे किसी भी पार्टी का विधायक हो और इस सदन

के अंदर जैसी चर्चा हो रही है, तेलुगू देशम पार्टी के सदस्य कांग्रेस की सरकार पर दोष लगा रहे हैं, कांग्रेस के कुछ सदस्य तेलुगू देशम पार्टी के लोगों पर दोष लगा रहे हैं, ऐसी बात होनी नहीं चाहिए, क्योंकि यह एक विधायक का मामला है। एक गंभीर मामला है। यह खेचने की बात है।

उपसभापति : देखिए, भ्रमण नहीं करिए। खुद के लिए सवाल करिए।

I am really tired because everybody is converting it into a debate. I request you to ask questions, if you have.

श्री मूलचन्द मीणा : मैडम, मैं सवाल ही पूछता हूँ।

उपसभापति : सवाल ही पूछ लीजिए। सबको मालूम है कि विधायक का मामला है। इसलिए आप सवाल पूछ लीजिए।

श्री मूलचन्द मीणा : मैडम, मैं यह पूछ रहा हूँ कि इस वक्तव्य में बताया गया है कि रेड्डी को गुटिय दुश्मनी से खतरा था। कौन-कौन से गुट थे जिन्हें रेड्डी को खतरा था ? . . . (व्यवधान)

उपसभापति : जिनको नाम दिया है, मैं उनकी को बुलाऊँगी।

श्री मूलचन्द मीणा : पार्टी के अंदर के गुट थे या पार्टी के बाहर के गुट थे, जिन्हें उनको खतरा था ? . . . (व्यवधान) दूसरी बात मैं यह पूछना चाहता हूँ कि उनके शव का पोस्टमार्टम होने से पहले क्या उसका राजनैतिक फायदा उठाने की किसी ने इच्छा जाहिर की थी ? . . . (व्यवधान)

उपसभापति : जी, बोलिए।

श्री मूलचन्द मीणा : मैं सिर्फ़ दो ही व्यक्ति पूछना चाहता था।

उपसभापति : थैंक यू, लायने बहुत अच्छा किया।

Prof. Bhattacharya.

PROF. SAURIN BHATTACHARYA: Madam Deputy Chairman, of late Mr. Pilot has been giving us statements in couples, not one at a time. This is because the situation is perhaps not much desirable. A lot of things are happening everywhere. Today it has happened in Andhra in Manipur. I will not deal with the situation in Manipur. Perhaps the Minister has gone there personally, visited the affected places and seen the condition, but the important thing is to deal with it firmly and at the same time sympathetically so that ethnic violence is lessened.

[The Vice-Chairman (Syed Sibley Razi) in the chair]

Regarding the statement on Andhra, I have specific questions to ask, as for example, the High Court order—the original order—where the IGP (Intelligence), the DIG (Security) and DIG (Intelligence) were required to assess the security requirements of the slain MLA. Therein there is a significant line, in my opinion, "keeping in view the security provided to iMLAs against whom there were threats from extremists", and it seems that the Andhra Pradesh Government—I don't distinguish between the Chief Minister and the Home Minister, etc.,—and also the police force came to the conclusion that if there was any danger from the extremists, additional security was necessary and, if not, not. If the security is endangered from factionalism and factional fights, that won't entitle a person to security. In this particular case, it was not thought necessary. That was the position of the Andhra Pradesh Government.

Secondly, in the earlier statement, if I remember correctly—the Minister must have a copy with him—it was said that the slain MLA did send back all the security before reaching the Sathya Saibaba Marriage Pandal or something like that. He went there. Here it is said that there were at least two guards who were directed to attend on the slain MLA, at the directive of the Speaker. But they did not reach him at all. So, what was the existing security ? It becomes confusing, really, as to what security he did enjoy, because in the earlier statement it was said that two private gunmen were there. So, another two were there, but these four were sent back. Now we find that the private gunmen aspect is not here. There was something earlier. What was that ? That has not been mentioned. And the Speaker's directive entailed to give him two more securitymen. But these securitymen did not reach him. before the tragedy happened. Whether the Home Minister of Andhra Pradesh has masterminded mis crime or not is not my aim. in the sense that it was the responsibility of the Government to ensure the security of a person who was clamouring for security for such a long time, he being a sitting MLA and a former Minister of the State. Others also are entitled to security, but a person whose designation is like this is, perhaps, all the more entitled to some more consideration and some more security in the process. Therefore, my friends on the other side need not always be very touchy on the question of involvement of their party

Government in Andhra Pradesh in the matter. At least they are responsible for gross dereliction of duty, if not connivance and complicity or conspiracy. Therefore, I think, this issue merits further consideration, further initiatives from the Union Government to clarify all these nuances and to try to see that if there are people in high places involved in this in any way, they do not go scot-free.

Thank you.

