

SHRI D. RAJA: Sir, I would like to make a submission. The hon. Minister is sitting here. The Leader of the Opposition is also sitting here. The DMK Party till now is part of the Government. I think it is part of the Government. The DMK Party stages a walkout. I do not know what sort of Government we have today. When the whole massacre took place, when the genocide took place in Sri Lanka, the DMK was part of the Government. When we question the role of the Government, the Government should answer this collectively. Now what is happening in this Government? The Minister should respond. I want that this House unanimously...

MR. DEPUTY CHAIRMAN: Mr. Raja you know it is a Parliamentary practice that whenever there is a dispute of taking up an issue, we all meet in the Chamber. It is a practice which we are following. I have just now adjourned the House for 15 minutes. We also had a meeting where all agreed to it. I came here and announced it. Now if we do not follow this practice, then what else should we follow? This is the way.

SHRI D. RAJA: Sir, I can understand the Chair. But my point is, this House should unanimously share the concern of the Sri Lankan Tamils. I want that both the sections should identify with the cause of Tamils. That is why I want a meaningful discussion. If the Chair assures that there will be a meaningful discussion....

MR. DEPUTY CHAIRMAN: For meaningful discussion, the Chair is always ready. It is for the House to do meaningful discussion.

SHRI S.S. AHLUWALIA: Sir, it has been agreed upon that today we will take up the issue of corruption and tomorrow we will take up the Sri Lanka issue.

SHRI SITARAM YECHURY: Let the Chair assure that after the Question Hour tomorrow the Sri Lankan issue will be taken up.

SHRI S.S. AHLUWALIA: After the Question Hour tomorrow, we will take up the Sri Lankan issue.

MR. DEPUTY CHAIRMAN: It was decided in the meeting of the Leaders that tomorrow the discussion on Sri Lankan Tamils will be taken up. This is the decision which I am conveying.

SHRI T.K. RANGARAJAN (Tamil Nadu): Sir, as Shri Raja is saying, the entire House should share the concern of the Sri Lankan Tamils.

SHORT DURATION DISCUSSION

Growing incidence of corruption in the country

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Deputy Chairman, Sir, we are extremely grateful to you for allowing this issue to be raised today. Sir, on my own behalf and

on behalf of all my colleagues, I am sure most of the Members of this House will agree with it, I would like to assure Shri Raja that there are hardly two views likely on the issue of concern that he has raised. Since the Chair has been gracious enough to fix the debate for tomorrow, we shall all be speaking in one word on the motion which he has moved in regard to Sri Lankan Tamils.

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, every time we speak, you are giving this assurance. How could that be? ...*(Interruptions)*. They are taking the House for a ride...*(Interruptions)*.

MR. DEPUTY CHAIRMAN: Mr. Siva, he has already started. Please sit down.

SHRI TIRUCHI SIVA: He should talk about it in general. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, the issue of corruption which we are going to discuss today has always been an important issue as far as our society is concerned. But in the last few months, particularly in the last few days, it has acquired a centre stage as far as the social and political agenda of India is concerned. The reason for this immediately may appear to be the movement which has been launched by Shri Anna Hazare and his colleagues, the fast that he has undertaken. All of us are anxiously waiting for a moment when some very honourable settlement is arrived at; the Government comes out with a well-intentioned statement that it shall take adequate steps even in terms of legislation so that corruption can be checked effectively in this country and Shri Anna Hazare is then persuaded to give up his fast because his life and his activities are extremely precious to this country.

But while we are at this delicate situation, and we are discussing the issue of corruption in this House, I do believe that this opportunity also presents a historic challenge to us. Parliament is the ultimate law making authority on this issue as far as India is concerned. Movements, outside Parliament, are all intended to convey public opinion and the intensity of that public opinion to us. That message, which is coming to all of us from different parts of the country today, could not be louder and clearer. And the loud and clear message today is that the country is expecting Parliament to perform its historic obligation and duty, its commitment to the people, and take effective steps so that we are able to, substantially, tackle the problem of corruption, if not eliminate it altogether in India. While we do so, we must also have the honesty of purpose to really analyse where we have gone wrong. When I say, where we have gone wrong, I don't want to sound partisan. Where is the activity, both political and economic, as far as this country is concerned and which are the challenges which are presented before us? Today there is a

serious crisis of credibility. There is erosion as far as credibility of governance in some places is concerned. People are losing faith that the normal mechanisms, that we have put in place, will be adequate and sufficient to tackle the menace of corruption. Therefore, it is extremely important that we introspect honestly and introspect seriously. Our introspection must lead us to accept what truthfully the situation on the ground is. We should intend to restore the credibility of governance, raise the bar of accountability, and provide for deterrents so that those who indulge in these unacceptable activities, whether they are in the bureaucracy or they are in public life or they are in any other sphere of governance, do not get away after committing such heinous crimes against society. Sir, I originally thought, when I was learning my initial lessons in politics, that there were too many controls and regulations which the Government had. And, we thought, when liberalization set in, and we had delicensing taking place, freedom from controls taking place, that the role of Government and the intrusion of Government into various places would come to an end, or, that it would, substantially, decline, and once that happened, we would probably have a much cleaner society as far as corruption was concerned. I must confess that this was the honest belief that even I shared. Of course, this had its own advantages. Delicensing, or, freedom from control, meant that people wanting to undertake economic activity did not have to move around in the corridors of power. To that extent, we did take a step forward. But, as we progressed, Sir, when we unleashed larger avenues of economic activity, we, suddenly found that new areas and much bigger areas, as far as corruption and graft are concerned, suddenly started emerging. They got decentralised. And, I intend to place certain things before the House. I shall endeavour, at least, in that part of what I wish to say, to be as non-partisan as possible; but there are some observations that I have to make about the present Government a little later. Let us look at what has happened across the country. Today, if we look around, irrespective of which party governs which part of India, land, itself, has become one major area of corruption. For any economic activity, be it housing, be it industry, or be it institutional use, people need land.

Therefore, acquisition of land, which is the land intended to be acquired, which is the land intended to be released from acquisition, which is the land whose alignment with some highway or road must be changed so that a part of it comes near the highway itself and that increases the value of the land, conversion of land use, clearance of layout plans for townships and so on, all this, from top to bottom, is there. And we have now gone to the extent of saying that if you have an urban project which is more than fifty cores of rupees— and land being costly, most projects would be more than fifty crores of rupees — it will also require environmental clearance from the

Central Government. At least, there was one stage, some years ago, not recently, where literally thousands of files used to be pending with the Central Government for environmental clearances because some buildings in some parts of the country have to be constructed. So, at different levels, with the kind of discretions we brought in, we suddenly found that all these activities became almost hand-maiden for various kinds of discretions and, since a large amount of money was involved in this, these became central areas for corruption.

Take mining. Let us look at the kind of system we have. Originally, we never thought that there would be an ability to make money if you go underground for mining or if you go underwater, into the sea, for oil and gas, or, even if you go into the space as far as Spectrum is concerned.

Now, as we have progressed, we have suddenly found that these areas, to those who have wicked intentions, provided a great opportunity.

In mining, Sir, except for a meagre amount of royalty and some taxes, the State gets almost next to nothing. And there is a transfer of natural wealth into private hands.

ONE HON. MEMBER: It started in Karnataka.

SHRI ARUN JAITLEY: If you want to be partisan, I can come to that.

MR. DEPUTY CHAIRMAN: Please.

SHRI ARUN JAITLEY: And suddenly, we found a situation that not only is it a transfer of huge amount of wealth into private hands, but our policies also, Sir, — and I have said this in this House earlier — of ‘first-come-first-serve’, first application and so on were all intended to benefit not actual users but those who could trade in them. Some States now have altered that policy and want these to be given to those who would actually create jobs and value addition in those areas. There is a serious case for rethinking on the whole policy, on how much those people pay, how much is the revenue and so on — and I am told that an amendment in the mining law will also be proposed whereby some amount of money to be realised is to be spent for the development of the local region itself. But over the years that was the second area. I refer to the third area now. And, Sir, these are all areas which we had not conceived of twenty years ago, including the airways. And what was Spectrum ultimately? It was a scarce resource. It was a limited resource and, therefore, by following a policy in which you say you want to give it to the actual user — the actual user has deep pockets; he could afford to pay more — but on some proposal or the other, we had a discretionary policy; we decided to under-price it and,

therefore, by under-pricing it, we realised that there were people who were ready to make money out of them. Take oil and gas. These were again areas where people went under water, under sea, and you found huge amounts of revenues. These are all national assets and who would get these national assets? Who are the people who will get them, whether it is Spectrum, whether it is these assets or it is mining or, for that matter, any other kind of largesse that the State gave? So, the State on behalf of the people was holding this largesse. Ports and highways are also in the same category.

So, in each contract, the terms can be so drafted that, while drafting the terms of the tender, you originally know who the successful party is going to be. These are all areas where we realised that we have started seriously compromising. Sir, we also have reached a stage—I must clarify, I am not an opponent of the whole idea of the society, the private sector, the non-Governmental organisations and charitable trusts getting into the field of education; from school education to higher education, some of them have made a commendable contribution. But, then, in areas where there was a scarcity created, in terms of seats—we know the States where this is happening—unthinkable amount of capitation fee for a single undergraduate or post-graduate medical seat was charged, because we decided to create scarcity of seats. Wherever the scarcity got over, the capitation fee disappeared. But, wherever we created scarcity, we found that this became a major area as far as black money is concerned.

Look at the area of liquor, the way tenders are given in some of the States, the way they are concentrated in limited hands. So, these are all areas where we found an the extent of economic activity and its expansion. The average person found that it was beyond his reach. We left concentration of wealth in certain hands, who could then run and administer the whole thing.

Let us look at the plight of our Revenue Department, Customs, Excise, Taxes, Municipal Taxes, etc. Whoever has to go to these authorities, when we hear peal on television these days amongst the protestors, it is these grievances which has compelled them all to come out and say, [We, ultimately, found a voice and, therefore, we must speak out as far as these things are concerned.] Municipalities, rationing, licensing, transport departments of various Governments are all areas where we suddenly found that over the years it has become an accepted norm that corrupt practice would prevail and without a citizen going through that route it was very difficult to get his papers or file to move on or work to be done. Sir, this had an impact as far as the Government is concerned.

Let us also look at what happened to other limbs of the State. Last week only we discussed the judicial institution in the case of a Resolution for removal of one of the hon. Judges. I do not

want to repeat that. But, the fact of the matter is, the lower judiciary owes its accountability to the higher judiciary; the higher you go, the accountability norms get weakened. Therefore, when they get weakened, this is one area where people can get away and, therefore, the accountability norms are not there. I said it last week, and I have no hesitation in repeating it today.

I have been a close observer of that institution for the last 34 years. What was unthinkable when I joined the Bar, I find a large number of rumours with the institution almost every time I happen to visit somebody who is actively concerned.

Take the case of media. There is a whole idea of giving the media the freedom from control, freedom from any State regulations. We are proud of an independent media to that effect. But, then, in the last few years, we started getting whispers and then a number of us had to face the reality. Take the case of the whole menace of paid news. The media has, in fact, a greater function to perform. The industry may only help in developing the economy but the media shapes the human mind. If the shaping of the human mind also gets polluted because you have to buy packages, then the reader is misled. The right to be informed, the right to knowledge, as far as the reader is concerned or the viewer is concerned, gets vitiated because of the media packages. Therefore, I think, we created specialized investigating agencies. Sir, we created specialised investigative agencies hoping that whenever corruption takes place in any sphere of life, these agencies will then step in and will start cleansing up the system. One such agency, Sir, which was created is the CBI. Sir, we had a problem why the CBI was created. The CBI was created under the Delhi Special Police Establishment Act because law and order in our Constitution is a State subject, but the Central Government has its establishments all over the country. Now, obviously, a State police cannot investigate what goes on in the Central Government. Therefore, the Central Government said, "I must have my own police to investigate cases of corruption." With the consent of the State, it can also investigate cases what happens in the States. But the State has to consent because we have a federal polity. We suddenly found that the investigative agencies and the premier investigative agency that we created suddenly started functioning for collateral or political reasons. And I can give you umpteen cases. I do not want to get into these cases. Let me give you one or two illustrations. Our friends from both principal parties of Uttar Pradesh are here. How many times does the CBI change affidavits in the cases of their leaders? Depending on the intensity of their political opposition to the Government in power, the colour of the affidavit changes accordingly.

SHRI TAPAN KUMAR SEN (West Bengal): For winning the confidence vote.

SHRI ARUN JAITLEY: Sir, in Andhra Pradesh, I recollect that the former Chief Minister, unfortunately, no more in this world, when he had a battle going on with the leading media organisation of the State, you had investigative agencies unleashed against that media organisation. And, suddenly, when the hon. Chief Minister is no more and his family members have gone and formed a separate political party, you find the CBI being unleashed against his political party. So, the dead man is retrospectively added as an accused. *(Interruptions)*

SHRI V. HANUMANTHA RAO (Andhra Pradesh): It is the decision of the High Court. ...*(Interruptions)*... Why are you referring to it? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Hanumantha Rao, please sit down. ...*(Interruptions)*... हनुमंत राव जी, आप बैठ जाइए! ...*(व्यवधान)*...

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Will the hon. Leader of the Opposition yield for a minute? Sir, the hon. Leader of the Opposition has been referring about the former Chief Minister of Andhra Pradesh. Sir, there was a petition filed before the High Court of Andhra Pradesh. The Court ordered a CBI inquiry. On the directions of the court, the case is being investigated. The name which the hon. Leader of the Opposition has referred to, *i.e.*, the name of the former Chief Minister...

