

SHRI NAMO NARAIN MEENA: Sir, I beg to move:

That the Bill be returned.

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now put the motion for consideration of Appropriation (No.3) Bill, 2010 to vote. The question is:

That the Bill to provide for authorization of appropriation of monies out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 2008 in excess of the amounts granted for those services and for that year, as passed by Lok Sabha, be taken into consideration.

The motion was adopted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up clause-by-clause consideration of the Bill.

Clauses 2 to 3 and the Schedule were added to the Bill.

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

SHRI NAMO NARAIN MEENA: Sir, I beg to move:

That the Bill be returned.

The question was put and the motion was adopted.

SHORT DURATION DISCUSSION

Alleged Tapping of Telephones of certain politicians

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now we shall take up Short Duration Discussion. ...*(Interruptions)*...

SHRI SHANTARAM LAXMAN NAIK (Goa): Sir, I am on a point of order. ...*(Interruptions)*... I am referring to Rule 258 which enables a Member to raise a point of order.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Which is the rule? ...*(Interruptions)*...

SHRI SHANTARAM LAXMAN NAIK: Sir, I am on a point of order. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You quote the rule. ...*(Interruptions)*...

SHRI SHANTARAM LAXMAN NAIK: Rule 258 which refers to the entitlement of a Member to raise a point of order. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): What is the point of order?
...(Interruptions)...

SHRI SHANTARAM LAXMAN NAIK: The substance of my objection is that this Resolution is vague in terms because it says "alleged tapping of telephones". This Resolution is based on a rumour because it refers to "alleged tapping of telephones" and "certain politicians". "Certain politicians" and "alleged tapping of telephones" are vague terms. ...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): So, what is the harm? ...(Interruptions)...

SHRI SHANTARAM LAXMAN NAIK: They are vague terms. We don't know how we can discuss it. ...(Interruptions)... How can we discuss it? ...(Interruptions)... You are basing the Resolution on vague rumours. ...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no. There is no point of order. ...(Interruptions)... Please sit down. ...(Interruptions)... There is no point of order. ...(Interruptions)... It is rejected. ...(Interruptions)... There is no point of order. ...(Interruptions)... It is rejected. ...(Interruptions)... It is ruled out. ...(Interruptions)... It is ruled out. ...(Interruptions)... No. Take your seats. ...(Interruptions)... What are you saying? ...(Interruptions)... No. You can't say now. ...(Interruptions)... Please. This is not correct. ...(Interruptions)... What are you doing? ...(Interruptions)... Please take your seats. ...(Interruptions)... Please take your seats. ...(Interruptions)... This is not permitted. ...(Interruptions)... Please take your seats. ...(Interruptions)... The point of order is ruled out. ...(Interruptions)...

DR. K. KESHAVA RAO (Andhra Pradesh) Sir, ...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No more point of order. ...(Interruptions)... Now, please allow me to start the discussion.

DR. K. KESHAVA RAO: Sir, ...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Under what rule is your point of order?
...(Interruptions)...

DR. (SHRIMATI) NAJMA A. HEPTULLA (Rajasthan): On every discussion, they have a point of order. I don't understand it. ...(Interruptions)...

DR. K. KESHAVA RAO: Sir, I am referring to Rule 176 read with Rule 177. ...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): What is the point of order?
...(Interruptions)...

DR. K. KESHAVA RAO: This is about the admission of the notice. It says, "Provided that the notice shall be accompanied by an explanatory note stating reasons for raising discussion on the matter in question". ...*(Interruptions)*... Sir, Rule 177 says ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Dr. Keshava Rao, please listen to me.
...(Interruptions)...

DR. K. KESHAVA RAO: Sir, I am for discussion. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Let me listen to him. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: They are questioning the wisdom of the Chair.
...*(Interruptions)*... How can they do that? ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is ruled out. This is another matter.
...*(Interruptions)*...

DR. K. KESHAVA RAO: Sir, let me submit to the Members, through you, that I am for discussion. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): What is your point of order?
...*(Interruptions)*...

DR. K. KESHAVA RAO: Sir, I am for discussion. ...*(Interruptions)*... Whether your decision is legitimate or not, I am not challenging your order. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Dr. Keshava Rao, you are on a point of order.
...*(Interruptions)*... What is the violation of the rule here? ...*(Interruptions)*...

DR. K. KESHAVA RAO: Mr. Vice-chairman, I withdraw my point of order if you want and if they think that I am trying to scuttle the debate. I am not. I am not doing it and I will not do it. Let me tell you, whether they gave the notice or not, let us follow the rules which are quoted by us.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is all right.

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY (Gujarat): Sir, I am grateful to you for having permitted me to initiate a discussion on a matter of urgent public interest and this matter of public interest arises out of two news reports which have recently appeared in different sections of the media.

(MR. DEPUTY CHAIRMAN in the Chair)

The first report indicated the specific dates and details that the telephones of four prominent politicians of this country were bugged by a bugging equipment which has been purchased by and is under the control of a very sensitive Department of this Government. The report also indicated that the nature of the equipment is such and the technology is so sophisticated that it can be used on a mobile vehicle and, therefore, when it is used on a mobile vehicle, phones within a radius of 20 kilometres of that vehicle can come within the bugging ambit, as far as this equipment is concerned. The second report in a daily newspaper yesterday indicated that independently the Government had also, through one of its Departments, bugged the telephones of a certain public relations or lobbying agency in order to keep a vigil on the activities of this agency. The Government has responded to both these reports. In fact, the first response of the Government with regard to the report of the bugging of phones of the four senior politicians came in this House itself in a statement of the Home Minister. In both the responses, Sir, after reading carefully those responses, I have no hesitation in saying that the Government has been extremely economical in the use of its language. And obviously, it has also been very economical with the truth as far as this matter is concerned. Responding to the report in a magazine, the Home Minister, in this House on the 26th of April said, "I wish to categorically state that no telephone tapping or eavesdropping on political leaders was authorized -- (I underline the word 'authorized') -- by the previous UPA Government, nor has the present UPA Government authorized any such activity". It is a very carefully worded statement. The Home Minister says, "He has not or his Government has not authorized the tapping of any telephone". He is conspicuously silent on the fact that actually no tapping has taken place. He does not say that tapping has taken place or not taken place. He does not make any comment on that. He does not dispute the fact that none of those four senior politicians, some of whom have made public statements, have actually denied the conversations attributed to them. None of those four have denied that they never participated in the conversations which are attributed to them. None of the conversations are such which, in any way, embarrass those politicians. So the Home Minister says, "The Government did not authorize it". He fails to say that actually no tapping has taken place. In fact, with regard to the second report the denial issued yesterday by the Ministry of Finance even makes a very interesting reading. It makes a limited denial that no telephones of influential businessmen, politicians or advertising professionals were tapped. It fails to mention whether the phones of the concerned lobbyist firm or its executives or the PR Agency, were tapped or not, the statement is again silent. It then goes on to say, "it is further clarified that the Income Tax

Department does not intercept telephonic conversations except as authorized under law. The provision is used in rare and exceptional cases of suspected tax fraud/evasion involving security of the State".

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): It is fraud or invasion.

SHRI ARUN JAITLEY: Let me read it again. It says, "The provision is used in rare and exceptional cases of suspected tax fraud/invasion involving security of the State". Therefore, the Taxation Department, when it comes to a conclusion that there is a tax fraud which also impinges upon the national security, it is only then that tapping of telephone calls is permitted. Sir, as I have mentioned, both statements are extremely economical as far as the choice of words is concerned. They make a limited denial and fail to deny what the crux of the allegation is, as far as both the tape recordings are concerned. The first statement of the Home Minister does not deny that the tapping, actually, took place. He merely says, "We did not authorize it." The second statement says, "We did not tape industrialists; we did not tape politicians; we did not tape advertising professionals." As for concerned individuals, whose recordings are mentioned, I think, the absence of denial is almost an implicit admission, and perhaps, the Government wants to indicate that the second case was one of an authorized tapping. Sir, this leads to a larger question of what the power of the Government is. I am raising this question squarely because in recent months and years, we have seen how the investigative and intelligence arms of this Government being repeatedly, grossly misused. As far as the investigative arm, CBI, of the Central Government is concerned, we have, repeatedly, said that it has become amongst the most abused institution as far as this country is concerned. It follows three sets of standards. If it is the UPA Members or the friends of the UPA, you whitewash the whole case; you cover up the whole case; you close the case. If it is opponents of the UPA, you become vindictive as far as the use of this agency is concerned. And, if it is the third category, – I need not elaborate on the third category – you keep the sword hanging and use the sword whenever it is required by you as far as the numbers game is concerned. This has repeatedly happened and that is how you have repeatedly used the investigative arm of this Government. This being the track record of the UPA, the use of intelligence agencies for the purposes of recording conversations and bugging telephones is a subject which acquires extreme importance. Let us not forget; we are a society

governed by the rule of law. And, as a society governed by the rule of law, the Home Minister himself, present here to answer this debate is a very eminent lawyer himself. In our Constitutional scheme, he will appreciate that privacy is now recognized as an integral part of individual liberty. The right to privacy, which is a right to be left alone, which is a right not to be interfered by others by eavesdropping, by bugging, this can only be infringed by a machinery which is provided by law. This cannot be infringed in a manner which is wholly unauthorized. But what appears to be happening now is that in a completely unauthorized manner, there is a system, where an individual's liberty can be eroded, phones can be indefinitely bugged, and the Government can put on an innocent face and say, "Look; I did not authorize it, or, the technology now is such that it starts bugging in spite of my orders." Is that what you are really aiming at? Sir, let us not forget that if privacy, a right not to be bugged, a right not to be eavesdropped, is a part of an individual's Constitutional guarantee, the condition, precedent in our law and in our Constitutional scheme for infringing that right is, we are still governed by the Indian Telegraphs Act of 1885. It is a pre-Constitutional law. But the pre-Constitutional law laid down specific limitation in which you could have interception of messages on telephonic communication.

There is no absolute power with the Government. There is no such power to say that so and so is an offender and, therefore, I am entitled to bug his phone. You cannot even say that somebody is a likely economic offender. You cannot say that somebody is a bad character and, so, you would bug his phone. The condition is, and I am reading just the relevant words from Section 5(2) of the Indian Telegraph Act which says, "On the occurrence of any public emergency, or in the interest of public safety, the Central Government or a State Government or an authorized officer can intercept phones." And, then, other conditions are mentioned. Your power is limited, your power is not absolute. You cannot infringe upon the liberty of a citizen by saying that my vehicle carrying an equipment was driving fast and I, by mistake, bugged somebody else's phone. Then, the technology you have purchased dismantles the Indian Constitution. The condition precedent is that there must either be a state of public emergency, or, the bugging must be in the interest of public safety. It is only in these two emergency situations that you get any right as far as telephonic bugging is concerned. If these two conditions are not made out, merely because somebody is a suspected offender, or, somebody wants to destabilize the Government, or, somebody wants to have a

discussion on the nuclear deal which you may not like, these are not grounds for bugging somebody's telephones. Is it the Government's case that the situation in the country today is such that we are in a state of public emergency? Is it your case that public safety requires that the phones of these four senior politicians should be tape-recorded and bugged? If this is not the condition, then, obviously, you cannot have a situation where telephonic conversations of any politician, or, any other citizen for that matter, even if he is a lesser mortal, can at all be bugged. Now, this issue, Sir, is not merely the letter of law. In the early 1990s, a news report appeared in a magazine called the *Mainstream* giving details of some telephone bugging which had taken place in 1991. This was taken note of. One of our civil liberties bodies, the PUCL, moved the Supreme Court. The Supreme Court, while analyzing this provision, laid a limitation on the powers of the Government and they said that as far as bugging was concerned – I am just reading one sentence for the Home Minister's advantage; but I am sure he knows it better than me – "Section 5(2) of the Act permits interception of messages in accordance with the provisions of the said Section. Occurrence of a public emergency, or, the interest of public safety are a *sine qua non* for the application of this provision". If these two conditions are not made out, you cannot bug anybody's phone calls. Now, this seems to be the situation as far as our Constitutional protection is concerned. Now, what have we done in the process? In the process, we have now authorized in the Government, seven different agencies for bugging telephones. You have the Intelligence Bureau. You have the Central Economic Intelligence Bureau. You have the DRI. You have the CBI. You have the Narcotics Control Bureau and you have the State Police, in the first six cases, it is the Home Secretary of the Government of India who is the authorizing agency. In the last case, it is the Home Secretary of a State who is the authorizing agency. Now, in this situation, what is it that appears to have taken place? I am afraid, the Government is not being candid; the Government is not being frank about either confessing it or making a denial of this fact. Outside these seven agencies, you have the National Technical Research Organisation, the NTRO. I have not the least hesitation in saying that during UPA-1, Intelligence collection on insurgency was suffering, whether it was Jehadi terrorism or Maoist terrorism. Even today, with regard to Maoist terrorism, the state of our Intelligence is quite poor. And the entire concentration was on what is called political espionage. This agency, the National Technical Research Organisation has purchased amongst the most sophisticated equipment. The character

and nature of this equipment is, it is a mobile equipment; the equipment can be carried, depending on the two different kinds of technologies, whether it is applicable to a GSM technology, then it is an equipment which can fit into a briefcase. If it is a CDMA technology, it is a slightly larger equipment. This equipment is a mobile equipment which can go on a vehicle. And while it travels in a vehicle, it can make a clean sweep within a radius of two kilometres bugging everybody's telephone. Now, the Act says, the Constitution says, the Supreme Court says, it is only when there is a consideration of public safety or public emergency, a national security consideration that you can tape somebody's phone. The Home Secretary must make an authorization recording reasons why this phone is to be tapped. The Home Secretary will then specify the one particular number which has to be tapped. That is the constitutional provision. And you are now going in for a technology which has a complete mismatch to this entire constitutional scheme and guarantee. And the mismatch is, well I have got a technology which does not respect India's Constitution, which defies the entire constitutional protection that I have, and that technology, when it drives around the country is in a position to bug everybody else's telephone. And, therefore, while these mobile vehicles were going around, Mr. Nitish Kumar got bugged, Mr. Prakash Karat's phone got bugged, Mr. Sharad Pawar got bugged. This is what appears to me the Government's careful denial, where the Government says, "I did not authorize it". There are several questions, Sir, which will arise, and the first question is, when your agencies set this activity into motion, do they give a specific number which is required to be bugged? What is the kind of exercise they are indulging in?

SHRI SITARAM YECHURY (West Bengal): Voice Decoder.

SHRI ARUN JAITLEY: Mr. Yechury says, there is a voice absorption. This equipment, may be, they have the ability to attract and match the similar voice when they catch it.

SHRI P. CHIDAMBARAM: Voice Decoder. ...*(Interruptions)*...

SHRI SITARAM YECHURY: That is the technology today.

SHRI ARUN JAITLEY: Therefore, please consider this fact, Sir. When you say on this telephone tapping issue a JPC is required, you call it a JPC, you call it a Select Committee, you call any Parliamentary body is required, is this House, is Parliament entitled to re-examine this issue as to what constitutional order we are today living in? The Government of India has decided to buy a technology which does not respect the entire constitutional guarantee, which is capable of violating

it. These intelligence agencies work under the cover of secrecy. Under the cover of secrecy, these intelligence agencies are not accountable to any Parliamentary institution. Recently, one of the leading Members of your Party belonging to the other House, in fact, wrote an article saying that a large number of these intelligence agencies are not a creation of the statute, and since they are not a creation of the statute, their accountability to Parliament is limited. Therefore, we don't know who else's telephones are being tapped and recorded in this whole process.

Sir, my point really is, today we reached a situation where on the one hand, you have a constitutional scheme or guarantee, which is a part of our basic Republican order where a person has a right not to be spied upon or the person has a right not to be bugged. It can only be infringed on public safety or national security considerations. If that is the accepted position, then, will the Government come out with a candid response that does it have technology which does not respect this right and, therefore, this technology which it is going in for has started breaching this right in toto?

It is not only this that has happened. A lot of it is conscious. If you look at the kind of conversation of the senior leaders which has been bugged, in some of the cases it is too much in the 'coincidence' that it is somebody's conversation on the nuclear deal, somebody else's conversation with his cricket friend, which by curious 'coincidence' got bugged! These were the conversations the Government was vitally interested. How is it that these mobile vehicles only picked up these sensitive conversations in which the Government at that particular time was keen on picking up? Was it just a coincidence? Was it the voice absorption which these machines have a capacity to do? Or, was it being consciously and deliberately done?

Let us just forget this article for a moment. What is it that is there to ensure and guarantee that if you have equipment of this kind which makes it so easy to put us all under a scanner that there is a possibility of its misuse or excessive use being eliminated? There is no presumption that the executive or the intelligence agencies at all points of time will be responsible agencies. If that is not so, let me assume, for a moment, that the Government wants a benefit of the doubt to say what the Home Minister said is correct, "I did not 'authorize it, but I cannot say whether it took place or not', join the two sentences together. If the Government cannot tell us that it did not take place at all, then

the next question is, who did it and how did it happen? Therefore, Sir, I think, this entire mismatch—between the kind of technology which is now evolving and our Constitutional guarantee—needs to be corrected. Is this country willing to forego its Constitutional guarantees of liberty and privacy? We all know that the answer is no, this country is not willing. Therefore, then, must there be a restraint or a regulation on the kind of technologies which is required? If such an arrangement has to be worked out, then obviously such an arrangement will have to be discussed by some expert body of Parliament – you call it JPC, you call it Select Committee – as to how this mismatch really requires to be corrected.

