

उपसभापति : अगर चेयर के बारे में डिस्कशन कर रहे हैं तो उस पर सोचा जाएगा । चेयर के बारे में डिस्कशन है तो

I will take my decision. If it is a discussion on something else then you can speak.

श्री सिकन्दर बख्त : मेरी दर्यास्त सिर्फ इतनी थी कि अगर आप अपने आपको तकलीफ कम पहुंचाये तो कितना अच्छा हो ।

شری سکندر بخت : میری درخواست صرف اتنی تھی کہ اگر آپ اپنے آپ کو تکلیف پہنچائے تو کتنا اچھا ہوں ۔

उपसभापति : मैं तो चाहती हूँ कि आप लोग मुझे कम तकलीफ दें ।

श्री सिकन्दर बख्त : बहुत ज्यादा बोलना हो जाता है, यह मैं कहना चाहता था ।

شری سکندر بخت : بہت زیادہ بولتا ہوتا ہے ۔ یہ میں کہنا چاہتا تھا ۔

THE DEPUTY CHAIRMAN : Sikander Bakhtji, I know. Let me comment. There are people watching us. Have you ever noticed when all of you get up at the same time and expect me to reply to all of you ?

श्री सिकन्दर बख्त : अगर जवाब न दें तो भी काम चल जाएगा ।

شری سکندر بخت : اگر جواب نہ دیں تو بھی کام چل جائے گا ۔

THE DEPUTY CHAIRMAN :

If you keep on making allegations against the Chair, should I keep quite and listen and accept them ? It is not possible.

श्री सिकन्दर बख्त : इस वक्त तो मैंने कोई एलीगेशन नहीं लगाई । इस वक्त तो बगैर रिमार्क के बात चल सकती है ।

شری سکندر بخت : اس وقت تو میں نے کوئی ایلیگیشن نہیں لگائی ۔ اس وقت تو بغیر ریمارک کے بات چل سکتی ہے ۔

श्री सुबह मध्यम स्वामी : इस वक्त नहीं लगाया तो क्या पहले लगाया था ?

**RE. ALLEGED INTERFERENCE
BY GOVERNMENT IN C.B.I. PROBE
INTO SECURITIES SCAM**

श्री सिकन्दर बख्त : (मध्य प्रदेश) : सदर साहिब, मुझे यह अर्ज करना है कि यह एक अफसोसनाक सूरतेहाल इस हिन्दुस्तान में हो गई है कि करप्शन के संबंध में रोज एक नया रिकॉर्ड खुलता है । ज्यादा अफसोसनाक यह है कि दो दिन पहले प्राइम मिनिस्टर साहब ने हाउस में बयान दिया, कल या परसों ।

شری سکندر بخت : صدر صاحب ۔ مجھے یہ عرض کرنا ہے کہ یہ ایک افسوسناک صورتحال اس مملکت میں ہو گئی ہے کہ کرپشن کے سمندر میں روز ایک نیا درق کھلتا ہے ۔ زیادہ افسوسناک یہ ہے کہ دو دن پہلے پرائم منسٹر صاحب نے ہاؤس میں بیان دیا ۔ کل یا برسوں ۔

उपसमापति : कल ।

श्री सिकन्दर बक्त : उस वक़्त में एडमिनिस्ट्रेटिव रिफार्म्स के संबंध में, करप्शन के सिलसिले में, जो एडमिनिस्ट्रेटिव रिफार्म्स की जा सकती हैं करप्शन कस करने या खत्म करने के संबंध में, उस पर एक फुलप्लेज्ड बहस का उन्होंने वायदा किया था कि वह उसकी करना चाहेंगे। आज जो अबबारात में आया है, रोजाना स्केम के सिलसिले में डायमेशन का पता नहीं चलता है कि स्केम के सम्बन्ध में कितना घोटाला हुआ है। रोज नये हजारों, सैकड़ों और करोड़ों का जिक्र होता है और ऐसा हम सहस्र करने लगे हैं कि कोई न कोई स्कावट का तरीका पैदा किया जाता है। स्केम का मामला मेरा क्या है कि जितने भी मामलात करप्शन के सिलसिले में हिन्दुस्तान के सामने आये हैं स्केम से बड़ा मामला रहा ही नहीं होगा और हमारा तमाम वक़्त बहुत सारी बातों में लगा और स्केम के मामले में डिसकशन में स्कावटे पैदा हुई। सी.बी.आई. की एक रिपोर्ट आई है जिसमें सी.बी.आई. ने यह कोशिश की है कि ज्यादा से ज्यादा खुले अख्तियारात उनको कैसे मिलते हैं जिससे वे अपने तहकीकात को जारी रख सकें। उस रिपोर्ट की बैकग्राउंड में माधवन साहब का खुद हट जाना बहुत सौरियस मामला है, बहुत संजीदा मामला है। माधवन साहब एक दफा पहले भी बोफोर्स के मामले में तहकीकात करने के दौरान शिफ्ट किये गये, हटाये गये, जो भी कहा जाय। मैं यह जानना चाहूंगा कि वे आफिसर जो कि तहकीकात में लगे हुए हैं उनमें अगर

इस किस्म की कारवाई से, इस किस्म के इस्तीफे से डीमारलाइजेशन पैदा होगा तो करप्शन को हकीकतों देश के सामने कैसे आयेगी? मुबह मैंने आपकी विदमत्त में अज किया था कि हम केवल इतना चाहते हैं कि प्राइम मिनिस्टर साहब ने जिस एडमिनिस्ट्रेशन रिफार्म का जिक्र किया था करप्शन के सम्बन्ध में, माधवन साहब के इस्तीफे को लेकर उसका दोहरा बढ़ाया जाये और सरकार हमको यह बताये कि वह इस संबंध में डिसकशन की इजाजत कब देगी?

सदर साहिबा, बराबरास्त सरकार से ताल्लुक रखने वाले फाइनेन्शियल इंस्टीट्यूशंस का संबंध सेक्युरिटी स्कम के संबंध में साबित हो चुका है। बदकिस्मती से जिन लोगों को सरकार से इस्तीफा देना पड़ा है, इसमें कुछ लोगों का संबंध इन इस्तीफा देने वालों से बहुत ज्यादा है और ऐसी बदकिस्मती हो गई है कि जमीं जुम्बद न जुम्बद गुलमोहम्मद कि जो लोग अपनी जगह बैठे हैं, जिनका बराबरास्त सेक्युरिटी स्कम से संबंध है, न वह अपनी जगह से हिलते हैं बल्कि इसके अलावा उन लोगों की हिमायत करने में मुसलसिल लगे हुए हैं जिनका कसूर बराबरास्त इस स्कम से साबित हो चुका है। मेरा सरकार से मुताबला यह है कि इस डिसकशन का सिलसिला आज ही शुरू किया जाय और जब तक यह डिसकशन मुकम्मल न हो, वह सोमवार तक जाये, मंगलावार तक जाये, जब तक जाना हो जाये। लेकिन करप्शन के मामलात में एक साफ-सुथरे डिसकशन का वायदा सरकार करे यह मेरा मुताबला है।

شرقی سکندر رخت: اس بیان میں ایڈمنسٹریٹو ریفرنس کے سمبندھ میں کرپشن کے سلسلہ میں جو ایڈمنسٹریٹو ریفرنس کی جاسکتی ہے کرپشن کم کرنے یا ختم کرنے کے سمبندھ میں اس پر ایک نل فلیجڈ بحث کا انہوں نے وعدہ کیا تھا کہ وہ اسکو کرنا چاہیں گے۔ آج جو اخبارات میں آیا ہے۔ روزانہ اسکیم کے سلسلہ میں ڈائمنشن کا پتہ نہیں چلتا ہے کہ اسکیم کے سمبندھ میں کتنا گھوٹالہ ہوا ہے۔ روز نئے ہزاروں سینکڑوں اور کروڑوں کا ذکر ہوتا ہے اور ایسا ہم محسوس کرنے لگے ہیں کہ کوئی نہ کوئی رسکاوٹ کا طریقہ پیدا کیا جاتا ہے۔ اسکیم کا معاملہ میرا خیال ہے کہ جتنے بھی معاملات کرپشن کے سلسلہ میں ہندوستان کے سامنے آئے ہیں۔ اسکیم سے بہت بڑا معاملہ رہا ہی نہیں ہوگا اور ہمارا تمام وقت بہت ساری باتوں میں لگا اور اسکیم کے معاملے میں ڈسکس میں رسکاوٹیں پیدا ہوئی۔ سی۔ بی۔ آئی۔ کی ایک رپورٹ آئی ہے۔ جس میں سی۔ بی۔ آئی نے یہ کوشش کی ہے کہ زیادہ سے زیادہ کھلے اختیارات انکو کیسے ملتے ہیں جس