MR. DEPUTY CHAIRMAN: Let us not go into that. ...*(Interruptions)*...

SHRI V. NARAYANASAMY: Some allegations have been made in the petition. Because of that only the name of the former Chief Minister has been mentioned. On the direction of the court, the investigation is going on.

SHRI BALBIR PUNJ (Orissa): Can the hon. Minister say that if he had not left the Congress, would he be investigated?

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

SHRI ARUN JAITLEY: Sir, I am conscious of the fact what Mr. Narayanasamy says is factually correct. But let me remind him any institution, be it investigation, be it the courts, their credibility is also judged when they are not carried away with the times. So, when the late Chief Minister was alive and people were petitioning courts, if the court had passed that order, it was a different matter. Today, the political situation changes, I do not want to add anything more to this. But these are not because it relates to an individual case, but it only is a serious and a sad reflection on the health of some of our institutions. And because the health of our institutions is

this, let us then not blame people who have come on to the roads in the present environment and who are now saying, 'please reform the system', and they are all looking at us what are we going to do under these circumstances. Sir, while I am on this, I will just make the last point and then go to the larger submissions which I have to make. Is it not factually true that even 64 years after Independence, despite various honest efforts made by Governments, and here I am not blaming only political parties, we have not been able to discover an honest method of political funding in the country? The world's largest democracy has not transparent method of funding, and, therefore, discretion in the matters of contracts, land, mining, all these factors when they interplay with this, it erodes the credibility of politics in public life. I remember when we were in Government, the Congress Party had formed a committee headed by the then Leader of the Opposition and today the hon. Prime Minister, Dr. Manmohan Singh, and he prepared a very good report on this subject on behalf of the Congress Party. The report was, 'start giving tax rebates'. So, whatever people donate, whether individual donates or firms donate, or companies donate to Parties, it is a legitimate expenditure. You start giving deductions so that people get some incentive to make political donations in cheques. I was then in the Government. Inspired by the Report that he prepared, we immediately brought an amendment, it went to a Standing Committee headed by Pranab Mukherjee and we amended the Companies Act, the Income Tax Act and that is the law for the last seven, eight or nine years. The Left Parties had opposed it then. I remember Left Parties opposed, but most of us accepted it. The people will now be incentivized to donate in cheques because political funding is a reality. Why should it not be transparent? All over the world, it is transparent; there is nothing hush-hush about it. We make some beginning but a small beginning. Therefore, we have to seriously consider that if people donate in the hope that the recipient of the donation comes tomorrow in power, then, obviously it will be in my interest to keep him in good humour in anticipation of his coming in power. So, we have not been able to invent that system. Therefore, that is why people are looking towards this House and also the Lok Sabha that how the Parliament is going to react to this particular challenge. I do believe, Sir, we must not be mistaken that there are countries all over the world where similar protests took place, and in those countries protests took place because there was no democracy and they never allowed a protest. They had been strangled for decades, if not more. In India we are a free society, people express themselves. Therefore, it would be wrong to compare it, but it is a legitimate aspiration of the people which is now surfacing in the hope that those in decision-making will react to it and respond in accordance with the enormity of the problem. Sir, our track record has not been the best. I

remember when the UPA-1 was formed, with one of the great enthusiasms in the Government, one of the issues we regularly raised was about people with criminal cases, how do you bring them into Government, the issue of tainted Ministers. You have cases where people close to those in high places were involved were collusively killed by the CBI. I am referring to the famous case of Bofors. A number of times they collusively killed. Did they do any credit to the reputation of our investigative agency? The Government had to face an embarrassment during the UPA-1 in the Oil Coupons case, the Volkar case, as they used to call it. Brick by brick all this was eroding the credibility of the Government. You had not one but two cases in India — people may get out on technicalities— where there is a general conviction in the country that Governments have won a parliamentary majority, a vote of confidence, through means which are highly questionable. Therefore, that is a challenge and question thrown up before the world's largest democracy. The 2G scam was not a small scam. At what level were people involved in this decision making? The matter is in court. We have debated it repeatedly. I won't refer to it. For three years if we don't take action in 2G, we can rest assured that you may think that you have put a lid on it but you can't put a lid on public anger. That's the harsh reality. Two weeks ago, we discussed what happened in the Commonwealth Games. Whether it is the Auditor General or it is the media or other exposures which are coming out, one by one they keep telling us how various kinds of improprieties and foul plays have taken place. Let us, Sir, be assured on one fact. Ultimately, if there is fairness on the strength of which Indian democracy survives, it is not fairness in our functioning or political stands that we take. At the end of the day, public opinion in this country is extremely fierce and extremely fair. That is why during elections, Governments get voted in, Governments get voted out. Waves do take place in elections because of the sense of fairness on the people and it is because of this sense of fairness, the enormity of their protest is proportionate to the anger and that anger is proportionate to the extent of malpractices which have gone up. So, when people find scam after scam and then people realize, here is a Government headed by a man whom we trusted, and, trusted for a good reason because of a good track record, and we find the Government and the Prime Minister feeling completely helpless in checking this. Can we blame the people for executing their anger during the situation? Let us, Sir, look at the manner in which we handled this whole crisis. It is true that for the last 42 years the political system has been debating what should be the kind of Lokpal. When the first protest took place we should have had squarely a political approach spoken to them that we need a Bill. We will get the entire political cross section together which will tell them how

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much is doable and possible and how much within the framework of our law and Constitution is not possible. First, you lead them up the garden path and, then, suddenly you decide to dump them. It creates a crisis of confidence in them. They don't trust you anymore. Sir, according to me, when the Government decided to dump the activists of India against corruption, the Ministers came out with a ministerial draft. When the Ministers came out with their draft, the ministerial draft, if it had some semblance of reasonableness, which was politically marketable to the rest of the society, the people would think that Government has come out with honest Bill. Maybe it still does not meet our expectations but we can accept it. Let us try and make a good beginning. Even that day when the Ministers came out with a draft, Sir, we told them, in fact, I put it with my own name that this is the suggestion on the Net, there are some things which are doable the power to appoint a Lokpal. There must be a systematic mechanism in the power to appoint a Lokpal. It must be reasonably free from Government. Don't overload it with Government representatives so that it becomes a *Sarkari* Lokpal. Some element of Government representation will be there. You can have an Opposition representation. You can have some eminent citizens put in their through a mechanism so that the best in the society are Members of the Lokpal. But by a play of joints you always wanted Government to have 60 per cent, 70 per cent majority or a decisive say in the appointment of Lokpal. So, you almost lost the moral battle against corruption because you wanted a Lokpal where you could, in the first instance, somehow play around with the appointments that this has come out immediately in the backdrop of the CVCs appointment which could not take place. When it was brought to your notice that the CVC should not be appointed because there was a taint of a pendency of a criminal case of a particular gentleman, you said, 'No, we are appointing him.' In that background you again load the appointing Committee with people overloaded with Government. You then came out with a suggestion. There is a debate whether the Prime Minister should be included or not included.

No, the Prime Minister would not be included. We will include him after he ceases to be Prime Minister. But, then a logical question which the people are asking is: If, *prima facie*, Prime Minister, at a given point of time, is questionable and corrupt, should he be allowed to complete his term and made him accountable only afterwards? The world's largest democracy must then suffer a corrupt Prime Minister! He must be checked then and there. He must not be allowed to be in office even for a single day if there is serious stigma on him. But, you came out with this formulation. A more reasonable formulation — I am not saying that this was the NDA's formulation; it was NDA Government's formulation — was cleared by the Standing Committee

which was headed by Shri Pranab Mukherjee. And that formulation was that the Prime Minister will be included. Some functions which impinge upon national security and public order would be outside its sphere. And any reasonable activist with whom I had spoken to in the civil society says, 'well, that exclusion, in the interest of national security or intelligence activities where agencies report to the Prime Minister, is justifiable and you can keep them out. But, in the matters of commercial contracts or any other form of dubious conduct, Prime Minister, at a given point of time, should be included.'

I come to judiciary. What you are now willing to concede is what we have been saying right from the day one. Judiciary cannot be covered by this Lokpal. Judiciary should be covered by another alternative mechanism. We call it the National Judicial Commission. Some people want to strengthen the Judicial Accountability Bill. I don't know what shape it eventually takes. But, these are all areas on which...

MR. DEPUTY CHAIRMAN: We will have lunch after hon. Leader of the Opposition completes his speech.

SHRI ARUN JAITLEY: Now, I find there is a difficulty in the grievance mechanism. There is a debate whether it should be in Lokpal or it should be in a separate Bill. The Government of Bihar has come out with this legislation. The Government of Madhya Pradesh has come out with this legislation. They are working out the mannerism of starting this mechanism. Mr. Mishra tells me that the Government of Uttar Pradesh also came out with such legislation. It is the Government service delivery system that you must address the grievances of the common man, either through having an alternative mechanism or you have the Lokpal covering it. It could be a matter of debate.

SHRI PRAVEEN RASHTRAPAL (Gujarat): What happens in Gujarat for the last eleven years? Lokayukta has not been appointed for the last eleven years in Gujarat!

SHRI VIJAYKUMAR RUPANI (Gujarat): It is because of you...*(Interruptions)*...It is because of Congress...*(Interruptions)*...

SHRI PRAVEEN RASHTRAPAL: Sir, Lokayukta has not been appointed in Gujarat for the last 11 years...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You speak when your turn comes, Mr. Rashtrapal. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, let somebody in the Government — two very senior Ministers are sitting in the first row — seriously examine it, make a case study and you will reach a conclusion why Offices like Governors should be kept away from the appointment of Lokpal. You find efforts

being made to appoint the Lokpal without involving an elected Government! We don't even want that situation to come. Mr. Krishna is here and Mr. Kamal Nath is here. Let them examine it, rather than any side comment on this. No State Government in this country will accept the Governor making an appointment by saying that elected Government is not to be involved. If that were to happen, then the Federal structure in India would seriously get affected. So, let us, honestly, introspect the facts on that basis.

Sir, most of the other issues — selection panel, etc., — are doable. Now, you have put one provision in the Government's draft that if Lokpal — he could be a former Judge or he could be an eminent person — is to be removed, only the Government can initiate the process of removal. And, pending removal, only the Government can suspend him. So, there is an enquiry against your Minister by Lokpal, you find a member inconvenient so you put him under suspension. Sir, it should be either through an impeachment process or the Supreme Court removal process. It must be independent of the political executive. What is wrong in it? Is that an issue on which you enter into confrontation with the civil society activists. The suggestion made is eminently reasonable.

One suggestion is to have a Bench to deal with corruption cases expeditiously in every court. All of us should immediately agree to this. Whistleblowers who complain to Lokpal must get protection. Now, these are not areas where there should, actually, be two views even between political parties. A whistleblower in any system must get a protection. One of the grievances they have is this. Please consider this, and there must be some internal audit in the Government as to how these provisions came in. If a man files a complaint to a Lokpal and the official is held guilty, he can be sentenced for a minimum of six months or a maximum of up to 10 years. So, the corrupt officer will get six months imprisonment. Now, if your complaint turns out to be false, the complainant goes in for a minimum of two years imprisonment and it can go up to 5 years. So, the punishment for filing a complaint which turns out to be incorrect is more than the punishment to be inflicted on the official held guilty. Do you seriously expect anybody in this House or outside the Civil Society to accept these kinds of provisions? Therefore, Sir, these are areas where you can never legislate in haste. And, at least, never legislate in anger. There is one provision in this. You had some problem with some Civil Society activists whom you first tried to bring in for a dialogue and, then, broke up with them. So, the Minister's draft which has been introduced has a provision that all non-Government organisations will be covered by Lokpal. They said, "If it receives Government funding, it should be covered by Lokpal." Now, what is the

effect? Somebody is running a school, somebody is running a temple, somebody is running a Gurdwara or somebody is running an orphanage. They don't take Government funds. You make the Government intrusive. Now, this was only a teaser to them that Minister has decided to act and provide for a Bill that every NGO in this country will be now accountable to a Lokpal. You may not like those NGOs, I may not like some of them. But, you cannot have a provision like this where somebody has nothing to do with the Government. Then, why leave it to Lokpal? Then, say, 'Lokpal will also investigate political parties.' Therefore, the Government Bill requires a serious relook even if there are areas where you or us; we don't agree with some of their provisions. I think some of them can be made compatible that they must exist in accordance with the constitutional provisions. This Bill cannot have a provision which violates the Constitution. Therefore, all provisions whether in your draft or any other draft by any of the NGOs which is there, must be constitutionally compatible. Now, rather than break the dialogue, then, don't talk again at all, and resort to these tactics, you sit with an open mind. Democracy functions on some basic principles. That is what we said last week when the Prime Minister made a statement. The ultimate authority is with the Government to introduce the law. The authority is with the Parliament to approve the law. They have a right to protest and crusade. But, then, we must neither curtail their right to protest nor must we get so angry with them and say like children that we will not speak to you now. And, it is only when pressure becomes unbearable that we will start speaking to you. Most of these provisions are such that they are workable, or, at least, they can be brought within the dialogue domain and a solution can be worked out rather than create a situation in the society that it appears that there is a confrontation going on between the political system of this country and the Civil Society. If, Sir, our objectives are honourable and our objectives are common which is how do we now, at least, seize the challenge and eradicate corruption in this country. If we sit with an open mind, I have not the least doubt that most of these issues can be resolved and it won't take too much time for it to be resolved. And, ultimately, if on some issues, the resolution does not take place, the will of Parliament will prevail. And, Parliament, surely, has got the message loud and clear that we will be reasonable, our principal objective will be how to eradicate corruption rather than cover up corruption. If we sit with that mind, I am sure, we will respond to this challenge which the society is now posing before the Parliament itself. I am sure, Sir, we will respond to this challenge adequately and rise to this opportunity which the society really has provided us in terms of a protest. We will use this as an opportunity. Thank you very much.