The second question, Sir, which arises from the second article is really in the context of the kind of recordings which would be referred to in the article which appeared in the newspaper yesterday. Sir, I am not so sure, there are two different issues. The first issue is the kind of threat which structured lobbyists can inflict upon an honest system of governance. That is a separate independent question. The alternative question is, under your present Constitutional scheme, can even those phones be tapped on commercial considerations particularly if no threat of national security is there? I am sure, the Government has the facts. If there is a threat of national security emanating from those conversations, if there are considerations of public safety, you may well be within your rights and we need a response from the Government to this effect whether public safety considerations were there which required these phones to be bugged.

But, the second question which seems to be extremely important is, Sir, what is the willingness of Indian democracy and collectively the Indian political process for allowing these kind of structured lobbyists to influence Government politics in decision-making? Lobbying is the art of persuading a Government to come to a particular decision. Persuasion is possible on the strength of arguments, persuasion is also possible through collateral considerations. Once persuasion takes place through collateral considerations, it completely pollutes the scheme of administration.

Then, Sir, I do not know the authenticity of these reports. But even if they are somewhat authentic, and not entirely authentic, one of the conclusions I draw out of this is – I am not getting into individual Ministers, individual agencies, individual incidents – I think, it is a system which we need to look at because if we do not look at the system, we will end in a far worse situation where some of the more developed democracies are, because they allow this system to remain unchecked.

It is true if these reports are even somewhat accurate that you have lobbyists and public relation agencies working now in a structured manner with large resources. You have very senior former civil servants employed by them. You have newspapers and TV channels controlled by them and some which either directly or through their client are partly funded by them. Your bureaucrats, Ministers, politicians, MPs, editors, journalists are among those who are used by them as their instruments for this persuading activity for the Government to come to a particular decision. Then, Sir, I do not know the veracity, but if the veracity is accurate, schemes are being planned how a particular portfolio should be given to a particular gentleman. I thought Cabinet formation or allocation of the portfolios is the sole prerogative of the Prime Minister. In this country I can understand the limitation of alliance politics but if you have lobbyists and agencies getting into this exercise, then, probably, that is one of the worst situations that we can face as far challenge to Indian democracy is concerned. Spectrum allocation, conversation between Ministers and lobbies as to how it is to be done, are all these reports true? If they are true, then they are hugely frightening. Look at this US -Politics where they permitted this to happen. When they permitted this to happen, I read a report in the Washington Post, 43 per cent of former Congressmen since 1998 preferred lobbying to be a more lucrative profession. ...*(Interruptions)*... I am talking of US Congressmen. ...*(Interruptions)*... Not the 'Congressmen' here. I was referring to the Congressmen that is why I said 'former' Congressmen. ...*(Interruptions)*... There are 17000 registered lobbies in one city. Then they take over the entire system. These are very serious reports, Sir, which impinge upon public life. We need a response. It is not an adversarial issue; it is squarely an issue which deals with governance. Sir, I have only on the basis of this, two requests to the Government. On the second issue my request is that please do not treat this as an adversarial issue. It is a threat to the Indian political system. It has lowered the legitimacy of parliamentary democracy of India and decision-making if this tendency goes on. We need a response from the Government to satisfy the public opinion in India that this situation is not going out of control, the Government will act and take appropriate measures. But on the first issue, I think, you require it not because an individual instance has to be investigated. The new horizons of technology on telephone bugging, the functioning of our intelligence agencies, their ability to use and misuse the investigative and intelligence process for intelligence collection and that may completely violate the basic tenets of our Constitution and law and deprive individuals of their privacy, their liberty, the mismatch of this has to be resolved and that can only be resolved by the Parliament looking into it. Therefore, a Joint Parliamentary Committee or a Select Committee, whichever name you call it, any parliamentary body, with a sense of responsibility goes into the situation so that – this Government or any successive Government – our house is put in order and this kind of a misuse does not take place.

I appeal to the Government not to treat this purely as an adversarial issue. This is an issue which relates to the system of our Parliamentary democracy and the freedom of our citizens and the Government should seriously consider this in the light of the present situation which throws up somewhat frightening consequences. Thank you.

SHRI B.S. GNANADESIKAN (Tamil Nadu): Sir, with patience, I was hearing the Leader of the Opposition about the Constitutional provisions, about the section in the Telegraph Act and other moral advices for the Government. Sir, as a senior lawyer, the Leader of the Opposition also knows that in a court of law, one lawyer was arguing, citing ten decisions and also building up his case with eloquence. The respondent lawyer stood up and said, 'I have no dispute, I accept all the decisions, I accept your argument but these decisions and arguments will not apply to the case in hand.' Likewise, my learned Leader of the Opposition built up a non-existing issue and build up a case as though there was a tapping – as though the Government, whether authorized or not authorized and therefore, there should be a JPC and therefore, all this process should be investigated and he has filed a charge sheet even without filing an FIR which is not permissible in the legal jurisprudence. Sir, the question involved is, some paper report, some magazine has published an article. Sir, I am not going to say that we have to ignore the paper reports because the powerful independent judiciary, powerful independent media and Press, both print and visual, will save the democracy of this country. Therefore, I am not going to say that we should ignore those statements. But, in a Parliamentary system of governance we have a system as to how to approach these paper reports. Everyday, some news item is appearing either against A or against B. If we are going to rely upon those reports and then stall the Parliament for days together on the basis of that report and you want to have a reaction from the Government on the basis of that report, I am afraid we are going away from the established system of governance, established system of Parliamentary procedure and also the rules of governance which we ourselves have framed for conducting the business of this House. Sir, there are several rulings of the Chair. I am having that. I will quote it. There are several rulings of the Chair. My friends Keshav Raoji and Shantaram Laxman Naikji at the beginning stood up with a point of order by making it clear that if they press for a point of order there will be an impression that we are scuttling the debate on this issue. There was something to hide from our side. That is why they sat down without proceeding further. Sir, the rule says whenever you quote a paper report; you

can't rely upon the paper report or Press report on that basis. You can raise an issue and debate on that. Specific rules are there. That paper report cannot be a basis for raising a discussion. The paper report should be authenticated and the person making this allegation on the basis of the paper report must take the responsibility that the report is correct and only on that basis he can come before this august House and then raise article. Sir, I am not going to say that we have to ignore the paper reports because the powerful independent judiciary, powerful independent media and Press, both print and visual, will save the democracy of this country. Therefore, I am not going to say that we should ignore those statements. But, in a Parliamentary system of governance we have a system as to how to approach these paper reports. Everyday, some news item is appearing either against A or against B. If we are going to rely upon those reports and then stall the Parliament for days together on the basis of that report and you want to have a reaction from the Government on the basis of that report, I am afraid we are going away from the established system of governance, established system of Parliamentary procedure and also the rules of governance which we ourselves have framed for conducting the business of this House. Sir, there are several rulings of the Chair. I am having that. I will quote it. There are several rulings of the Chair. My friends Keshav Raoji and Shantaram Laxman Naikji at the beginning stood up with a point of order by making it clear that if they press for a point of order there will be an impression that we are scuttling the debate on this issue. There was something to hide from our side. That is why they sat down without proceeding further. Sir, the rule says whenever you quote a paper report; you can't rely upon the paper report or Press report on that basis. You can raise an issue and debate on that. Specific rules are there. That paper report cannot be a basis for raising a discussion. The paper report should be authenticated and the person making this allegation on the basis of the paper report must take the responsibility that the report is correct and only on that basis he can come before this august House and then raise the issue. I want to put a question: whether the speakers who are going to bring a notice on this issue are going to take responsibility that what they are raising now is true and they will be held responsible for whatever they are saying in this august House, and, if they are not going to authenticate the Outlook magazine, on the basis of which all these issues arose and if they are not going to authenticate on the basis of another paper which was cited by my friend, Dr. Maitreya yesterday, then, they have no right to raise that issue for discussion in this august House. Sir, that is my first submission.

5.00 P.M.

What is the reaction of the Government? We have an able Home Minister. He will deal with that. He will answer to that. But, as far as my party is concerned, Sir, we believe in democracy. We believe in freedom of press. We believe in freedom of speech and expression. There are several judgments on privacy. We have no dispute on that. We adhere and follow them.

Sir, the hon. Home Minister the other day has made a categorical statement that the Government has not authorized any tapping. Therefore, the issue will be whether tapping at all took place. That needs to be investigated. Even on this count, the hon. Home Minister said that the Government will look into it. What more my learned friends want on this issue? Do they want to build a castle in air? Do they want to make allegations without any material? Do they want to hang a person without any evidence? Do they want to give judgment without any trial? This is the thing for which notice has been given and discussion is taking place in this august House.

Sir, there are several issues. I now draw the attention of the hon. Leader of the Opposition about freedom of speech and expression, right of privacy, Telegraph Act, the guidelines framed by the S.C. in 1996-97. The question is: Whether any violation has taken place under any Section or whether any violation has taken place on the guidelines of S.C. or whether any violation or infringement has taken place under Sections of the Telegraph Act. That is the issue. If there is such an issue and the hon. Members who have given notice sincerely believe that what the hon. Home Minister has stated in this House is not correct, let them collect the material and place the same before this august House and prove what this Government has said is not correct, therefore, this is the material on which they are relying upon. So, let them come before the House with material before this august House and we are prepared for discussion on that issue. If that material also comes, I will also stand with them and argue that this is not correct. When there is no issue at all and when there is no tapping has been proved, there is no point in bringing the name of Shri Sharad Pawar, Shri Prakash Karat and others. Simply the paper mentioned the names of these people, there is no point in saying that the phones have been tapped and, therefore, a larger issue has arisen, political system is going to collapse, democracy is going to fall and we are going back to the emergency era. All this imaginative build-up cases will not satisfy the requirements.

Sir, the BJP is raising this issue. I remember, Sir, subject to correction, in Nanavati Commission Report, there was investigation and Mr. Siva Kumar, an Investigation Officer, has filed an Affidavit saying that telephones of all Congress leaders, including the former Chief Minister, in Gujarat was taped by Modi Government. It is they who did it, not we. Therefore, this is a very serious issue. Sir, the hon. Home Minister will give the response of the Government.

DR. V. MAITREYAN (Tamil Nadu): You were supposed to raise that issue then.

SHRI B.S. GNANADESIKAN: Sir, they have a political fight in Tamil Nadu. They want to extend that fight inside this House by raising an irrelevant issue with the sole purpose of settling the political score on Tamil Nadu soil. Mr. Maitreyan, if you want to fight, you go and fight in Tamil Nadu. But, do not waste the time of this House.

DR. V. MAITREYAN: Sir, we are not interrupting. You have to protect me when I speak.

SHRI B.S. GNANADESIKAN: Sir, he has to travel with me in the evening flight.

DR. V. MAITREYAN: Sir, he is threatening me.

SHRI B.S. GNANADESIKAN: Sir, there are two other issues I wish to mention. Sir, my friend mentioned Rule 176 of the Rules of Procedure and Conduct of Business in the Council of States. I call the attention of the Chair. Let the Chair not think that I am questioning the wisdom of the Chair. I am not raising a point of order. During the course of the discussion I want to mention Rule 176.

The Rule 176 says, "Any Member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary General.... the notice shall be accompanied by an explanatory note stating reasons for raising discussion..." Then, Rule 177 says, "if the Chairman is satisfied...." ...*(Interruptions)*... I am not questioning the wisdom of the Chair. ...*(Interruptions)*... His 'satisfaction' is his satisfaction. I am not questioning. It says, "if the Chairman is satisfied, after calling for such information from the Member who has given notice and from the Minister as he may consider necessary....". My friend, the Leader of the Opposition, has cited two conditions for invoking 'the tapping of telephones'. The rule also has two pre-conditions. Number one, the satisfaction of the Chair, which I am not here to judge. But whether the procedure of such information was asked from the Members concerned and whether the Minister concerned was asked as to why it was necessary to raise this issue is one thing that the Chair has to decide. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA (Jharkhand): Are you questioning the wisdom of the Chair?

SHRI B.S. GNANADESIKAN: No; no, I am not questioning. ...*(Interruptions)*... Sir, I am not questioning the wisdom of the Chair. I am only reading the rule because there should be a procedure which has to be followed in this House.

(THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair)

SHRI B.S. GNANADESIKAN: Day-in, day-out you are stalling the proceedings of this House on the basis of some newspaper reports. In this way, the Parliament cannot function because one news item or the other news item is appearing in the newspapers everyday. Sir, in this regard, I would like to quote from page 123 of the 'Rulings and Observations from the Chair'. It says, "The ruling of the House has always been that whatever is said in the House, if it is of a nature of an allegation, it has to be substantiated. Now, many things appear in the newspapers." ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No; no. Please take your seat. ...*(Interruptions)*...

SHRI D. RAJA (Tamil Nadu): Sir, are we discussing the rulings from the Chair? ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No; no, he is only reading the rulings. ...*(Interruptions)*... Mr. Gnanadesikan, please proceed. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Has he a point of order, supported by a ruling, or, is he discussing on the subject? What is this?

SHRI B.S. GNANADESIKAN: Whenever you speak, I never interrupt. ...*(Interruptions)*... No; no, I am not yielding. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, he is not questioning. ...*(Interruptions)*... He is not questioning. ...*(Interruptions)*... Please take your seats. ...*(Interruptions)*... Ahluwaliaji, please take your seat. ...*(Interruptions)*...

SHRI B.S. GNANADESIKAN: Please allow me to speak. ...*(Interruptions)*... Sir, if it is of a nature of an allegation, it has to be substantiated. Many things appear in the newspapers, but you cannot authenticate that all these things are true. If you want to authenticate that newspaper report,

then, I have no objection. It is entirely up to you. If you want to authenticate the news items that appeared in the newspapers, it is up to you. But, then, you will have to take the responsibility. Sir, I am not questioning the ruling of the Chair. I am only saying that you are raising an issue merely on the basis of a newspaper report. You are raising an issue on the basis of a report which appeared in The Outlook, the other day, and in some other newspaper yesterday. Tomorrow, some newspaper will publish something else. And, you want to discuss on that issue. There is a change daily. Therefore, I am saying that there should be some procedure; there should be some norms for discussing all these issues. If you are going on discussing. ...*(Interruptions)*... Dr. Maitreya, I am not yielding. Please sit down. ...*(Interruptions)*...

DR. V. MAITREYA: It is not based on the newspaper reports. It is based on the official letters of the Government of India. ...*(Interruptions)*...

SHRI B.S. GNANADESIKAN: You have to authenticate. ...*(Interruptions)*... You authenticate it. ...*(Interruptions)*... Therefore, Sir, what I respectfully submit to the Chair is, on the basis of newspaper reports, we cannot have this discussion. The Leader of the Opposition has built up a very good argument, but on a non-existing issue. He wants to build up a case on the basis of tapping. That is why, I say..

DR. V. MAITREYA: Sir, he is questioning the ruling of the Chair.

SHRI B.K. HARIPRASAD (Karnataka) : Nobody is questioning the Chair.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): He is not doing that.

SHRI B.K. HARIPRASAD: You are trying to influence the Chair.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): If he questions the Chair, then, I will take care. ...*(Interruptions)*...

SHRI B.S. GNANADESIKAN: If I question the Chair, the Chair will take care.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): He is saying his views. That's all. ..*(Interruptions)*...

SHRI D. RAJA: His views or the Chair's ruling.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): They are not bringing such discussion. He is saying his views about bringing the discussion. ...*(Interruptions)*...

SHRI B.S. GNANADESIKAN: What I am trying to convey is. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): If there is anything which challenges the ruling of the Chair, then, I will expunge it. I will look into it. ...*(Interruptions)*... Okay, I will look into it. ..*(Interruptions)*.. I will look into the record. If ²⁸⁶there is anything, I will expunge it. I will expunge it.

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, even before the discussion started, there was a point of order challenging the wisdom of the Chair. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Najmaji, you are a very, very senior leader. They are trying to challenge on the basis of rules, which I have, already, ruled out.

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, I accept that I am a senior Member. Thanks for the compliments. ...*(Interruptions)*... Even if I were a junior Member, I would have said that. That is a part of the record.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will look into the record. If there is anything, I will expunge that. Now, Mr. Gnanadesikan, come to the subject.