•SHRI P. UPENDRA: Mr. Vice-Chairman, the statement made by the hon. Minister today contains many holes and discrepancies. I do not want to blame him personally or his office because he is relying on the information given by the State Government and he cannot do otherwise, in my view. As a protagonist of the rights of the States and keeping in view the federal nature of our policy, I do not want the Central Government to investigate into every incident and give its own judgement. But they themselves started this when they gave a statement on the 21st July on the West Bengal incident by giving the version of both the parties and giving the verdict of the Home Minister on the incident. If that is the pattern they want to adopt, the Home Minister should have collected the information from the other side also and included it in the statement. If that is wrong, they should have admitted that.

The statement contains one or two glaring discrepancies. The very fact that the State Home Minister was a party in the writ petition in the High Court and that he had to submit his counter-affidavit, though it was partially upheld by the High Court, shows his involvement in the factional fight. The whole of Andhra knows that he is one of the parties in this factional fight in that particular district. Therefore, there was more responsibility thrust on him in this particular case.

On the one side you are saying that in a gang war or a factional fight, the State has no responsibility to give protection. You are not protecting all the *goondas* and ruffians all over the State and the country. You are not giving any such protection. He merited protection only because he was a legislator. When you give protection to a legislator, you do not go into his personal past and say that he was a factional leader, that he was this and that he was that and that, therefore, only a limited security that is given to other people will be given to him. You go by your perception of threat to him. You have got a threat-

perception. We have got a glaring instance in Delhi where a legislator, an M.P., who was indicated by a commission for involvement in certain killings, is being given Black Cats and he is going about in three or four cars. Ndbody raises any objection because everybody knows that there is a threat perception and that he is in danger. But, when it comes to other party legislators, you say, "He is partisan. He is involved in this. He is involved in that." You cannot have double standards. If you are bound to protect legislators, you cannot apply the same standards that you will give the same number of PSOs, this and that. That is the first thing on which you have to make yourself clear. When you are protecting one as a legislator, tomorrow also or today also, you go by the threat perception and give whatever protection is needed. If you don't want to give protection to anybody who is involved in gang wars, then, don't give protection to anybody. I want you to clarify this particular point.

The second thing is that nobody believes what Andhra Pradesh's Home Minister says in the statement that from Karnool he ordered two persons to go to him and that before they could go to him he was killed. Everybody in Andhra knows, and even papers are publishing, that the MLA himself was mentioning about this, that he told the Speaker, that he told everybody else, that he told the Chief Minister that some people from his district were gathering with arms and were staying in hotels. Why did the intelligence agencies not enquire into that and not catch them?

After he made a complaint in the Assembly and when the Speaker had ordered additional protection, why did the intelligence machinery not act immediately and try to nab them before the incident? If two people were ordered from Kurnool, should you wait for those two people to come? Could you not give two people from Hyderabad as a stop-gap arrangement? What prevented you from doing that? Is it not a very weak argument that the intelligence has given? You should have pulled them up for giving this kind of an argument. It seems when an MLA is telling that he is going to be killed any moment you say "Kurnool people will come after 24 hours or 48 hours and you should wait until that time." You should have advised the killers to wait until they came. Therefore, this is a very weak argument, Mr. Minister. You should pull them up. Therefore, I say there is no doubt about the involvement of the Home Minister which everybody believes. It is a blot on your

party and a blot on your Government. Therefore, some political decisions are also required in certain cases. A man who is involved in such kind of a thing, a man who could not protect a legislator in spite of the complaint and the Speaker's order, has no business to continue as Home Minister. I am not supporting the argument that the State Government should be dismissed. I never supported that argument in any case. Even when the Governments were dismissed by you on the plea of law and order, we opposed that. On this incident, I do not say the State Government should be dismissed, but at least the Home Minister must be punished for dereliction of duty.

Secondly, I wish as a test case you order a CBI inquiry into this and get all the facts. It will help you also in these things and it may make you objective in your mind also.

One last point which I want to raise is this. In many parts, not only in Andhra Pradesh, in the Rayalaseema areas, but also in Dhanbad areas etc. people known to be involved in factional fights, goondaism and gang wars are having arms licences. Why don't you withdraw these arms licences from those people in those particular areas which are prone to this kind of incidents? Why don't you advise the State Governments to cancel these armed licences of those people in those areas so that at least certain killings can be avoided. These are my points.

SHRI SURINDER KUMAR SINGLA: I am extremely grateful that you gave me time to speak.

First I must express sorrow on the tragic killing of an MLA, a public man.

Now, I must state that the hon. Home Minister's statement is complete with full facts, but I am sad and disappointed. The Home Minister should have commented on the false allegations made the other day in the House on four major facts. One was that the deceased MLA's wife had registered a case against the Home Minister. The Statement says there was no case registered by her. Secondly the High Court judgment clearly states that the charge that security was inadequate was false. On another charge that the Home Minister was involved, the High Court judgment says there was no involvement of the Home Minister at all.