MR. DEPUTY CHAIRMAN: The lunch hour will be for half-an-hour. There is a request that

there is an all-Party meeting. Some of the leaders have to leave. So, those leaders, who will be going will be called first. The House is adjourned for half-an-hour for lunch.

The House then adjourned for lunch at ten minutes past one of the clock.

The House re-assembled after lunch at forty-five minutes past one of the clock,

MR. DEPUTY CHAIRMAN in the Chair.

MR. DEPUTY CHAIRMAN: Shri Satyavrat Chaturvedi.

DR. V. MAITREYAN (Tamil Nadu): Sir, we had made a request to the Chair in the morning.
...(Interruptions)...

MR. DEPUTY CHAIRMAN: I will do that. Let the Member from the main party in Government speak. ...(Interruptions)...

DR. V. MAITREYAN: Sir, we have no problem with that but we have to attend the all-party meeting. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: We are doing it, Dr. Maitreyan.

SHRI P. RAJEEVE (Kerala): Sir, we are discussing a very serious issue and no Cabinet Minister is present here. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: They would come.

PROF. P.J. KURIEN (Kerala): Sir, they would be coming.

SHRI P. RAJEEVE: Sir, we are discussing a very serious issue. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Shri Satyavrat Chaturvedi.

श्री सत्यव्रत चतुर्वेदी (उत्तराखण्ड) : माननीय उपसभापति महोदय, आज इस सदन में हम एक बहुत गंभीर विषय पर चर्चा कर रहे हैं। देश में आज एक चिंता की लहर सब तरफ है और लोग इस बात से चिंतित हैं कि इस देश के जनजीवन में, लगभग सभी क्षेत्रों में जिस तरह से भ्रष्टाचार देखने को मिला है, लोगों के मन में भ्रष्टाचार के प्रति आक्रोश है। क्या आज मैं एक निवेदन कर सकता हूँ। यहां अपने सभी साथियों से, सहयोगियों से और माननीय सदस्यों से कि कम से कम इस मुद्दे पर हम राजनीति से हटकर थोड़ा बहस करें। बहुत से मुद्दे हमारे सामने आते हैं जिन पर हम राजनीतिक तरीके से, अपनी-अपनी पार्टी लाइन से बातें करते हैं, लेकिन कुछ ऐसे मुद्दे हैं, जो आज राष्ट्रीय समस्या बन चुके हैं और भ्रष्टाचार उनमें से एक ऐसा मुद्दा है, जो जनजीवन में एक नासूर की तरह पल रहा है। दो-तीन बातें बहुत साफ हैं, जिन पर मैं समझता हूँ कि बहस की कोई गुंजाइश नहीं है। पहली बात, हमारे सार्वजनिक जनजीवन में, राष्ट्रीय जनजीवन के लगभग क्षेत्र में भ्रष्टाचार है

- इस सच्चाई से अगर हम इंकार करते हैं, तो हम और किसी को नहीं, खुद को धोखा देते हैं। कोई क्षेत्र नहीं बचा है, जहां भ्रष्टाचार ने अपने पांव न पसार लिए हों। दूसरी जो सच्चाई है, जिस पर कोई दो रायें नहीं हो सकतीं कि आज समूचा राष्ट्र, इस देश की समूची जनता इस भ्रष्टाचार के दानव से लड़ने के लिए तैयार है और वह अब भ्रष्टाचार को बरदाश्त करने को तैयार नहीं है। इस मुद्दे पर दो रायें नहीं हो सकतीं कि यह भी उतना ही बड़ा सच है। तीसरी बात, दुर्भाग्य है कि आज जनसाधारण में जो अवधारणा बनी है, वह यह बनी है कि भ्रष्टाचार के सबसे बड़े स्रोत राजनीति और राजनीतिक क्षेत्रों में काम करने वाले नेता बन गए हैं। आज सरकार यू.पी.ए. की है, स्वाभाविक है कि सवाल यू.पी.ए. से पूछे जाएंगे। जिम्मेदारी सरकार की होती है और हमारी जिम्मेदारी होने के नाते हम जवाबदेह हैं, लेकिन यह मान बैठना कि यह लोगों का केवल सरकार के विरुद्ध आक्रोश है, मैं समझता हूं, यह शुतुरमुर्गी बात होगी। मैं बड़ी विनम्रता से निवेदन करना चाहता हूं कि आज हम सब कटघरे में खड़े हैं। पार्टियों की बात छोड़ दीजिए, आज समूचे राजनीतिक नेतृत्व को कटघरे में खड़ा करके लोग देख रहे हैं और हम पर उनका विश्वास एक तो वैसे ही कम हो रहा था, पर अब और कम होता चला जा रहा है, इसलिए एक ईमानदार आत्मनिरीक्षण करने की जरूरत है। मैं नेता प्रतिपक्ष को बधाई देना चाहता हूं, आज जब वे अपना भाषण दे रहे थे, तो मैं समझता था कि आज भी शायद, आरोप-प्रत्यारोपों में यह बहस उलझकर रह जाएगी और जिस स्तर पर हमें बहस करनी चाहिए, आत्मनिरीक्षण करना चाहिए, विश्लेषण करना चाहिए, शायद वह इन आरोप-प्रत्यारोपों की बहस में कहीं खो जाएगा। मुझे खुशी है कि नेता प्रतिपक्ष ने आज अपने विचार यहां रखे। एक-आध जगह वे अपने आपको नहीं रोक पाए, एक-आध चुटकी लेने में वे भी नहीं चूके, लेकिन कभी-कभार एक-आध चुटकी किसी कारण से आ जाती है। महोदय, हमारे सामने दो रास्ते हैं। एक रास्ता तो यह है कि हम इस बहस को एक राजनीतिक बहस बना दें, हम आपको और आप हमें आरोपों के कटघरे में खड़ा करें। यही हम इतने वर्षों से करते आए हैं। सच यह है कि आज अगर राजनेताओं के बारे में इतनी खराब आम धारणा बनी है तो उसका एक बहुत बड़ा कारण यह है कि हमने अक्सर एक-दूसरे पर अपने छोटे-छोटे राजनीतिक हितों के नज़रिए से बहुत सारे गैर जिम्मेदाराना इल्जाम इस सदन के अंदर और उस सदन के अंदर लगाए हैं। उन इल्जामों के लगाने के कारण आज न हमारा दामन साफ रह गया है और न ही आपका दामन साफ रह गया है, आज कोई भी साफ दामन, पाक-दामन दिखायी नहीं देता। क्या हम ईमानदार आत्मनिरीक्षण करने के लिए तैयार हैं? यह समस्या अब बहुत अधिक बढ़ गयी है, अब पानी नाक से ऊपर जाने वाला है। भ्रष्टाचार के खिलाफ सबसे बड़ी समस्या अगर मुझे दिखायी देती है तो वह यह है कि भ्रष्टाचार को परखने का हमारा नज़रिया ईमानदार नहीं है। माननीय उपसभापति महोदय, मैं एक घटना यहां सुनाना चाहता हूं। यह केवल हमारी बात नहीं है, हमारे समूचे समाज का चरित्र बन गया है। मैं एक गांव में दौरे पर पहुंचा तो वहां एक शख्स मुझे मिला जिसने मुझे भ्रष्टाचार की बहुत शिकायत की। उसने तहसील, थाना, ब्लॉक - हर विभाग में भ्रष्टाचार के बारे में शिकायत की। वह कहने लगा कि साहब, आप नेता तो, आप हमारे लीडर हो, आप हमें इस भ्रष्टाचार से मुक्ति दिलाओ, भ्रष्टाचार के मारे हमारा जीवन दूभर हो गया है। मैं लगभग निरुत्तर था क्योंकि उसकी बात में सच्चाई थी। मुझे अचानक याद आया कि कुछ साल पहले वही आदमी अपने बेटे को लेकर मेरे पास आया था। उसके बेटे ने सिविल इंजीनियरिंग से डिप्लोमा, इंजीनियरिंग किया था, उस समय उसे किसी नौकरी की बड़ी तलाश थी। उसने मुझसे निवेदन किया था और तब मैंने उसकी कुछ सहायता

कर दी थी, जिसकी वजह से उसका बेटा नौकरी पर लग गया था और सिंचाई विभाग में सब इंजीनियर बन गया था। उसके बेटे का नाम संतोष था। मैंने उससे पूछा कि संतोष का क्या हाल है? उसने जवाब दिया कि, “साहब, संतोष तो बहुत खुशहाल है, आजकल जबलपुर के पास बरगी बांध बन रहा है, वहां वह पिछले तीन-चार साल से लगा हुआ है।” मैंने पूछा कि वह खुश तो है, ठीक-ठाक तो है। वह कहने लगा कि साहब, क्या बताएं, आपकी बड़ी कृपा है, आपने उसे नौकरी में लगा दिया था, आपका उपकार तो हम कभी नहीं भूलेंगे। उसने तो जबलपुर में तीन प्लॉट ले लिए हैं, एक कोठी भी बना ली है। मैंने पूछा कि तीन प्लॉट ले लिए हैं और एक कोठी भी बना ली है? वह कहने लगा, हां साहब, इसके अलावा उसने दस-पंद्रह नयी एम्बेसेडर गाड़ियां भी ली हैं और वहां वह एक ट्रैवल एजेंसी भी चला रहा है। आपकी कृपा से सब अच्छा है, वह बहुत खुशहाल है। मैंने पूछा, बाबा, आपने तो बड़ी गरीबी से उसे पढ़ाया था, अपने लिए तो उसने वहां सब कुछ कर लिया, मां-बाप का भी ख्याल करता है या नहीं? वह कहने लगा, नहीं साहब, ऐसी बात नहीं है। पिछले साल दिवाली पर आया था, 28 एकड़ का एक प्लॉट यहां पर ले लिया है, खेत बना दिया है, दो ठौ कुएं खुदवा दिए हैं, उनमें पम्प लगवा गया है। मैंने उससे पूछा, बाबा, उसको तनखाह कितनी मिलती है? वह कहने लगा कि साहब, आप तो सब जानते हैं, जैसे संसार चल रहा है, वैसे ही वह चल रहा है। मैंने कहा, बाबा, एक बात बताओ, आपको तहसील का, थाने का, ब्लॉक का, दुनिया भर का भ्रष्टाचार दिखायी दिया, लेकिन अपने बेटे का भ्रष्टाचार दिखायी नहीं दिया? जो आदमी तीन साल की नौकरी में इतना सब कुछ बना ले गया, उसका भ्रष्टाचार आपको दिखायी नहीं दिया? यह है, भ्रष्टाचार के प्रति हमारा दोगला नज़रिया। यहां हर आदमी दूसरे का भ्रष्टाचार समाप्त करने में लगा है, अपने गिरेबान में झांकने की किसी को फुर्सत नहीं। भारतीय जनता पार्टी टूजी स्पेक्ट्रम की बात करेगी, सी.डब्ल्यू.जी. की बात करेगी। बेशक आपका हक है, आप विपक्षी पार्टी हैं, आपका अधिकार भी है और आपका दायित्व भी है। मैं स्वागत करता हूं जरूर उठने चाहिए ये मुद्दे, लेकिन एकबार जरा गिरेबार में तो झांककर देख लिया होता, हमें बड़े-बड़े उपदेश पिलाने वाले लोग खुद कहां खड़े हैं। अब मैं * की तो चर्चा करना नहीं चाहूंगा, न * की ... (व्यवधान)

श्री उपसभापति : नाम नहीं लें, नाम निकाल दीजिए।

श्री सत्यव्रत चतुर्वेदी : निकाल दीजिए, आपका अधिकार है।

MR. DEPUTY CHAIRMAN: The level of the debate is very high. Let us maintain it.
... (Interruptions) ...

श्री सत्यव्रत चतुर्वेदी : मैं इसलिए चाहता था। मेरा सीधा कहना यह है कि दरअसल अगर हम खुद अपने भीतर के भ्रष्टाचार को समाप्त करने का संकल्प ले लें तो इस देश के अंदर राजनेताओं के प्रति सम्मान न केवल बढ़ेगा, बल्कि इस देश में कभी-कभार जो राजनीतिक अस्थिरता दिखाई देती है, इस देश की वह राजनीतिक अस्थिरता भी समाप्त होगी और यह देश मजबूत होकर खड़ा होगा। लेकिन, ऐसा हो नहीं रहा है।

माननीय उपसभापति महोदय, गलतियां हमसे भी हुई हैं। हम पहले किसी बात पर ज़िद पर अड़ जाते हैं और हम यह कहते हैं कि यह उचित नहीं है, यह संवैधानिक रूप से भी उचित नहीं है। टूजी स्पेक्ट्रम के मामले में जब जे.पी.सी. की बात की गई तो हमने देखा कि नहीं, जे.पी.सी. देने की कोई जरूरत नहीं है। एक पूरा का पूरा सत्र स्वाहा हो गया इसी ज़िद के ऊपर कि टूजी स्पेक्ट्रम के ऊपर जे.पी.सी. बननी चाहिए।

*Not recorded.