SHRI B.S. GNANADESIKAN: Sir, this is the subject. With great respect, I say that I have not challenged the rulings of the Chair. I am only quoting the procedures that the wisdom of the Members who brought this matter to the fore is not authorized as per the earlier rulings. My only point is, on the basis of newspaper reports, they are making this allegation. On the basis of newspaper reports, daily, they want some discussion. On the basis of newspaper reports which may be true or may not be true, they want some decision from the Government and the Government will react on that. They are capable of doing that. On my part, I am saying that you are building castles in the air. On imagination, you are making an allegation. Without proof and evidence, you are making a chargesheet. You want to make some allegation which is non-existent; you want the investigation to go on. On the negative evidence, you want to phish up information. Rules are violated with impunity and, absolutely, there is no substance in this case. Thank you, Sir.

SHRI SITARAM YECHURY : Sir, I am always left with this rather unenviable task of bringing back the gravity and seriousness to the debate.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You are capable of doing that ...*(Interruptions)*...

SHRI SITARAM YECHURY: No, no, Sir, ...*(Interruptions)*... because what we are discussing right now is an issue, I think, of very grave importance to very Constitutional scheme of things and the Parliamentary democracy in our country. Because, phone tapping is, essentially, something which, I believe, fundamentally undermines the foundational pillars of our Parliamentary democracy and the Constitution. The Supreme Court itself in a 1997 judgement had very clearly stated that

unless it is, that is, tapping, done in accordance to law and laid out procedure is violative of both, article 19, that is, freedom of expression and article 21, that is, the right to life and personal liberty. Therefore, what we are discussing is not, actually, some error committed by some person in office at a point of time permitting such tapping to be done. What we are discussing is that are we, today, exercising a restraint in the functioning of our Parliamentary democracy by not misusing the provision of the Indian Telegraph Act of 1882, an antiquated Act, an Act which is an anachronism in today's modern world? But, unfortunately, we have not even decided to have a relook and redraft that Act in modern times. But, nevertheless, the provisions that are there in the Act to go into the issue of phone tapping or use phone tapping – that was, specifically, mentioned – are public emergency or in the interest of public safety.

On these two conditions alone, this can be resorted to. Now, even that, I believe, is being violated. And, it is that violation to which the Supreme Court drew the attention of the country in 1997. Then it laid down the conditions under which public emergency and interests of public safety can be interpreted. And, Sir, this is important. The hon. Leader of the Opposition mentioned these two clauses that are there in the Act. The Supreme Court has qualified these two clauses and it gives you five circumstances under which this tapping can be resorted to; otherwise, it cannot be done. Sir, these two circumstances are not in the interests of sovereignty and integrity of India, that is, occurrence of a public emergency and interest of public safety are not in the interest of (1) sovereignty and integrity of India; (2) the security of the State; (3) friendly relations with foreign States; (4) public order; and (5) preventing incitement to the commission of an offence. The Central or State Government or the duly authorized officers cannot resort to phone tapping otherwise. Now, under these conditions that the Supreme Court has defined, there are reports that we are seeing now of phone tapping that have appeared in the media. If at all, they will fall under any category, it is number (5), that is, preventing incitement to the commission of an offence. That is at the most. If I am being very liberal then utmost I can extend it to say that this sort of tapping was resorted to in that particular issue of the telecom scam that we are talking of. In that particular issue, they resorted to category (5). But the earlier media reports of tapping of phones of political leaders do not fall under any one of these five categories, *i.e.*, plain and simple political espionage, if I can say, and it is political espionage for a political purpose. Now, Sir, what is this talk about privacy? I must say, we proudly say that we have seen the maturation of our democracy. That we have seen in our country.

My learned friend, Shri Jaipal Reddy, is here. Since he is fond of quoting constitutional experts whenever he speaks, I would like to remind him of Lewis D. Brandeis of 19th Century, who wrote a lot about constitutional law. He defined privacy as saying that it "is the right to be let alone". The definition of privacy in the modern democracy is the right to be let alone. Phone tapping is a complete violation of this right and that is why if you are resorting to this exercise of phone tapping, it has to be in the uppermost interest of the country and the future of its people. But if you resort to phone tapping for political reasons, if you resort to phone tapping in order to get information of what the other political parties are doing, then, Sir, this is not in the interest of the country, not in the interest of the Parliamentary democracy and that is why the statement made by the hon. Home Minister on the basis of the earlier media reports was very dissatisfactory as far as we are concerned except the last paragraph. In the last paragraph, he mentions, 'further inquiries are being made into the allegations in the magazine. If any evidence is forthcoming or discovered, the matter will be thoroughly investigated by the appropriate agencies.' Now, the promptness with which the tapping is done is not seen in the promptness of this inquiry. Now, the point is when? When you are interested to tap and find what the others are doing, then you also do that promptly. At least, let the Home Minister now in reply to this discussion tell us by when is he going to complete this, by when are you going to clearly define who has done this under whose orders. It is because the same Supreme Court judgment also gives you the directives. It gives you the directives saying, who will authorize phone tapping, that there will be a review committee to overlook this phone tapping, that this phone tapping cannot be for more than two months from the date it has started; it cannot go on. It has also mentioned about the extension. It is a very elaborate thing. It tells you about all the authorities which will have to authorize this. But what is the latest report that we have seen that has appeared yesterday and day-before? You had, like it has been pointed out, seven authorities which can decide it. There are seven authorities that can decide on phone tapping. They will have to legally go through the Home Secretary, either of the Centre or the State. That is a different matter. But in the information that is contained in the official documents, the tapping has been authorized for 120 or 180 days at a stretch. Mr. Minister, you may say that the documents that we have are wrong.

SHRI P. CHIDAMBARAM: Nobody has placed the documents here. You have them in your hands. That is all.

SHRI SITARAM YECHURY: I have them in my hands and I speak with authority of the fact that I have this information in my hands. You may contest this information and say that they are incorrect and bring authentic documents to disprove this. I am willing to accept. But if you cannot bring authentic documents to disprove this, I take this as correct and I go by this presumption.

Here, Sir, authorization has been given for 120 or 180 days, violative of the Supreme Court directive. Then, (b), which is more important, this is a duly authorized tapping. If a duly authorized tapping has revealed certain information, why is the Government not acting on the basis of the information got by that duly authorized tapping? That is the point that I wish to make, Sir. The information which has been given out by the duly authorized tapping confirms what we have been raising for the last two years on the entire scam related to the 2G spectrum. The whole scam had three aspects to it. One aspect was the question about undervaluation of the licences for the new entrants. That has been confirmed. The second component, providing crossover licences to some firm, that is first CDMA and then over to the DSF, has also been confirmed. The third aspect – undervaluing and not collecting monies from people who are illegally using extra broadband in the spectrum, and giving them unfair profit – has also been confirmed. All three aspects have been confirmed from this tapping. What has further been confirmed from this tapping is that licenses were given to certain firms, which is publicly acknowledged today, who later sold them to foreign telecom players, for huge amounts of money and thereby got windfall profits. They give Rs.1651 crores for the licenses in India and sell part of it, 45 per cent of it, for Rs. 10,000 crores or sell 60 per cent of it for Rs.12,000 crores.

Thus, what has been clearly established from information here in this House is that offloading of these shares took place by companies that were favoured and given these licenses; the entire conversation about these licences is available today. What I am emphatically saying is that one, you have tapping that takes place which is unauthorized and illegal, and two, you have tapping that takes place which is authorized and legal. Information from authorized and legal tapping is not used to pursue and clean the system but information from illegal and unauthorized tapping is used to score political points! And this, Sir, is a very serious matter that cannot be allowed to continue. And, therefore, we have to also understand a matter raised by the hon. Leader of the Opposition...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Your time is over.

SHRI SITARAM YECHURY: Just two minutes, Sir. But please, extend my time, Sir.

SHRI S.S. AHLUWALIA: Sir, this is an important matter.

DR. V. MAITREYAN: We are all willing to sit late, Sir. ... (*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I am only reminding him.

SHRI SITARAM YECHURY: Sir, there is one more aspect. Hon. Leader of Opposition had talked about technology and technological advancements. The world is living in a very, very difficult situation where you have this infamous thing called 'collateral damage'. Innocent lives are lost when America decides to bomb Iraq. Innocent lives there are lost because those people want to occupy it militarily. You may want to tap somebody's telephone. In the meanwhile, you have technologies which would give you details of all the phone conversations within a two kilometer-radius. So, they are also brought into the picture. Now, this sort of technological advancement is taking place. And it is high time that your anachronistic 1882 Act is re-looked, suitably amended and brought in tune with the modern times. In such a situation, this gross misuse of authority as far as the 2G spectrum scam is concerned is taking place.

Sir, I have certain reports here and I want the Government to tell me whether these are right or wrong. They say that two Israeli companies, Comverse and Verint, are working in India. These companies are specialized in phone tapping. One more Israeli company, Amdocs, is also doing business in India. This company is implicated in an Israeli spy scandal in USA, which was reported by the FOX News. These companies are suspected of having built a backdoor into the equipment purportedly installed in the phone system, and if this is true, this is a very, very serious problem for our internal security. Therefore, with this technology business, I think we have to come to terms with it. It has to be urgently addressed and we have to up-date our laws. Finally, Sir, we have been witnessing this entire scam of 2G. It is unfortunate that the hon. Prime Minister is not here. As the Leader of this House, I remember him once saying from here and I quote from memory "India can ill-afford crony capitalism". What has emerged out of this entire phone tapping episode on the 2G scam as far as telecom is concerned is nothing but crony capitalism. It pains me, Sir, if some corporate chief or corporate head today decides and can actually have his way in seeing who becomes Minister for which portfolio. All that is there in this conversation. If that is true, where is

democracy, where is the parliamentary institution and where will we reach? Their conversation tells who will be given contracts, who will be made Ministers and who will not be made Ministers. Can we afford this crony capitalism? The reason I am referring to hon. Prime Minister is that I have here a copy. I can also authenticate it. This is a letter written by the hon. Prime Minister on 2nd November, 2007 to the hon. Minister for Communications and IT, Mr. Raja, on the day when all these reports of scam appeared. I quote the last para, "I would request you to give urgent consideration to the issues being raised with a view to ensuring fairness and transparency and let me know of the position before you take any further action in this regard. Yours Sincerely, Dr. Manmohan Singh." The very same day a letter was written by the IT Minister to the Prime Minister – unfortunately, we don't have timings on the letter when it reached there and was replied to – where he repudiates a solution made by the Law Ministry to have an empowered Group of Ministers to go into the entire question of 2G licences. He says, this is not necessary and, therefore, says, "As the Department is not deviating from the existing procedure, I hope this will satisfy." Given the situation, this is a very serious matter of an expression of crony capitalism and this has to be investigated. In conclusion, I would make an appeal to the Government. I have extended the issue beyond the narrow issue of phone tapping and included the contents of 2G scam. I will even now request the Government to go through this entire issue thoroughly, not for any individual vendetta or seeking anything against any individual, but for the sake of cleansing the system and for the sake of improving our democracy. Please pay heed to the suggestions, change this 1882 law, modernize it with modern technology and then do not resort to such practices because you have shown it once again that you are big experts at maintaining majority in the House, in Lok Sabha. So, you don't require these steps like tapping, etc., to be undertaken. You have your expertise and you will have your majority. So, please don't resort to such acts.

श्री ब्रजेश पाठक (उत्तर प्रदेश) : माननीय उपसभाध्यक्ष महोदय, सदन में बहुत ही गंभीर विषय पर चर्चा चल रही है। विगत एक सप्ताह में दो बड़ी खबरें मेगजीन में और कल के अखबार में प्रकाशित हुई हैं। यहां कल भी यह मामला उठाया था। लेकिन आज हम सदन में इस पर चर्चा कर रहे हैं। इसके कानूनी पहलुओं पर हमारे साथी श्री अरुण जेटली जी ने और हमारे साथी श्री येचुरी जी ने अपने विचार रखे। लेकिन माननीय उपसभाध्यक्ष जी, देश की जनता, देश के लोग क्या सोचते हैं, यह मैं आपको बतलाना चाहता हूं। टेलीफोन टेपिंग प्रकरण आम जनता के लोकतांत्रिक अधिकारों का हनन है और किसी भी दशा में जब तक हमारे देश की सम्प्रभुता पर, हमारे देश की

अखंडता पर कोई खतरा न हो, किसी भी दशा में टेलीफोन टेपिंग को अनुमति नहीं दी जा सकती। ऐसा कानूनी पहलू भी है। लेकिन माननीय उपसभाध्यक्ष जी, अभी कुछ दिन पहले, पिछले दिनों ही, माननीय गृह मंत्री जी ने सदन में बयान दिया था कि कोई भी टेलीफोन टेपिंग की अनुमति नहीं दी गई है। लेकिन कल अखबार में हम सब लोगों को टेलीफोन टेपिंग प्रकरण संबंधी पूरी जानकारी मिली। आज माननीय चिदम्बरम जी गृह मंत्री के पद पर हैं और जब यह आर्डर हुआ होगा, वह जरूर वित्त मंत्री से गृह मंत्री पद के रास्ते में होंगे। उसी समय इसके बारे में आदेश हुए होंगे और इनके आदेश की प्रतियां लोक सभा और राज्य सभा के गलियारों में घूम रही हैं। महोदय, यह शासन की पत्रावली है, यह भारत सरकार की पत्रावली है, इसको झुठलाया नहीं जा सकता और माननीय गृह मंत्री जी यह भी नहीं कह सकते हैं कि हमें इसकी जानकारी नहीं है। मैं गम्भीरता के साथ कहना चाहता हूँ कि यदि गृह मंत्री जी को इस बात की जानकारी थी कि टेलीफोन टेपिंग की अनुमति दी जा चुकी है, चाहे किसी भी कारण से हो, चाहे वित्तीय अनियमितताएं हों, चाहे घोटाले हों या चाहे देश की एकता से संबंधित कोई मुद्दा रहा हो, अगर इसकी अनुमति दी गई थी, तो माननीय गृह मंत्री जी को इस बात की जानकारी सदन को देनी चाहिए थी।

माननीय उपसभाध्यक्ष जी, मुझे दुख है कि सदन को इसकी जानकारी अखबारों के माध्यम से मिली, कुछ कतिपय समाचार पत्रों के माध्यम से मिली कि टेलीफोन टेप हुए हैं। टेलीफोन टेपिंग में जो प्रकरण सामने आया है, वह ऐसा घोटाला है, ऐसा प्रकरण है, जिसके कारण हमारा चेहरा शर्म से झुक जाता है। हमने अखबार में पढ़ा कि एक हजार करोड़ रुपए का घोटाला 2जी स्पैक्ट्रम के लेनदेन में हुआ। एक महिला लगातार माननीय मंत्री जी के सम्पर्क में थी, जैसा कि अखबारों में छपा है। मैं आपके माध्यम से सरकार से गुजारिश करूंगा, मांग करूंगा कि उस महिला के बारे में गंभीरता से जानकारी ...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): If you make a personal allegation, it can only be done with the prior permission of the hon. Chairman.

श्री ब्रजेश पाठक : सर, मैं व्यक्तिगत आरोप नहीं लगा रहा हूँ, आप यह कैसे कह सकते हैं। जो अखबारों में छपा है ...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : आप मेरी बात सुनिए, आप मेरी बात सुनिए। I am going by the rules. आप अंग्रेजी समझते हैं?

श्री ब्रजेश पाठक : हां, अच्छी तरह से अंग्रेजी समझता हूँ।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please listen to me. I am quoting the rules. मैं हिन्दी में बोलता हूँ कि न्यूज पेपर में बहुत सी न्यूज आ जाएंगी। अगर आप personal allegation लगाएंगे, तो आपको पहले परमिशन लेनी होगी। ...(व्यवधान)...

श्री ब्रजेश पाठक : माननीय उपसभाध्यक्ष जी, ये सरकारी दस्तावेज हैं। सरकार या तो इसको ...(व्यवधान)...

सर, मेरी बात सुन लीजिए। सरकार या तो इसको डिनाई करे या इस पर अपना कोई वक्तव्य दे।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Don't mention the Minister.
...(Interruptions)...

श्री ब्रजेश पाठक : आप क्या यह कहना चाह रहे हैं कि यहां सिर्फ * में ही बोला जाएगा। यह तो हम से सम्भव नहीं है। अगर आप कहते हैं, तो हम बैठ जाते हैं।...(व्यवधान)... मैं किसी का नाम नहीं ले रहा हूं। अगर आप को अच्छा नहीं लग रहा है, तो हम गवर्नमेंट की * में नहीं बोल सकते हैं, आप कहेंगे, तो मैं बैठ जाता हूं। मैं वही बोलूंगा जो मेरे दिल में है और सच्चाई है।...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You can continue. I only said that don't make personal allegation. यह शब्द * अनपार्लियामेंट्री है।

श्री ब्रजेश पाठक : उपसभाध्यक्ष महोदय, जो पेपर्स लोक सभा में घूम रहे हैं, मैं उनके आधार पर यहां बोल रहा हूं और मैं अपनी बात यहां पर रख रहा हूं। अगर आपको पसन्द नहीं है, तो मैं अपनी बात समाप्त कर देता हूं।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : आप मेरी बात सुनिए। मैंने इतना बोला है कि personal allegation करना है, तो पहले मंत्री साहब को लिखना है और चेयरमैन साहब को भी लिखना है। मैंने personal allegation के बारे में केवल इतना बोला है।...(व्यवधान)...