I am sorry to express here that the whole House was subjected to stacy allegations. I

know the whole party is born out of an Indian stage actor. All stacy allegations were there. Nothing else. It was most unfortunate that this stacy parry, as I call it, really made a trading in a political death. They just traded. When he was bomb-blasted, they took the body to the Governor's House rather than to some hospital.

So my point was are they trying to do ? Is this the way to end political violence ? Are they not creating more political violence and lawlessness ? They themselves are responsible for this situation. You know that they have made a stacy claim. They said that somebody claiming to be a witness gave a representation to the Inspector of Police, Banjara Hills Police Station accusing that the persons who threw the bomb were the followers of the State Home Minister. I would like to know from the hon. Home Minister what are those fabricated facts are which were engineered by them to claim that an eye witness was there. At about 10JO PM. a case was registered by a person who claimed to be an eye witness. -With fabricated facts they really want to get a political mileage.

A driver of the State Government, Shri Sheikh Mehmood, who happened to be an eye witness at the spot when this tragedy had occurred claimed that he did not see any involvement of the Home Minister or the followers of the Home Minister. I would like to know whether his statement is to be believed or not I am sorry to say that the TDP is indulging in falsehood. The hon. Home Minister should have said that they are all false charges and whatever he had mentioned in his statement are facts.

SHRI G. PRATHAPA REDDY (Andhra Pradesh): Mr. Vice-Chairman, Sir, I would like to mention that the deceased person, Mr. Siva Reddy was closely related to me. In 1980 by-election when I had contested the State Assembly seat he was my chief election agent. Since then I know him personally and intimately. Other Members have already mentioned about it. Anyway, his death became imminent because he had increased his enemies time and again. So in this particular case, one of the accused who was caught redhanded immediately revealed, "We have killed him. So and so had killed him. Nearly fourteen persons were involved in this murder case. All of us do not belong to one village. All of us became Mr. Siva Reddy's victims. So we have joined together to do this thing." He had narrated the entire story when he was interro-

gated by the police. The police were alarmed. One of the prime accused who had planned this entire killing was also caught by the police. He was remanded to judicial custody.

When a murder takes place, a doctor should confirm whether the victim is dead or not. I want to know from the hon. Home Minister whether it is correct or not

Another thing is, *panchnama* should also be conducted. But unfortunately, in this case, Mr. N. T. Rama Rao took him to the Governor's place instead of taking him to the hospital. This was said by my colleague also just now. Who has confirmed it as a dead body? Is Mr. Rama Rao a doctor? If at all he had any anxiety about Mr. Siva Reddy, even, if he was dead, he must have taken him to the hospital to ascertain whether there was some little hope. He must have taken him to the hospital. But that has not happened. Instead of that he wanted to make political mileage out of this incident and he took the body to the Governor. He demanded that the Governor should come out. He also uttered several things without giving any respect to the Governor's post also. I request the Home Minister to see that Mr. Rama Rao is prosecuted for this.

SHRI SANGH PRIYA GAUTAM (Uttar Pradesh): Mr. Vice-Chairman, I have got a point of order. This fact does not find place in the statement of the hon. Minister. Whatever the hon. Member has stated is out of context

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Let him ask. He has a right to make the point, subject to confirmation. It is in context. Please try to conclude now, Mr. Reddy.

SHRI G. PRATHAPA REDDY: I want to seek clarification on another point. Our friend Mr. Narayanasamy raised an issue about Mr. V. M. Ranga Rao, MLA, who was killed in 1988. He had demanded additional security for his safety. There was a threat from the then Government. At that time, the Government had withdrawn the security given to him earlier. They had seized his weapons; they had seized his vehicles. He went on a hunger strike and he was killed while he was on hunger strike. During that time, even the Central Government, the Home Ministry, had requested the State Government to provide him adequate additional security. But what did the State Government say? It said that only an MLA was entitled to such security and only two men

could be given. They had written a letter to that effect. That document is also there very much in the record.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Please conclude now.

SHRI G. PRATHAPA REDDY: The statement given by the Minister of State for Home Affairs is full of facts. I want to ask the Home Minister as to how many accused got arrested so far. I request the hon. Minister to give clarifications on these points when he replies.