سے وہ اپنی تحقیقات کو جاری رکھ سکیں۔ اس رپورٹ کی بیک گراؤنڈ میں مادہ 17 کا خود ہٹ جانا۔ بہت سیولس معاملہ ہے۔ بہت سنجیدہ معاملہ ہے۔ مادھون صاحب ایک دفعہ پہلے ہی بوفورس کے معاملے میں تحقیقات کرنے کے دوران شفٹ کئے گئے۔ بٹائے گئے جو بھی کہا جائے۔ میں یہ ماننا چاہوں گا کہ وہ آفیسر جو تحقیقات میں لگے ہوئے ہیں ان میں اگر اس قسم کی کارروائی سے اس قسم کے استعفیوں سے ڈی مار الائنیشن پیدا ہوگا تو کرپشن کی حقیقتیں دیش کے سامنے کیسے آئیں گی۔ صبح میں بے آپ کی خدمت میں عرض کیا تھا کہ ہم کیوں اتنا چاہتے ہیں کہ پرائم منسٹر صاحب نے جس ایڈمنسٹریٹو ریفرنس کا ذکر کیا تھا۔ کرپشن کے سمبندھ میں۔ مادھون صاحب کے استعفی کو لیکر اس کا دائرہ بڑھایا جائے اور سرکار ہم کو یہ بتائے کہ وہ اس سمبندھ میں ڈسکس کی اجازت کب دے گی۔ صدر صاحبہ براہ راست سرکار سے تعلق رکھنے والے فائینشیل انسٹیٹیوشنس کا سمبندھ سیکورٹی اسکیم کے سمبندھ میں ثابت ہو چکا ہے۔ بد قسمتی سے جن لوگوں کو سرکار سے استعفی دینا پڑا ہے۔ اس میں کچھ لوگوں کا سمبندھ ان استعفی دینے

والوں سے بہت زیادہ ہے۔ اور ایسی بد قسمتی ہو گئی ہے کہ زمین، جہد نہ جہد گل محمدؐ کہ جو لوگ اپنی جگہ بیٹھے ہیں، جن کا براہ راست سیکورٹی اسکیم سے سبند ہے، نہ وہ اپنی جگہ سے ہٹتے ہیں، بلکہ اس کے علاوہ ان لوگوں کی حمایت میں کرنے میں مسلسل لگے ہوئے ہیں جن کا قصور براہ راست اس اسکیم سے ثابت ہو چکا ہے۔ میرا سرکار سے مطالبہ ہے کہ اس ڈسکشن کا سلسلہ آج ہی شروع کیا جائے اور جب تک یہ ڈسکشن مکمل نہ ہو، وہ سو موڑ تک جائے۔ منگلواری تک جائے۔ جب تک جانا ہو جائے۔ لیکن کرپشن کے معاملات میں ایک صاف ستھری ڈسکشن کا وعدہ سرکار کرے یہ میرا مطالبہ ہے۔

उपसभापति : कल बिजनेस एडवाइजरी कमेटी में यह तय हुआ था कि प्रधानमंत्री जी ने जिस बात का आश्वासन दिया था, आपको पता है कि उसके लिये उसमें टाइम निकाला है। सब लोगों की जब राय होगी, जैसा समय होगा, उसमें जरूर उस पर डिस्-कशन करेंगे। आज के दिन समय बहुत कम है। आज तो केवल 45 मिनट ही रह गये हैं।

श्री अनुराग मिश्र (बिहार): प्रधानमंत्री जी ने जो सवाल... (व्यवधान)...

उपसभापति : ठीक है, दूसरी बात कह रहे हैं।

श्री अनुराग मिश्र : आपने कहा कि प्रधानमंत्री ने कहा था। आज सवाल उठ गया है तो क्या प्रधानमंत्री... (व्यवधान)...

SHRIMATI KAMLA SINHA (BIHAR): It is a different issue altogether.

THE DEPUTY CHAIRMAN
He referred to it, that is why I am saying it. I am not volunteering it on my own.

SHRI S. JAIPAL REDDY (Andhra Pradesh): Madan Deputy Chairperson, now that you are kind enough to permit us to raise this question, I would like to know as to who, on behalf of the Government will respond to our queries. Are we to raise these questions in the air and satisfy ourselves for having raised them? We have to put the question to the Minister through the Chair. Therefore, I would like to know as to which Minister is going to answer our queries on behalf of the Government.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN) which query?

SHRI S. JAIPAL REDDY: The query in regard to the premature retirement application of Mr. Madhavan, the CBI official.

SHRI S.B. CHAVAN: In the case of the CBI, the Prime Minister is in charge and the Minister of State is Mrs. Margaret Alva. But now I am here; you can raise the points and I will see that she responds to the points.

THE DEPUTY CHAIRMAN:
Mr. Chavan, we do not have a regular motion before the House. If it is just the concern of the Members and they want to raise it today. There is no motion for discussion. Mr. Sikander Bakht himself said that a discussion should

take place as promised by the Prime Minister for which we need more time. As the matter is of concern to them, we are allowing them to speak. We will get Margaretji, as promised.

SHRI S. JAIPAL REDDY: I am afraid that the level of our participation is getting demoted. The point is, the discussion on the question of corruption in general is different from the specific question that we are raising now. The specific question that we are raising now relates to the application of Mr. Madhavan for premature retirement. Anyway, I will come to that later. Madam, it is important to note in the first place that.. *(Interruption)* Mr. Upendra, you need not reply on behalf of the Government. I don't mind if Mr. Upendra is made a Minister.... *(Interruptions)*

SHRI P. UPENDRA (Andhra Pradesh): There is a procedure Mr. Jaipal Reddy, you were Leader of the Opposition. When points are raised, the Minister are not supposed to be present in the House and reply spontaneously. I am just referring to this.

SHRI S. JAIPAL REDDY : Mr. Upendra, you must note this. Madam, this House was adjourned during the Question Hour and it was said that we were meeting again at 120'clock to discuss the issue. The Government should have been alert and sensible enough to feed the information to the concerned Minister. Anyway, in the first place, it is important to note that Mr. Madhavan had put in his papers on 20th of July. Today is 31st. Nearly 12 days have since passed by. What has the Government been doing on the application of Mr. Madhavan? Secondly, when the scam broke out and when the Members in both the Houses of Parliament demanded a CBI probe.... *(Interruptions)*

SHRI N.K.P. SALVE (Maharashtra): Madam, a point of order.

THE DEPUTY CHAIRMAN :
Yes, please.

SHRI N.K.P. SALVE: The House is entitled to know... *(Interruptions)*

SHRI VIREN J. SHAH:
(Maharashtra) : What is the point of order when there is no motion?

SHRI N.K.P. SALVE: The point of order is on the procedure, Madam. The House would like to know as to what precisely you have permitted. Have you permitted a discussion on merits or have you permitted....

THE DEPUTY CHAIRMAN : Zero hour.
There is an organised way....

SHRI N.K.P. SALVE: Madam, I seek your indulgence. Or is it that you have permitted the Members to raise an issue to seek your permission for a discussion? The scope of the two will be entirely different. All that we want to know is what precisely you have permitted.. *(Interruptions)*

THE LEADER OF THE OPPOSITION
(SHRI SIKANDER BAKHT): We are demanding that the Government should come out with the facts regarding the premature retirement of Mr. Madhavan. Therefore, it has nothing to do with the procedure.

SHRI N.K.P. SALVE: That means you are not arguing on the merits of the matter, Mr. Sikander Bakht.

THE DEPUTY CHAIRMAN:
Are you asking Mr. Sikander Bakht or me?

SHRI N.K.P. SALVE: Through you, I am talking to him, Madam.

THE DEPUTY CHAIRMAN: His answer is coming. A point of order cannot be made to a Member. It should be to the Chair. I think, I am in my right to answer it.

SHRI N.K.P. SALVE: Not only you are obliged to answer, Madam, one way or the other, I only seek your indulgence in apprising the House as to what precisely you have permitted.

THE DEPUTY CHAIRMAN: I will explain.. *(Interruptions)* Just a second, please. Let me answer this. The thing is that there was an uproar in the Question Hour because the Members were worried about certain newspapers reports which appeared in some of the newspapers today. So they wanted to raise that issue and wanted to suspend the Question Hour. They wrote to me. I said, "The Question Hour is a right of the Members. So I do not ab-prove of the suspension of the Question Hour." I gave an assurance that I would allow them to raise those queries at 12'o clock when most of the problems which the Members are worried about and which appear in various newspapers every day are brought before the House. So, in the same manner, it is being raised. What Mr. Sikander Bakht referred to also was another matter on which the Business Advisory Committee has already taken a decision for having a discussion in a proper manner about corruption or improvements in the working of the administration, administrative reforms or whatever it is. That will come in another form. This is only their worry about the news whcih has come in today's papers.

SHRI N.K.P. SALVE: In other words, Madam, you have permitted a discussion on...

THE DEPUTY CHAIRMAN: It is not a discussion, Mr. Salve. There is no discussion.... *(Interruptions)*

SHRI S.K.T. RAMACHANDRAN (Tamil Nadu) : But they are making it a full-fledged discussion.