2.00 P.M.

जब हमने दो महीने अपनी फजीहत करवा ली, उसके बाद हमने टूजी स्पेक्ट्रम के ऊपर जे.पी.सी. मंजूर कर ली। लोकपाल बिल में प्रधान मंत्री को होना चाहिए या नहीं होना चाहिए, इस मुद्दे के ऊपर हमारा अपना तर्क था और उसके अपने कारण थे जिनकी हमने पिछले दो महीनों में लगातार सारे टी.वी. चैनल्स पर चर्चा की। लेकिन अब मैं सुन रहा हूँ कि शायद उसको मंजूर कर लिया जाएगा। मैं पूछना यह चाहता हूँ खुद अपने आपसे कि अगर हमारे वे तर्क सही थे जे.पी.सी. के मामले में और प्रधानमंत्री को शामिल करने के मामले में, जो हम पहले देते रहे, तो फिर अब हम राजी क्यों हो गए। अगर हम अब राजी हो गए और ठीक राजी हो गए तो पहले हम वे तर्क क्यों दे रहे थे? इसका मतलब है कि जमीनी वास्तविकता से हम दूर हो गए हैं और इसीलिए सरकार का जो सम्मान इस देश में बढ़ना चाहिए, सरकार का वह सम्मान बढ़ाने में हम असफल रहे हैं, एक पार्टी के रूप में, एक सरकार के रूप में। माननीय उपसभापति महोदय, अपनी भूल स्वीकार कर लेना कोई बुरी बात नहीं है। अपनी भूल, अपना आत्म निरीक्षण करके अगर हम अपनी भूल स्वीकार कर लेते हैं तो इसका मतलब है कि हमारे अंदर अभी सुधार की गुंजायश बाकी है, हम स्वयं को सुधारने को तैयार हैं। दिक्कत तो वहां होती है जब हम जिद पर कायम रहते हैं और अपनी भूल समझते हुए भी पीछे हटने को तैयार नहीं होते। मैं बधाई देना चाहूंगा प्रधानमंत्री जी को, प्रधानमंत्री जी ने कभी भी यह नहीं कहा, स्वयं व्यक्तिगत रूप से उन्होंने यह कहा था कि प्रधानमंत्री को इस लोकपाल बिल के दायरे के भीतर होना चाहिए। इसके बावजूद केबिनेट का फैसला था, सही था या गलत था, यह अलग बात है। आज शाम को हमारे यहां पर बैठक होगी, सभी राजनीतिक दलों के नेताओं के साथ बैठक होगी। अगर यह काम आज से एक महीने पहले हो जाता, अन्ना हजारे ने अचानक कोई अनशन नहीं कर दिया। उन्होंने एक-डेढ़ महीने पहले यह घोषणा की थी कि अगर हमारा जन लोकपाल बिल स्वीकार नहीं किया जाएगा, तो हम अनशन करेंगे। आज जो हम सभी नेताओं की ऑल पार्टी मीटिंग करने जा रहे हैं, उचित होता कि हम यह ऑल पार्टी मीटिंग आज के पहले, जब अन्ना हजारे अनशन पर बैठे थे, उसके पहले कर लेते और सबसे चर्चा करने के बाद एक सामूहिक रूप से सभी राजनैतिक प्रतिनिधियों की तरफ से एक प्रतिनिधि मंडल बनाकर श्री अन्ना हजारे के पास भेजते और उनसे कहते कि भाई एक तरफ संविधान है और दूसरी तरफ आपकी जिद है, आप दोनों में से एक का फैसला कर लीजिए। फिर उस समय पर लड़ाई अन्ना versus गवर्नमेंट नहीं होती, अन्ना versus कांग्रेस नहीं होती, फिर अन्ना versus संविधान होती, अन्ना versus संसद होती। हमारा आज भी कहना है कि इस बिल के अंदर जो भी प्रावधान हैं - हम आज इस बिल पर चर्चा नहीं कर रहे हैं, वह तो जब बिल आएगा, इंट्रोड्यूस होगा, हम उसके प्रावधानों पर अलग से चर्चा करेंगे। मैं उसके विस्तार में नहीं जाना चाहता हूँ, लेकिन क्या यह सही नहीं है कि हमने यह प्रक्रिया, एक राजनैतिक प्रक्रिया अपनाई होती, क्योंकि यह एक राजनैतिक समस्या थी और एक राजनैतिक समस्या का, एक राजनैतिक समाधान खोजा जाना चाहिए था और राजनैतिक समाधान सभी दलों के, राजनैतिक क्षेत्र के लोगों से एक consensus बनाकर, उसका राजनैतिक सॉल्युशन, उसका राजनैतिक

समाधान खोजा जा सकता था। लेकिन यह भी उतना ही सच है कि इस सरकार ने भ्रष्टाचार के खिलाफ वे बुनियादी कदम उठाए हैं, जो आज के पहले कभी नहीं उठाए गए। मैं समझता हूँ कि अगर Right to Information कानून बनाने में इस सरकार ने पहल नहीं की होती, तो फिर ...(व्यवधान)...

श्री उपसभापति : देखिए, यह ठीक नहीं है। ...(व्यवधान)...

श्री सत्यव्रत चतुर्वेदी : उस बुनियादी लड़ाई को जो भ्रष्टाचार के खिलाफ लड़ाई है ...(व्यवधान)...

श्री उपसभापति : जब आप बोल रहे थे, तो वह खामोश थे। ...(व्यवधान).... प्लीज, आप बैठ जाइए।
...(व्यवधान).... आप बैठ जाइए। ...(व्यवधान)...

एक माननीय सदस्य : आप अच्छा बोल रहे हैं। ...(व्यवधान)...

श्री सत्यव्रत चतुर्वेदी : मैं अच्छा तो बोल रहा हूँ। लेकिन सब कुछ आपके मन का नहीं बोलूंगा।
...(व्यवधान).... भ्रष्टाचार केवल आज नहीं शुरू हुआ, यह सदियों पुरानी हमारी समस्या है। यह सामाजिक समस्या है, हमारी आर्थिक समस्या है। ऐसा नहीं है कि अभी छह महीने पहले या दो साल पहले इस देश में कहीं भ्रष्टाचार नहीं था, यहां पर सब राम राज्य ही था। एक लम्बी समस्या हमारे सामने थी जिससे लड़ने का उपाय हम सब को करना चाहिए था और हम सब कभी न कभी, कहीं न कहीं, चाहे यहां न सही, वहां राज्यों में सही, हम सब कहीं न कहीं सरकारों में रहे हैं। यह जिम्मेदारी सिर्फ किसी एक की नहीं थी, यह जिम्मेदारी हम सबकी थी और हमको आज भी सामूहिक रूप से इस जिम्मेदारी को स्वीकार करना पड़ेगा, अगर हम ईमानदार हैं, उसके राजनैतिक समाधान खोजने पड़ेंगे और वे तब खोजे जा सकते हैं, जब हम पहले इस बात के लिए तैयार हों, हमारा कर्णाटक में मापदंड दूसरा होगा और दिल्ली में दूसरा मापदंड होगा, तो समस्या पैदा होगी। अभी एक मित्र ने सवाल उठाया था कि हमें तो उपदेश दिया जा रहा है कि लोकपाल के अंदर प्रधानमंत्री को शामिल किया जाए, लेकिन गुजरात राज्य में वर्षों से लोक आयुक्त का गठन आज तक नहीं हुआ।
...(व्यवधान).... वहां के हाई कोर्ट ने वहां की सरकार से इस बारे में जवाब-तलब किया है कि गुजरात के अंदर इतने वर्षों से लोक आयुक्त का गठन क्यों नहीं किया गया। यहां पर लोकपाल जरूरी है, वहां पर लोक आयुक्त जरूरी नहीं है। ...(व्यवधान)...

श्री विजय कुमार रूपाणी : सरकार से बिना पूछे नहीं होगा। ...(व्यवधान)...

श्री सत्यव्रत चतुर्वेदी : लोक आयुक्त न होना इस बात को दर्शाता है कि हमारे मापदंड भ्रष्टाचार के लिए ईमानदार नहीं हैं। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Nothing will go on record. ...*(Interruptions)*...

प्रो. अलका क्षत्रिय : *

श्री विजय कुमार रूपाणी : *

श्री नतुजी हालाजी ठाकोर : *

*Not recorded.

श्री भरतसिंह प्रभातसिंह परमार : *

श्री उपसभापति : आप छोड़िए। ...**(व्यवधान)**... आप उनको बोलने दीजिए। ...**(व्यवधान)**... आप बैठ जाइए। उन्होंने आपसे कोई जवाब-तलब नहीं किया है। आपसे कोई जवाब नहीं पूछा है। आप बैठ जाइए। आप से जवाब नहीं पूछ रहे हैं, उनका point of view रख रहे हैं, रखने दीजिए।

श्री सत्यव्रत चतुर्वेदी : सभापति महोदय, आइए आज हम सभी दलों के लोग एक राजनीतिक परिवार के रूप में इस बात का संकल्प लें कि इस देश में भ्रष्टाचार के खिलाफ हमारी लड़ाई स्वार्थों पर आधारित नहीं होगी। हम यह लड़ाई राजनैतिक आधारों पर नहीं लड़ेंगे, बल्कि एक मौलिक आधार पर भ्रष्टाचार के खिलाफ जेहाद छेड़ेंगे। जब हम सब मिलकर यह संकल्प लेंगे और यहां से यह संदेश जाएगा कि इस देश की संसद और जो इस देश का राजनैतिक नेतृत्व है, वह भ्रष्टाचार के प्रति गंभीर है, मैं समझता हूं कि इसके बाद देश में नागरिकों को इस बात का विश्वास पैदा होगा। लेकिन यह सब कैसे होगा? मैं अन्ना हजारे जी की इज्जत करता हूं। वे एक बुजुर्ग आदमी हैं। मुझे दुख है कि हमारे अपने ही कुछ लोगों ने उनके ऊपर व्यक्तिगत रूप से बड़ी गैर जिम्मेदाराना टिप्पणियां कीं। मैं इसके लिए शर्मिंदगी महसूस करता हूं, लेकिन क्या यह सच नहीं है कि अगर अन्ना हजारे के स्वतंत्रता के राजनैतिक और संवैधानिक अधिकार हैं, तो इस देश के दूसरे लोगों के भी तो राजनैतिक अधिकार हैं। क्या यह अकेले अन्ना हजारे का बिल है? क्या दूसरे सिविल सोसाइटी के संगठनों ने अपना कानून प्रस्तावित नहीं किया? कानून के ऊपर अन्ना हजारे और उनके सहयोगी क्या एक भी बात मानने और सुनने को तैयार हैं? उनका सरकार पर आरोप है कि सरकार हमारी कोई बात सुनने को तैयार नहीं है, लेकिन वे अरुणा राय से बात करने के लिए तैयार नहीं हैं। यानी अन्ना हजारे जो कुछ कहें, वही ज्यों का त्यों मान लिया जाए और इस देश की संसद और संविधान को परे रख दिया जाए। इस देश में संसद की जो स्टैंडिंग कमेटी है, उसके अधिकारों का भी हनन किया जाए और यह स्वीकार कर लिया जाए, तब तो ठीक है। अगर संविधान और संविधान की प्रक्रिया के माध्यम से संसद के कानून बनाने के जो मौलिक अधिकार हैं, जो सर्वोच्च अधिकार हैं, अगर उन पर बात की जाए, तो फिर यह कहा जाता है कि सरकार बड़ी जिद पर अड़ी हुई है और वह अन्याय कर रही है तथा वह भ्रष्टाचार के खिलाफ लड़ाई लड़ने से ईमानदार नहीं है। इस किस्म के गैर-जिम्मेदाराना आरोप, जो उनके मंच से लगते हैं, मैं उनकी भी उतनी ही भर्त्सना करता हूं।

मैं समझता हूं कि हम सबकी और आपकी, अन्ना हजारे के बिल के सारे प्रावधानों, से किसी की भी सहमति नहीं है। हो सकता है कि किसी एक प्रावधान पर हमारी असहमति हो और आपकी सहमति हो। हो सकता है कि किसी दूसरे प्रावधान पर किसी दूसरे की असहमति हो, लेकिन मैंने अभी पिछले दो-चार दिनों में जब किसी भी राजनेता से बात की, किसी भी पार्टी के नेताओं से बात की, तो मुझे ऐसा एक भी व्यक्ति नहीं मिला, ऐसी एक भी पार्टी नहीं मिली, जो कहती हो कि हम अन्ना हजारे के बिल से पूरी तरह से सहमत हैं।

*Not recorded.