SHRI PRAGADA KOTAIAH (Andhra Pradesh): Mr. Vice-Chairman, Sir, I entirely agree with the factual statement given by the Minister of State for Home Affairs. But I am sorry that he did not mention the event that happened immediately after the brutal murder of Mr. Siva Reddy. Our friends are trying to make allegations against the performance of the State Government whether adequate security had been given to Mr. Siva Reddy or not. He had been given security as per the existing rules but he wanted additional security to be given to him. What was the root cause for asking this? Though he was a legislator, when he was involved in several murder cases, rioting cases and several other cases, for how long could the Government protect a legislator? That is a question to be considered by the Home Ministry or the Government of India. He had been involved in so many cases. We have conveniently forgotten to mention the root cause for the murder of Mr. Siva Reddy. There were six murder cases, eight attempt-to-murder cases, ten rioting cases, three election offences and four other cases against him. He had been involved in thirty-two cases; yet the Government had given the security personnel as per law. There is no doubt that the court did not sanction any additional security to Mr. Siva Reddy. But at the same time, on 6th August, there was a disturbance in the State Assembly. Ultimately, the Speaker directed the Government to give him additional security. The additional security had been provided but he could not utilise the security available with him. What was the reason for that? I would not like to say much on this. *The Hindu*, which is a national paper, had said. It is surprising that Siva Reddy did not make use of the two security men to accompany him on the plea that he did not need them as he was attending a marriage. It is thus difficult to entirely blame the Government and certainly, Mr. N. T. Rama Rao was trying to get some

political mileage out of the unfortunate incident when he refused to allow the police to intervene. Instead, Mr. Rama Rao went to the Raj Bhavan with the body of a slain leader to lodge a protest against the Government with the Governor. There is little doubt that the outrage was clearly a well-planned attack and Mr. Reddy himself had been living in constant fear of his life, as would be evident from the pleas of his associates for greater security for him..."

SHRI MENTAY PADMANABHAM: Let him read the other portion also.

SHRI PRAGADA KOTIAH: I am quoting from *The Hindu* which made all enquiries about the matter. They have stated that "the Government is not responsible, in any way, for the murder and adequate security had been given to him under law and additional security also had been provided. But unfortunately, Mr. Siva Reddy could not utilise the security personnel available with him." What was the reason for that? He simply said, "I was going to attend a marriage function and you are not necessary" and that was the main reason. (Interruptions).

SHRI MENTAY PADMANABHAM: There is no complaint. How long can we go on like this? (Interruptions).

SHRI PRAGADA KOTIAH: We are forgetting that fact and trying to make allegations against each other. All of us know the root cause for the murder of Mr. Siva Reddy. He himself said on the floor of the Assembly that his life was in danger. Why was it so, Sir? We are all here as Members of Parliament. How many of us are in danger here? But because of the atrocities committed by him, several rivals were there and they were following him to take revenge and ultimately revenge was taken by his rivals. Therefore, there is no point in making the allegations against the Government. (Interruptions).

श्री संघ प्रिय गौतम : उपसभाध्यक्ष महोदय, मृतक का मले ही आपराधिक जीवन रहा हो, लेकिन वह विधायक था। दूसरे कानून की निगाह में हत्यारे की हत्या भी अपराध होता है। इसलिए सरकार या सरकारी पक्ष के लोग इसका नाजायज़ फायदा नहीं उठा सकते। मैं दो प्रश्न पूछना चाहूँगा। लेकिन आपके माध्यम से मैं यंत्री जी का ध्यान उनके वक्तव्य की ओर दिलाना चाहूँगा। मैं पैरा 3 को पढ़ना चाहता हूँ इसकी भाषा से सिद्ध होता है कि उच्च न्यायालय के आदेश का उल्लंघन किया गया, विधान सभा के अध्यक्ष के आदेश का उल्लंघन किया गया और मृतक को पर्याप्त सुरक्षा प्रदान नहीं की गई। यदि पर्याप्त

सुरक्षा प्रदान कर दी जाती, हत्या की सुरक्षा पर भी लोग नहीं बचते हैं, लेकिन शायद इस तरह का आरोप सरकार के ऊपर नहीं लगता। पैरा 3 में कहा गया है कि राज्य सरकार से प्राप्त सूचना के अनुसार श्री रेड्डी ने राज्य उच्च न्यायालय में रिट याचिका संख्या 11574/92 दायर की थी जिस पर न्यायालय ने 28 सितम्बर, 1992 को आदेश पारित किए थे जिसमें कहा गया था कि पुलिस महा-निरीक्षक (आसूचना), डी०आई०जी० (सुरक्षा) तथा डी०आई०जी० (आसूचना) घमकी की गम्भीरता, आपका ध्यान, सदन का ध्यान दिलाना चाहता हूँ, तथा श्री रेड्डी को और सुरक्षा प्रदान करने की आवश्यकता का मूल्यांकन उन विधायकों को दी गई सुरक्षा को देखते हुए करें जिन्हें उपद्रवियों से घमकियाँ मिलती थीं। इसको मिसइंटरप्रेट किया गया। इसका सीधा अर्थ यह है कि—

Security to Shri Reddy be provided on the pattern on which security to some legislators has been provided who have received threats from the terrorists.