THE DEPUTY CHAIRMAN: There is no discussion whatsoever... *(Interruptions)* Let me make it very clear... *(Interruptions)*

SHRI S.K.T. RAMACHANDRAN: We seek your protection.

THE DEPUTY CHAIRMAN: Only if you will allow me, can I give you the protection.... *(Interruptions)*

SHRI DIPEN GHOSH (West Bengal): We want to raise this issue relating to the interference in the securities scam also.

THE DEPUTY CHAIRMAN : O.K. Now the he has explained it. The thing is, at 12 o' clock, there are many issues which are raised. It is without moving any motion that Members are rasing their concern. I am only tryng to put it in an organised manner instead of a disorganised manner. This is the matter.... *(Interruptions)*.

SHRI MADAN BHATIA (Nominated) : Madam, I am on a point of order.

THE DEPUTY CHAIRMAN : Let him speak. We have only less than an hour.. *(Interruptions)*...

SHRI S. JAIPAL REDDY : Madam, a systematic attempt is being made by the Government with an intention to scuttle the discussion on the floor of the House... *(Interruptions)*...

SHRI GURUDAS DAS GUPTA (West Bengal) : Madam, I have a submission to make... *(Interruptions)*...

THE DEPUTY CHAIRMAN : I am allowing it... *(Interruptions)*

SHRI YASHWANT SINHA (Bihar) : Madam, it cannot be allowed. This filibuster cannot be allowed. This is only a waste of time. *(Interruptions)*...

SHRI GURUDAS DAS GUPTA :
 Madam, there are many occasions.
 Whenever we choose to discuss..
 .(interruptions),..

THE DEPUTY CHAIRMAN Mr.
 Gurudas Gupta, I am saying the same thing
 what you are saying. There is no
 contradiction. There is no contradiction in
 what I am saying. There is very little time.
 Please take your seat. (Interruptions) ...

SHRI P. UPENDRA : Madam, if the
 Government is prepared to reply, we also
 want to raise the issue. Are you allowing
 it ?

SHRI S. JAIPAL REDDY :
 Sure. Why not. The Home Minister is here
 and he will respond... (Interruptions)...

THE DEPUTY CHAIRMAN : I am not
 part of the Government. The Leader of the
 House is here. He has the responsibility to
 convey the concern of the Members to the
 Government as it is done every day at 12 o'
 clock and then he will come back to the
 House as he promised already.

देखिए, मैं डिमरिट नहीं कर रही हूँ।
 अभी आपकी तरफ से मेम्बर ही कर रहे
 हैं... (व्यवधान) ...

SHRI S. JAIPAL REDDY :
 Madam, let me reiterate the first point I
 made, for it might have been forgotten. Mr.
 Madhavan put in his papers as far back as
 on 20th of this month. Twelve days have
 since passed by. I want to know what the
 Government has been doing during these
 long twelve days. When the scam broke out
 and the CBI enquiry was ordered, we were
 glad to learn that Mr. Madhavan was spared
 for this task. But we later realised Mr.
 Madhavan was not exclusively spared for
 this. He had been earlier given a loop-line
 posting to deal with economic offences and
 it so happened that the scam came
 under his

direct charge. After Mr. Madhavan took
 charge of enquiring into the scam, all
 efforts have since been made to scuttle,
 dilute and sabotage the enquiry into the
 scam.

SHRI S.B CHAVAN : I deny this
 charge, Madam.. (Interruptions) ...

SHRI R.K. DHAWAN (Andhra
 Pradesh) : No need to inform. One
 can see that _____. If an officer wants
 to voluntarily retire.... (Interruptions). .

SHRI S. JAIPAL REDDY : Mr. R.K.
 Dhawan, you are certainly aware...
 (Interruptions)..

SHRI R.K. DHAWAN : He
 has asked for retirement. Do you know how
 many officers have asked for voluntary
 retirement ?.. (Interruptions). .

SHRI S. JAIPAL REDDY :
 I do not want to join issue with anybody..
 .(Interruptions)...

SHRI MADAN BHATIA : Madam, I
 may be allowed to raise a point of order..
 .(Interruptions)...

SHRI R.K. DHAWAN : What are you
 trying to say ? You know how many people
 are seeking voluntary retirement. What is
 wrong ? He has sought voluntary retirement
 (Interruptions).

SHRI S. JAIPAL REDDY : Madam, I
 concede that Mr. R.K. Dhawan knows much
 more than all of us know in this matter...
 (Interruptions).. Certainly has superior
 knowledge in this matter.

SHRI R. K. DHAWAN : He is a
 Government employee- He is asking for his
 retirement. The Government has to see
 whether he comes under the voluntary
 retirement... (Interruptions) ...

SHRI S. JAIPAL REDDY
 I seek your protection.. I seek your
 protection.

SHRI MADAN BHATIA : Madam, I want to raise a point of order... *(Interruptions)*...

SHRI S. JAIPAL REDDY : Madam, what is happening here ? You take control of the proceedings of the House.

THE DEPUTY CHAIRMAN :
आपकी क्या प्रब्लम है ? What is the problem ? Let him speak....

SHRI MADAN BHATIA : Madam, I want to raise a point of order. *(Interruptions)*...

THE DEPUTY CHAIRMAN :
 What is the point of order?

SHRI R.K. DHAWAN : Don't forget, whether to allow him to retire or not is the prerogative of the Government.

SHRI DIGVIJAY SINGH (Bihar) : This is not Mrs. Gandhi's Government.. *(Interruptions)*. There is a Government here and let them reply.. *(Interruptions)*.. Why are you speaking?.. *(Interruptions)*...

SHRI R.K. DHAWAN : He was mentioning about sabotage and other Kings.. *(Interruptions)*...

SHRI DIGVIJAY SINGH : The Government is there to reply. Why are you replying ?.. *(Interruptions)*. . You are not in the Government. Then why are you replying on their bshalf ?.. *(Interruptions)*...

SHRI R.K. DHAWAN : He has said that he is seeking voluntary retirement. Why are you agitated? ... *(Interruptions)*...

SHRI AJIT P.K. JOGI (Madhya Pradesh) : On personal grounds he has put in his papers. Why are you people agitated? .. *(Interruptions)*...

SHRI MENTAY PADMANA-BHAM (Andhra Pradesh) : Madam, why not the Home Minister come out with all the facts, come out with full facts?.. *(Interruptions)*... Madam, let the Home Minister assure the House that he will come before the House with all the facts . . ., *(Interruptions)*...

SHRI DIGVIJAY SINGH : The Government is there and let the Government reply.. *(Interruptions)*... Why are you coming in between? *(Interruptions)*...

SHRI R.K. DHAWAN : I know that.. *(Interruptions)*... You sit down.. *(Interruptions)*...

SHRI DIGVIJAY SINGH : You sit down. *(Interruptions)*.. . You better sit down.. *(Interruptions)*...

SHRI R.K. DHAWAN : What were you doing when you were in power ? *(Interruptions)*.. When you were in power, what were you doing?.. *(Interruptions)*...

THE DEPUTY CHAIRMAN : Order, order, please... *(Interruptions)* ...

SHRI R.K. DHAWAN : They are saying, "Madhavan, Madhavan" *(Interruptions)*. He has only sought voluntary retirement. What is wrong about it ?.. *(Interruptions)*... He wanted to take voluntary retirement What can the Government do about it?.. *(Interruptions)*...

SHRI MENTAY PADMANA-BHAM : He has sought voluntary retirement or are you forcing him to retire?.. *(Interruptions)*...

SHRI MADAN BHATIA : Madam, on a point of order.. *(Interruptions)* ...

THE DEPUTY CHAIRMAN :
 Order, please • • *(Interruptions)*.. . Let us go ahead with the business... *(Interruptions)*...

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SHRI MADAN BHATIA :
Madam, you have allowed me to raise my point of order... *(Interruptions)* ...

THE DEPUTY CHAIRMAN : Order, please... *(Interruptions)*... Let me handle it... *(Interruptions)*...

SHRI R.K. DHAWAN : Mr. Reddy, you are coming in the way of the officers... *(Interruptions)*... He has sought voluntary retirement and if he wants to retire, why do you want to come in his way? ... *(Interruptions)*...

THE DEPUTY CHAIRMAN : There should be order in the House. Then only I can run it. *(Interruptions)*. ..

SHRI YASHWANT SINHA : Madam, may I insist that whatever may be going on here, every Member will have in opportunity to say what he wants to say? We only want to make a brief intervention... *(Interruptions)*. ..

SHRI R.K. DHAWAN : Madam, he has levelled charges that efforts are being made to sabotage the inquiry... *(Interruptions)*...

SHRI MADAN BHATIA :
Madam, I need only one minute... *(Interruptions)*... I must be permitted .. *(Interruptions)*... Madam, this point has been raised on account of which the whole Question Hour was suspended... *(Interruptions)*...

THE DEPUTY CHAIRMAN : No. It was not suspended... *(Interruptions)*. ..