SHRIMATI BRINDA KARAT (West Bengal) : He is just reading out facts. Where is the allegation?

श्री ब्रजेश पाठक : सर, मैंने किसी का नाम नहीं लिया है, मैंने व्यक्तिगत आरोप नहीं लगाया है।
...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I only said about personal allegation.

श्री ब्रजेश पाठक : सर, उस महिला की उत्पत्ति कहां से हुई, इसकी भी जांच होनी चाहिए। भद्र महिला को हिन्दुस्तान में कौन लाया, इसकी भी जांच होनी चाहिए। भद्र महिला हिन्दुस्तान में किसके रिज़ीम में आई, उसके बारे में आप सबको पता है, इसके बारे में अखबारों में छपा है, अखबारों में सुर्खियां हैं। हमारे साथी जो इधर बैठे हैं, उनके रिज़ीम में आई। मैं इस बात को भी कहना चाहता हूं कि अगर कोई सोचे कि ...(व्यवधान)... हम निष्पक्ष बात रखना चाहते हैं। वह भद्र महिला हिन्दुस्तान में जिसको अंग्रेजी में एक रूप दिया गया, जिसको एक जामा पहना दिया गया खूबसूरती का, उसको हिन्दी में * कहते हैं, जिसको better relation कहा जाता है, उसको हिन्दी में * कहते हैं। इस * की फर्म को हिन्दुस्तान में इंट्रोड्यूस करने वाले कौन लोग हैं, उनका चेहरा भी आपको बेनकाब करना पड़ेगा, यह मैं आपके माध्यम से सरकार से अनुरोध करना चाहता हूं।

उपसभाध्यक्ष महोदय, एक बड़ा गम्भीर विषय है और उस पर लीपापोती करने की बात कई दिनों से चल रही है, चाहे आईपीएल का घोटाला रहा हो, उस पर भी लगातार लीपापोती चली है, चाहे टेलीफोन टेपिंग का प्रकरण

*Expunged as ordered by the Chair.

हो, तो इस पर भी पूरी तरह से धूल डालने का काम, भूसा डालने का काम किया जा रहा है। माननीय उपसभाध्यक्ष महोदय, यह देश की संप्रभुता से, देश के गरीबों से जुड़ा प्रश्न है। यह काली कमाई को आगे बढ़ाने का प्रश्न है। महोदय, मैं आपके माध्यम से यह अनुरोध करूंगा कि माननीय गृह मंत्री जी इस प्रकरण को बहुत गंभीरता से लें, माननीय वित्त मंत्री बहुत गंभीरता से लें, क्योंकि इसमें लाखों, करोड़ों का घोटाला है। काले धन का लेनदेन हुआ है। अगर कोई बात नहीं है, तो यह भद्र महिला लगातार हमारे मंत्री जी से सम्पर्क में क्यों थी और जिसके कागज़ गवाह हैं। जब वे लगातार संपर्क में हैं, तो कहीं तो कोई न कोई गड़बड़ है, दाल में काला है। हम इसको खूबसूरती से कह सकते हैं कि दाल में काला नहीं है, काले में दाल है। उपसभाध्यक्ष महोदय, आप घंटी बजाएं, इससे पहले ही मैं अपनी बात समाप्त कर दूंगा।

श्री बृजभूषण तिवारी (उत्तर प्रदेश) : उपसभाध्यक्ष महोदय, आज सदन में सचमुच बहुत ही गंभीर मामला उठा है। यह जो टेलीग्राफ एक्ट, 1882 का है, यह अंग्रेजों के ज़माने में बना था। उस समय इसको इस्तेमाल करने के लिए कुछ आवश्यक शर्तें लगाई गई थीं। अब जिस प्रकार से सूचनाएं आ रही हैं और जिस प्रकार से Telephone tapping का मामला एक पत्रिका के माध्यम से उजागर हुआ, उससे लगता है कि जिस प्रकार की वारदातें हो रही हैं, इनसे हमारे लोकतंत्र और हमारी संवैधानिक व्यवस्था पर बहुत बड़ा खतरा है। आज से नहीं बल्कि बहुत दिनों से यह बात रही है और यह चर्चा का भी विषय है कि क्या सरकारों को किसी भी व्यक्ति की निजता या उसकी प्राइवसी पर अतिक्रमण करने का अधिकार है? मैं समझता हूँ कि यह बहुत बड़ा मुद्दा है। आज से नहीं बल्कि वर्षों से, जब भी हम एक सभ्य समाज में एक सिविल सोसाइटी का निर्माण करना चाहते हैं, तो हमें व्यक्ति की निजता, व्यक्ति की आजादी की हर संभव कोशिश करनी चाहिए। सरकार जिस तरीके से इस कानूनों व प्रावधानों का इस्तेमाल कर रही है, इससे हमारे लोकतंत्र के लिए बहुत बड़ा खतरा पैदा हो गया है। यह तर्क दिया जाता है कि यह टेक्नॉलोजी ऐसी डेवलप है। यदि टेक्नॉलोजी डेवलप है और उस टेक्नॉलोजी को अगर हम नियंत्रण में नहीं रख सकते हैं, तो वह टेक्नॉलोजी हमारी निजता को ही खत्म नहीं करेगी, बल्कि वह पूरे देश की संप्रभुता को, देश की एकता और अखंडता को भी खत्म कर देगी। इस टेक्नॉलोजी का इस्तेमाल बहुत नियंत्रण से होना चाहिए। मैं इस बात को मानता हूँ कि सरकार को इसके लिए एक एक्सपर्ट कमेटी या JPC बैठानी चाहिए। यह ठीक ही है कि आज जितनी भी आतंकवादी और नक्सली वारदातें होती हैं या साम्प्रदायिक दंगे होते हैं, तो हमेशा जो जांच रिपोर्ट आती है, उसमें कहा जाता है कि सूचना का अभाव था और हमें पूरी सूचना नहीं मिल पाई। आज सचमुच हमारी शांति, हमारी पब्लिक पीस, हमारी Tranquillity का जहां खतरा है, जहां देश की एकता का खतरा है, वहां हमारी खुफिया एजेंसी ठीक तरीके से सूचना इकट्ठा नहीं कर पाती। यदि हमें उसका राजनैतिक इस्तेमाल करना है, विरोधियों की बातों का पता लगाना है, किसी आदमी की निजी बातचीत का पता लगाना है, यदि वहां इस प्रकार की टेक्नॉलोजी का इस्तेमाल करें, तो यह बहुत ही खतरनाक है। इसलिए सरकार को इस पर बहुत ही गंभीरता से विचार करना चाहिए। यह गृह मंत्री का बयान है कि हमने कोई अधिकृत नहीं किया, तो यदि आपने कोई अधिकृत नहीं किया और इस प्रकार की सूचना है, तो इसीलिए JPC की मांग की जा रही है। जो वह टेप किया गया, वह कैसे टेप किया गया, वह Incidental है या Intentional है? अगर वह International है, तो किसके अधिकार से किसकी परमिशन से यह काम हुआ?

दूसरी बात है कि अभी एक भ्रष्टाचार का मामला भी आया है। हमारे राजनैतिक जीवन में जो स्वच्छता होनी चाहिए, जो पवित्रता होनी चाहिए, आज वह स्वच्छता और पवित्रता खत्म हो रही है।

भ्रष्टाचार हमारे पूरे राजनीतिक और सामाजिक जीवन को ग्रस रहा है। एक संचार मंत्री के संबंध में और 2जी स्पेक्ट्रम के ऑक्शन के संबंध में जो तथ्य अभी आए हैं, जिनके आधार पर यह पता चलता है कि 22 हजार करोड़ रुपये का नुकसान हुआ है, यह संभावित है कि भारत सरकार को नुकसान हुआ है ...**(व्यवधान)**... एक लाख से ज्यादा का घोटाला है। 2 जी स्पेक्ट्रम के संबंध में 22 हजार करोड़ रुपये का नुकसान हुआ है। जो तथ्य प्रकाश में आए हैं, वे तथ्य कोई राह चलते या अखबारी तथ्य नहीं हैं, इसकी बाकायदा एजेंसी ने, सीबीआई ने जांच की है और उसकी अधिकृत फोन टेपिंग करके, जो कंवर्सेशन्स हैं, जो पी.आर. है, जिसको आप पब्लिक रिलेशन्स कह सकते हैं या जो कंसल्टेंसी है, नेता प्रतिपक्ष ने ठीक ही कहा कि अगर इस प्रकार की लॉबीज, इस प्रकार के ग्रुप्स, जो बहुत ही प्रभावशाली हैं, जिसमें नौकरशाह, पत्रकार, इलेक्ट्रॉनिक चैनल के लोग, एम.पीज़ और मिनिस्टर भी शामिल हों, अगर इस प्रकार के ग्रुप्स या गुट बनते हैं, जो सरकार के निर्णयों को प्रभावित कर दें, तो यह बहुत ही खतरनाक बात है। अगर यह सिलसिला चलेगा तो हमारा जो पूरा राजनैतिक और सार्वजनिक जीवन है, वह इससे प्रभावित होगा। इसलिए मैं सरकार से मांग करना चाहता हूँ कि यह जो मामला है, यह शुद्ध क्रिमिनल मामला है। प्रधानमंत्री ने पत्र लिखा, लॉ मिनिस्टर ने भी अपनी स्पष्ट राय दी कि अगर इस मामले में आंच आ रही है, तो इसकी जांच जो एम्पावर्ड मिनिस्ट्री या ग्रुप है, उसको रेफर कर दी जाए, परंतु इन सारी अनुशंसाओं की अवहेलना करके टेलीकॉम मिनिस्टर ने जिस तरीके से 2001 में, औने-पौने में जो दाम तय था, उसी कीमत पर मनमाने तरीके से फर्स्ट कम फर्स्ट सर्व के आधार पर लाइसेंस दे दिया। वह लाइसेंस जिस प्रकार से दिया गया और जो तथ्य प्रकाश में आए हैं, वह बहुत ही गंभीर मामला है। अगर इतना गंभीर मामला है तो ऐसे व्यक्ति को शासन में, सरकार में रहने की कोई आवश्यकता नहीं है। उनके खिलाफ जांच होनी चाहिए। जांच हो रही है, परन्तु निष्पक्ष जांच हो, सरकार किसी प्रकार का बचाव करने की कोशिश न करे, तभी यह मामला सुलझ सकता है। मैं फिर से यह मांग करना चाहता हूँ कि इस प्रकार के आरोप एक मंत्री विशेष पर लगे हैं और जो लोग इस प्रकार की * के कार्यक्रमों में लगे रहते हैं, पहले बोफोर्स का मामला उठा था, उसने कितना तूल पकड़ लिया था, परंतु मुझे तो यह बोफोर्स से भी ज्यादा गंभीर मामला लगता है। अब तो खुलेआम रजिस्टर्ड कंपनियां, हर महकमे में, चाहे ऊर्जा हो, चाहे रक्षा मंत्रालय के सौदों की खरीद हो, चाहे संचार मंत्रालय की खरीद हो, ये सारे प्रभावशाली विभाग हैं, इन विभागों में सौदों की खरीद-फरोख्त में ये कंपनियां काम करती हैं। ...**(व्यवधान)**...

उपसभाध्यक्ष महोदय (प्रो. पी.जे. कुरियन) : खत्म कीजिए।

श्री वृजभूषण तिवारी : ...और सरकार के निर्णयों को प्रभावित करती हैं, इसलिए इसके खिलाफ सख्त कार्रवाई करने की आवश्यकता है और मैं इसके लिए संसदीय जांच आवश्यक समझता हूँ। धन्यवाद।

श्री राम नारायण साहू (उत्तर प्रदेश) : सर, मैं एक बात कहना चाहता हूँ।

उपसभाध्यक्ष महोदय (प्रो. पी.जे. कुरियन) : नहीं, अभी बैठिए। ...**(व्यवधान)**...

श्री राम नारायण साहू : सर, यह जिस मैगजीन में निकला है, उसको बुलाकर पूछिए कि इसका आधार क्या है। एक बार पंडित नेहरू जी के समय में ऐसा हुआ था। ...**(व्यवधान)**... लोकसभा में बताना पड़ा था। ...**(व्यवधान)**... यह करना पड़ा था। ...**(व्यवधान)**...

*Expunged as ordered by the Chair.

उपसभाध्यक्ष महोदय (प्रो. पी.जे. कुरियन) : ठीक है, आप बैठिए।

डा. वी. मैत्रेयन : सर, टाइम रीसेट कीजिए।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is corrected.

DR. V. MAITREYAN: Sir, subsequent to the uproar in Parliament on 25th April following a shocking exposure of phone tapping that appeared in the Outlook magazine last week, the hon. Union Home Minister, Shri P. Chidambaram, in his *suo motu* statement mentioned very categorically that no phone tapping of political leaders was authorized either by the UPA-I or UPA-II. I appreciate Mr. Chidambaram for his honesty. He did not say that there was no phone tapping at all. All he said was that the UPA Government did not authorize it. In fact, tapping of phones of national leaders has been spoken in great detail.

Coming from a regional party, I will restrict myself to my State. The Union Home Minister had categorically denied it. He said that the Government did not authorize the phone tapping.

I am very optimistic that the State Governments also would not have authorized any illegal phone tapping. I am very optimistic about it. There has not been any denial on that. But, it is in public knowledge that illegal and unauthorized phone tapping has been happening in Tamil Nadu. In March 2008, a private firm called D3D Technologies, which is situated in Palavakkam and is owned by the wife of a police officer, was involved in phone tapping. ...*(Interruptions)*... It is illegal phone tapping. ...*(Interruptions)*... I did not say that the Government authorized it. ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY (Tamil Nadu): Is it relevant? ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*...

DR. V. MAITREYAN: I don't know. ...*(Interruption)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please take your seat. ...*(Interruptions)*... All of you take your seats. ...*(Interruptions)*... You don't worry. I will take care. ...*(Interruptions)*... If he crosses the Laxman Rekha, I will take care. ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): How can he say that? ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): First you sit. ...*(Interruptions)*... Dr. Maitreyan, ask your partymen to take their seats. ...*(Interruptions)*... Dr. Maitreyan, please wait for one second. ...*(Interruptions)*... Mr. Siva, what is your²⁹⁷ objection? ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, he said that illegal phone tapping is going on in Tamil Nadu. How could he say that? He should authenticate it.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is his view. You can counter it. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: No, Sir. He cannot just evasively level an allegation against a State Government. ...*(Interruptions)*...

DR. V. MAITREYAN: I am not saying. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please sit down. ...*(Interruptions)*... You can counter it. ...*(Interruptions)*... That is their view. ...*(Interruptions)*... That is only their view. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, it is an allegation against the State Government. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is not an allegation against any particular person. ...*(Interruptions)*... So many allegations have been made against so many State Governments. ...*(Interruptions)*... Listen, if it is a personal allegation against any Minister, there is a rule. If it is a personal allegation against anybody who cannot come to this House and defend himself, there is a rule. I will take care of that. But, he has not violated either of the two rules. ...*(Interruptions)*... You can say that. ...*(Interruptions)*... That is your view. That will also be on record. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, we are addressing the Chair and the Chair can ask us to sit down and not the Members. Sir, kindly instruct them. They always turn this side and comment. ...*(Interruptions)*... That should be stopped. ...*(Interruptions)*... I need a categorical ruling from the Chair. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Dr. Maitreyan, please address the Chair. ...*(Interruptions)*... You see, your partymen should not disturb. ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, in March 2010, another private firm called Owtsar Technologies Ltd. situated in L.B. Road, Adyar, Chennai, very near to my house ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY: He is always talking about Tamil Nadu. ...*(Interruptions)*...

DR. V. MAITREYAN: I represent Tamil Nadu. ...*(Interruptions)*... She is not representing Tamil Nadu. ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY: What is the discussion now? ...*(Interruptions)*... Baseless allegations are being made. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Maitreyan, please come to the topic. ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, I am talking about phone tapping. I am an aggrieved person because in this mobile tapping by Owtsar, around 55 numbers are being tapped. My number 9840048242 is also monitored. My colleague, Jayanthi Natarajan's number is monitored. Not only that, seeing the current political situation in Tamil Nadu, according to a report, even the number of the Union Minister, Dayanidhi Maran was under surveillance.

The Union Minister Mr. M.K.Alagiri's telephone number is also under surveillance ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, he should substantiate that. ...*(Interruptions)*... Baseless allegations are being made. We cannot go on listening to him like this. ...*(Interruptions)*...

DR. V. MAITREYAN: There are about 55 telephone numbers. I am an aggrieved person ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, it is an allegation.

DR. V. MAITREYAN: I will authenticate the paper. My own telephone number is being tapped. I am quoting. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): What are you quoting? I should know that.

DR. V. MAITREYAN: It is a letter written to the Home Secretary, Tamil Nadu, Sir. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You authenticate it.

DR. V. MAITREYAN: Yes, I will authenticate it ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Do it. ...*(Interruptions)*... If it is a letter written to the Home Secretary, then you will have to authenticate it. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, written by whom? ...*(Interruptions)*...