अगर सारे प्रावधानों से हमारी सहमति न हो, तो क्या हमें मज़बूर किया जाएगा? मज़बूर करने का दबाव डालना, क्या यह इस देश की संसद के सम्मान के विरुद्ध उचित होगा? आज भ्रष्टाचार का मुद्दा है और मैं आप से कह रहा हूँ और आप से भी, माफ़ कीजिए यह लड़ाई की शुरुआत है। यह लड़ाई केवल भ्रष्टाचार के मुद्दे पर खत्म होने वाली नहीं है। अभी इससे आगे और भी मुद्दे उठाए जाएंगे। संसद अपने अधिकारों के प्रति जागरूक नहीं होगी और यह संदेश अगर यहां से नहीं गया कि कानून बनाने के मामले में संसद सुप्रीम है, तो इसके बाद दूसरे मुद्दे उठाए जाएंगे और उन मुद्दों पर भी आपको झुकने के लिए मज़बूर किया जाएगा। ऐसे हालात पैदा किए जाएंगे कि संसद एक तरह से दूसरों की बंधक बनकर रह जाएगी। इस देश के लोकतंत्र के लिए यह स्थिति बहुत खतरनाक होगी। इसीलिए, मैं आगाह करना चाहता हूँ। माननीय उपसभापति महोदय, मन में कहने के लिए बहुत बातें हैं, लेकिन अभी अवसर आएंगे। जब हम लोकपाल पर चर्चा करेंगे, उसके प्रावधानों पर चर्चा करेंगे, तब हम उस पर विस्तार से बात कर सकेंगे। मैं केवल इतना निवेदन करना चाहता हूँ कि हम सब मिलकर, अपनी-अपनी जिद छोड़कर, चाहे वे सरकार में बैठे लोग हों, चाहे इस तरफ बैठे लोग हों, चाहे वे अन्ना के मंच पर बैठे लोग हों, मैं उनसे भी इस संसद के माध्यम से अपील करना चाहता हूँ कि भगवान के लिए ऐसा विषाक्त वातावरण मत बनाइए कि जब चीज हाथ से बाहर निकल जाए और फिर उसको वापस अपने नियंत्रण में लाना मुश्किल हो जाए। अगर कहीं ऐसी स्थिति बनी तो यह देश के लिए उचित नहीं होगी और ऐसा करना बहुत खतरनाक खेल होगा। इसलिए, इस आग से खेलने से पहले सौ बार सोच लेना बहुत जरूरी है। धन्यवाद, जय हिंद।

श्री सतीश चन्द्र मिश्रा (उत्तर प्रदेश) : माननीय उपसभापति महोदय, भ्रष्टाचार के मुद्दे पर हो रही इस चर्चा में सबसे पहले तो मैं बताना चाहता हूँ कि बहुजन समाज पार्टी शुरू से ही भ्रष्टाचार के सख्त खिलाफ है। बहुजन समाज पार्टी श्री अन्ना हजारे द्वारा भ्रष्टाचार के मुद्दे को लेकर छोड़ी गई इस मुहिम को ही नहीं, बल्कि उन सभी संगठनों और संस्थाओं का, जो इसके लिए अपनी आवाज उठा रहे हैं, जो भ्रष्टाचार के लिए खिलाफ हैं, स्वागत करती है। देश में भ्रष्टाचार के खिलाफ जहां कहीं भी आवाज उठाई जाती है, बहुजन समाज पार्टी सबसे पहले उसका समर्थन करती है। मान्यवर, आज पूरे देश में हर स्तर पर इतना ज्यादा भ्रष्टाचार फैल चुका है कि यहां पर पूरी व्यवस्था बुरी तरह से चरमरा गई है और देश का गरीब आदमी इस भ्रष्टाचार के कारण सबसे ज्यादा दुखी है, यह हम सभी को मानना पड़ेगा और यही सही भी है। केंद्र की गलत आर्थिक नीतियां और उसके साथ-साथ यह भ्रष्टाचार, जो आज हर तरफ फैला हुआ है, इसके कारण देश में जबर्दस्त महंगाई है, जिसकी चपेट में आम आदमी तो है ही, इससे सबसे ज्यादा प्रभावित गरीब आदमी है। इसकी मार सबसे ज्यादा किस पर पड़ती है? इसकी सबसे ज्यादा मार गरीब आदमी पर पड़ती है। गरीब आदमी के बारे में शायद यहां कोई नहीं सोचता है। मान्यवर, लोकपाल के लिए सिविल सोसायटी या जो एक सरकारी कमेटी बनी, उसमें भी उनकी अनदेखी की गई थी। आज सबसे ज्यादा गरीब कौन है? इस देश में जो 25% से ज्यादा शेडयूल्ड कास्ट, शेडयूल्ड ट्राइब्स का वर्ग है, आज वह गरीबी झेल रहा है। जब भ्रष्टाचार होता है, महंगाई बढ़ती है, गलत आर्थिक नीतियां बनती हैं। इन आर्थिक नीतियों के साथ यदि ऐसी व्यवस्था की जाती है, जिसमें भ्रष्टाचार

फैले तो उसमें सबसे ज्यादा यह वर्ग और इसके साथ-साथ जो अन्य वंचित वर्ग हैं, उनको सबसे ज्यादा इसकी चपेट खानी पड़ती है। अफसोस की बात है कि इस बिल बनाने के लिए सिविल सोसायटी या सरकार की जो कमेटी बनी, उसमें भी इन लोगों ने, इस वर्ग के किसी व्यक्ति को लेना उचित नहीं समझा कि उसको भी इसमें रखा जाए, वह भी अपनी बात रख सके। मान्यवर, जो बिल बना है, उसका स्वरूप देखा जाए, तो उसमें यह बात उठती है कि प्रधानमंत्री को उसमें लाया जाए, ज्यूडिशियरी को उसमें लाया जाए। जहां तक बहुजन समाज पार्टी का मत है, अगर उनको इसमें लाया जाता है तो बहुजन समाज पार्टी इसका समर्थन करती है। यह दूसरी बात है कि ज्यूडिशियरी को लाने के लिए, ज्यूडिशियरी को लोकपाल की जगह अगर ज्यूडिशियरी एकाउंटेबिलिटी बिल या किसी और माध्यम से भी लाया जाता है, तो वह उसका भी स्वागत करेगी। हम लोगों को यह ऐतराज है कि जिस तरीके से, लोकपाल पैनल बन रहा है, वो गलत है, पैनल के अलावा लोकपाल का जो मजमून बनाया गया है, बिल बनाया गया है, चाहे उधर का बिल देख लीजिए, चाहे उधर का बिल देख लीजिए, उन दोनों में ही यह देखने को मिलता है कि वही हो रहा है, जो हर जगह हो रहा है। वह चाहे सिलेक्शन कमेटी हो, लोकपाल का जो पैनल बनाया जा रहा है, वह हो, चाहे उसमें कोई अपॉइंटमेंट होना हो या निकाले जाने की प्रक्रिया में कौन लोग शामिल हों,

उसमें कोई प्रावधान नहीं किया गया है कि शैड्यूल्ड कास्ट का आदमी या दलित समाज का आदमी, जो इस देश में 25 परसेंट आबादी को represent करता है, जो गरीब तबके का है, उसका इसमें कोई share हो। इसका नतीजा यह है कि चाहे आज मीडिया हो, तो मीडिया में भी जब बात उठती है और अगर दलित समाज की बात होती है या किसी दलित व्यक्ति की बात होती है, तो वहां पर हम लोगों को एक दूसरा नजरिया देखने को मिलता है, क्योंकि शायद वे लोग मीडिया में भी नहीं हैं। चूंकि वे वहां पर नहीं हैं, इसलिए वहां पर भी उनकी आवाज दब जाती है। अगर आप ज्यूडिशियरी में देखें, तो वहाँ भी हाई कोर्ट में, अगर हम इलाहाबाद हाई कोर्ट को ही ले लें, जहाँ हाई कोर्ट जजेज़ की 160 मैम्बर्स की strength है, ...**(व्यवधान)**... मैंने सभी वंचित वर्गों के बारे में कहा, लेकिन आज आप इलाहाबाद उच्च न्यायालय को ले लें, दूसरे उच्च न्यायालयों में भी यही स्थिति देखने को मिलेगी कि जो जजों के सेलेक्शन का पैनल बनता है, उसको वहाँ पर शैड्यूल्ड कास्ट का एक भी ऐसा व्यक्ति नहीं मिला जो कि हाई कोर्ट का जज हो सके। अगर आप लोअर ज्यूडिशियरी ले लीजिए, तो उसमें 33 परसेंट का रिजर्वेशन किया गया है कि वे होई कोर्ट जज बनेंगे, जो लोअर ज्यूडिशियरी से जाते हैं, लेकिन उस 33 परसेंट में भी एक व्यक्ति न आ पाए, उसका भी तरीका बना लिया गया। जब उसमें higher judiciary में ले जाने के लिए selection process होता है, तो उसमें एक ऐसा प्रोसेस बनाया गया है, जिससे दलितों को उससे बाहर कर दिया जाए, वंचित कर दिया जाए। जब वे seniority के हिसाब से top category में पहुँचेंगे ही नहीं, तो consideration नहीं होगा। इसलिए हाई कोर्ट में, चाहे वकीलों से appointment हो, चाहे ज्यूडिशियरी से हो, आज शून्य की figure है। फिर हम इसका नतीजा पूरे समाज में देखते हैं।

यहाँ एक बात कही गई। लीडर ऑफ दि अपोजीशन ने उत्तर प्रदेश राज्य की बात की और उन्होंने सीबीआई या एक और अन्य संस्था के बारे में कहा कि जब जरूरत पड़ती है, तो affidavit बदल दिया जाता है। हम इस बात को समझ नहीं पाए कि वे क्या कहना चाहते हैं। वे किस भ्रष्टाचार के बारे में कह रहे हैं, किस सीबीआई के बारे में कह रहे हैं, तो अच्छा होता। एक ही विषय है, जिसको लेकर बार-बार नाम उछाला जाता है स्पष्ट करते, क्योंकि एक दलित की बेटी, जो देश के सबसे बड़े राज्य, जहाँ 20 करोड़ की आबादी रहती है, आज वहाँ की मुख्य मंत्री है, यह सबको भा नहीं रहा है। वे इस बात से दुखी हैं कि वे कैसे वहाँ पर बैठी हुई हैं। आज 20 करोड़ जनता की एक मुख्य मंत्री, जो दलित समाज की हैं, वे वहाँ मौजूद हैं, इसलिए तरह-तरह की बातें, चाहे वह मीडिया उठाती हो, चाहे पॉलिटिकल पार्टीज उठाती हों, भ्रष्टाचार के नाम पर जब चाहे, जो मन हो, कह दीजिए, क्योंकि आपको कोई दूसरा जवाब देने वाला उस समय सामने बैठा हुआ नहीं है। शायद ताज कॉरिडोर की बात कही जा रही है, जो हम इशारों में समझे। लेकिन मैं यह बताना चाहता हूँ, इत्तेफाक से इस समय हमारे लीडर ऑफ दि अपोजीशन यहाँ नहीं हैं, कि ताज कॉरिडोर के मामले के बारे में हमारे लीडर ऑफ दि अपोजीशन से अच्छा कोई नहीं जानता, क्योंकि यह उन्हीं के समय की बात है। यह 2003 की बात है। हमारी माननीया राष्ट्रीय अध्यक्ष बहन मायावती जी जब दबाव में नहीं आईं, तो उसके बाद यह ताज कॉरिडोर का मामला बनाया गया। ताज कॉरिडोर का मामला ऐसा बनाया गया, जिसमें हम जब मीडिया में भ्रष्टाचार की बात सुनते हैं, लोग बैठे होते हैं, एंकर्स बैठे होते हैं और कई लोग बैठे होते हैं, तो नाम लेकर 175 करोड़ रुपए के भ्रष्टाचार की बात करते हैं, जबकि वे अच्छी तरह से जानते हैं कि ताज कॉरिडोर में 17 करोड़ रुपए ही release हुए थे, 175 करोड़ रुपए release नहीं हुए थे और यह 35 करोड़ रुपए का काम हुआ था पर उसे उत्तर प्रदेश की सरकार ने नहीं किया था, बल्कि केन्द्र की एक एजेंसी ने यह काम किया था। उसने 35 करोड़ रुपए लगाए और उसने कहा कि मुझे सिर्फ 17 करोड़ रुपए मिले हैं। बाकी रुपया पाने के लिए उसने उच्च न्यायालय में मुकदमा किया। लेकिन कहा जाता है कि 175 करोड़ रुपए का भ्रष्टाचार है और उसको लेकर नाम उछालने की बात की जाती है और आज सीबीआई की बात की जा रही है। यह बात माननीय सर्वोच्च न्यायालय के सामने भी आ चुकी, जब उसने एक प्रश्न पूछा कि जो 17 करोड़ रुपए release हुए थे, तो क्या इसमें से एक रुपया भी उनके पास गया, क्या आपने investigation में ऐसा पाया, तो माननीय सुप्रीम कोर्ट में अटॉर्नी जनरल ने जवाब दिया कि नहीं, उनके पास इस 17 करोड़ रुपए से एक भी रुपया नहीं गया। जब यह बात सामने आ गई कि 17 करोड़ रुपए में से एक रुपया भी बहन मायावती जी के पास नहीं गया, तो उसके बाद वहाँ मुद्दा खत्म हो जाना चाहिए था, लेकिन यह इस तरह से शुरू किया गया था कि ताज कॉरिडोर से संबंधित जो सारे 12 लोग थे, उनके बारे में एक एफआईआर में उनको लिया गया, लेकिन disproportionate assets के बारे में एक एफआईआर और की गई, सिर्फ इसलिए जिससे इसे उलझा कर रखा जाए। इसे उलझाने का नतीजा यह

निकला कि सात साल, दस साल पहले के सारे इन्कम टैक्स के मैटर्स 1995 से खोले गए, लेकिन आज तक एक मैटर में भी एक पैसे की हेराफेरी नहीं मिली। सब खाते देख लिए गए। आज की स्थिति यह है कि सिर्फ इन्कम टैक्स कमिश्नर ही नहीं, ट्राइब्यूनल ही नहीं, उच्च न्यायालय तक ने यह कह दिया कि जो भी पैसा इनके पास में है, यह डिस्कलोज्ड पैसा है, जैन्डर पैसा है और इस पर कोई उंगली नहीं उठाई जा सकती। लेकिन मामला इस तरह से उलझाया गया था कि वह बाद तक चलता रहा।

मान्यवर हमारा कहना यह है कि लोअर ज्यूडिशियरी हो या हायर ज्यूडिशियरी अथवा माननीय प्रधानमंत्री की पोस्ट का सवाल हो, अगर हमें भ्रष्टाचार खत्म करने की बात करनी है, तो भ्रष्टाचार तभी खत्म हो सकता है जब आप दलित और अन्य गरीब वर्ग को भी देखें। यह काम सिर्फ भीड़ से नहीं हो सकता। चूंकि आज हम लोग बिल पर चर्चा नहीं कर रहे हैं, जब बिल सामने आएगा, तब हम लोग उस पर चर्चा करेंगे और बताएंगे कि बिल में क्या-क्या प्रावधान होने चाहिए।