SHRI MADAN BHATIA : Madam, I must submit that this is a very wrong precedent in the annals of our Parliament... *(Interruptions)*... We will be setting a wrong precedent .. *(Interruptions)*... Madam, if a member of the bureaucracy resigns his post or seeks voluntary retirement from his post, this can never be the subject matter of discussion in the Parliament... *(Interruptions)*...

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SOME HON. MEMBERS : No, no... *(Interruptions)*...

SHRI MENTAY PADMANA-BHAM : No, no. He is involved in a very very important investigation ... *(Interruptions)*...

SHRI MADAN BHATIA :
This is against all norms of parliamentary democracy... *(Interruptions)* ...

THE DEPUTY CHAIRMAN : Will you please sit down?... *(Interruptions)*. .
.You have made your point ... *(Interruptions)*...

SHRI GURUDAS DAS GUPTA :
Madam, under what rule this is being raised... *(Interruptions)* ... Under what rule? ... *(Interruptions)* ...

SHRI MADAN BHATIA :
I have not included my point yet .. *(Interruptions)*...

THE DEPUTY CHAIRMAN :
You please sit down. We do not have time. *(Interruptions)* I have to adjourn the House at one O'clock... *(Interruptions)*.. .

SHRI MADAN BHATIA : Madam, just half-a-minute only... *(Interruptions)*.. .

SHRI S. JAIPAL REDDY :
What is this, Madam, I was making my point... *(Interruptions)*...

SHRI MADAN BHATIA : Madam, if a member of the bureaucracy seeks retirement, his retirement, ... *(Interruptions)*... or even his conduct cannot be the subject matter of discussion in this House... *(Interruptions)*... Even his conduct cannot be a matter of discussion in this House, much less his resignation or his seeking voluntary retirement. . *(Interruptions)*... If we make this a subject matter of discussion here, we will be establishing a very

[Shri Madan Bhatia] very wrong precedent... *(Interruptions)* ... I appeal to you to decide this, whether this issue will be raised here at all... *(Interruptions)*...

THE DEPUTY CHAIRMAN :
Please take your seat... *(Inerrup-tions)*...

SHRI MADAN BHATIA : The Government cannot be asked to respond to this... *(Interruptions)*... The Government cannot be asked 'to respond to all that is being said here ... *(Interruptions)*...

THE DEPUTY CHAIRMAN : O.K. I am not asking the Government to respond. Please sit down. *(Interruptions)*... Will you please take your seat ? I have not allowed any discussion on this subject. ProbaMy you did not hear what I ssid right in the beginning. There is no formal motion before the Houie .. *(Interruptions)*.. . Some news paper reports are there and the Members are excited about them, worried about them and concerned about them, on both s:des of the House. And I am permitting them to air their views. The Government is not obliged to answer. If they are obliged to answer, it is entirely up to them. It is not within my right to ask.

SHRI R.K. DHAWAN : They should not make false allegations,

SHRI YASHWANT SINHA : The Government is there *(Interruptions)*

SHRI S. JAIPAL REDDY :
My authentic information is...

SHRI R.K. DHAWAN : He cannot level charges.

SHRI S. JAIPAL REDDY : I stand by every word I say here. My authentic information is that Mr. Madhavan was pressurised into not pursuing this line.. *(Interruptions)*.

THE DEPUTY CHAIRMAN : Please. Just a minute. Let me handle the House. Will you please sit down ? *(Interruptions)* Would you substantiate ? *(Interruptions)* Just a minute please. The person about whom you are...

SHRI S. JAIPAL REDDY : I am not levelling allegations against anybody.

THE DEPUTY CHAIRMAN :
Just a minute, Jaipal Reddyji. At leasi, let me speak. Whatever you are saying, can you substantiate ? Can you substantiate whatever you are saying on the floor of the House because the Members are siv/ing that it is an alligation. You substantiate it if you have : ny proof.

SHRI SIKANDER BAKHT :
If is a fact that you want to be substantiated.

THE DEPUTY CHAIRMAN :
I do not know. The Members are saying. If there is any allegtion, then can you substantiate that allegation ? *(Interruptions)* I am only asking you.

SHRI S. JAIPAL REDDY :
Yes, I will substantiate if there is a House Committee enquiry into this. I am prepued to substna.tiate the charge I nvsde that Mr. Madha-van's work was not allowed to be proceeded with. *(Intenuptions)* M?.ny influential people tried to interrupt his enquiry. *(Interruptions)* Madam, the UCO Bank Chairman, Mr. Margabandhu who was involved in the scam on a gigantic scale was prevented from being arrested.. *(Interruptions)*...

SHRI S. S. AHLUWALIA
(Bihar) : Madam, are we discussing the scam ? We have already discussed it., *(interruptions)*...

SHRI S.K.T. RAMACHANDRAN : He is an irresponsible fellow. Why should he run away from his duty ? Madam, they are defending an irresponsible fellow... *(Interruptions)*

THE DEPUTY CHAIRMAN : Order, order.

SHRI S. JAIPAL REDDY : Many important politicians and senior bureaucrats are involved in the operations of the Fairgrowth Company. Therefore, investigations were not allowed to be proceeded with smoothly. *(Interruptions)* If only investigations are allowed to be completed smoothly, many heads of this Government will roll. *(Interruptions)*

THE DEPUTY CHAIRMAN Hon. Members, please take your seats. *(Interruptions)* I again request the Members to have restraint...

SHRI S. S. AHLUWALIA : Unnecessarily, they are making stories.

THE DEPUTY CHAIRMAN : Please. If any allegations are made against any one who is not a Member of the House and is not capable to protect himself, you have to be careful. You have to substantiate those allegations.

SHRI S. JAIPAL REDDY : I made no allegations. I made no allegations against anybody. I am only making certain points. *(Interruptions)*

SHRI MADAN BHATIA : Is a member of the bureaucracy the subject matter of the discussion ? *(Interruptions)*

SHRI S. JAIPAL REDDY : I am making certain observations. I made no allegations against any particular Minister. *(Interruptions)* According to Mr. S. K. Datta... *(Interruptions)*

SHRI S.K.T. RAMACHANDRAN : He is going on making allegations-

SHRI S. JAIPAL REDDY : According to Mr. S.K. Datta, the Director of CBI.. *(Interruptions)*

THE DEPUTY CHAIRMAN : No, no. Mr. Dhanwan, your name is before me. I will permit you. So, let him say what he wants to say. Then you can reply.

SHRI R. K. DHAWAN : But he should not level any charges...

SHRI S. JAIPAL REDDY : No, no.

THE DEPUTY CHAIRMAN : You can reply if you feel that there are certain charges being levelled which are not there.. *(Interruptions)*

अहलुवालिया जी, आप बैठिए । आप हाऊस में थे नहीं, इसलिए आपको मालूम नहीं ।

I cannot keep on giving a report to every Member who comes. *(interruptions)* L?ok, Mr. Ahluwalia, you were not in the House. So, I cannot report to every Member who comes late in the House. So, please take your seat...

SHRI S.K.T. RAMACHANDRAN : He is making..

THE DEPUTY CHAIRMAN : You should be present in the House to know what I have said before. I cannot repeat every word again. There is a limit to it.

SHRI S. S. AHLUWALIA : The Prime Minister has already announced the JPC.

THE DEPUTY CHAIRMAN : Please sit down. I am not allowing you. Please take your seat. I have not permitted you. I have given my ruling. Mr. Ahluwalia, you were not there.

SHRI S. JAIPAL REDDY : I would only like to have two uninterrupted minutes. The JPC cannot do its work effectively unless the CBI

[Shri S. Jaipal Reddy]

team is such as to inspire confidence. When Mr. Madhavan sent his letter to Mr. Dutta, Director of CBI, Mr. Dutta wanted to know the reasons and Mr. Madhavan wrote a letter...

THE DEPUTY CHAIRMAN :

Please don't take the names of people who are not here. Why are you taking the names?—They are not Members of this House. Why do you do that ? I have never permitted it before. I do not permit any names of the bureaucrats who are not here to protect themselves.

SHRI S. JAIPAL REDDY : But

I am not making any allegation. I am merely making a reference, not an allegation.

THE DEPUTY CHAIRMAN : You make your point and finish. Let others also speak.

SHRI S. JAIPAL REDDY: According to the reports, Mr. Madhavan felt obliged to write his letter because of political pressure. We, therefore, demand that the Prime Minister should come into the House and explain to the House the circumstances under which Mr. Madhavan gave his letter of resignation. It is the Prime Minister who is dealing with the case directly. The Prime Minister should come to the House and explain. I may add towards the end that the clouds of suspicion are gathering around the PM's office also I, therefore, demand that the Prime Minister should come to the House and explain the matter to the House.

THE DEPUTY CHAIRMAN : Mr. Subramanian Swamy.

SHRI GURUDAS DAS GUPTA : I gave my name also . Madam, you fix a time limit for the Members to speak.

THE DEPUTY CHAIRMAN:

Please. Let us not waste time on this. If it is a discussion, it will go according to parties. It is the concern of the Members and as the names came to me. and as I observe, I am allowing it

SHRI GURUDAS DAS GUPTA: But our notice should get precedence.