DR. V. MAITREYAN: I don't have to authenticate it now. I will authenticate it. I am authenticating it. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, a letter written by whom? ...*(Interruptions)*...

DR. V. MAITREYAN: You cannot direct me. You are no one to direct me. The Chair can direct me. ...*(Interruptions)*...

SHRI B.K. HARIPRASAD: Sir, it is a very serious allegation. ...*(Interruptions)*...

DR. V. MAITREYAN: My telephone number is being tapped. I am an aggrieved person. If I cannot raise this issue here, where can I raise it? ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The point is, you cannot make a fresh allegation in this.

DR. V. MAITREYAN: I am not making a fresh allegation in this.

SHRI S.S. AHLUWALIA: Are you protecting the violator? What is this? ...*(Interruptions)*... He is an aggrieved person. He is a Member of Parliament. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: This is a matter of privilege of a Member of Parliament. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Ahluwaliaji, please let him complete. Please allow him to speak. ...*(Interruptions)*... Dr. Maitreyan, the problem is this. When you make a specific allegation alluding to a particular person. ...*(Interruptions)*...

DR. V. MAITREYAN: No, Sir. It is including me. My telephone number is being tapped.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Let me say that is what they are objecting to. You can very well say that your number is being tapped. I am not objecting to that. I am cautioning that when you make your speech, don't allude against a person who cannot come here and defend himself. I am only giving you the parameters. Be careful about that. ...*(Interruptions)*... Please listen. There is a rule. If he violates the rule, then you can raise a point of order, or, I will *suo-motu* take notice. Don't otherwise create a problem. ...*(Interruptions)*... The hon. Minister, Shri G.K.Vasan, wants to say something.

THE MINISTER OF SHIPPING (SHRI G.K.VASAN): Sir, if Dr. Maitreyan or his party AIADMK is very serious about the issue which is being discussed today, he has to be relevant and current on the subject. That is the need. ...*(Interruptions)*...

DR. V. MAITREYAN: My phone is being tapped. What more relevant thing do you want? What more current thing do you want? ³⁰⁰ ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Dr. Maitreya, please continue, and as far as possible, be on the relevant subject of discussion. ...*(Interruptions)*...

DR. V. MAITREYA: The subject is about phone tapping, the subject is about unauthorized and authorized phone tapping. My phone is unauthorizedly tapped. My mobile number is tapped. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Don't create a problem. ...*(Interruptions)*... I can't hear ...*(Interruptions)*...

DR. V. MAITREYA: Sir, if there is anything wrong, let the Home Minister say that. ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY: You have to apologize. ...*(Interruptions)*... Sir, he has to apologize. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Take your seats. ...*(Interruptions)*... One of you should say. ...*(Interruptions)*... If all of you start speaking together, I cannot understand anything. ...*(Interruptions)*... if all of you speak together, I will not allow you. ...*(Interruptions)*... Take your seats. All of you speak together. How can I listen to you if all of you speak together? ...*(Interruptions)*... That is why I said, if you sit, I will ask him; I will allow one of you to speak. ...*(Interruptions)*... I will allow one of you. ...*(Interruptions)*... Mrs. Kanimozhi. ...*(Interruptions)*... I will allow one of you.

SHRI TIRUCHI SIVA: I have been submitting again and again, Sir, that whenever he addresses the Chair, only the Chair can ask anyone to sit down, not another Member. ...*(Interruptions)*... He cannot force others. ...*(Interruptions)*...

DR. V. MAITREYA: If I do not yield, ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Let me listen to him. ...*(Interruptions)*... Allow me to listen to him. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, let me complete. ...*(Interruptions)*... Sir, let me complete. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please allow me to listen to him. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Turning to a Member, and that too, to a female Member, ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay. ...*(Interruptions)*... What is the point?
...*(Interruptions)*...

SHRI TIRUCHI SIVA: The point is in asking Kanimozhi, in Tamil, to sit down.
...*(Interruptions)*...

DR. V. MAITREYAN: Sir, they cannot interfere like this. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, turning to a Member, a female Member, and asking her, in Tamil, to sit down is derogatory. ...*(Interruptions)*... Only the Chair has got the right to ask.
...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Maitreyan, you should address the Chair. Please look at the Chair. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, this has been repeatedly done ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, you sit down. ...*(Interruptions)*... I cannot allow you anymore. ...*(Interruptions)*... Take your seats. ...*(Interruptions)*... What do you want to say, Mrs. Kanimozhi?

SHRIMATI KANIMOZHI (Tamil Nadu): Sir, I want Mr. Elavarasan to apologize to the Members.

DR. V. MAITREYAN: Not at all. ...*(Interruptions)*... Why should he apologize?
...*(Interruptions)*... Why should he apologize? There is no question of apologizing.
...*(Interruptions)*... Due to their unruly behaviour. ...*(Interruptions)*...

SHRI A. ELAVARASAN (Tamil Nadu): Don't interrupt. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): All of you should take your seats. I will look into the records. ...*(Interruptions)*...

DR. V. MAITREYAN: No question of apologizing. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will look into the records. If there is anything said derogatory, I will take action accordingly. ...*(Interruptions)*... Please sit down.
...*(Interruptions)*... I am telling you, I will go through the records. ...*(Interruptions)*... Please listen.
...*(Interruptions)*... Please listen. ...*(Interruptions)*... Please listen to me. ...*(Interruptions)*.

DR. V. MAITREYAN: Sir, they want to divert the debate. ...*(Interruptions)*... They don't want us to raise the issue. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Maitreyan, please listen.
...*(Interruptions)*... Mr. Maitreyan. ...*(Interruptions)*... I will go through the records; if there is anything found derogatory, I will take action accordingly. ...*(Interruptions)*... What is it?
...*(Interruptions)*... I cannot understand. ...*(Interruptions)*... One of you should say. ...*(Interruptions)*... One of you should say. ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, they don't want a debate on phone-tapping. ...*(Interruptions)*...
That is why the ruling party Members are interrupting like this! ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): One of you should say. ...*(Interruptions)*... If one of you raises it, I can answer. If all of you stand up and speak like this ...*(Interruptions)*... If all of you shout together, I am helpless.

डा. वी. मैत्रेयन : सर, ...*(व्यवधान)*... इनका इरादा है इस पर बहस न होने देना ...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): This way, I will adjourn the House. ...*(Interruptions)*... If this is the way you behave, I will adjourn the House.

SHRI S.S. AHLUWALIA: Why should you adjourn the House? Instead, you control the House. ...*(Interruptions)*... We want a debate. We don't want you to adjourn the House. ...*(Interruptions)*... You control them. ...*(Interruptions)*... Sir, we want the debate to continue. ...*(Interruptions)*... We want the debate. ...*(Interruptions)*...

श्री कमाल अख्तर (उत्तर प्रदेश) : सर, ...*(व्यवधान)*... ये यह चाहते हैं कि इस पर डिबेट न हो ...*(व्यवधान)*...

DR. V. MAITREYAN: How can I speak if they are interrupting me like this? ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Why do you unnecessarily provoke? ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, I am not provoking. They are not allowing me to speak. ...*(Interruptions)*... They are interrupting me. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You are provoking. ...*(Interruptions)*...

SHRI B.K. HARIPRASAD: Sir, it is derogatory. He should apologize. ...*(Interruptions)*...

DR. V. MAITREYAN: No question, Sir; no question of apologizing. ...*(Interruptions)*... No question of apologizing. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Why not one of you speak? ...*(Interruptions)*...

DR. V. MAITREYAN: Apologize for what? ...*(Interruptions)*... Apologize to whom? ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): One of you should speak; not all of you. ...*(Interruptions)*...

6.00 P.M.

SHRI S.S. AHLUWALIA: The Minister is sitting. He should control his Members.
...(Interruptions)... What is this, Sir?

DR. V. MAITREYAN: The Home Minister is interested, but his colleagues are not interested.
...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Take your seats. ...(Interruptions)... Let me hear the Minister. ...(Interruptions)... Let me hear the Minister. All of you take your seats. ...(Interruptions)... All of you take your seats. Let me hear the Minister. ...(Interruptions)... If all of you shout, I cannot understand many things. If one of you can stand up and speak, I am ready to listen. That is why I am saying this. ...(Interruptions)... Yes, Mr. Minister.

THE MINISTER OF STATE OF THE MINISTRY OF SCIENCE AND TECHNOLOGY; THE MINISTER OF STATE OF THE MINISTRY OF EARTH SCIENCES; THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE; THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS; AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN): Sir, the allegation is that something was said in Tamil, and that was derogatory. We did not understand what was said. If one of them can speak ...(Interruptions)...

SHRI S.S. AHLUWALIA: He has given his ruling. ...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay. I am giving an opportunity to Mrs. Kanimozhi to say what she wants to say in this regard.

SHRIMATI KANIMOZHI: Sir, Mr. Elavarasan turned to Shrimati Vasanthi Stanley and asked her to sit down in a very derogatory way. ...(Interruptions)...

DR. V. MAITREYAN: What was the derogatory way? ...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No. Don't interrupt. ...(Interruptions)... Don't interrupt. ...(Interruptions)...

DR. V. MAITREYAN: What was the derogatory way? ...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Don't interrupt. ...(Interruptions)...

DR. V. MAITREYAN: You please look into the records and see who is wrong.
...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please take your seats, ...*(Interruptions)*... Okay. You made your point. *(Interruptions)*...

SHRIMATI KANIMOZHI: Sir, I would like to submit that Mr. Elavarasan has first turned to her and asked her to sit down. He should have addressed you. The next thing is that he said, "okkaru". In Tamil it is disrespectful. He can't order her what to do. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, please take your seats. ...*(Interruptions)*... Please take your seats. ...*(Interruptions)*... Mr. Maitreyan, take your seat, please ...*(Interruptions)*... Please listen to me. ...*(Interruptions)*... Please take your seats. ...*(Interruptions)*... Please take your seats. ...*(Interruptions)*... Mrs. Kanimozhi, now you please take your seat. ...*(Interruptions)*... I allowed you to have your say. I heard it. If something is said in the House and if it is not on record, it is as if null and void. ...*(Interruptions)*... If it is on record, I will go through the record and I will see to it that proper action is taken. ...*(Interruptions)*... It is over. ...*(Interruptions)*... It is over now. ...*(Interruptions)*... Now you please sit down. ...*(Interruptions)*... You please sit down. ...*(Interruptions)*...

श्री कमल अख्तर : सर, सरकार के लोग बहाना बना रहे हैं। ...**(व्यवधान)**... ये नहीं चाहते कि यह डिबेट हो ...**(व्यवधान)**...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : अगर रिकॉर्ड में नहीं है तो मैं क्या करूँ। आप बैठिए ...**(व्यवधान)**... If it is not on record, I can't do anything. ...*(Interruptions)*... If it is not on record, I can't do anything. ...*(Interruptions)*... Please take your seats. ...*(Interruptions)*... Nothing more. ...*(Interruptions)*... I can't do anything. ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: Sir, I think, you have given your ruling. If anything has been said which is unparliamentary or derogatory, please look into it.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I have said that.

SHRI P. CHIDAMBARAM: Sir, my appeal to Mr. Maitreyan is that he is certainly entitled to say that somebody tapped his phone. We are not objecting to that. We had a good debate and it is important for the Government to reply to the debate. If this House adjourns without a reply or if this debate dissolves without a reply, I don't think it is good. My appeal to Mr. Maitreyan is that while he made his point that his phone was tapped illegally by somebody, come back to the main subject instead of making this a personalized action of telephone tapping. Let us broaden the subject and deal with the grave issue that has been raised by the Leader of the Opposition of which we are all concerned and let us deal with it. My appeal to every one is, let us leave it there with the Chair's ruling and I appeal to Mr. Maitreyan to quickly conclude his speech so that we can reply to the debate.

DR. V. MAITREYAN: I have not spoken even for two minutes. Let me come to the point.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Just one minute. One lady Member also wants to say something. What is that?

SHRIMATI VASANTHI STANLEY: Sir, I am the affected person. I would like to submit that this is not the first time ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No. I have given my ruling. ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY: Sir, I need your protection. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I have given my ruling. ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY: Sir, I need your protection. I am the affected person. Please, Sir. ...*(Interruptions)*... This is not the first time that it happens. Already our Whip, Mr. Tiruchi Siva, has brought to the notice of the Chair the same type of behaviour by him in the very House. This is not the first time that he is doing it. He has done it earlier. This was brought to the notice of the Chair. This is the second time that he has done it. ...*(Interruptions)*...

(MR. DEPUTY CHAIRMAN in the Chair)

DR. V. MAITREYAN: Sir, I strongly object to this allegation. ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY: Let me finish, Sir. ...*(Interruptions)*...

DR. V. MAITREYAN: The allegation that she is making is going on record. I want to refute it. It is a false allegation. ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY: Sir, let me complete. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sometimes it happens. ...*(Interruptions)*...

डा. वी. मैत्रेयन : सर, मैंने तो बात शुरू ही नहीं की है।

DR. (SHRIMATI) NAJMA A. HEPTULLA: But this is not the way that our record should be made. ...*(Interruptions)*... She can talk about what has happened just now. Why is she talking about the past experience? ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, when I was speaking ...*(Interruptions)*.

MR. DEPUTY CHAIRMAN: Mr. Maitreya, please sit down. ...*(Interruptions)*.... Just a minute. What is your problem? ...*(Interruptions)*... Just a minute. Please take your seat. What is your problem? Please don't interrupt. I will just listen to her.

DR. V. MAITREYA: Sir, then you should also allow him to explain his position about whatever allegations she is making. You should also allow him to explain his position.

MR. DEPUTY CHAIRMAN: Mr. Maitreya, please have some patience.

SHRI S. S. AHLUWALIA: Sir, are they interested in debate or not? Sir, are we interested in debate or not?

MR. DEPUTY CHAIRMAN: That you should decide.

SHRI S. S. AHLUWALIA: They are diverting the issue. What is this going on? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Maitreya, please sit down. Just a minute. ...*(Interruptions)*... Mr. Ahluwalia, just a minute. Let me first listen to her.

SHRI S. S. AHLUWALIA: The matter has already been solved. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Just a minute. What is your problem so far as the current debate is concerned? ...*(Interruptions)*... I am asking her. She is equally capable to say what she wants to say.

SHRIMATI VASANTHI STANLEY: Sir, when the discussion was in progress, Shri Elavarasan, a Member of the AIADMK Party, turned to my side and in a very derogatory way asked me to sit down. That was very bad of him to behave in such a manner. Sir, he behaved in the same manner when you were in the Chair earlier. Already, our Whip, Shri Tiruchi Siva, has brought it to your notice. This is not the first time he is doing it. Sir, kindly watch the video clips. Then you give whatever ruling you want. I will accept your ruling.

MR. DEPUTY CHAIRMAN: The matter is over. I will look into it. ...*(Interruptions)*... Please sit down. Now you go ahead with the debate, Mr. Maitreya.

DR. V. MAITREYA: I am going ahead with the debate. When I started speaking, I did not yield to anybody. But everybody interrupted me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down. It is common to both.

DR. V. MAITREYAN: I am not yielding to anybody hereafter. Sir, I have spoken about the unauthorized phone tapping so far. Now I come to the authorized phone tapping which rocked the Parliament yesterday. I am not going into the details of the newspaper reports also. Sir, one Mr. Vineet Aggarwal, DIG of the CBI is investigating certain charges against spectrum allegations. He writes to the Chief Commissioner of Income Tax. Subsequent to that, Mr. Ashish Abrol, Joint Director of Income Tax – these are all official documents; I am quoting the letter no. also – in his letter, File No. DGIT(INV)/DB/INT/09-10, dated 20th November, 2009, mentions, "On the basis of specific information received from the CBDT the telephone lines of one particular...

MR. DEPUTY CHAIRMAN: You are reading what?

DR. V. MAITREYAN: I am reading an official letter written by the....

MR. DEPUTY CHAIRMAN: How did you get it? Please authenticate it.

DR. V. MAITREYAN: I will authenticate it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: First authenticate it. ...*(Interruptions)*... Mr. Ahluwalia, please help me. Please authenticate it. You have one more copy. You sign it and then speak.

DR. V. MAITREYAN: In that letter he mentions, "On the basis of specific information received from the CBDT, the telephone lines of one particular lady – I am not even taking the name – and some of her associates were put under observation after obtaining permission from the Home Secretary". This is further authenticated in another communication, dated 25th August, from the Office of the Director-General of Income Tax, Investigation Wing, File No. DGIT(Inv)/DB/INT/09-10/14, dated 25th August, which says, "The telephone lines of so and so and her associates were placed under interception after following the laid down procedure". So, it is an official, authenticated and authorized telephone tapping. In that...

MR. DEPUTY CHAIRMAN: Mr. Maitreya, just a minute. In this debate you have only five minutes. Listen to me. Every Party is following the time. You have already taken your time. If you go on reading it, I am not going to give you more time because you have to convey whatever you want to convey within the time allocated to your Party.