हमारा यह मानना है कि लोकपाल बिल ऐसा होना चाहिए, जो सशक्त हो, जिसके पास ताकत हो और जिसका कोई दुरुपयोग न कर सके, क्योंकि दुरुपयोग के हम लोग स्वयं भुक्तभोगी हैं। अगर हम यह कहें कि आज वहां 50,000 लोग इकट्ठे हो गए और सिर्फ भीड़ इकट्ठा करने की बात हो तो आज मैं यहां पर दावे के साथ कह सकता हूं कि अगर हमारी पार्टी की नेता एक आवाज़ देंगी, तो दिल्ली में रामलीला मैदान ही नहीं, एक गली भी ऐसी नहीं बचेगी, जहां पर आपको आदमी नज़र नहीं आएंगे। लेकिन यह काम केवल भीड़ इकट्ठा करने से नहीं होता। हम लोगों को यह देखना चाहिए कि अगर हम लोग भ्रष्टाचार खत्म करने की बात कर रहे हैं, तो जिस तरीके से काँस्टीट्यूशन में प्रोविज़न है, हमें उसी को फॉलो करना चाहिए। बाबा साहब डा. भीमराव अम्बेडकर जी की काँस्टीट्यूशन कमेटी दो वर्ष से ज्यादा बैठी, उसके बाद एक-एक इश्यू पर डिस्कशन होने के बाद जो संविधान बना है, उसे हम लोग नज़रअंदाज़ नहीं कर सकते हैं। संविधान के जो प्रोसीजर्स हैं, जो मैथड्स हैं, उन्हीं को फॉलो करते हुए इसमें आगे बात की जाए।

SHRI SITARAM YECHURY (West Bengal): Thank you, Mr. Deputy Chairman. At the outset, I would like to thank the entire House and the Government that we have agreed to reorder the List of Business and taken up this discussion. I would like to assure my hon'ble and esteemed colleagues from Tamil Nadu that the issue of Tamilians in Sri Lanka is not an issue confined to only Tamilians or to Tamil Nadu, but all of us are concerned about it and we will take it up in right earnest tomorrow.

Sir, we are discussing this issue in a certain background. Therefore, we have two dimensions that need to be considered. One is the immediate context in which we are discussing this issue and the other is the larger issue of corruption that needs to be tackled and on that, I think, the atmosphere that has been built up in this debate so far has been that virtually there is a unanimity that this House should feel that corruption is something, a virus, a cancer, that needs to be eliminated from our body politic. Therefore, I appreciate this entire attitude of

not going into “तू-तू मैं-मैं” business but taking up this issue in a larger context which is good. But the immediate context can't be forgotten because corruption is also an ancient tradition in India. It is not only an ancient curse but also an ancient tradition.

Sir, when we were in school, we used to have a short story where a king once asked all his subjects to bring milk in order to test their morality. He asked all household heads to come with a *lota* of milk and pour it in a big cauldron in the palace. Every head of the household thought that the other will pour milk, so let me carry a *lota* of water and pour it into the cauldron so that the water gets mixed up with the milk. At the end of the day, when the king saw the cauldron, it was only water and no milk at all. So, the question of how to make money in an illegal or improper way is something that is part of our ancient legacy and, therefore, the fight against corruption has to be both tenacious and continuous. It can't, therefore, be done only with a single law or a single step or a single measure, but it has something to do with the moral fibre of our society as whole. In that respect, we, as custodians of the Constitution and as law-makers, have a very important role to play and, I think, that is the spirit that we must keep in mind when we are discussing it.

Then, you have this context in which we are discussing this. The situation outside on the roads is not very healthy for our democracy. Various issues have been raised. The people are agitated. We must recognise it. That is the first point that I want this House to recognise and note. We must recognise that the popular mood outside that is reflected both in anger and in protest is a mood of disgust against a series of scams that have come out in recent past. There is a degree of popular disgust in the country against this corruption at high places. Therefore, this issue has to be addressed. Yes, many suggestions have come. Some drafts of the Lokpal Bill have come. The other House has referred a draft by the Cabinet to the Standing Committee. Various proposals have come. But as far as we are concerned, I want to make it very clear, we do not think that the draft being considered by the Standing Committee today, as proposed by the Cabinet, is adequate. We do not think that is adequate. That needs to be strengthened. A more effective institution of Lokpal has to be brought about. And for that, through the Parliamentary procedure, whatever changes are required, that we would suggest. But I would appeal to the Government to reconsider this point. They should reconsider the draft of the Bill that they have submitted; incorporate many of the suggestions that have been made by the Jan Lokpal Bill, the movement that is going on and also incorporate some of the points that are being

made outside of both these drafts, which are also relevant. I think a process and a mechanism must be worked out by the Government whereby in place of the current Bill that has been presented, we would come out with a more comprehensive Bill dealing with the Lokpal. I think that is the order of the day. Keeping that in mind, once this House gives that assurance, on the basis of that assurance, I think this House must also appeal to Anna Hazare to withdraw his fast and impress upon the Government to work out this mechanism so that we can have an effective Lokpal as soon as possible. So this is not a question of standing on prestige and saying that we have given a draft, and, therefore, we will not withdraw it; nor the movement is standing on prestige that we have given the Jan Lokpal Bill and we will not withdraw it. This is in the larger interest of our country as a whole. So I think all these points must be put together and a new draft, a new Bill, must be brought forward which will be more effective and will take care of all these problems.

Sir, having said this, in order to tackle the immediate context, the larger issue must be addressed. I was very pleasantly surprised and very happy, in fact, to note that there is a learning process that is going on in this House. I was very pleasantly surprised to hear the Leader of the Opposition talk about many things which only we were talking about all the while and we continue to talk about it. I am glad he also admitted at that point of time when the law that was amended, only the Left had opposed that law. I will come back to that law, that is, about corporate funding of political parties. I will come back to that a little later.

SHRI S.S. AHLUWALIA (Jharkhand): It is the Companies Act.

SHRI SITARAM YECHURY: Yes, the Companies Act. Therefore, I am glad that this learning process is on. What is this learning process? This learning process is that in the last two decades of our economic reforms in our country, in the last two decades of liberalization reforms that we have started implementing, new avenues for corruption and loot have opened up. Today some say that liberalization is the root cause of all this corruption and some others say that liberalization has nothing to do with corruption and therefore, we should go in for the next generation of reforms. Gen-Next is the new word that is being used. But the point is to recognise that these reforms today have created the fountainhead of corruption and that fountainhead of corruption is crony capitalism. You had the Prime Minister standing here as the Leader of the House telling the entire House and the country that India can ill afford crony capitalism. Now the Prime Minister is on record saying so. Therefore, I think this is something that needs to be tackled because I believe this is the fountainhead of corruption and scams that

we are seeing today. What is crony capitalism? Crony capitalism is nothing but stealing of public property through various mechanisms where this process is institutionalized not only within the Government but in the society as a whole. Now you will have sweetheart deals; you will have deals given to your friends; you will have tenders manipulated; you will have 'PPP' where you say that the 'P', that is, the private part of the 'PPP' will be outside the RTI regulations. You will have sweat money shares; you will have gold plating that is done like in the case of your Krishna Godavari Basin. So, various avenues have been opened up which is one cause for this sort of scams to emerge. If you look at all the scams that have come to our notice in the last one year, all of them are related to this process of how awards are contracted, or, how shares or spoils are divided amongst various people. This is something which, as the Prime Minister has said, India cannot afford. Therefore, if this is something which we cannot afford, then, there must be a serious rethink on the process of reforms that you are taking on and how this can be corrected. The second aspect of the reform process is the question of encroaching on public utilities. We heard in the morning that there have been areas in education, that there have been areas in health, there have been user charges that are put for water and for various other public utilities — these were supposed to be provided by the State — these are all being privatized, and that privatization is also causing greater avenues for this sort of corruption to emerge. Now, what these scams have brought about — this a very serious issue which needs all our attention and concern — is that we now have a nexus. I am not saying this is a new nexus that has come up; we had it earlier. It is just that a new element has been added to this nexus, and, that is amongst corrupt politicians, corrupt bureaucrats, corrupt businessmen and sections of the corporate media. The paid News, that has happened, is the classic example of how sections of the corporate media have also been brought in. So, it is this nexus amongst these four elements. It is this nexus that needs to be tackled. And if this nexus has to be tackled, I think, we will have to put all our heads together in order to see what the package of institutional reforms that are required in order to tackle this nexus is. Sir, I see that you are looking at the time...

MR. DEPUTY CHAIRMAN: I have not disturbed you. You were also looking towards the time board, and I was also looking there.

SHRI SITARAM YECHURY: I am a sensitive person, and I can see your expression. Also, Sir, please do not compel me to invoke technicalities. After taking oath on the 19th, this is my first speech. It is my maiden speech. I am not invoking it. I am only appealing to you...

MR. DEPUTY CHAIRMAN: Only keep in mind that all the leaders have to go for the meeting.

SHRI SITARAM YECHURY: I will be very brief. I was talking about crony capitalism and new avenues that have been opened, and because of time constraints, I do not want to repeat them. What the Leader of the Opposition has said, I would entirely agree that there is money to be made underground; there is money to be made under water; there is money to be made in space. All these are new avenues that have been opened up. Therefore, if these have to be contained, I think, there is a need for this House, for Parliament, to consider radically changing the definition of corruption. Now, the Prevention of Corruption Act defines the offences which constitute a corrupt act. The linkage, that is made there, between the misuse of public power for private gain or enrichment, is highly restrictive. You can have many acts of corruption, where it is not a pecuniary gain made by an individual, but concessions given because of which there can be a loss to the national exchequer. Therefore, corruption is not only acts of commission, but it is also acts of omission by which you make the country lose by your decision. Therefore, in this indirect manner, if you look at it, in the entire 2G spectrum, not one paisa of money was handed over to anybody. But the scam took place. The shares were bought. Some shares were unloaded. All sorts of things happened, but everything legally. Now, we are told by the Minister of Telecommunications, “What is wrong if companies offload their shares in order to raise capital?” Nothing is wrong. But these companies offloaded their shares to raise capital at a value which was much higher because they got this 2G spectrum. Why didn’t these companies offload their shares before they got the licence? But they offloaded after they got the license so that their share value goes up. That is how this is done. Therefore, the first point that we will seriously consider is to change the definition of ‘corruption’ in The Prevention of Corruption Act.

The second thing which is required to be considered is, as I said earlier, that you require a package. You have the Lokpal Bill which we have to make effective. The Jan Lokpal Bill, as pointed out by the Leader of the Opposition, contains certain provisions which today are *ultra vires* of our Constitution — article 105 and article 311 about Government employees. Now, you cannot have a law passed by the Parliament that is *ultra vires* of the Constitution without considering whether we need to amend these sections of the Constitution or not. Now, these are very important. Article 311 is about Government Servants. They have their rights according to the Constitution. They have constitutional rights. Are we today to say that they will all come under the Lokpal and, therefore, that constitutional right is no longer valid? Now, these are

serious issues, Sir, which need to be debated. But, since, as I said earlier, all these Bills have certain plus points and certain minus points, let us together work out a new Bill which will take care of all these aspects. And, secondly, Sir, as I said earlier, there must also be a very clear understanding that there must be a package, an effective Lokpal, and you require the National Judicial Commission, about which we have been arguing for a long time. We initiated, for the first time, the cumbersome process of the impeachment of a High Court Judge. The process is still on; it has to go to the Lok Sabha. But you will require a National Judicial Commission or an Accountability Bill, whatever maybe the form. There has to be some mechanism by which these allegations are treated and effective action is taken.

The third thing of the package is the electoral reforms. These are very important. Electoral reforms are important in order to reduce the hold of money power, particularly. Most of us feel, Sir — I have said this in the House in my last term and I am saying it again — you would find very few of the Left coming back, not because people have rejected us, but because we can't afford elections. It is impossible to come back with the sort of expenditures that are happening now. There must be a reduction in money power and muscle power, and to reduce money power, I would like the entire House to dispassionately consider a ban on corporate funding of political parties. Corporates must help in strengthening Indian democracy, but let them donate to some body like the Election Commission or some other body and use that corpus of money for State-funding of elections. Let it not be a private arrangement between one party and one corporate entity, because that is the fountainhead of corruption. So, this is the third aspect of this package that has to be implemented, Sir.

The fourth...

MR. DEPUTY CHAIRMAN: The fourth and the last !

SHRI SITARAM YECHURY: All right, Sir. I shall conclude.

The fourth is, of course, the question of tackling black money. It is all right that everybody is saying that black money should be brought back to the country. There is no disagreement on that. But how is it being generated? Please, give it a thought. How is this money-laundering happening? Please, give it a thought. Please, reconsider your double taxation avoidance treaties with various countries. You cannot have a double taxation avoidance treaty with a country that does not have the tax. Mauritius does not have a capital gains tax but you have a double taxation avoidance treaty. What else is this but opening up avenues for money laundering?