इसका यह मतलब है। लेकिन इसका अर्थ क्या निकाला पुलिस अधिकारियों ने कि आतंकवादियों से इनको घमकी नहीं मिलती थी। इनको तो गुटबंदी से खतरा है। It has been misinterpreted.

ज्ञानबूझ कर इनके आदेश का उल्लंघन किया गया। उच्च न्यायालय के आदेश का उल्लंघन किया गया और विधायक को सेक्युरिटी नहीं दी गई। इनके अब दूसरे पैरा को पढ़ता हूँ।

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Please come to the clarifications. आप क्लेरिफिकेशन पर आइये। आपका समय जा रहा है।

श्री संघ प्रिय गौतम : मुझे परेशानी होती है। आप मुझे दो मिनट का तो समय दीजिये। दूसरों को आपने 6-6 मिनट दिये हैं।

उपसभाध्यक्ष (सैयद सिबते रज़ी): आप दो मिनट दीजिये।

श्री संघ प्रिय गौतम : 3 सितम्बर, 1992 को रिट दायर किया गया जिसमें होम मिनिस्टर साहब पार्टी थे। अगर रिट रद्द भी हो गया तो फ़रीक होना ही दुश्मनी को साबित करता है। इसके खेने अर्थ निकलते हैं कि मरवाने में हाथ भी सकता है और नहीं भी हो सकता है। लेकिन दुश्मनी है, यह सिद्ध है। विधायक बार बार सुरक्षा की मांग कर रहे थे। लेकिन हुआ यह कि चौबे जी गये खम्बे बनने और हूबे बन कर रह गये। श्री रेड्डी के गाँवों की संख्या पाँच से घटाकर दो कर दी गई और उनकी सुरक्षा कम कर दी गई। मैं आपका ध्यान चौबे पैरा की तरफ दिलाना चाहता हूँ। इसमें आदेश पारित किया गया था। अध्यक्ष ने आदेश दिया था, लेकिन फिर भी सुरक्षा नहीं दी गई। कहते हैं कि बाहर से सुरक्षा गाई बुलाया गया था। मान लीजिये उसने

कहा भी कि कुछे अमुक सुरक्षा गार्ड न दी जाए तो उस दिन नहीं कहा था। इसके पहले सचिव पर भी उसने कहा था। छः महीने पहले कहा होगा। लेकिन सुरक्षा उसी दिन मांगी थी। लेकिन फिर भी सुरक्षा गार्ड नहीं दिया गया। इसलिए साफ आरोप सिद्ध होता है। कोर्टों जी, और रेड्डी जी ने स्वयं इसका समर्थन किया है। इस वक्तव्य से आरोप सिद्ध है कि गृह मंत्री की दुश्मनी थी। उच्च न्यायालय के आदेश का उल्लंघन किया गया, विधानसभा के आदेश का उल्लंघन किया गया और सुरक्षा व्यवस्था के निर्देश थे मगर वह भी नहीं दी गई।

मैं एक-दो प्रश्न पूछना चाहता हूँ। उच्च न्यायालय में श्री रेड्डी ने काकापटा याचिका दायर की थी और उच्च न्यायालय ने आई०जी०, और दो आई०जी० को सुरक्षा देने को कहा था। तो क्या आप प्रदेश सरकार को निर्देशित करेंगे कि उन तीनों अधिकारियों के खिलाफ हत्या का मामला दर्ज किया जाय और उनके खिलाफ कानूनी कार्यवाही का आय ? दूसरा, आप इस बात को छोड़िये कि कानून क्या करेगा, लेकिन उनकी यह रिस्पॉन्सिबिलिटी है, गृह मंत्रालय का सीधा संबंध पुलिस डिपार्टमेंट से है तो क्या आप मुख्य मंत्री को निर्देशित करेंगे, कि वह गृह मंत्री को बाध्य करें कि वह इस्तीफा दें और यदि वे इस्तीफा नहीं देते हैं तो उन्हें यह डिसमिस करें ? क्या आप ऐसा करेंगे ?

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Mr. Vice-Chairman, Sir, I want to confine myself to what is mentioned in the statement. I do not know about the character of the MLA who was murdered. And I don't want to go into it He might have been a pious and an amiable person or he might have been a criminal, But the thing is that the Government should protect a citizen. And even if he was a criminal, as mentioned by the Members on the other side, the law of the land should have taken its own course. We cannot justify the murder because he was involved in such-and-such activities. It is not proper.. *interruptions*)

SHRI G. PRATHAPA REDDY: Nobody is justifying it.

SHRI MENTAY PADMANABHAM : Then there was no point in saying that he had a criminal record. Why did you say that ? Because he had a criminal record, could the Home Minister conspire to kill him ?

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): You please continue.