THE DEPUTY CHAIRMAN:

If the matter is serious, we should discuss it in that atmosphere. Otherwise let us have other business. I have got special mentions which Members have to make.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh) : We have in this House to distinguish between a fact and an inference. All the fact that we have is that an officer investigating the securities scam Jtas put in his papers in which he has asked for voluntary retirement. He has said nothing more than that. Had he resigned and said that he is being blocked from investigating the securities scam, we could have taken immediate notice in this House. But that is not what has happened. What has happened is that he has written a letter seeking voluntary retirement and the newspapers—some of them—have given interpretation why he has resigned or why he has sought voluntary retirement. Now it would be impossible to run any administration if the officers become pro-Opposition or pro-ruling party (Interruptions).

THE DEPUTY CHAIRMAN: It is his view. How can you object to his view? He is definitely not going to speak others' views. It is his individual view. He is a Member of the House and he has the right to speak as you have that right. I protect you and I am protecting him also. I have a full right to protect him and also to protect all of you.

SHRI SUBRAMANIAN SWAMY: You have full right to protect the truth.

THE DEPUTY CHAIRMAN: My throat is not right and I have to take some aspro also.

SHRI SUBRAMANIAN SWAMY: It will be very unfortunate if the administration officers are divided

into those who are with the Opposition and those who are with the ruling party. Now, the question of defending Mr. Madhavan on the floor of this House cannot arise unless there is some fact to show that he has been prevented from conducting the investigation. I can say from personal knowledge of the working in Government that it is possible that there are officers who, in order to get the best of both the worlds, I am not saying that it has happened in this case, but I know of cases put in their papers for voluntary retirement and then meet some Members and give some sensational news which appears in the newspapers. I am not saying that it has happened in this case. What I would say is that unless the Government makes a statement, or, in this case, if Mr. Madhavan feels perhaps, Mr. Jaipal Reddy was speaking with conviction, or, perhaps, he had some communication with him~

SHRI S. JAIPAL REDDY: No.

SHRI SUBRAMANIAM SWAMY : If you had not, if you are speaking with conviction that he was deprived, it would have been honourable for this officer to have resigned, saying 'I cannot proceed with this investigation and therefore, please accept my resignation than to have put in his application for voluntary retirement and seek all the benefits that the Government gives to its employees. If we continue to allow this kind of thing to go on, in my opinion, no administration will continue. Therefore, I would say to the Government 'Accept Mr. Madhavan request for voluntary retirement. Find another good officer.' There are plenty of good officers in the Government who can do as good a job, or, even a better job. They can do a better job of investigating the securities scam. There are such officers. It is wrong to think that there are only a handful of officers who can do this kind of investigation. We have got tremendous talent in the administration. Let us find such an officer. Perhaps, at that time, Members from the opposition or the ruling party can make their

inferences. There are officers. That would be the correct thing to do to maintain the morale of the administration. This matter must be brought to an end and Mr. Madhavan's request for voluntary retirement should be accepted immediately.

SHRI DIPEN GHOSH: Madam, I would say that it is a blatant interference in the securities scam probe.

SHRIMATI JAYANTHI
NATARAJAN (Tamil Nadu): How?

THE DEPUTY CHAIRMAN: Let him say. Please listen.

SHRI DIPEN GHOSH: I am not making any allegation against any particular individual. I say that it is a blatant interference.

When we were discussing the securities scam, the Prime Minister came to this House and promised that Government had no objection to the setting up of a Joint Parliamentary Committee. We are now talking about the terms of reference etc., of the JPC.

Now, the point is, the CBI has been investigating this matter. It is not the point whether the officer who was in charge of this investigation had resigned, or, he had asked for voluntary retirement. The fact is, he has decided to quit. The important point, according to me, is whether the Government should allow him to quit, in the midst of this investigation. I say this because the Government says that it is interested in finding the truth. The Prime Minister has also agreed to have a JPC, besides the on-going CBI investigation. Therefore it is up to the Government to decide. When an officer decides to quit, whether by resigning or by voluntary retirement, it is for the Government to decide. But the rule says that it is not incumbent on the Government to accept a request for voluntary retirement. Therefore, I say, when the Government says that it is interested in finding the truth, when it wants to go to the root of the matter, when the Prime Minister has gone on record saying that nobody, howsoever high placed he may be, no Minister.

SHRI S. B. CHAVAN: Madam, before 1 p.m., I would like to react.

THE DEPUTY CHAIRMAN: Sure.

SHRI DIPEN GHOSH: Okay.

THE DEPUTY CHAIRMAN: You please be brief, Mr. Ghosh. I cannot stretch the time.

SHRI DIPEN GHOSH: Madam, this is a new point. (*Interruptions*)

THE DEPUTY CHAIRMAN: One minute each. That is the request of the Members.

SHRI DIPEN GHOSH: I will make my other points when the Motion on this subject comes up for discussion. But in the meantime, I would say that this officer who was in charge of investigating the securities scam has decided to quit on certain grounds, that he was not being assisted, that he was not being allowed to continue the enquiry according to his method of investigation. I would demand that the Prime Minister should come to this House and assure us that till this probe is completed and responsibilities are fixed, the person who is in charge of this Scam, will not be allowed to quit the service.

SHRI YASHWANT SINHA : I Will be very brief.

Madam, we are not here to discuss the conduct of officers, let us be very clear about it. (*Interruptions*). At least I am not doing it. I am absolutely convinced. We will neither praise nor denigrate an officer in this House because the officer is not present. Therefore, it is not a question of Mr. Madhavan. Mr. Madhavan may seek a voluntary retirement and the Government may allow him to go on voluntary retirement and after retirement he may do whatever he likes, that is not my concern, this is not the concern of this House. What is the Concern of this House, what is of vital

importance is the fact that all this is happening under very very peculiar circumstances. All the newspapers in this country are screaming with allegations that there is interference with the probe. That is what is causing concern to people like us that the CBI probe is being interfered with and that too by the highest quarters in this land. That is the matter of concern, Madam Deputy Chairman. It is in the interest of the Government (*Interruptions*). Madam, if I had been a part of any Government which would have faced a situation like this, I personally would have rushed to the House, to Parliament, to make the position of Government clear on this issue instead of hiding away, trying to block or trying to filibuster and this is what I expect of this Government that they will come clean. If you have the courage, let Mr. Madhavan go, accept his voluntary retirement, but come clean on the question of interference, assure this House, assure the people of this country that the Government is not trying to protect any one, that the Government is not interfering with the probe of the CBI that all the guilty will be brought to book, however high they might be.

SHRI GURUDAS DAS GUPTA: Madam, I have given you notice. I want two minutes. (*Interruptions*).

THE DEPUTY CHAIRMAN: No, no, I am, not permitting. The Leader of the House wants to react. (*Interruptions*). I am not saying 'no'. It is not final. Let us hear the Leader of the House.

SHRI GURUDAS DAS GUPTA: I will request him to wait for two minutes;. Madam, I am not

THE DEPUTY CHAIRMAN: One minute.

SHRI GURUDAS DAS GUPTA: I am not concerned about a particular officer. I am also not concerned about

a particular member of the Government, but kindly allow me to become concerned about the credibility of the country and credibility of the Government because any Government of this country is our Government. Within a short period two important things have happened. Our Foreign Minister submitted his resignation.

THE DEPUTY CHAIRMAN: We are not talking about that. That is not before the House. *(Interruptions)*.

SHRI GURUDAS DAS GUPTA: Our Foreign Minister submits a letter to another Foreign Minister and he does not know about the person who gave him the letter. Another important member of the bureaucracy resigns now.' If we club both the resignations together, the whole world will get a signal that in India a serious cover-up operation is going on. This has degraded our national morale, our dignity and the credibility of the Government. Therefore, it is in the interest of the country that the Government should come up and deny and it is within the right of the Government to say no to the voluntary retirement request of Mr. Madhavan. Mr. Madhavan is not saved by this but the country is saved, our Prime Minister is saved and we are saved from being dishonoured in the company of nations that India is trying to cover up the crime.

THE DEPUTY CHAIRMAN: Your one minute is over.

THE DEPUTY CHAIRMAN : One minute, Mr. Dhawan.

SHRI M. A. BABY (Kerala) : Madam, two sentences.

THE DEPUTY CHAIRMAN : I will allow you three sentences. Just let him finish, I will allow you three sentences. I will allow you three sentences. Please, let him finish. Mr. Dhawan, two minutes

SHRI R. K. DHAWAN :

want to say that it is the prerogative of a Government servant to seek retirement. The question is whether he sought retirement on personal reasons or on some other reasons. His letter of resignation, as reported in the Press, is very clear that he is resigning because of personal reasons. The Government has no business to ask that. The Government can persuade the officer concerned. It can say that if there is any problem, personal reasons, it will try to help him. But, if the officer insists on resigning, the Government cannot come in his way.

I resigned thrice from Government service for personal reasons.