Then, you have this question of money laundering happening through speculation. I would want the Government and this House to seriously consider the imposition of a Tobin tax in our country whereby you act as a dampener for the speculation that is taking place in a big way and the money laundering that happens as a result of it. Have a tax, even if it is minimal, on financial transactions. It is a very controversial issue, but I think the world is moving in that direction today. There are many Right Wing economists today. One of them, Charles Moore, who was Editor of *The Daily Telegraph* and the biographer of Margaret Thatcher, is now saying, 'I think, finally I am coming to the conclusion that may be the Left is right'. He is saying that, and he is talking of controlling speculation! And, of all the people, it is the venerable Pope, Sir, who said, 'the markets alone cannot take care of the people; you have to have economic reforms that are people-centred'. He made this speech from the Vatican! Now, the point, therefore, is that if you want to stop all that is going on today, it is necessary to tackle this money laundering. So, these are the two issues that need to be effectively tackled. Therefore, the issues of nationalization of all mineral resources, which we have been raising in the past, the issue of Government managing the mining of it, and the question of land and the need for a new land acquisition law, are all integral parts of this package which is required in order to stem new avenues of looting and corruption.

In conclusion, I can only say that the Government must, under pressure from the House and the Parliament, pay a serious thought to reconsidering the question of the reforms. They must pay a thought on how to plug the new loopholes that are created because of liberalization process and bring in a package. Just one Lokpal Bill is not sufficient if we want to tackle corruption. Bring in an effective Lokpal Bill as I said, take back the existing Bill, combine all the good points and everything; bring in the Bill and, then, along with that, have the National Judicial Commission, along with that have the electoral reforms, along with that you should have new laws required to tackle money laundering and to get the black money back. This package is absolutely necessary in order to tackle corruption. Thank you, Sir.

श्री तारिक अनवर (महाराष्ट्र) : उपसभापति महोदय, आज यह सदन बहुत ही महत्वपूर्ण विषय पर चर्चा कर रहा है क्योंकि भ्रष्टाचार सही मायनों में एक ऐसा अहम मुद्दा है, जिसमें हर व्यक्ति को इस बात की चिंता है कि इस भ्रष्टाचार से कैसे निजात मिलेगी? हर व्यक्ति यह चाहता है कि भ्रष्टाचार से उसे मुक्ति मिले और उसके लिए लोगों की अपेक्षा है कि ऐसे उपाय किए जाएं जिनसे भ्रष्टाचार समाज से कम हो और समाज को उसका लाभ मिल सके। मैं नेता विपक्ष की उस बात से पूरी तरह सहमत हूँ कि आज सभी लोग, सभी राजनीतिक दल जो पब्लिक लाइफ में हैं, वे संदेह के घेरे में हैं। आज लोगों को इस बात की आशा है, क्योंकि लोकतंत्र में लोगों का विश्वास राजनीतिक दलों पर होता है, लोगों का विश्वास जो पब्लिक लाइफ में हैं, सार्वजनिक जीवन में हैं,

उन पर होता है, उनसे उनको अपेक्षा होती है और उम्मीद होती है, लेकिन दुर्भाग्य से आज हम सब लोग जो सार्वजनिक जीवन में हैं, एक शक के दायरे में हैं, संदेह के दायरे में हैं और उससे उबरना बहुत आवश्यक है क्योंकि यह हमारे लोकतंत्र के लिए बहुत ज़रूरी है। अगर हमारे देश के संविधान पर से, हमारे देश की जो पार्लियामेंट है या जो व्यवस्था है, उस पर से लोगों को विश्वास उठ जाएगा, तो इस देश में लोकतंत्र बच नहीं सकता है, इसलिए लोकतंत्र की रक्षा के लिए भी यह आवश्यक है कि हम लोगों का विश्वास कैसे प्राप्त करें। आज पूरे देश में यह अहम मुद्दा बना हुआ है और हम सब लोगों को इसे गंभीरता से लेने की आवश्यकता है।

उपसभापति महोदय, अभी माननीय सदस्यों ने जो मशवरा दिया कि ऐसा कानून बनना चाहिए, ऐसी व्यवस्था बननी चाहिए, जिससे लोगों का विश्वास फिर से लौट कर हमारे ऊपर या सदन के ऊपर आ सके और उसके लिए जो बात कही गई कि मजबूत लोकपाल बनना चाहिए, हमारी पार्टी एन.सी.पी. भी यह चाहती है कि एक मजबूत लोकपाल का गठन हो और उस पर सबका विश्वास हो।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) पीठासीन हुए।

सब लोगों की सहमति हो, सब लोगों की राय उसमें हो, यह भी ज़रूरी है। हमारे लोकतंत्र में इस बात का प्रावधान है कि हर व्यक्ति अपनी राय दे सकता है, हर समूह अपनी राय दे सकता है और तमाम राय-मशवरे लेकर हम किसी ठोस नतीजे पर पहुंच सकते हैं। उसके लिए सरकार की तरफ से पहल की गयी है। मैं समझता हूं कि प्रधानमंत्री जी ने इस संबंध में बहुत ही अच्छा कदम उठाया है। एक बार फिर से लोगों को यह विश्वास हुआ है कि सरकार चाहती है कि कोई मजबूत कानून बने, कोई ऐसे ठोस कदम उठाए जाएं, जिनसे भ्रष्टाचार से, जो एक अहम मुद्दा है, लोगों को निजात मिल सके। उपसभाध्यक्ष महोदय, आप जानते हैं कि एक तो भ्रष्टाचार से हमारी विश्वसनीयता में कमी आयी है, उसको लौटाना बहुत ज़रूरी है, वहीं दूसरी ओर भ्रष्टाचार से जो बुराइयां हमारे समाज में आयी हैं, उनको दूर करने के लिए भी इस पर अंकुश लगाना ज़रूरी है। आज हमारी जो बुनियादी आवश्यकताएं हैं, जो हमारा विकास है, इस देश की जनता को जो बुनियादी सुविधाएं नहीं मिल रही हैं - चाहे वे स्वास्थ्य से संबंधित हों या दूसरी चीजें हों - उन तमाम चीजों में जो रुकावट है, वह भ्रष्टाचार है। इसी कारण से आज लोगों में बैचैनी है। आज हम उग्रवाद की बात करते हैं। अगर हम उग्रवाद की जड़ में जाएं तो वहां पर भी हम यह देखेंगे कि भ्रष्टाचार एक बहुत बड़ा कारण है, भ्रष्टाचार की वजह से उग्रवाद को आगे बढ़ने का मौका मिल रहा है। इसलिए आज हम लोगों को, इस सदन को इस बात पर विचार करना होगा कि किस तरह से हम इस भ्रष्टाचार से समाज को, देश को, राष्ट्र को निजात दिला सकते हैं। मुझे यह कहने में ज़रा भी हिचकिचाहट नहीं है कि जो भी सुझाव आ रहे हैं, हम लोगों को उन पर विचार करना चाहिए। हम एक-दूसरे पर कीचड़ उछालने का काम करते हैं, लेकिन हम इस बात को भूल जाते हैं कि इस

कीचड़ के छींटे हम पर भी पड़ सकते हैं। महोदय, जैसा मैंने पहले कहा, आज तमाम वे लोग, जो सार्वजनिक जीवन में हैं, उन सबके ऊपर से लोगों का विश्वास उठता जा रहा है, इसलिए हम सबको, तमाम राजनीतिक दलों को, तमाम राजनेताओं को एक साथ मिलकर इस बात पर विचार करना होगा। अगर इस देश में लोकतंत्र की रक्षा करनी है, उसको बचाना है, तो उसके लिए हम सबको एकजुट होकर, एक तरह से सोचना पड़ेगा, तभी हम इस देश को इस बीमारी से निजात दिला सकते हैं। मुझे खुशी है कि प्रधानमंत्री जी ने आज ऑल पार्टी मीटिंग बुलाई है, जिसमें सभी राजनीतिक दलों के नेताओं को बुलाया गया है। मुझे पूर्ण विश्वास है कि सब लोगों के विचार से उसमें कुछ ऐसे ठोस सुझाव आएंगे, खास तौर पर लोकपाल बिल के संबंध में ऐसे विचार आएंगे, जिनके संबंध में देश की जनता बहुत बेचैनी से पार्लियामेंट की ओर देख रही है, हमारी ओर देख रही है कि हम क्या फैसला लेने जा रहे हैं, क्या निर्णय लेने जा रहे हैं। इसलिए आज की यह बैठक बहुत ही महत्वपूर्ण है। मैं समझता हूँ कि लोगों का विश्वास फिर से हमारे ऊपर बने, ऐसी कोशिश हमारी होनी चाहिए। ...**(समय की घंटी)...**

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay; because everybody has to go.

श्री तारिक अनवर : हमने भ्रष्टाचार के खिलाफ कार्यवाही की है, भ्रष्टाचार समाप्त करने के लिए सरकार ने कई कदम उठाए हैं, लेकिन लोग उससे भी ज्यादा आगे बढ़कर चाहते हैं। लोगों का मानना है कि और अधिक कठोर कानून बनाए जाएं, जिससे उनको भ्रष्टाचार रूपी इस कैंसर से बचाया जा सके।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Other Leaders have to go for the meeting.

श्री तारिक अनवर : महोदय, मैं इन्हीं बातों के साथ अपनी बात समाप्त करता हूँ कि इस सदन में जितने भी राजनीतिक दल हैं, राजनेता हैं, पॉलिटिकल पार्टियाँ हैं, सार्वजनिक जीवन में जो लोग हैं, उन सबको एक साथ बैठकर इस पर विचार करना चाहिए। आज इस संबंध में ठोस कदम उठाने की आवश्यकता है ताकि हम भ्रष्टाचार पर अंकुश लगा सकें। धन्यवाद।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri Mohapatra. If everybody speaks for five minutes, then, all the Leaders can go for the meeting. ...*(Interruptions)*... Mohapatraji also has to go for the meeting. ...*(Interruptions)*... After this, Shri Raja will speak. Mr. Mohapatra, please speak.

SHRI PYARIMOHAN MOHAPATRA (Orissa): Thank you, Sir. We have already heard a lot of learned speeches and I do not want to impose another speech on the House or my colleagues. I will make only a few points. I agree with the formulations made by Mr. Jaitley, Mr. Yechury and Satish Misraji. We want a strong Lokpal, we want an independent Lokpal. We support that particular demand. The manner in which the Lokpal has to be chosen has to be honest, independent and transparent and then we can trust somebody.

Having said so, I must say that the manner in which the Government has approached the problem, the way Mr. Anna Hazare and his team have gone about, is highly childish. It is like, you take my formulation or you take this formulation, that kind of thing is one which is not an acceptable proposition for coming to a solution. It is always through argument, through reasoning and through compromise. Parliament is the place where argument, reasoning and compromise can be achieved. So, I would like to remind my colleagues in this House of what happened in the thirties' in Germany where mobocracy took over and Bundestag, the German Parliament, was set on fire and the dictatorship followed. We should not encourage anything that leads to mobocracy. It is not a question of blaming people. Who are the people of this country? When the Prime Minister made a statement, while seeking clarification I had asked what about the 90 per cent people in the country who suffer torture of corruption day in and day out through the functionaries of the Government, through politicians colluding with them. What happens there? Who is Lokpal? Great people sitting here, five of them or ten of them or fifteen of them can look after that? I am very happy that my friend Jairam Ramesh, the Minister, has announced that he wants systemic changes. He is attempting systemic changes, at least, in his Ministry, which touches the lives of all these people. Sir, I will not take much time. But that is to be addressed and if that is to be addressed, we must have a system of Lokpal, Lokayukat and Ombudsman down to the District along with a procedure which will ensure non-partisan and transparent selection of Ombudsman also. At the same time, I must warn that the Government should make no attempt in a federal state to take away States' power. This idea of giving it to the Governor to choose a Lokayukat for States should be given up as quickly as possible if our support is needed for this. Do not encroach into the territory of the States. Let the autonomy not be ...*(Time bell rings)*..

My last proposition is that 50 per cent women must be there in Lokpal recruitment, Lokayukta recruitment and Ombudsman recruitment. They constitute half of the population. I do not know why in a male chauvinistic kind of approach we do not reserve. We shy away from 30 per cent reservation for women in Parliament but we should not shy away from 50 per cent reservation for women in this. Thank you very much.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I have in the list three more important names who have to attend the meeting convened by the Prime Minister. If everybody takes five minutes or less than six minutes, all the three can speak and go. Shri D. Raja. ...*(Interruptions)*... It is only for those who have to go. ...*(Interruptions)*... I did not say it about rest of the Members.

SHRI D. RAJA (Tamil Nadu): Sir, as per the study made by Transparency International last year, India ranks 87th corrupt country in the world. This indicator is enough to understand how corruption has become rampant in India and the political and bureaucratic corruption has become a major concern in today's India. It is true, Sir, that legislations are made in Parliament and by Parliament but, at the same time, one cannot underestimate what is happening in Jantar Mantar or Ramlila Maidan. Government of the day should take note of that public pressure and understand the public anger against corruption. The Leader of the Opposition and several other leaders have agreed that there is a spurt of corruptions during the last two decades. Exactly the last two decades is the period of the implementation of neo-liberal economic policies. The neo-liberal economic policies allow the private players to loot the natural resources of the country, starting from land to illegal mining. One can go on listing out the issues. So, the time has come. The Government of the day, the Congress led UPA 2 Government must go for a mid-term review of these policies and it should take mid-course correction of these policies. I am very doubtful whether the Government is prepared for it. That is where the Government stands helpless and all its credibility is lost and people do not trust the Government at this point of time. Prime Minister may speak several things but people do not have confidence or credibility in the Government. This is a very serious issue. Having said that, Sir, how do we fight corruption? Lokpal is one law but there are several laws which can be implemented effectively. When we talk of Lokpal, Government version is there which is weak and inadequate. Everybody admits it. At the same time, there is one more Lokpal which is in public domain, which is called Jan Lokpal. There is one more version of Lokpal given by Aruna Roy and her team. So, people can debate. Parliament can debate. There can be a convergence of understanding, convergence of commonality on certain issues if we are determined to fight corruption and evolve a proper, legal mechanism, a legal framework. Having said this, Sir, only law cannot curb corruption. We will have to look at the issue of corruption comprehensively, in totality. There, I agree with some of the previous speakers also. We need to go for series of other measures. One, in my opinion, is comprehensive electoral reforms. It has become very imperative and very urgent. In fact, I may propose that this time, political parties should think of having proportional representation as a system in our elections. Now, the First-Past-The-Post System leads to many difficulties and leads to political complications as well as corrupt practices. There I think the electoral reform must concentrate on proportional representation system. Then, Sir, how to curb money power in elections? How to curb the criminalization of electoral system and political system? When comrade Inderjit Gupta, the Communist Leader was the Home Minister of this country, he

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did take some steps to implement police reforms as well as state funding. When he was a Member of Parliament, a Committee was set up under Inderjit Gupta and that Committee has given a recommendation on State Funding. What happened to that policy of State Funding? Why the Government is not taking care of that policy?