DR. V. MAITREYAN: Sir, I will conclude in another three minutes. There are so many interruptions. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down. I do not understand this. When a Member is speaking, there is no rule which says that all of you should get up together. And, when I say that, you

take exception to it ...(*Interruptions*)... He is competent enough. Please sit down. Mr. Maitreyan, I will give you three minutes from now.

DR. V. MAITREYAN: Sir, the letter written by Mr. Ashish Abrol officially mentions that there were some direct conversations between a particular lady and a particular Minister. In some other conversation, that particular lady boasted to have helped some of the telecom operators in their efforts to obtain licences and spectrum. That lady had also been in touch with one particular gentleman who happened to be the Private Secretary of that particular Minister. This is the official communication written by the Joint Commissioner. The fact is that the Investigating Officer, Shri Vineet Agarwal, who was the DIG of CBI, investigating into this particular case, because of coalition *dharma*, was transferred back to his parent State. That is No.1 ...(*Interruptions*)... I am making my statement. Why are you saying, 'No, 'no'?

MR. DEPUTY CHAIRMAN: The hon. Minister is there to answer him. You all do not have to say, 'No, 'no'.

DR. V. MAITREYAN: Not only that, Sir, in fact, after going back to his parent State, that particular gentleman has not even been assigned any particular official work. He jolly well goes to his office, signs the register at the DGP's office and goes back. That is the state of affairs for a sincere, honest officer, who was investigating into a specific allegation. And this is not an allegation by only one agency. The investigation, into this issue of spectrum allocation, has been done by the CVC. It has been done by the CBI. It has been done by the Income Tax Department. Now, in today's newspapers, we can see reports that it is also being done by the Enforcement Directorate. We, initially, felt that the Government and the Prime Minister were helpless spectators, that they are unable to act because of coalition compulsion. But recent revelations of the last couple of days give me a suspicion as to whether the Government is also an active collaborator in the scam. After the passage of the Finance Bill yesterday, the country is convinced that the Central Government has its friends even in the Opposition to bail it out. They need not worry about the numbers at all. I would like to tell them, please come out of the clutches of the corrupt *mantris and rajas*, and dismiss them from their respective portfolios. Kindly get the matter investigated under the Prevention of Corruption Act. The issue is not just one of probity in public life. The nation, as a whole, should stand up and stop this national loss, before the nation is sold out for a price. Or else, India, as a nation, will go the Tamil Nadu way! Thank you, Sir.

श्री शिवानन्द तिवारी (बिहार) : उपसभापति महोदय, अभी जो माहौल पैदा हुआ, उसके बाद मुझे ही बोलने का मौका मिला है। मैं समझता हूँ कि the Leader of the Opposition, Shri Arun Jaitley, श्री सीताराम येचुरी और बाकी सदस्यों ने फोन टेपिंग के मामले में जितना कुछ कहा है, उसमें सारी बातें आ गई हैं। मैं केवल दो बातों की ओर सदन का ध्यान और माननीय गृह मंत्री जी का ध्यान आकर्षित करना चाहता हूँ। 1885 में टेलीग्राफ एक्ट बना और 1885 का साल कांग्रेस के जन्म का भी साल है। कांग्रेस का पहला सम्मेलन भी 1885 में हुआ था। मैं यह कहना चाहता हूँ कि 1885 में अंग्रेजों ने यह टेलीग्राफ एक्ट बनाया और गुलाम देश में जो गुलाम लोग थे, उनके भी privacy का अधिकार अंग्रेजों ने हमको दिया। ये जो सारे प्रकरण सामने आए हैं, उनसे साबित होता है कि जो privacy का अधिकार अंग्रेजों ने हमको दिया था, आज उस अधिकार का हनन हो रहा है। मैं यह मानता हूँ कि आज जो नई-नई technologies आ रही हैं, उनसे दुनिया को और समाज को बहुत सारे फायदे हो रहे हैं, लेकिन उनसे नुकसान भी है। जिस ढंग से आदमी के privacy के मौलिक अधिकार में हस्तक्षेप हो रहा है, यह बहुत ही चिंता का विषय है। The Leader of the Opposition ने ठीक कहा है कि संविधान में हमको जो अधिकार दिए गए हैं, उनके साथ, यह जो नई technology आई है, उसका mismatch हो रहा है। हम इसको कैसे ठीक करेंगे, ताकि आज के जमाने में हमारे privacy का अधिकार सुरक्षित रहे, इसके लिए पूरे सदन की एक कमिटी बनाकर निश्चित रूप से इस पर विचार किया जाना चाहिए। यह किसी एक पार्टी का सवाल नहीं है। इधर वाले आज सत्ता में हैं, इधर वाले कल उधर जा सकते हैं और उधर वाले इधर आ सकते हैं, इसलिए यह किसी particular party का सवाल नहीं है। यह हर आदमी के individual right का सवाल है। इस पर आज एक चुनौती है। यह बात मैं कहना चाहूँगा। दूसरे, फोन टेपिंग के बारे में जो मैत्रेयन साहब कह रहे थे, जिसके बारे में कल एक अखबार में लीड खबर छपी थी, उससे हमारी राजनीति, हमारे सार्वजनिक जीवन और हमारी सरकार की ईमानदारी पर एक बहुत बड़ा गंभीर चिन्ह खड़ा हो गया है। कोई भी आम आदमी यह विश्वास करने के लिए तैयार नहीं है कि पब्लिक लाइफ में कहीं भी probity बाकी है। महोदय, जो तथ्य सामने आया है, 2G spectrum के बारे में जो दो-तीन दिन तक इस सदन में हंगामा हुआ... श्री ए. राजा, जो उसके मंत्री हैं, आज सुबह जब वे जवाब दे रहे थे, तो मैंने मैत्रेयन साहब से कहा कि राजा साहब इतने तेज़ दिमाग के हैं कि बगैर कागज़ देखे वे कठिन से कठिन सवाल का जवाब दे देते हैं। महोदय, जो यह 2G spectrum का सवाल है, इसमें जितनी बातें सामने आई हैं, उनका मंत्री जी ने जवाब भी दिया है। Prima facie बिल्कुल यह लगता है कि इस मामले में गड़बड़ी हुई है और Pioneer ने भी कल जो समाचार छापा, जिस तरह से फोन टेपिंग हुई, मैत्रेयन साहब ने जो कागज़ दिखाया - जिसको उन्होंने authenticate किया - ये सदन के जवाबदेह मੈम्बर हैं, उसके बाद हमको लगता है कि सरकार को बचाने के लिए इस तरह के स्कैम पर अगर सरकार पर्दा डालती है, तब तो कुछ भी बचता नहीं है। इसलिए उपसभापति जी, मैं यह कहना चाहूँगा कि ये जो दोनों पक्ष हैं, एक हमारा निजता का अधिकार है, privacy का जो अधिकार है, उस अधिकार का जो उल्लंघन हो रहा है, उसकी रक्षा कैसे हो, इसके

बारे में विचार करने के लिए आप एक संसदीय समिति बनाने की कृपा करें और जो तथ्य सामने आए हैं 2G spectrum के मामले में, अधिकृत फोन टेपिंग के द्वारा, उसमें हम सरकार से उपेक्षा करेंगे... हालांकि गृह मंत्री जी उसके बारे में competent नहीं हैं, लेकिन हम गृह मंत्री जी के माध्यम से सरकार से और प्रधान मंत्री जी से उपेक्षा करेंगे कि निश्चित रूप से वे इस मामले पर कार्यवाही करें, अन्यथा जनता यह मानकर चलेगी कि सरकार में भ्रष्टाचार को संरक्षण मिलता है, भ्रष्टाचार को ताकत मिलती है और देश की डेमोक्रेसी के लिए अच्छा नहीं होगा। इसी के साथ मैं अपनी बात समाप्त करता हूँ।

MR. DEPUTY CHAIRMAN: Shri Raja, you have only three minutes.

DR. V. MAITREYAN: Sir, you could give him some more time.

SHRI D. RAJA (Tamil Nadu): Sir, I would like to be brief. But let me begin with a personal anecdote. Some people asked me whether my phone was being tapped. I said, I didn't care whether it was being tapped or not, because my commitment to my people and my country is unquestionable; I don't fear anything. So, this is not a personal issue. It is an issue which is haunting the whole nation and all sections of our people.

Firstly, why should surveillance of political leaders, their activities, tapping of telephonic conversations of our leaders, take place? I think there is a problem with the Government. We are not a military State. We are not a dictatorial regime. We are a democracy and we are proud of our democracy, which is the largest democracy in the world. If such things take place, it shows the weakness of the Government. Whenever the Government of the day feels threatened about its survival or feels weak, such things happen. This is where the problem lies. The other day, the Home Minister, Mr. Chidambaram, made a statement that UPA-I and UPA-II never authorized any agency to do such things. It is not the question of authorized tapping or unauthorized tapping. Tapping does take place. But the Government could have responded to queries raised by hon. Members in simple English saying that the Government did not do such things, and that there was no tapping. The Government could have said it. But the Government said that it did not authorize tapping. There is the question of Government's credibility. Government's credibility is being questioned. You must be truthful to your own people, to the Parliament and to the nation. If Government did not do tapping, then, say that Government did not do tapping and that Government will never do tapping. But what is this way of saying that the Government did not authorize any agency to do tapping? That is where I

said, it is a question of political ethics, and whatever phone tapping we are discussing, it is an assault on the rights of the people, it is an assault on the democratic values, it is an assault on every norms and conventions of Democracy which we try to cherish. Having said that, Sir, I must make one more small point. It is not good to blame the media all the time, if the media writes in favour of us, then the media is good. If the media becomes critical of us, then, the media is bad. That attitude should not be there. The media is also one of the pillars of Democracy. You cannot just ignore whatever is printed or published in media. The ruling side should also take note of what is written in the media. If they are writing baseless facts, then, the Government should confront that. The Government should have the courage to confront these journals or magazines which are writing rubbish, which are writing falsehood. The Government can challenge that. That is where the issue has to be discussed. And, I think, tapping will have to be condemned, and it is not in the interest of democracy. It is very shameful to see that we are still governed by the obsolete 1882 Indian Telegraph Act. Many things have changed since then, and we will have to get ourselves updated to the modern technology. Telephone tapping is really unethical on the part of the Government. The Government should come clean whether it is true or not. Some issues like spectrum allocation, etc., are being raised. I am not getting into the details of all those things. But, the point here is, these are all being corroborated by what media is writing on the basis of telephonic conversations. The Government will have to come clean. Now, the Government is in the cloud of suspicion. This Government is being questioned; the credibility of the Government is being questioned. That is why the people are criticizing it that it is using all its intelligence agencies just to mobilize strength to keep you somehow going, and keep your power intact. If that is so, then, it shows the weakness of the Government. But, it does not show the weakness of Democracy. Our Democracy is quite strong; our Democracy is quite mature. That is why we are discussing this issue in this House. So, the Government should come out clean, if an inquiry will be made or everything will be examined, then, what is the instrument the Government has got to make a comprehensive probe? The Government will have to come clean on this issue, Sir.

MR. DEPUTY CHAIRMAN: Now, Shri Mysura Ready. Your allotted time is three minutes, but you finish in five minutes.

SHRI M.V. MYSURA REDDY (Andhra Pradesh): Mr. Deputy Chairman, Sir, being in public service, our life should be an open book. The people of this country have the right to know about us

also. Sir, I know about the Indian Telegraph Act and the Supreme Court guidelines. But, it is for the citizens of India. But, for us, it seems, transparency is required. I am for telephone tapping regarding everything of our life, but it should be done with some rationale and according to some guidelines. It should start from the Treasury Benches, with the Ministers and then to the other Members. With the latest technology available, it is a better way in which we can be answerable to the people. So, we should be transparent to the people. Sir, a lot of scandals are going on. For example, Sir, I wrote a letter to the hon. Prime Minister, long back, on 9th November, 2009 regarding the 2G Spectrum Scam. I requested the Prime Minister that it should be probed by the CBI. I am glad that the CBI has taken up this investigation. They got report from the Central Board of Direct Taxes, on surveillance of nine telephones of Ms. Nira Radia, a PR Professional and her associates belonging to Vaishnavi Corporate Consultants, Noesis Consulting, Vietcom and Neucom Consulting. Sir, I want to quote some important observations from the Internal Evaluation Report which was based on the telephonic conversations. One conversation which is the evaluation report of Director of Central Income-Tax investigation. I will quote one paragraph of it. It is of the month of July, 2009. "The second group calls appear to relate..."

MR. DEPUTY CHAIRMAN: Mr. Mysura Reddy, you are quoting but from where? How did you get it?

SHRI M.V. MYSURA REDDY: It is from the internal evaluation report of the Director General of Income-Tax.

MR. DEPUTY CHAIRMAN: How can we rely that? Is the document got under RTI or what? ...*(Interruptions)*...

SHRI M.V. MYSURA REDDY: Sir, we are discussing about the transparency. *(Interruptions)*

MR. DEPUTY CHAIRMAN: There are other rules, please understand. The rules are very clear. I cannot take the Government's confidential document which has not been placed on record. So, you too cannot quote it, there are rulings. ...*(Interruptions)*

SHRI S.S. AHLUWALIA: Maybe, Sir, rulings may be there. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down Mr. Ahluwalia. ...*(Interruptions)*... He is quoting from an internal evaluation report and quoting is not correct. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Who can stop it, Sir? If it is stopped, then it is suppression of the right to know.

MR. DEPUTY CHAIRMAN: He can refer to it, but he is quoting it. It is not available on record. Let him express whatever he wants. Mr. Ahluwalia, I request you to cooperate. ...*(Interruptions)*... He is free to express whatever he wants. But, he is quoting certain intelligence reports. Can you quote anything? ...*(Interruptions)*... There is a ruling on authentication of the Government documents. Some documents cannot be taken. ...*(Interruptions)*... If it cannot be authenticated, how can we take it to be correct?

SHRI S.S. AHLUWALIA: Sir, take for example the Law Commission's report. It is normally available. If I get a confidential report, nobody can challenge it. ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: Mr. Mysura Reddy, just a moment, please. Sir, Mr. Mysura Reddy read his letter...

MR. DEPUTY CHAIRMAN: The Government document which is not authenticated cannot be taken. How can he authenticate? How did he get it?

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, unnecessarily argument is taking place...

MR. DEPUTY CHAIRMAN: It is not an argument. ...*(Interruptions)*... There was an authentication in the case of sugar scam. I am telling you this because it happened in front of me; one Member authenticated and took upon himself the responsibility. ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: As long as he is reading a letter written by him, of course, no problem. But, when he is quoting what is internally circulated ...*(Interruptions)*... Copies are circulating, there is no signature, there is no number, there is no date. Everybody has got a copy in this House. ...*(Interruptions)*... The point is, there is no signature, no number, no date. He has not authenticated it and given to you. Sir, you are dealing with the Member, how can everybody take up the responsibility and... ...*(Interruptions)*... The Member is speaking and you can give a ruling.

MR. DEPUTY CHAIRMAN: You can refer to it but not read it.

SHRI M.V. MYSURA REDDY: Sir, I am referring to it. If you want, Sir, I will authenticate. If he wants to book a case against me, he can book. ...*(Interruptions)*... I can refer to it, I can authenticate it, but I am saying to the Minister through you, Sir, that he is wanting to conceal the corruption scandal in this 2G case. I am posing this question. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Adhere to the rules.

SHRI M.V. MYSURA REDDY: Let the Minister say that it is not a document of the Revenue Intelligence. He is telling that there is no signature, no date, no number ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You convey it but you keep that document with you only.

SHRI M.V. MYSURA REDDY: I will keep it. What else I can do if I am not able to bring to the notice of the Government? I am telling from the beginning itself that we should be open to scrutiny, we should be transparent. Why should we be afraid of when there is no scandal or criminal activity? Why should we be afraid of that thing? Why should we be afraid of tapping? There should be some rationale while doing it. It should not be done selectively. Some guidelines should be there in this regard, some rationale should be there. Everything should be open to scrutiny. We are not afraid of tapping. You should start it with the Cabinet Ministers, Treasury Benches and the ruling party. This is what I was telling. In that context I wanted to quote that something is happening over and above all these things. Even some people, some corporate people are involved in Cabinet making. Is this advisable, Sir? It is the prerogative of the Prime Minister. If I mention the name of a corporate sector, it is a sin. * is involved.

MR. DEPUTY CHAIRMAN: Do not mention the name. I am again deleting it. I said, please, do not mention the names of those persons who cannot defend themselves here. You know the rules.

SHRI M.V. MYSURA REDDY: ...*(Interruptions)*... They are looting the country.

MR. DEPUTY CHAIRMAN: Mr. Mysura Reddy, whatever you say, if it is not according to the rules, I will remove it from the record. So, you say whatever you want to say. ...*(Interruptions)*...

SHRI M.V. MYSURA REDDY: I do not want to defy you. ...*(Interruptions)*... If you allow, I will say it. ...*(Interruptions)*...

*Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: It is the set rule that you do not take the names of the persons who are not able to defend themselves.