AN HON. MEMBER : Ha-ha.

SHRI R.K. DHAWAN: Ha-ha *nahin*. It is a fact. Don't say, "Ha-ha ha." It is a fact. The then Prime Minister asked me at that time, "Is there any personal reason? Can we help you in any way?" I said,

"No. I want to seek retirement." So, I retired. So did Mr. Ashwani Sinha*(Interruptions)*

By saying that Mr. Madhavan is the only person who can handle the situation, I think, we are casting a slur on the entire bureaucracy of the country. There are very many competent officers. The officer wants to go on his own. Mr. Jaipal Reddy was asking why, when he had asked for retirement on such and such a date, the Government had delayed it. The Government certainly has to give chance to the person to reconsider it. It has to ask from him what the reasons are. He has only said that he was resigning for personal reasons, and he is within his rights.

All these insinuation and all other things that he was under pressure and all that are being made. When Mr. Madhavan was assigned his job to look into the scam, the

[Shri R. K. Dhawan]

Government was fully aware that he had the backing of the Opposition, including Mr. V.P. Singh and the Janata Dal, but they did not change him. They said, "He is a good officer."..(Interruptions)

SHRI S. JAIPAL REDDY: This is an allegation.. (Interruptions).

SHRI S. S. AHLUWALIA: It is, a fact... (Interruptions)

SHRI S. JAIPAL REDDY : Mr. Madhavan was not given a special charge. He was dealing with economic offences. The task had to be handled by him under normal circumstances. (Interruptions)

SHRI R. K. DHAWAN : You know what has happened. Mr. Madhavan has gone into the whole scam. He has found nothing. He has to show his face to his friends who are in the Opposition. So, he wants to resign on totally personal reasons. We should not say that only he is competent. There are many other competent officers.

I would request the Home Minister to accept his resignation immediately.

THE DEPUTY CHAIRMAN: One minute. Chavan Saheb, I will give you time. Mr. Upendra wants to say a word.

SHRI CHATURANAN MISHRA (Bihar): Madam,.....

THE DEPUTY CHAIRMAN: Yes, I have your name, Mishraji.(Interruptions) I will call you also. (Interruptions)

SHRI P. UPENDRA: I will take only one minute.

THE DEPUTY CHAIRMAN: One minute, half a minute, a quarter minute.

SHRI P. UPENDRA: Madan we are setting a very bad precede by pointing out about an officer performance because we are conce ned with the Government as a whol We have to pin down the Governmei for a proper enquiry. We are nc concerned about which officer is ii vestigating and all that. That is a vei bad precedent.

Secondly, my friend, Mr. Jaip Reddy, mentioned a portion of tl reporf. He has not quoted the con plete report also. Mr. Madhava was asked about the reasons. He dec ned to give the reasons. At one pla it has also been mentioned that I was denied promotion. It has bee put in the paper. At another pla they say that the Government trying to persuade him. They have not accepted his resignation. "The are different aspects of this who; story. Therefore, we should ni rely on that.

The third point is that the C enquiry was ordered much earliei than the House decided on the JPS We are not completely relying on it CBI enquiry. That is why we asked fi the JPC, and the JPC is being consti ted. If there is a deliberate attempt pressurise the CBI to hush up tl matter, the JPC can find it out at th stage.

उपसभापति : चतुरानन मिश्र ज आप एक जुमले में बोलिए जल्दी से . . .

श्री चतुरानन मिश्र : मैं एक ही जुम में कहूंगा । हमारे पास एक सूचन आई है रिलायेबल सोर्स से । मैं कफ करना चाहता हूं क्योंकि लीडर आफ हाउ बैठे हुए हैं, कि क्या यह सही है कि माधव साहब की रिपोर्ट, में दो मंत्रियों का ना आया था, उनका नाम फाइल पर ब बढ़ाना चाहते थे, तो प्रधान मंत्री ने उनब रोक दिया । क्या यह सच है या नहीं यह बताएं ।

श्री एस. पी. चव्हाण : यह असत्य है ज आप कह रहे हैं ।

THE DEPUTY CHAIRMAN:
Mr. Biby, one sentence you speak.

1.00 P.M.

SHRI M. A. BABY: While associating myself with the points raised by the hon. Members of this side of the House, particularly with the point raised by Shri Yashwant Sinha, first of all I would like to ask the hon. Leader of the House *ha^f when we have a very honest Government, why is it so that at least some of the honest senior-most officers like to take voluntary retirement? This is my first question.

In this particular case it is known that even when the Bofors case was investigated by a team under the leadership of Mr. Madhavan, he hid to face very many difficulties the details of which I don't want to go into.

THE DEPUTY CHAIRMAN:
Your sentence is over.

SHRI M. A. BABY: This is my last sentence. There are many reports with colossal amount of proof, including the exposure which came out in *The Sunday Mail* regarding the Cabinet Minister in-charge of Petroleum and Natural Gas, wherein it was pointed out that there is a connection of his Ministry with the securities scam. Therefore, I allege that many Cabinet Ministers are behind...

THE DEPUTY CHAIRMAN:
No, please. I won't permit that. Mr. Baby, you know the Rules of Procedure. You are also a Member of the Panel of Vice-Chairmen. If you want to make an allegation, please don't make it only on the basis of newspaper reports. If you want to make an allegation, you have to first give me in writing in advance. If I give you permission, only then you can raise it. So, I can't allow you. (Interruptions) This is my ruling.

SHRI DIPEN GHOSH: But he can say they were allegedly involved.

SHRI S. K. T. RAMACHANDRAN:
Madam, if they are not able to substantiate those allegations against the Minister, then I demand that that reference should be expunged from the record.
(Interruptions).

THE DEPUTY CHAIRMAN:

That is over. Mr. Dipen Ghosh, please take your seat.

शास्त्री जी आप भी एक ही वाक्य बोलिए।

श्री विष्णु कान्त शास्त्री (उत्तर प्रदेश): माननीया उपसभापति जी, सबसे बड़ा आश्चर्य यह है कि एक ही कर्तव्यनिष्ठ अधिकारी के प्रति बार-बार ऐसी दुर्घटना होती है। बोफोर्स कांड में जिसको हटाया गया उसको जांच से हटने के लिए विवश किया गया। क्या सिर्फ इसलिए कि कुल बड़े लोगों पर उसकी ऊंगली उठ गई थी? जंग में कत्ल सिपाही होंगे, मुखबिर जिल्ले इसाही होंगे। जीतेंगे तो बड़े अफसर, जीतेंगे तो बड़े मंत्री और हटाये जायेंगे क्लर्क। क्लर्कों को, छोटे अधिकारियों को जब तक शक की निगाह से देखा जाता है तब तक प्रक्रिया चलने दी जाती है और जब जांच की प्रक्रिया बड़े अफसरों को, मंत्रियों को अपनी गिरफ्त में लेती है तब उनको जांच से अलग कर दिया जाता है। यह बहुत बड़ी शंका और बड़े अफसरों की बात है। जब बड़े-बड़े अफसरों मंत्रियों को जांच प्रक्रिया अपने शिकंजे में कस रही हो तब जांच रिपोर्ट चलने दी जाए, ऐसी मेरी अभी है।

उपसभापति: मंत्री जी अभी आप बोलेंगे या मिसेज आल्वा बोलेंगे और या दोनों बोलेंगे? आई विल एलाउ बोथ आफ यू।

... (अवधान) ...

SHRI GURUDAS DAS GUPTA:

Madam, we have the CBI Minister here.
(Interruptions)

THE DEPUTY CHAIRMAN: Both will speak. He is the Leader of the House and the Home Minister. Both can speak. He promised that he will speak. If she does not speak, your allegation will be that she did not speak.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSION (SHRIMATI MARGARET ALVA): I am just giving a clarification about the facts from the records concerning the resignation of Mr. Madhavan. The points will be answered by the hon. Home Minister, the Leader of the House.

SHRI P. UPENDRA: Not on voluntary retirement.

SHRIMATI MARGARET ALVA: Yes, I will say on voluntary retirement.

Shri Madhavan had made a representation for change in the recruitment rules for the post of Additional Director, CBI on 27-3-1992. The Representation has been sent to the Ministry of Home Affairs with the comments of the CBI Head Office. Since all the Central _____

SHRI S. JAIPAL REDDY: I am on a point of order.

THE DEPUTY CHAIRMAN: No, on everything you cannot make a point of order. (*Interruptions*)

SHRI S. JAIPAL REDDY: Madam, it has nothing to do with the resignation. (*Interruptions*) The hon. Minister is deliberately trying to mislead the House. (*Interruptions*)

THE DEPUTY CHAIRMAN: No. I am not permitting you. (*Interruptions*)

SHRI N. K. P. SALVE: Madam, it is very unfair. (*Interruptions*)

THE DEPUTY CHAIRMAN: Just a minute, Mr. Bommai.

SHRI SOMAPPA R. BOMMAI (Orissa): Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: I am allowing you now. I will allow you later on. Please take your seat. Just a minute. There was a demand in this House from your side also that the Minister should come and speak. The Minister is yet to speak. I will permit her and give her all the protection to speak.