SHRI S. VIDUTHALAI VIRUMBI: It is also a matter of coincidence that the persons murdered before also had the same record. But I don't want to go into this aspect. I would like you to refer to page 2 where it has been men-

tioned that the hon. Speaker of Andhra Pradesh had ordered that the security of the MLA should be upgraded. What has been further stated is that the Home Ministry conveyed this message to the DIG in the evening. And on that particular day, the DIG was not there in Andhra Pradesh as he had gone on tour. Then, the statement says that some S.P. contacted the Additional Commandant II Battalion in the night which was stationed some 200 kms. away from the capital of the State. What I want to say is that after the hon. Speaker of the Assembly had ordered the upgradation of the security of the MIA, the S.P. had sent the message in the evening, and no time is mentioned. So, even if we presume that the message was sent at the last minute of the office hours, which is usually 6 o'clock, the S.P. had then contacted the Additional Commandant in this regard. Now, Sir, what transpires is that first the Speaker had ordered; then the DIG was contacted and since he was not available, the S.P. talked to the Additional Commandant. Now, if the Home Ministry had contacted the S.P.'s office at 6 o'clock, the message would have reached the Commandant in 15 minutes and since they were stationed 200 kms. away, they could have reached the place, say, within four hours even in the night But since they did not arrive even on (he 7th morning, the day on which this unfortunate thing happened. So, what I feel is that it is a cooked up statement I am not accusing the Minister, I am not accusing the Central Government. What I feel is that he received a report from the State Government which is actually nothing but untrue and based on that report, he is giving information to us.

SHRI H. HANUMANTHAPPA (Karnataka): Do you want him to go to Hyderabad and find out... *{Interruptions}*

SHRI MENTAY PADMANABHAM: When he has gone to Calcutta to enquire into the firing, why cannot he go to Hyderabad ?

SHRI S. VIDUTHALAI VIRUMBI: What I want to say is that he went to Calcutta to get the information. He should have adopted the same

way to get the information from Hyderabad also. That is what I wanted to say. Then, Sir, regarding DGP, they said he went to attend to some security arrangements for the Chief Minister. Therefore, I want to know the date on which the Chief Minister had proposed to go to Chirala, whether there is a difference between the date of the murder and the proposed date of the tour of the Chief Minister. If there is no dif-

ference, then we can find out whether their statement was true or not. Secondly... (*Interruptions*)...

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Please conclude now.

SHRI S. VIDUTHALAI VIRUMBI: Only one minute, Sir. After all these things, it is said in the statement that one unknown person complained about this. In these days, do you believe that somebody will come on his own and complain ? People are afraid for the security of their jobs. An unknown person coming and filing an FIR is totally unbelievable.

What I feel is that if it is entrusted to the State CID, the truth will not come out. Therefore, it should be entrusted to the CBI. This is the only way by which the truth can come out.

One last word. Sir. If it continues like this, if you don't take action—I am not worried about who killed and other things—it will lead to Naxalism in one State after another and people will lose faith in the democratic system of our country. In order to save democracy, they should see to it that culprits are arrested and punished according to the law of the land.

Thank you. Sir.

SI IRI H. HANUMANTHAPPA: Thank you very much, Mr. Vice-Chairman, Sir, for giving me this opportunity. Much has been said about the failure to provide security. But, unfortunately, even if there were a hundred securitymen, destiny would have played its role. Even the security that was with him was left behind and he offered to go in a friend's car for a marriage. So, blaming the Government or the security arrangements will not come to our rescue at all. Destiny has played its role. I don't want to take shelter under destiny. I certainly agree that proper security should have been there. Unfortunately, what happened in this case was Shri Siva Reddy felt, "When I am going to a private function, why should I take these people ?" He did not even use his own car. He sat in a friend's car and went. When death comes, it does not wait for these things. Everybody has accepted that it is not a political murder. It is a murder because of factional feud.

SHRI MOTURU HANUMANTHA RAO: Nobody has said ... (*Interruptions*). . .

SHRI H. HANUMANTHAPPA: If you don't say, don't say it. In the statement, it was

said that it was because of rivalry. I cannot go beyond that and I have to depend upon this statement. In some cases, I will go. Now, they want to have political mileage out of this murder.

Sir, I want to ask certain pointed questions. About the adequateness of the security, there was an order of a court. It was as early as December, 1992. The first order was in November, 1992 and the second writ petition was also disposed of. After the second order, Shri Siva Reddy has not taken any steps to go to the court again and demand for adequate security. This is number one point. When the police assessed—the High Court directed them to assess—that this would be the required security, he has not filed an appeal against this order. And, lastly, when he raised this issue in the Assembly, he did not say whether the security was required on that very day or the next day. He asked for the security and the Speaker ordered upgrading his security. But the question is one of time. Nobody knew when it was required. Mr. Siva Reddy might have known that he required the security on that very day or the next day. But that was not mentioned on the floor of the House or in the order of the Speaker. Mr. Upendra asked why people should come from 200 miles away. Here there is some sort of delicacy. The very Home Minister of the State is accused. If he had not agreed to the option of the deceased for providing security, then also Mr. Upendra would have said that the Home Minister had sent his own policemen who absconded from the scene and who were responsible for the murder.