SHRI M.V. MYSURA REDDY: Sir, I do not want to go into the details. ...*(Interruptions)*... I also have experience. ...*(Interruptions)*... If you allow me I will speak, otherwise, I will sit down. ...*(Interruptions)*...Where is the need for discussing this, Sir?

MR. DEPUTY CHAIRMAN: Your time of five minutes is over.

SHRI M.V. MYSURA REDDY: Sir, I feel that the Chair has to permit us to disclose this scandalous character of this entire corporate sector and also some of the PR agencies in which some Ministers are involved. There is a political nexus. In Cabinet making also they are involved. They are involved in so many things which we are seeing in the Press also. The conversations substantiate these things. Let the Minister have a Joint Parliamentary Committee to look into this thing and also the IPL scam so that the Parliament can go through all these things and see whether these documents are genuine or not. Thank you.

SHRI SHANTARAM LAXMAN NAIK (Goa): Sir, at the outset, I would like to state that when the Leader of the Opposition started his speech, in the contents of his speech he has made certain allegations without authenticating any document. Therefore, my contention is this, my submission is this that whatever he has said or charges made without authentication of documents should be expunged from the proceedings. This is my submission and you decide on it because he has made several allegations without authenticating the documents. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Maitreya, he has not referred to you. ...*(Interruptions)*... Why do you get up? ...*(Interruptions)*...

SHRI SHANTARAM LAXMAN NAIK: Secondly, Sir, it is most unfortunate that the debate has started on the basis of a BJP paper...*(Interruptions)*... What was reported in a BJP paper, the debated started with that. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Which paper is BJP paper?

SHRI SHANTARAM LAXMAN NAIK: You cannot compel me. ...*(Interruptions)*... This is a BJP paper. ...*(Interruptions)*... This is a conspiracy. ...*(Interruptions)*... The report is yours. ...*(Interruptions)*... It was first published in the paper. ...*(Interruptions)*... The report was first published in a newspaper and then discussion has taken place. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: How can he say that it is a BJP paper? ...*(Interruptions)*... We can also that it is a Congress paper.

SHRI S.S. AHLUWALIA: It is a question of the freedom of the Press. ...*(Interruptions)*... Where is the freedom of Press? ...*(Interruptions)*... We have ensured the freedom of Press by legislating on it in the Parliament. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He did not say it is *... ...*(Interruptions)*... If he has said *... I am going to remove it. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Which BJP paper he is referring to?

MR DEPUTY CHAIRMAN: No, no, no. Individual names should not be taken. No, no, the name should be removed. Nothing will go on record. Mr. Naik, please continue.

SHRI SHANTARAM LAXMAN NAIK: The motion mentions alleged tapings...

MR DEPUTY CHAIRMAN: I will look into it.

SHRI SHANTARAM LAXMAN NAIK: Sir, the Motion mentions...

MR. DEPUTY CHAIRMAN: Dr. Maitreya, you get up on every issue. You have not been authorized by the House to get up on every issue. Please don't take prerogative....

SHRI P. CHIDAMBARAM: Sir, like in an aircraft we should insert seat belts on his seat.

MR. DEPUTY CHAIRMAN: I think it is a good suggestion.

SHRI SHANTARAM LAXMAN NAIK: The Motion mentions terms like alleged tapings. Motion also mentions terms like certain politicians and it mentions affecting the issue of probity. These are the three vague terms.

MR. DEPUTY CHAIRMAN: Mr. Naik, you are again and again raising.....

SHRI SHANTARAM LAXMAN NAIK: Sir,...

MR. DEPUTY CHAIRMAN: Listen. The Chair has examined all that. Once the Motion is admitted, ...*(Interruptions)*... See, it is not in your interest. Please, this has been raised again and again. It is not good.

DR. K. KESHA RAO (Andhra Pradesh): He is not challenging. ...*(Interruptions)*... Let us talk about authentication, let us talk about ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You see, Mr. Keshava Rao, two or three Members said that the admissibility. ...*(Interruptions)*.... Don't question the admissibility.

SHRI SHANTARAM LAXMAN NAIK: What I am saying is, their stand does not mention that it is done without any public emergency. It is done in public safety. This was the tone used. They have not mentioned at all in the Motion. Terms which are used are totally different.

DR. (SHRIMATI) NAJMA A. HEPTULLA: It is not a Motion we are discussing.

SHRI S. S. AHLUWALIA: Where is the Motion? You read ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Ahluwalia, please sit down. ...*(Interruptions)*... One minute, you please sit down. Mr. Ahluwalia. ...*(Interruptions)*... The Member can say whatever he wants to say. ...*(Interruptions)*...

SHRI S. S. AHLUWALIA: Tell him to read The Telegraph, Section 5, Sub-clause (2). You read it.

MR. DEPUTY CHAIRMAN: Why is the Chair here for? Mr. Ahluwalia, आप सुनते भी नहीं हैं और बोलने भी नहीं देते हैं, क्या बात है? सवाल यह है कि He has a genuine doubt. Let him mention it. Why are you objecting to it? Why are you answering? With all humility, I say that when he has not yielded...

DR. V. MAITREYAN: That was the plight when I was speaking. Everybody stood up.

MR. DEPUTY CHAIRMAN: It is to you also, Mrs. Najma. I can tell other Members but I cannot tell you because you have handled this House for 16 years.

SHRI SHANTARAM LAXMAN NAIK: Sir, in the topic of Short Duration there is no mention of violation of the Telegraph Act also.

MR. DEPUTY CHAIRMAN: Mr. Naik, when a notice is given, it is not confined to the word ...*(Interruptions)*... Please proceed.

SHRI S. S. AHLUWALIA: Who approves the language? I object. ...*(Interruptions)*... He is challenging the ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Naik, please proceed. Please proceed.

SHRI SHANTARAM LAXMAN NAIK: Sir, I am proceeding. On the violation of Telegraph Act.

MR. DEPUTY CHAIRMAN: Please, it is not a technical argument. It is not going to have a technical argument.

SHRI SHANTARAM LAXMAN NAIK: You are pleading for stronger Terrorism Act.

MR. DEPUTY CHAIRMAN: You speak on the content. Why are you going on the technicality?

SHRI SHANTARAM LAXMAN NAIK: Nobody talked of technicality at any time? What is this, Sir? Everybody spoke on technicality. The Leader of the Opposition raised several issues on technicality. They raised the entire thing. They have raised all the technicalities, word-by-word ...*(Interruptions)*...What is this? ...*(Interruptions)*...Sir, did he not mention the Telegraph Act? Did he not mention these two ingredients of the Telegraph Act? ...*(Interruptions)*... Only when I mention, it becomes sin! ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Sir, he is again challenging the wording of the Motion ...*(Interruptions)*... Now, he wants to say why the phrases 'public emergency' and 'public safety' have not been included ...*(Interruptions)*...This is in the Act ...*(Interruptions)*... You read the Act. You are an advocate ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Ahluwalia, please sit down ...*(Interruptions)*...

SHRI SHANTARAM LAXMAN NAIK: Sir, I am within my right now. I am within my right not to continue, because of their objections ...*(Interruptions)*...This is an undemocratic practice ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Sir, what is this? ...*(Interruptions)*... This is objectionable ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Ahluwalia, please sit down ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, this is highly objectionable ...*(Interruptions)*... How can he be derogatory? ...*(Interruptions)*... He cannot talk like this ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. What is objectionable? ...*(Interruptions)*... He said, 'Since you are interrupting, I do not want to continue with my speech' ...*(Interruptions)*... That is what he has said ...*(Interruptions)*...

श्री एस.एस. अहलुवालिया : सर, यह क्या है ...*(व्यवधान)*... वे धमकी दे रहे हैं ...*(व्यवधान)*... धमकी दे रहे हैं सर ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: I will look into the record ...*(Interruptions)*...

श्री एस.एस. अहलुवालिया : वे जो बोलेंगे ...*(व्यवधान)*... बी.जे.पी. का अखबार है . बी.जे.पी. का अखबार है ...*(व्यवधान)*...

DR. V. MAITREYAN: He is talking in a derogatory manner ...*(Interruptions)*... You did not object to that ...*(Interruptions)*... You have to protect us, Sir ...*(Interruptions)*... When I spoke, many Members from that side interrupted again³¹⁹and again ...*(Interruptions)*... Then, nothing was told to them ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no ...*(Interruptions)*... Please sit down ...*(Interruptions)*...
What is this?

SHRI GIREEESH KUMAR SANGHI (Andhra Pradesh): Sir, when the hon. Leader of the Opposition spoke, nobody disturbed him ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, he cannot pass derogatory remarks against the hon. Member ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no ...*(Interruptions)*... The way he sat, it is bad. It is not correct ...*(Interruptions)*... But, please sit down ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, they asked for our apology ...*(Interruptions)*... Now, we demand for their apology ...*(Interruptions)*...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : सर, इन्होंने जो बोला है ...*(व्यवधान)*... आप देखिए कि क्या बोला है ...*(व्यवधान)*... He is making an allegation ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: It is not an allegation ...*(Interruptions)*... I will look into it ...*(Interruptions)*...

SHRI V. HANUMANTHA RAO (Andhra Pradesh) : Sir, they have one point programme and that is to disturb the House ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: He should tender apology to us ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: It is not allegation ...*(Interruptions)*... It is not allegation ...*(Interruptions)*... it is not allegation ...*(Interruptions)*... Had it been an allegation, I would have taken that into account ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, when another lady hon. Member spoke, you ...*(Interruptions)*...

श्री उपसभापति : आप बैठिए प्लीज ...*(व्यवधान)*... आप क्यों खड़े हैं ...*(व्यवधान)*...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : अभी आपने बोला है ...*(व्यवधान)*... अभी ये बोल रहे हैं ...*(व्यवधान)*... तो नहीं कह रहे हैं ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Is there discipline in this House? ...*(Interruptions)*...

श्रीमती माया सिंह (मध्य प्रदेश) : सर, ये किस तरीके से बात कर रहे हैं ...*(व्यवधान)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, very peacefully I will tell you a point. A lady who spoke in this House about 20 minutes ago, the tone and tenor...

MR. DEPUTY CHAIRMAN: No, I cannot go on to refer what this Member has said or that Member has said ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: But, just now, the hon. Member ...*(Interruptions)*... Why should he talk like this? ...*(Interruptions)*...

DR. V. MAITREYAN: But, Sir, he spoke in English ...*(Interruptions)*... This language is known for everybody ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I don't know what for you people are getting agitated? ...*(Interruptions)*... What is the matter? There is nothing ...*(Interruptions)*... What is the matter? He got angry and said. 'I will stop.' ...*(Interruptions)*... What else is there?

DR. V. MAITREYAN: Sir, he accused the hon. Member ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You see, he got angry and said, 'I will stop.' ...*(Interruptions)*... What else?

DR. V. MAITREYAN: He abused the hon. Member ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No. He did not abuse ...*(Interruptions)*... If he has abused, I will remove it from the record ...*(Interruptions)*...

डा. वी. मैत्रेयन : हल्ला-गुल्ला हो रहा है ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: I will look into the record and see whether there is any abuse ...*(Interruptions)*...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : हम बोलेंगे नहीं क्या ...*(व्यवधान)*...

SHRI V. HANUMANTHA RAO: Sir, there are interruptions every time ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: What did I say? I said that I will look into the record. If he used abusive language, I will remove it from the record ...*(Interruptions)*...

डा. (श्रीमती) नजमा ए. हेपतुल्ला : सर, आप टेलीविजन पर देखिए, रिकॉर्डिंग में देखिए, खाली लिखने पर नहीं जाइए ...*(व्यवधान)*...

श्री उपसभापति : अभी जो लेंग्वेज है ...*(व्यवधान)*... मैं जेस्चर के लिए क्या करूं ...*(व्यवधान)*... मैं जेस्चर के लिए क्या रूलिंग दूँ ...*(व्यवधान)*... बोलिए ...*(व्यवधान)*... You see, sometimes, gesture is made towards the Chair. What can we do? ...*(Interruptions)*...

श्री एस.एस. अहलुवालिया : सर, आप कोई रूलिंग मत दीजिए ...*(व्यवधान)*... किंतु अगर कल मैं ऐसा व्यवहार करता हूँ ...*(व्यवधान)*... तो मुझ पर भी रूलिंग मत दीजिए ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Mr. Ahluwaliaji ji ...*(Interruptions)*... No, no. Please ...*(Interruptions)*... सुनिए! ...*(व्यवधान)*... मैंने कहा कि ...*(व्यवधान)*... That is not correct.

SHRI S.S. AHLUWALIA: The Treasury Benches is setting a new trend in this House. They have to face it ...*(Interruptions)*... That is all ...*(Interruptions)*... What is this? ...*(Interruptions)*... They have challenged the wisdom of the Chairman ...*(Interruptions)*... He is not speaking on the merits of the subject.

SHRI BHARATKUMAR RAUT (Maharashtra): My time starts now, Sir. A lot has been spoken on this issue in the House and in the media. I don't want to say to which party the media belongs to and all that because the more we talk, the more mud is coming out of it; and, that is dirty. Therefore, I would not like to take much of your time on this issue. However, as a common Indian, as a common law-abiding citizen of this nation, I am scared now and feel threatened about secrecy of my personal life. I feel that I am deprived of my legitimate right to privacy. That is my basic fundamental right. If I am having a private life, then, the secrecy of my private life has to be maintained and protected by the Government, but that is not happening. I am feeling scared; I am feeling afraid, now. Therefore, if the hon. Minister says something on the floor of this august House, it has to be right, correct and trustworthy. But I received a rude shock of my life when, within a week after Minister's statement, a newspaper has come out with a scoop and has opened the Pandora's Box. I am not getting into the things, like, who are involved, which company, what for, etc., etc. I only want to state that this is not correct. If it has happened by unauthorized sources, it is for the Government, now, to investigate and take action against those people. But if it is happening by authorized machinery, by authorized sources, then, the responsibility lies with the Government. I don't want to quote whatever the media has said and whatever the proof we have got. But it seems that this type of interception of phone calls is just not possible, my logic says, without the knowledge, if not consent, of the Government.

SHRI PRAKASH JAVADEKAR (Maharashtra): Consent.

SHRI BHARATKUMAR RAUT: Okay. My colleague says, "Consent". If it is happening with consent, then, the Government is utterly responsible for whatever is happening. The interception of telephone calls is just not one thing. Today, some newspapers have carried a report so we came to know of it. Now, some people have provided us papers also. But this could be a tip of iceberg. Therefore, there could be hundreds of cases where the Government is encroaching on my privacy.

Who has given them this right? Who has authenticated them? Has the Constitution given them this right? Has the law given them this right? Has this House given them this right? If this is so, then, I think, the Minister should stand up and either take the responsibility or take action against those who are guilty.

Sir, I don't want to get into details. I don't want to get into mud slinging. I only wish my prayer, on behalf of the people of India, that the hon. Minister should, now, stand up and institute an inquiry by a competent and impartial authority, which will come out with the truth. And, when the truth comes out, if the hon. Minister already does not know the truth, he should take an action without a fear of any political fallout of that. Thank you very much.

SHRI P. CHIDAMBARAM: Mr. Deputy Chairman, Sir, I am grateful to the hon. Members, beginning with the Leader of the Opposition and ending with Mr. Raut, who have participated in this important debate. What provoked this debate was an article in a magazine, followed by an article in a newspaper. And, from that, the Leader of the Opposition and some other Members have abstracted an issue and have raised this debate; I welcome the debate, in fact, my desire is that the debate should have been kept at that abstract level on the issues involved rather than get bogged down into the facts relating to a particular case or a particular person or a particular occasion. Because, I think, what is involved here is a grave principle that can well demolish many pillars of our democracy if we do not collectively address it with the seriousness with which it should be addressed. Sir, article 21 of the Constitution 'in my view' is the bedrock on which the democratic structure of India has been erected. It is to secure the life and personal liberty of every citizen for which Mahatma Gandhi and other freedom fighters led this country in the great struggle against British colonialism. Let us remember there are many other countries which acquired freedom or achieved freedom without the guarantee of article 21. India is among the few countries which enshrined article 21 as a fundamental right to every citizen. Over the years, this article has been given content. In fact, if you go back to A.K. Gopalan's case, the law that was declared then was, liberty can be deprived as long as it is a procedure established by law. But, today, that procedure must be a reasonable procedure. Article 21 has been expanded by a series of judgements reflecting the aspirations, of the people. One among them was the right to privacy. Many other rights have been now discovered in the words that are contained in article 21. Clean environment is part of article 21; the right to food that we are debating is

a part of article 21; the right to information is a part of article 21; the right to clean drinking water is a part of article 21 and the right to sanitation is part of article 21. The right to privacy is an important right. As, I think, one of the hon. Members said, it is a right to be left alone. The State should not interfere in the lives of its citizens unless it is, absolutely, necessary. So, although this is an old Act, the Indian Telegraph Act, 1885,¹ do not think we need to rubbish this Act because it is of 1885 vintage. The Indian Penal Code is older than this Act; we do not rubbish the Indian Penal Code. The Indian Evidence Act is older than this Act; we do not rubbish the Indian Evidence Act. We read into it contemporary values, contemporary needs, contemporary norms, and, that is how we breathe life into our old Acts. Now, the Supreme Court in the PUCL case to which the Leader of the Opposition referred, read that into section 5, sub-section 2 and set out the principles that should govern before a Government invokes the power to intercept telephone conversations as otherwise "eavesdrop" on private conversation. Let me make it very clear, the Government totally supports and underscores the principles laid down in section 5 (2) and it will be our endeavour to ensure that the procedural safeguards suggested by the Supreme Court and which we have incorporated in rules made in 2007 are further strengthened.