SHRI SOMAPPA R. BOMMAI: Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: Let her finish, then, I will allow you.

SHRI SOMAPPA R. BOMMAI: No. I am on a point of order.

THE DEPUTY CHAIRMAN: I have given my ruling.

SHRI SOMAPPA R. BOMMAI: On a point of order, Madam.

SHRI S. S. AHLUWALIA: What is your point of order?

SHRI SOMAPPA R. BOMMAI: On a point of order, Madam (*Interruptions*).....

THE DEPUTY CHAIRMAN: Mr. Ahluwalia, let me hear his point of order. I think I can handle it.

SHRI SOMAPPA R. BOMMAI: Madam, when Mr. Jaipal Reddy was speaking, you said that Mr. Madhavan is not a Member of this House and no allegation should be made against him.

THE DEPUTY CHAIRMAN: But you named someone, not Mr. Madhavan.

SHRI SOMAPPA R. BOMMAI:
Please let me put the record straight.

THE DEPUTY CHAIRMAN:
You should hear me; (*Interruptions*)..... Okay, after you speak, I will give my ruling. I will be thankful if Members do not interrupt me. Please let me handle the House; otherwise I am leaving and anybody can come and sit in the Chair. If you are not allowing my voice to be heard, it is not for me to hear anybody's voice..... (*Interruptions*)..... Please keep quiet for one minute.

SHRI SOMAPPA R. BOMMAI :
Madam, I am on a point of order.

Now the officer's background and his other applications cannot be raised here.... (*Interruptions*).. 6

THE DEPUTY CHAIRMAN :
Let me hear what he is saying. I have a right to hear what he is objecting to.

SHRI SOMAPPA R. BOMMAI :
You can give your ruling. He has applied for early retirement. We do not know the reasons. What he did in the ten years of his services, why he has applied for change of rules—are these relevant here ? Those things cannot be said here.... (*Interruptions*)....

THE DEPUTY CHAIRMAN :
I will give my ruling on this. You see there are two points which you have mentioned in your point of order. One point was with regard to my observation that those people who were not here, I did not permit their names to be referred to. That was in relation to Mr. Dutta. If it was in relation to Mr. Madhavan, I would not have permitted anything to be discussed here but you people insisted that you wanted to

discuss about it, so, I allowed it. The Minister concerned has to reply about Mr. Madhavan. There are two different issues here, one is Mr. Madhavan and the other is Mr. Dutta. My application objection was in relation to Mr. Dutta and not in relation to Mr. Madhavan. So the Minister has a right to reply.

SHRI DIPEN GHOSH : Madam, I am on a point of order.

THE DEPUTY CHAIRMAN : I will not allow any point of order till the Minister, finishes her speech.

I won't allow you. This is the way that you do not want the Minister to be heard. I have to adjourn the House.
..... (*Interruptions*)----- I am not allowing you.

SHRI DIPEN GHOSH : I am on a point of order.

THE DEPUTY CHAIRMAN : No Point of order.

SHRI DIPEN GHOSH : I have a right to rise on a point of order.

THE DEPUTY CHAIRMAN: Mr Dipen Ghosh, please do not let it go on record as if you are not allowing the Minister to reply. It will be very bad for you not for me. Let her speak.

SHRI DIPEN GHOSH : I am on a point of order.

THE DEPUTY CHAIRMAN :
What is your point of order ?

SHRI DIPEN GHOSH : The point of order is even if you accept- the issue relating to his resignation, .. alleged resignation or seeking premature retirement, from what I have heard..... (*Interruptions*)...

THE DEPUTY CHAIRMAN : I did did not hear what Mrs. Alva has said.

SHRI DIPEN GHOSH : She has said that he had sought modification of a rule and that was sent to the Home Ministry. It is not directly related to this issue. ... (Interruptions)...

THE DEPUTY CHAIRMAN : Mr. Abrar Ahmed, please sit down.

SHRI DIPEN GHOSH : She should not be allowed to bring in extraneous matters. That is my point of order.

THE DEPUTY CHAIRMAN : At the moment, she is the concerned Minister and she will answer it. It is within her competence and within her right to say whatever she wants to say before the House. When you are a Minister, I am sure you will do the same thing. So, let her speak. (Interruptions).

SHRI DIPEN GHOSH : She is bringing in extraneous matter.

SHRI SUBRAMANIAN SWAMY : It will be a disaster if a Communist is a Minister in this country. (Interruptions)'

SHRI DIPEN GHOSH: ..No Minister can be allowed to bring in extraneous matters.

THE DEPUTY CHAIRMAN : Now, I have to adjourn the House. (Interruptions). There are no extraneous matters. You also brought many matters. There was the matter of the Foreign Minister who was not here. There was no question about it. Yes, Mrs. AJva.

SHRIMATI MARGAI ALVA : Since all the Central p organisations are affected by change in rules, it was referred to the Home Ministry and it will some time to decide the main ii Shri K. Madhavan has serve notice addressed to the Secret Department of Personnel and Training, Government of India, intinuu that he would like to go in voluntary retirement from set with effect from 31st October with retirement benefits as are missible under the rules. This received by the Director, CBI the morning of 20th July 1

SHRI DIPEN GHOSH : To it is 31st July 1992.

SHRIMATI MARGAI ALVA ; On 20th July, Shri Madha met the Director when Shri Seth, Additional Director, was present. He explained that the taken a very conscious decision so that he could join the 1 profession. He, however, assisted the Director, CBI, and the AD, (that he will continue to supervise effectively the seven bank 6 cases which- are in his charge. Presently, - I mean, at that time he was in Bombay for supervision of the seven bank scam cases. these seven cases, he is assisted three DIGs exclusively along with number of SSPs and IOs. ! Madhavan was asked to specify the circumstances referred to his notice for voluntary retirement. In his reply, he has stated whenever any officer seeks voluntary retirement, there are a number of circumstances therefor. He felt that for seeking voluntary retirement, the circumstances need be mentioned in the notice. Therefore, he does not wish to put out the circumstances due to who he proposes to retire voluntarily. Subsequently, he told the Director CBI, on phone, on the 24th morning that it was entirely for personal reasons.

reasons in that he was seeking voluntary retirement. Shri Maudav. has been handling the bank scam case from the beginning. This is his area of work. He has been given full freedom to act and there has been no interference with his work. The Government has sanctioned all the additional strength for investigation of the cases as is required.

Thank you, Madam.

SHRI S. JAIPAL REDDY :
Madam, I am on a point of order.

SHRI S.B. CHAVAN : Madam,
(Interruptions).

THE DEPUTY CHAIRMAN : The
"Leader of the House wants to say
something. Let him say that.

उसके बाद पाइंट ऑफ आर्डर कर लीजिएगा

Although we have gone beyond the time allowed, I am not objecting to your making it. but let the Leader of the House say what he wants to. After all, you also wanted him to react.

SHRI S.B. CHAVAN : Madam
Deputy Chairperson, my colleague,
Shri Alva (Interruptions).

XHE DEPUTY CHAIRMAN : She
functions very efficiently. So, you you
forget 'Shrimati'.

SHRI S.B. CHAVAN : Shrimati Alva
gave the factual position as it stands. I must
say, in fairness to all the hon. Members, that
there is a limit up to which politics can be
played in certain matters. There is a limit. In
everything, if you feel that there is a political
angle which you should try to take
advantage of ... (Interruptions). Please sit
down. I have heard everything of what you
were saying. I know what the reasons are
which, in fact, are impelling you to say
certain things which some of the hon.
Members are aware they need not pursue. But
Mr. Jaipal Reddy was bold enough

to say that he is prepared to take full
responsibility of the statement that he is
making here. I am really surprised that, without
knowing the facts, on the basis of
newspaper reports, Mr. Jaipal Reddy, who is a
very seasoned and very mature
parliamentarian, should go to the extent of
accepting full responsibility. It is
something, which, in fact, I cannot
possibly reconcile myself with. But, I would
like to assure all the hon. Members that in
accordance with every word of what the hon.
Prime Minister has said on the floor of the this
House, we are interested in seeing that
we would do the maximum that is
possible in order to ensure that corruption
at different levels is eliminated. And you
should try to help us out instead of trying to
impute motives in almost everything that you
find. It is very unfair. It is a small thing
wherein papers were being put in by a
certain officer and the matter is very
clear. He said, "for personal reasons, he is
resigning. He is voluntary resigning.
(Interruptions).

SHRI S. JAIPAL REDDY :
Mr. Minister, what are those circumstances?
(Interruptions)

SHRI S.B. CHAVAN : I have heard
you without Interruptions. (Interruptions.)

SHRI DIPEN GHOSH : Is it a small
thing ? He is Seeking voluntary retirement.
Is it a small matter? (Interruptions).

SHRI S.B. CHAVAN : I think the body
of the letter is very clear. He states : "Due to
certain circumstances. I hereby give notice
that I propose to voluntarily retire from
service with effect from.. (Interruptions).