SHRI P. UPENDRA: I did not say that. I only asked why *ad hoc* arrangements were not made.

SHRI H. HANUMANTHAPPA: If *ad hoc* arrangements had been made, it would have been done by the very same Home Minister who would have taken some policemen from Hyderabad. Then also you would have accused the Home Minister ... (*Interruptions*) ... Even if the Kurnool police battalion had been sent you would have accused him ... (*Interruptions*) ...

SHRI MENTAY PADMANABHAM : Even the Kurnool policemen are under the control of the Home Minister only.

SHRI H. HANUMANTHAPPA: It was his option. Please listen to me. It was his choice.

SHRI MENTAY PADMANABHAM : It is the version given by the State Government.

SHRI H. HANUMANTHAPPA: It was his choice that it should be from his own native district and probably he had more confidence in them. Now, I am raising only pointed questions

Will the honourable Minister enlighten us as to whether the widow of the deceased tried to enter the Assembly hall which was a prohibited area and whether it is also a fact that there were 85 ladies also who called themselves sympathisers of the victim of the deceased and who had also started a hunger strike at Hyderabad as a counter? Is it also a fact that in a similar situation additional security was denied to Shri Mohana Ranga Rao under the State law during the TOP rule? I would like to know whether it was denied when he asked for it. Was it under the State law which is today prevailing there? Is there any exemption in enforcing the law? If somebody is working with some MPs or MLAs and if the law of the land prescribes a certain action, is there any exemption? If somebody is working with me in my house, does he get any exemption from the enforcement of the law?

Now, I come to the question of the CBI. We are the Council of States. Whenever the question of the powers of the States comes in, we vehemently argue against any intervention by the Centre and we today are making the law that we can use the CBI whenever the Centre wants it. Should not the State Government give its permission or concurrence? Is this the opinion of the leaders here who are demanding today that the CBI should make the inquiry? Are we to change the law to have the concurrence of the State Governments before proceeding further with the CBI inquiry?

SHRI MOTURU HANUMANTHA RAO: You also demanded that day.

SHRI H. HANUMANTHAPPA: I did not raise it on that day. I am only asking how we have to act in the future. When it suits me, I ask for the CBI and when it does not suit me, I say that this is a federal structure and the Centre should not intervene.

SHRI MENTAY PADMANABHAM: Mr. Hanumanthappa, I am putting the same question to you. Whenever it suits them, they will use the CBI and when it does not suit them, they will not do it

SHRI H. HANUMANTHAPPA: You have already said that and other friends also have put the same question. I accept that and accepting that, I am putting a question to the Home Minister: Is the Government considering the question of amending the law, in consultation with the opposition parties or the State Governments, to take over the power of instituting a CBI inquiry directly whenever the Central Government wants it?

श्री अन्नन्त राम जायसवाल (उत्तर प्रदेश): उपसभाध्यक्ष महोदय; यह देख कर आज दुख हुआ कि मौत के मामले में भी और खास करके किसी एम०एल०ए० की मौत का मामला हो और उस पर इस सदन में चर्चा हो, उसमें भी लगे पार्टी पोलिटिक्स से ऊपर नहीं उठ पाते हैं। यह दुख की बात है और इसको दृष्टिगत किया जाना चाहिए।

पहली बात, वृत्ति समय कम है, इसलिए सीधे सवाल करता हूँ। स्वर्गीय श्री रेड्डी सन् 1992 के मध्य से अदालत और विधान सभा दोनों में इस मामले को उठाते रहे कि उनकी जान को खतरा है और 6 अगस्त को उनकी मौत हो गई, जो यह बात सिद्ध करती है कि उनकी जान को सचमुच खतरा था। इस तथ्य को ध्यान में रखते हुए मैं माननीय मंत्री जी से जानना चाहूंगा कि क्या वह आन्ध्र प्रदेश गवर्नमेंट को यह सलाह देंगे कि जिन पुलिस अधिकारियों ने उनकी जान को खतरा को कम आँका या अदालत में कम करके बताया, उनके खिलाफ वह कार्यवाही करें? यह आप उनसे कहेंगे या नहीं कहेंगे?