In fact, it will be our endeavour to add to the rules already made under Section 7 in order to strengthen the safeguards embodied in Section 5, sub-Section (2). Sir, rules were made in 2007 under Section 7. If those rules are inadequate and have not kept pace with the changing technology, we will amend those rules, we will add to those rules, we will bring in more procedural safeguards to take care of advanced technology. Let there be no doubt in anyone's mind that this Government is committed to the right to privacy and the right to liberty. ...*(Interruptions)*...

Having said that, let us not understate the grave threats that this country faces. We have the threat of terrorism, cross-border terrorism; we have cyber crime. Our adversaries or those who do not have the interest of this country at heart are adept in employing technology. If they are adept in employing technology, the State should be equally adept in mastering the technology in order to be able to counter it. Intelligence gathering is an important part of any Government's functioning. No Government can function without gathering intelligence. There are many kinds of intelligence, one of which is well known and that is the human intelligence. Another is, signal intelligence, and gathering

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signal intelligence is a part of the duties of Government. That is why in 2001, a Group of Ministers recommended the setting up of the NTRO, and, I am sure, the Leader of the Opposition is familiar with the background under which the NTRO was set up. The NTRO was set up by a Group of Ministers constituted by the NDA Government. The recommendation of the Group of Ministers was accepted by the Cabinet of the NDA Government and the NTRO itself was notified on the 15th of April, 2004 when the NDA Government was in office. So, the NTRO is not an invention of the UPA Government. The NTRO was in place when the UPA Government assumed office and for whatever reason, the NTRO was placed not under any Ministry. The NTRO was placed under the National Security Advisor who reports to the Prime Minister. I think it has become necessary to review the position. I have had a word with the Prime Minister. The Government is examining whether the NTRO should now be placed under a Ministry so that a Minister will be accountable to Parliament for the functioning of the NTRO. The NTRO itself has no authority to gather intelligence. The NTRO is a facilitating organization; the NTRO is a technical organization. The right to gather intelligence is vested in specified agencies listed in the Supreme Court judgment and referred to by the hon. Leader of the Opposition. The NTRO simply provides the technical capability. Now, it is true that technology has moved much beyond what was perhaps envisaged when the Group of Ministers met in 2001 or when the NTRO was set up in 2004. Now, when the technology moves forward very fast, we cannot lag behind; we have to acquire the technology. In fact, let me assure the hon. Members, the technology that the NTRO has is not as sophisticated as it is made out to be. In fact, I am privy to knowledge which I acquired recently that there are other organizations in the world which have technology far superior and many, many years ahead of the technology the NTRO has today, in fact, when I visited one of the countries, I was one of the few who was allowed full access to what they have and what I saw amazed me on the one hand, and, to some extent, frightened me on the other.

That kind of technology is available among a few countries in the world. We do not have that kind of technology. The NTRO has acquired certain technology. That technology must be put to use and that technology must be put to use subject to very stringent safeguards. The Leader of the Opposition said, technology bugs. Technology does not bug. It is the use of technology and the user of technology who bugs. Technology by itself does not bug anything. We have a machine. The

machine does not do anything. It is how the machine is employed, where it is employed, who uses the machine and under what conditions the machine is used. We are, therefore, as I said, in the process of reviewing the entire functioning of the NTRO and putting in place safeguards that will keep pace with the technology that NTRO has acquired and, if I may say, that NTRO will acquire in the future. I cannot say that NTRO will not acquire new technology; it will acquire and it must acquire. But we must put in place safeguards that will keep pace with the technology that we may acquire in the future.

Now, Sir, coming to the question of balancing the right to privacy and the right and duty of the Government to gather intelligence and the safeguards, I completely endorse what hon. Members said. There is no partisan view here. I endorse what the Leader of the Opposition said and I endorse what other Members said. We have to constantly be on the vigil, constantly review the safeguards and procedures in place and update them so that they keep pace with the technology that we have to acquire.

Sir, an impression was created as though telephones are being tapped only in the UPA Government. I think anyone who has been in the Government knows that it is not correct. All authorized tapping and I can say this with complete conviction – is authorized for no more than 60 days. Telephone interceptions can be extended again for another period of sixty days and again for another period of sixty days by the Home Secretary, who is the sole authorized officer in the Government of India for reasons to be recorded in writing on requests made by the agencies concerned. Let me also take you into confidence that the decision does not go beyond the Home Secretary. He is the sole person to take this decision. No Minister is involved in this decision. Please remember, the same power is available to the Home Secretary in the State. The discussion here seems to point a finger only at the Home Secretary in the Government of India. There are thirty other Home Secretaries in the States who have the same power. So, as you have said, and I take it in good spirit, the safeguards must be applied to the Government of India. Please remember, the same safeguards, if not stricter safeguards, must be applied to the States too. Therefore, each one of you who represents a State – and this is the Council of States – must carry the same message to your States to ensure that the Home Secretary in the State also abides by the same strict safeguards before he or she authorizes any telephone interception. There is no other way we can function. We

have to entrust this power to someone. This power is entrusted to a high Government official and, at the State level, I believe it is entrusted to a high Government official, and the fact that they have to record reasons, maintain the records for a certain period of time, is the only safeguard that we can think of. But we are working on further safeguards. We will amend the rules. We will write further safeguards as and when the situation requires, and I think the situation does require that we must take into account changing technology.

Sir, a number of broadsides were made during the debate. I accept that without broadsides the debate can be dreary and dull. Someone said Cabinets are made by lobbyists.

I don't know. I thought sometimes in 1998 or so, someone was appointed Finance Minister, somebody outside the Government objected to his being made Finance Minister. I think that is the biggest lobbyist I came across in 1998. The point is many things will be written and many things will be said, but one does not have to believe everything that is said and everything that is written. There is the Prime Minister who makes the Cabinet. Simply because two people are reported to have discussed who should be a Minister and who should not be a Minister does not mean that the Prime Minister does not make the Cabinet. But the larger point that the Leader of the Opposition made is valid. What is the place of lobbyists in Indian democracy? In the US, lobbyists are registered. I know a former Secretary of State is a registered lobbyist, a former Secretary of Defence is a registered lobbyist. We do not encourage lobbyists. In fact, we ruled out middlemen even in our Defence purchases and other purchases because we are frightened by these middlemen. What do we do with lobbyists? What do we do with people who lobby for contracts, lobby for commercial deals? We have to consider that. In fact, as our economy grows there will be larger and larger commercial transactions that run into thousands and thousands of crores, it is necessary to look into the issue. What do we do with lobbyists, people who lobby? These are grave issues which have to be addressed. But I take the point. It is not as though we are not exercised by the point and we are not concerned with the point. We take the point and we will address these issues. Let us not assume that the whole Government is run by lobbyists or run by middlemen. That is completely untrue. Sir, I agree that this is not an adversarial issue; this is an important issue. How have we addressed the problem so far? I am afraid the Leader of the Opposition was being economical with justice and fairplay towards me when he did not read the last paragraph of my statement which my friend,

Sitaram Yechury, read out possibly because of his association with us for four years in the Government. ...*(Interruptions)*... Let me conclude. How did we deal with this problem? I said categorically that there was no authorized tapping of any politician's telephone. I stand by that statement. I have asked the Home Secretary, "You tell me after looking at all the records whether any politician's telephone was tapped." He has told me and I accept his statement that no politician's telephone was authorized to be tapped. However, there are reports that some politicians' telephones were tapped. There are reports of alleged conversations. I don't know whether that is right or wrong and, therefore, I said in my statement, "Further enquiries are being made into the allegations in the magazine." That is correct. Further enquiries are being made. Even as I speak, enquiries are being made. If any evidence is forthcoming or discovered – people can give us evidence, the magazine can give us evidence or our enquiries will discover evidence – the matter will be thoroughly investigated by the appropriate agency. So, I can tell this House that Prime Minister has directed that we must go to the bottom of the truth and find out whether the statements made in the magazine are correct or not. If the allegations made in the magazine are right, we will certainly find out who did the unauthorized tapping and the circumstances under which the alleged unauthorized tapping was done and we will take action against them. As far as what appeared two or three days later in a newspaper, I am afraid we must keep the distinction in this debate between allegations made in the particular case and the larger issue of interceptions and telephone tapping.

If we allow our personal views on what we may think is right or wrong about a particular transaction to colour this debate, I am afraid, we will miss the wood for the trees. Again, what does that newspaper say? It says that there were telephone conversations. Now, the CBDT has come out with a statement. The CBDT has categorically said that a section of the media has reported communication between the Income Tax Department and the CBI regarding records of telephonic conversations between a person by the name 'so and so' and others. The CBDT says, "it is clarified that the Income Tax Department has not recorded any telephone conversations of influential businessmen, politicians and advertising professionals as alleged. It is further clarified that the Income Tax Department does not intercept telephonic conversations except as authorised under the law." Sir, if a particular person's telephone conversation has been intercepted by the Income Tax Department, I state with authority, it has been done only under proper authorisation. No conversation

has been intercepted without authorisation, and I say, "We are entitled to intercept such conversations if they relate to tax evasion, or if they relate to any commercial transactions which deserve to be investigated." And, I have no hesitation in saying that if there, as the Leader of the Opposition ...*(Interruptions)*...

SHRI M.V. MYSURA REDDY: Sir,...

MR. DEPUTY CHAIRMAN: Please, he has not concluded.

SHRI P. CHIDAMBARAM: I am not yielding in your favour ...*(Interruptions)*... I have not yielded. The Leader of the Opposition was reading the phrase 'tax breaks/evasion affecting national security'. 'Tax break' is one component; there is a stroke, and then 'evasion affecting national security'. 'Tax break' is two words. You don't read 'break' versus 'evasion'. You read 'tax break' as one and then read 'evasion affecting national security' as other. So, both situations allow us to intercept conversations, and the CBDT has, for many-many years, used the power to intercept conversations wherever there is a case registered of tax evasion, or any other evasion affecting national security.

Sir, I do not wish to dwell on the individual cases. Much has been said, but I think it would be unfair or completely improper for me to dwell on any cases. If cases are under investigation, they will be investigated. No one has stopped investigation of any case. The cases being investigated will continue to be investigated to its logical conclusion, and if any evasion is found, any violation of law is found, whatever the law provides, we will follow.

On the issues raised by many of the Members, particularly Mr. Sitaram Yechury and others, I am glad that it is recognised that there are legal and authorised interceptions and there may be – I am not saying 'is' – unauthorised, illegal interceptions. I speak for the Government when I say that every interception authorised by the Government is perfectly legal, like it has been in the past, like it has been between 1999 and 2004, like it has been before 1999 too. If there has been illegal or unauthorised interception, if our inquiries reveal that there has been any illegal or unauthorised interception, we will go to the bottom of the matter; we will find out who is responsible; and, we will take action against those who are responsible.

SHRI D. RAJA: Even legal interceptions, how can you do that for political leaders ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: I have categorically said that no authority has been given to intercept the conversations of any political leader. That is there in my statement, and unless somebody proves that statement to the contrary, the convention of this House is that the Minister's statement must be accepted.

SHRI ARUN JAITLEY : Sir, I have just two submissions. First, of course, the Minister has said that even though there has been no authorisation to tap phones of political leaders, the possibility of the phones actually have been tapped may or may not have existed. And, therefore, the enquiry will reveal whether it actually did happen. Do we have the Minister's assurance that he will report back to this House as to what really the findings of this enquiry are, and, the matter will not be left pending.

Secondly, and, it is more important, I urge the Minister to have a relook at the position which he has stated. I made a comment earlier, and, now, I reiterate a strong comment against the existence of lobbies, the encouragement of lobbies, and, the need to almost eliminate them, if not discourage them, from the system. Despite that, as a student of Constitutional law, he must also consider the exact language of Section 5(2) and the judgement of the Supreme Court in the PUCL case on whether tax evasion alone can be a ground or conditions of public emergency and public safety are a necessary pre-requisite. Please reconsider that provision. Otherwise, if tax evasion alone is a ground, you are again empowering the authorities on vague suspicions to bug phones of all and sundry.

SHRI SITARAM YECHURY: Sir, I just want to make a submission. Sir, I had said that this Act of 1882 is anachronistic. With the development of technologies, today, the fundamental and the most important issue is of maintaining the privacy and liberty of an individual as enshrined in article 21 of the Constitution. With the growth of technology, we need to modernize that law upholding the right to privacy.

MR. DEPUTY CHAIRMAN: Before you came, the hon. Minister has replied on this issue. ...*(Interruptions)*... He has discussed about that.

SHRI P. CHIDAMBARAM: Enquiries are being made and if the enquiries reveal any illegal or unauthorized tapping, surely, we will share it with the hon. Members. On the second point, I do not wish to enter into a debate with my learned friend; it is likely that I may lose the debate. But please remember that the Supreme Court laid down the guidelines with the full knowledge that when the judgement was delivered, the Intelligence Bureau, the Director General-Narcotics, the Revenue

Intelligence, the Central Economic Intelligence Bureau and the Enforcement Directorate were authorized by the Central Government to do interception. Having noted that, the Supreme Courts said when these agencies do the interception, these are the guidelines to be followed. The Supreme Court is fully aware that the tax authorities were also intercepting and the guidelines apply to them. Therefore, to say, simply for tax evasion, you can't intercept, I do not agree with that position.

SHRI ARUN JAITLEY: No, that is the language of the law. That is a judgement. It is a *sine qua non*. That is what the Supreme Court says. It says that there must be a public emergency or public safety. Tax evasion alone is not enough; it must be linked to either of the two. ...*(Interruptions)*... Then, please amend the law.

SHRI P. CHIDAMBARAM: In this day and age to say that anyone doing an act, which threatens the financial stability of India, threatens financial institutions of India, threatens the revenues of the country, is doing something which cannot be discovered through gathering intelligence, I think, is very naive, and, it displays a certain childlike innocence on the part of the Leader of the Opposition.

The point is that the Supreme Court, when it laid down the guidelines, was fully aware that these authorities were authorized to intercept communications, and, said, when you intercept communications, please follow the following guidelines. Now, what does the Enforcement Directorate do? What does the Central Economic Intelligence Bureau do? What does the CBDT do? They are only there to collect taxes and to prevent violation of tax laws, and, to ensure that the financial rules and laws are not violated. I think, this is a judgement of 18th December, 1996, reported in 1997. We had the NDA Government for six years, and, during that period also – I am not sharing any great secret, I don't want to give any numbers the CBDT or the CBEC were authorized to intercept conversations for the purpose of ensuring that there is no tax evasion.

SHRI ARUN JAITLEY: You may call it childlike, but please have a Minister-like reading of the judgment, it says that economic emergency is not public emergency. What you are saying is directly raised and not accepted. ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: Are you then saying. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Please reconsider the matter. If on mere suspicion of tax evasion tax authorities are told to go ahead and bug phones, then this is going to lead to a gross misuse. This power is only given for specific ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: Is the Leader of the Opposition saying that between 1999 and 2004 all the authorizations given by his government ...*(Interruptions)*...

SHRI ARUN JAITLEY: This law the Minister must ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: I take note of the point he made. But I also want my reply to be on record. I do not have a closed mind. We will take a look at it and if necessary we will amend the law. But this is the practice which is being followed. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN : The debate is over. Now we shall take up the Statement by the Minister and after that we shall take up Special Mentions. ...*(Interruptions)*.

STATEMENT BY MINISTER - *Contd.*

**Re: An official in the High Commission of India in
information to Pakistan intelligence agencies**

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): Sir, I rise to inform this august House that as a result of our counter intelligence efforts we had reason to believe that an official in the High Commission of India in Islamabad had been passing information to the Pakistan Intelligence Agencies. ...*(Interruptions)*... The position occupied by the official did not involve access to highly classified material. ...*(Interruptions)*... The official is now cooperating with us in our inquiries. At this stage, for national security reasons, it is not possible to divulge more detail about the information that may have been compromised or to comment on this case as our investigations are continuing.

SHRI S.S. AHLUWALIA (Jharkhand): Sir, she read it out on television. ...*(Interruptions)*...

SHRI SITARAM YECHURY (West Bengal): Sir, I have another point. ...*(Interruptions)*... It is an important thing. ...*(Interruptions)*... I want your consideration. ...*(Interruptions)*... This is the fifth statement from the Ministry of External Affairs during this session. ...*(Interruptions)*... On all the earlier occasions, you, not you personally but as the Chair, had said that you would club all of them together and clarifications will be sought. ...*(Interruptions)*... So I am requesting you to fix time for clarification on all the five statements together. ...*(Interruptions)*...