SHRI S. JAIPAL REDDY : We would
like to know what are those circumstances.
(Interruptions)

SHRI S.B. CHAVAN : Let me have my say. Are you merely interested in seeing that whatever you have said should go to the people and not the Government-side ? Is it really the intention? the seems to be very obvious. You must have Patienai to listen to the other side of the Picture also. I would like to inform the House that the Government has not interfered., the Government will not interfere and the Government is not at all interested in protecting any person, howsoever high he may be. For God's sake, have this in mind, try to believe what we say and dont' try to impute motives unnecessarily. The Prime Minister has gone on record to say that howsoever high or powerful a person might be, if he is involved, he will never interfere in the matter and he will go to the extent of takling a stern action against him. In spite of that, if you are still questioning him that he has been trying to shield certain persons; that is why Mr. Madhavan has not been allowed to continue and the investigation is being proposed to be scuttled, I think this is not true. I should not use the word false but it is untrue. I cannot say false. I have to say that this is not true and if for personal reasons, he is retiring voluntarily, I cannot possibly say anything. This is also going to be effective from 31st October, 31st of October is the date. when it is going to be effective (Intenuptions). In the meanwhile, he is going to assist us. (Interruptions).

श्री सिकन्दर बख्त : सदर साहेब, मैं चव्हाण साहब से एक गुजारिश करना चाहता हूँ। मेरी गुजारिश यह है कि इतने करप्शन के केसेज आज हिन्दुस्तान के सामने हैं, कितने करप्शन के केसेज में अब तक तहकीकात पूरी हुई है। उस बेकग्राउंड में, उस पसमंजर में, उस पृष्ठ भूमि में माधवन साहब का मौजूदा बयान जो हिन्दुस्तान के तमाम अखबारों में आया है

†[श्री सिकन्दर बख्त : صدر صاحبہ - میں چران صاحب سے ایک گزارش کرنا چاہتا ہوں۔ میری گزارش یہ ہے کہ اتنے کرپشن کے کیسز آج ہلدر۔خان کے سامنے ہیں کتنے کرپشن کے کیسز میں اب تک تحقیقات ہوئی ہوئی ہے۔ اس بیک گراؤنڈ میں۔ اس پسر منظر میں اس پر مشق ہو رہی ہیں مبادھو صاحب کا موجودہ بیان چر ہلدرستان کے تمام اخبارات میں آیا ہے۔]

THE DEPUTY CHAIRMAN :
That matter is over.

श्री एस. बी. चव्हाण : आपने जिस डेम से उसको रीड करने का फैसला किया है उसमें मैं आपको दूर जाने के लिए नहीं कह सकता हूँ। आपको इतना ही कहूँगा कि मेहरबानीकर के जरा इसकी (व्यवधान)

श्री सिकन्दर बख्त : एक करप्शन का मामला अब तक साफ नहीं हो सका है और रमज एक नया करप्शन का मामला हमारे इस मुल्क के सामने आ रहा है। हम सिर्फ दावेदारियाँ करते हैं कि हम किसी करप्शन के मामले में रुकावट नहीं डालेंगे। यह बहुत नामुराद सी बात है (व्यवधान)

†[श्री सिकन्दर बख्त : ایک

کرپشن کا معاملہ اب تک صاف نہیں ہو سکا ہے اور رومز ایک نیا کرپشن کا معاملہ ہمارے اس ملک میں سامنے آ رہا ہے۔ ہم صرف دعویداریاں کرتے ہیں۔ کہ ہم کسی کرپشن کے معاملے میں رکاوٹ نہیں ڈالیں گے۔ یہ بہت نامراد سی بات ہے (مداخلت)]

मौलाना अबुलक़ासिम खान आज़मी (उत्तर प्रदेश) मैडम :... (व्यवधान)...

†[मौलाना عہد اللہ خان اظمی :
مقدم (مداخلت) ...]

How do you propose to road that ?

£[] Transliteration in Arabic Script

If some officer. (Interruptions).. I am not naming any officer. If some officer. (Interruptions)..

उपसभापति : आप बैठिये ।

I have got the name of Shukla Ji. He has to lay the papers.

SHRI INDER KUMAR GUJ-RAL (B ihar) : Madam, give me a minute.

THE DEPUTY CHAIRMAN : Shukla Ji, he wants one minute. Don't take more than one minute. In fact, we were to adjourn at 1-00 p.m.

SHRI INDER KUMAR GUJ-RAL : Let me start. Madam. I will take a minute but after] start. Madam, I fully sympathise with the predicament of the Government. I do understand.. (Interruptions).

SHRI MADAN BHATIA | What is the presidicament ? (Interruptions).

SHRI S.K.T. RAMACHANDRAN : We are on the right track. (Interruptions).

SHRI INDER KUMAR GUJ-RAL : I don't question the bonafides of the statement made by the Minister here and I accept those bona fides .I accept that the Prime Minister is very keen to go to the root of the problem. I accept that. Now, an account has been given— in some papers, I think, in all of them, details have been given as to what the cases were. Does the hon. Home Minister feel or does not feel that it is in Government's own interest to keep up that promise that they have made to this House and the other House that the scam enquiry does not stop halfway ? And if some officer.... (Interruptions) Just a minute. If some officer.. (Interruptions)..

श्री राम नरेश यादव (उत्तर प्रदेश):
 उपसभापति महोदया, जे.पी.सी. तो जांच करेगी सारे मामले की इसलिए इस बात को उठाने का कोई औचित्य नहीं है (व्यवधान)

उपसभापति : मुझे लगता है कि चव्हाण साहब ने जो कहा है वह बात सुनाई नहीं दी है । उन्होंने यही बात कही है ... (व्यवधान)

Now we will have.. (Intenvyptions) Now we have to...(Interruptions).. .

SHRI INDER KUMAR GUJRAL : Madam let me finish. Madam please let me finish my point. If some officer... (Interruption-*)...Let me finish. If some officer or a machinery or a system has been put into motion to make enquiries some steps have been taken some arrests have been made. it is not in the Government's interest to derail that process not by itself but even by the circumstances which is not in the Government's interest. I would urge the Government...(Interruptions)... I am not naming anybody... (Interruptions)... I am not naming anybody. (In It rnptions)

SHRI R.K. DHAWAN : If Madhavan falls ill They will say "Don't fall sick." (Interruptions)

SHRI INDER KUMAR GUJRAL : No, I am not naming anybody. I am only asking this, "Is it or it its not in the Government's interest to see that the process that has been put into motion and the action that has taken, do not get derailed and the whole scam is unravelled ?

THE DFPUTY CHAIRMAN : Yes, jvir. Shukla. (Interruptions)

SHRI S. B. CHAVAN : We are not interested in derailing the matters, but I can't force anybody against his will not to go on voluntary retirement. There have been thousands of cases where the voluntary retirement has been accepted.

(Interruptions)

THE DEPUTY CHAIRMAN : Now that matter is closed. Shri V. C. Shuklaji.

SHRI MADAN BHATIA : Under the rules the Government cannot compel any Member of the ... (Interruptions)...

THE DEPUTY CHAIRMAN : He is saying it. Baba, he is saying it. Shuklaji.

THE MINISTER OF WATER RESOURCES (SHRI V. C. SHUKLA) : Madam, I am sorry I was not present when you called me for laying the Papers.

THE DEPUTY CHAIRMAN : Be is apologising.

PAPERS LAID ON THE TABLE - Contd.

I. Report and Accounts (1990-91) of the National Water Development Agency New Delhi and related papers

II. Notification of the Ministry of Water Resources

THE MINISTER OF WATER RESOURCES (SHRI V.C. SHUKLA) : Madam, with your permission I am laying on the Table :—

I. A copy each (in English and Hindi) of the following papers :—

- (i) Annual Report and Accounts of the National

water Development Agency New Delhi, for the year 1990 • 91, together with the Auditor's Report on the Accounts.

(ii) Statement giving reasons for the delay in laying the papers mentioned a (i) above. (Placed in Library. See No. LT 2304/92)

(ii) A copy (in English and Hindi) of the Ministry of Water Resources Notification G.S.R. No. 143 dated the 21st March, 1992 Publishing the Brahmaputra Board (Amendment) Rules 1992, under section 30 of the Brahmaputra Board Act, 1980. (Placed in Library. See No. LT-12360/92).

THE DEPUTY CHAIRMAN : The House is adjourned for lunch till 2-30 P.M.

The House then adjourned for lunch at twenty-three minutes past one of the clock.

The House reassembled after lunch thirty minutes past two of the clock.

Tha Vice Chairman (Shri Jagesh Desai) in the Chait.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Motion for election to the Central Advisory Board of Archaeology.

श्री सुन्दर सिंह अंडारी (राजस्थान) :
यह तो दार्ज बजे के बाद ... (व्यवधान) ...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) : Don't worry about that. I will extend the time to that extent. I have got three motions. I will extend the time to that extent which is taken for the purpose of motions.