दूसरी चीज़, अदालत में जो उन्होंने पिटीशन दायित्व की और जलेश्वरी में जो उनका मरण हुआ, क्या उस में उन्होंने यह बताया है कि उनको जान का खतरा किन कारणों से है? अगर उन्होंने ऐसा बताया है तो माननीय मंत्री जी क्या उन खतरों को प्रकाश में लायेंगे और सदन में बतायेंगे।

तीसरा सवाल है, गृह मंत्री मैसूर रेड्डी ने किन परिस्थितियों में स्व० शिवा रेड्डी की दूसरी पिटीशन में काउंटर एफ़िडेविट दायित्व किया? किन परिस्थितियों में ऐसा किया और क्या दोनों के बीच में सचमुच कोई रंजिश थी?

चौथी चीज़, स्पीकर ने जब कहा कि सिन्धोरिटी को अपग्रेड कर दिया जाए सिन्धोरिटी बढ़ाई जाए तो हमारा खयाल है कि स्पीकर के आदेश में और श्री रेड्डी की मौत के समय में कम से कम 24 घंटे का सन्तर रहा। हैदराबाद कोई साधारण जगह नहीं है, हैदराबाद आन्ध्र प्रदेश की राजधानी है। वहाँ पर हर तरफ की पुलिस मौजूद है। वहाँ से पुलिस न बें करके, इसमें जो विवरण दिए हैं, माननीय मंत्री जी, मैं यह निवेदन करूंगा कि इससे कोई क्विस होने वाला नहीं है। इतनी दूर-दूतनी दूर, वहाँ-यहाँ, ये सब जो इसमें विवरण दिए गए हैं, इन से कोई क्विस होने वाला नहीं है। क्या आप इस सब में यह नहीं पढ़ पाते कि सचमुच पुलिस प्रेसाइड करने में देरी की गई और जान-बूझ करके देरी

की गई ? इस जान-बूझ करके देरी करने के लिए जिम्मेदार कौन आदमी है, यह हाउस जानना चाहेगा ?

अंत में, मैं यह कहूँगा कि क्या इन सारी परिस्थितियों को देखते हुए आंध्र प्रदेश की गवर्नमेंट को यह सलाह देंगे कि यह इस केस को इन्कवायरी सी०बी०आई० से कराने की मांग करे ?

SHRI S. MUTHU MANI: Sir, I am going to ask only simple questions. Sir, in the statement it is very clearly stated that there was a threat to Mr. Siva Reddy from factional rivalry and not from the extremist elements. I would like to know from the hon. Minister whether there are any security norms fixed for extremist threat and non-extremist threat.

Secondly, Sir, from the statement it is clear that every one of the higher officials of the Police Department has known that there was a threat to the life of Mr. Siva Reddy. There is no doubt about that. Already, at the time of election, five constables were provided as security for him, and the same was reduced to two after the election was over. The Speaker has directed on 6th August that the security for the MLA should be upgraded. My second question is: How much time was taken by the concerned police officials to assess the threat to Mr. Siva Reddy and to provide adequate security after receiving the direction from the Speaker ? And what are the further steps taken ?

My third question is, here serious allegations have been made by the hon. Members against the Home Minister of Andhra Pradesh. I would like to know whether the Central Government is going to probe this matter by ordering a C.B.I. enquiry.

My next point is, it is a very unfortunate thing. I hope the Centre, particularly our hon. Minister of State for Home Affairs is going to eradicate goondaism, and I would like to know from the hon. Minister whether he is going to convene a meeting of all the political leaders to find out a solution to the problem in order to eradicate goondaism.

My last point is, some hon. Members said that late Mr. Siva Reddy could not utilise the security provided to him. I would like to know from the hon. Minister whether it is a fact that the security constables reported to the Andhra Pradesh Government that Mr. Siva Reddy asked them to go back.

My last question is whether the hon. Chief Minister of Andhra Pradesh has consented to

the Central Government for a C.B.I. enquiry or not.

MESSAGE FROM THE LOK SABHA

The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill, 1993

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

In Accordance with the provisions or rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill, 1993, as passed by Lok Sabha at its sitting held on the 12th August, 1993."

Sir, I lay the Bill on the Table.

STATEMENT BY MINISTER

Fatal bomb attack on Shri P. Siva Reddy, Telugu Desam M.L.A.—Contd.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Now the Minister will reply.

SHRI RAJESH PHOT Mr Vice-Chairman, I have been listening to all the hon. Members. If you recollect, two days back I gave a statement and when I saw the sentiments of the people, even I felt that there was something which the hon. Members would like to know further, and I voluntarily said that I will get back to the House and will clarify all those apprehensions and all those questions which still persisted in the minds of the hon. Members, and these were very pertinent questions, whether there was adequate security, and also about the High Court judgement. All this made me feel that there was something more to that, and that is why I accepted the responsibility and said that I would come back to the House.

Sir, I would have straight gone with the feelings which the hon. Members have expressed today, because I was going through the proceedings in the Vidhan Sabha at Hyderabad, when they were made during the