So, Sir, fighting corruption is a big task. It is not a question whether it is a part of Indian ethos or Indian values. In my opinion, neo-liberalism, as a philosophy, did assess the value system. Buddha said, 'desire is the root cause of misery.' We have inherited Buddha, but we have not inherited Buddhism as the thinking of India's political public life...(*time-bell*)...We have to recapture certain values given by Buddha as the Indian values. Here, the neo-liberalism needs to be fought. Otherwise, we cannot fight corruption. Thank you.

SHRI M.V. MYSURA REDDY (Andhra Pradesh): Sir, the Transparency International Index, which my senior colleague has also mentioned, crowned India as the most corrupt country. It was in 2005. But, today, I think, the situation is much worse. Another website — Track Website Business — published the demands of corruption. It is Bribe Demands. In this Bribe Demands, 51 per cent of people are paying for the timely delivery of service to which they are entitled. It is a pathetic condition that the people have to pay money for the service or work to which they are entitled. It is shameful and speaks volumes about governance in the country — either at the State level or at the Central level. That is why there is a knee-jerk reaction in support to Anna Hazare's *Aanshun*.

Sir, 2004 to 2009 is the golden era of corruption in my State. It is the golden era of corruption. The people who were at the helm of affairs and supposed to protect the people's property and money became the looters. The people's money was swindled and siphoned off into their pockets in the name of *Jala Yagnam*. And, by relaxing rules, the property of people was looted. Apart from this, even the mineral wealth was looted. We have enlisted all the scams occurred during this period and published a booklet in the name of 'Raja of Corruption.' We have submitted this booklet and represented to the hon. President of India and the hon. Prime Minister of this country. But, there is no action. Now, the hon. High Court has to intervene. It has initiated action and instituted a CBI enquiry. According to the CBI's preliminary enquiry, a few thousand crores have gone to one family which was at the helm of affairs in the State during that time! The hon. Leader of the Opposition has correctly said that whatever action that has

taken place has taken place as per the direction of court. Had the Government been taken action, then it would be in good looks of the people and they thought that this Government is interested in weeding out corruption. But, that has not happened. Instead, the court has initiated action. The same thing has happened even in the 2G Scam. The Supreme Court has initiated action. Even in the case of getting black-money back from tax heaven countries, the Supreme Court has initiated action and the action of this Government is very little.

Sir, you have given me very less time.

With regard to Lokpal Bill, Sir, I am proud to say, on behalf of my party, that I had introduced the Jan Lokpal as a Private Member Bill in this House. Our party is the first party to support the Jan Lokpal Bill. We request this House and all parties that we can take good provisions from Jan Lokpal Bill within the framework of the Constitution. I am not pleading to go out of the Constitution. Within the framework of the Constitution, this Lokpal Bill may be redesigned and introduced in this House.

Lokpal is the first step towards weeding out corruption. We are suggesting that electoral reforms should be there so that corruption can be stopped. Sir, another point is regarding the National Judicial Commission and judicial reforms. We have to give a relook towards reforms. Reforms are becoming the breeding ground for corruption. It is encouraging a pyramid type of growth. It is not inclusive growth. Reforms are benefiting only the rich people and the corporate sector people. It is creating a wide gap between the common people and the rich people. So, ultimately, it is detrimental to democracy. For electoral reforms and judicial reforms, law has to be amended as one package to weed out corruption. That type of package will be useful. Thank you very much.

श्री रामविलास पासवान (बिहार) : उपसभाध्यक्ष जी, इसमें दो मत नहीं हैं कि देश में भ्रष्टाचार है। भ्रष्टाचार का मतलब होता है, भ्रष्ट आचरण और भ्रष्ट आचरण का मतलब हर क्षेत्र में होता है। यदि आप किसी दलित के प्रति अन्याय करते हैं, तो वह भ्रष्टाचार में आता है, किसी माइनोरिटी के प्रति अन्याय करते हैं, तो वह भी भ्रष्टाचार में आता है, यदि किसी से घूस लेते हैं, तो वह भी भ्रष्टाचार में ही आता है, इसलिए आज पूरा का पूरा देश भ्रष्टाचार से जूझ रहा है। यह बात सही है कि जब से उदारीकरण की नीति आई, न्यू लिबरेशन पॉलिसी बनी, आपने एक फ्लड गेट खोल दिया। जब फ्लड गेट खोल दिया, तो आप खिड़की को बंद करके नहीं रख सकते हैं। पहले सरकारी कर्मचारी होते थे, अधिकारी होते थे, उनकी रिस्पॉसिबिलिटी रहती थी, कहीं भी जाकर कोई आदमी जांच करके पता लगा सकता था। आज कौन कहां से डील कर रहा है, आज इसका किसी को कोई पता नहीं चलता है, क्योंकि आपने फ्लड गेट खोल दिया है। इसलिए पहली बात तो यह है कि जो भ्रष्टाचार है, उसके विरुद्ध देश को, पार्लियामेंट को, पूरे देश की जनता को एकमत होना चाहिए, लेकिन आप भ्रष्टाचार से कैसे लड़ेंगे, उसका तरीका क्या होगा, उस संबंध में मैं समझता हूं कि

जो तरीका आज अपनाया जा रहा है, वह बिल्कुल गलत तरीका है। वह तरीका बिल्कुल ही गलत है। पार्लियामेंट के ऊपर अंडर प्रेशर, घेराव करके, प्रदर्शन करके, जन-प्रतिनिधि को कानून बदलने के लिए बाध्य किया जाए, मैं समझता हूँ कि यह सही नहीं है। जब हर आदमी को दिखलाया जाता है कि फलाने घर के सामने प्रदर्शन हो रहा है, फलाने का घेराव हो रहा है, क्या इसका मतलब है कि इस देश में किसी को अपनी बोली बोलने का अधिकार है कि नहीं है? हम देख रहे हैं कि प्रदर्शनकारियों में anti-reservationists हैं। प्रदर्शन में वंदे मातरम् कहने का नारा लगाया जाता है। यहां भी वंदे मातरम् चलता है, लेकिन यदि हमारा intention यह है कि वंदे मातरम् से जो देश की minority के लोग हैं, उनको डराया जाए, anti-reservation के नाम पर, रामलीला मैदान में कुछ लोग आकर बैठ जाएं, जंतर-मंतर पर आकर बैठ जाएं और कह दें कि जो Scheduled castes के लिए reservation है, इसको खत्म कर दो, scheduled tribes के लिए जो reservation है, उसको खत्म करो, तो क्या स्थिति होगी? इस देश में ऐसे भी संगठन हैं, जो कहते हैं कि जो गैर-हिंदू हैं, उनको देश की नागरिकता नहीं मिलनी चाहिए। यदि ऐसे लोग आकर बैठ जाते हैं - स्वाभाविक है कि उसके अंदर दस लाख, बीस लाख, पच्चीस लाख लोग जुड़ जाएंगे, लेकिन क्या सरकार को इस पर झुक जाना चाहिए? हमें जेटली जी का भाषण सुनकर बहुत खुशी हुई। जब उन्होंने गिनाना शुरू कर दिया, तो उन्होंने ज्यूडिशियरी से लेकर मीडिया तक, गिनाना शुरू कर दिया कि सब जगह भ्रष्टाचार है। भ्रष्टाचार है तो भ्रष्टाचार से मुक्ति मिलनी चाहिए। इसीलिए मैंने उस दिन कहा था, काफी हंगामा हुआ, हमने कहा कि भ्रष्टाचार की जड़ में संपत्ति है, प्रॉपर्टी है, इसलिए राइट टू प्रॉपर्टी खत्म करो। सब धन गोपाल का। सब सरकार की संपत्ति हो जाए, सरकार की संपत्ति रहे। जो नौकरी करे, वह नौकरी में काम करे, जो आदमी जहां काम करे, वहां करे, बिजनेस में करे, तो बिजनेस में काम करे, वकालत करे तो वकालत करे, “एक व्यक्ति एक रोजगार”, एक आदमी के पास एक रोजगार होना चाहिए, इसलिए इस प्राइवेट प्रॉपर्टी को खत्म कीजिए, लेकिन कोई इसको मानने के लिए तैयार नहीं होगा। यह बाबा साहेब अंबेडकर का संविधान है। बाबा साहेब अंबेडकर का जो संविधान है, हम उस संविधान के दायरे के बाहर नहीं जाने देंगे। आपको मालूम नहीं है कि इस देश में जो शैड्यूल्ड कास्ट के लोग हैं, जो बैकवर्ड क्लासेज के लोग हैं, जो ट्राइबल लोग हैं, जो माइनॉरिटी के लोग हैं, वे इस आन्दोलन से सहमे हुए भी हैं और इस आन्दोलन के प्रति उनके मन में गुस्सा भी है। हम लोगों को बार-बार सब जगह से टेलीफोन आता है कि पासवान जी, आप कहते हैं कि आप downtrodden लोगों के नेता हैं, यह क्या हो रहा है? कल कोई आदमी बैठ कर हमारे रिजर्वेशन को खत्म करना चाहेगा, तो आप उसे रिजर्वेशन को खत्म करने देंगे, क्या सरकार इस मामले में झुक जाएगी? पार्लियामेंट का एक सिस्टम है, हमारे यहाँ parliamentary democracy है। इसलिए सब चीज़ बरकरार रहनी चाहिए। आप आन्दोलन कीजिए, उस दिन हमने कहा कि हम लोगों ने भी जे.पी. के मूवमेंट में आन्दोलन किया था, लेकिन यह आन्दोलन सत्ता के परिवर्तन का था और सत्ता बदल गई। आप अरुंधती राय का लेख पढ़िए, वे भी social activist हैं, उन्होंने 22 तारीख को ‘हिन्दू’ में लिखा है। उन्होंने लिखा है कि एक आन्दोलन नीचे से चल रहा है, जिसको Naxalite Movement कहते हैं, यह गरीब की समस्या को लेकर नीचे से ऊपर जा रहा है और एक आन्दोलन ऊपर से आ रहा है लोगों को ढकने के लिए। इसलिए अगर आप प्रधानमंत्री को इसमें रखना चाहते हैं, तो प्रधानमंत्री को रखिए, अगर ज्यूडिशियरी का रखना चाहते हैं, तो ज्यूडिशियरी को रखिए,

इस पर हमारे जैसे लोगों को कोई आपत्ति नहीं है। लीडर ऑफ दि ऑपोजीशन ने कहा कि मीडिया से लेकर, ज्यूडिशियरी से लेकर सबके ऊपर ऊँगली उठाई जा रही है, तो इस लोकपाल में सबको डाल दीजिए। यह लोकपाल क्या है? क्या इसमें कोई भगवान के यहाँ से आएगा? क्या इसमें कोई ऊपर से आएगा या वह इसी कर्मचारी वर्ग से कर्मचारी को लेने का काम करेगा? जो 20 हजार लोग भर्ती होंगे, वे कहाँ से होंगे? यहीं दिल्ली मेट्रो है। क्या वहाँ corruption है? वहाँ बिल्कुल corruption नहीं है। वहाँ 20 Vigilance Officers हैं, जो इसे देख रहे हैं। हमारे यहाँ जो सिस्टम है, उस सिस्टम को बदलने की कोशिश करनी चाहिए और उस सिस्टम के तहत काम करना चाहिए। लेकिन हम लोग अभी यहाँ जो देख रहे हैं, मैं बहुत ही संजीदगी के साथ कहना चाहता हूँ कि 'वोट का राज' मतलब 'छोट का राज' होता है। आज जो शैड्यूल्ड कास्ट के लोग हैं, बैकवर्ड क्लासेज के लोग हैं, माइनॉरिटी के लोग हैं, वे लोक सभा में, राज्य सभा में भारी संख्या में आ रहे हैं। इससे कुछ लोगों के पेट में दर्द हो रहा है कि यह सिस्टम रहेगा, तो पार्लियामेंट के ऊपर इनका capture रहेगा। इसलिए इस सिस्टम को खत्म करो और कोई extra, super, ultra power लाओ, जिससे सिस्टम को खत्म कर दिया जाए और कल न लोक सभा रहेगी, न राज्य सभा रहेगी और कुछ नहीं रहेगा। आपने एक बार यह चस्का लगा दिया, तो इसका अंजाम बहुत ही बुरा होने वाला है। इसलिए मैं आपसे कहना चाहूँगा, सर, हमारे पास बहुत से प्वायंट्स हैं।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : पासवान जी, आपको मीटिंग में जाना है।

श्री रामविलास पासवान : सर, मैं खत्म कर रहा हूँ।...(व्यवधान)...

श्री अली अनवर अंसारी (बिहार) : सर, ये जो कह रहे हैं कि माइनॉरिटी के लोग डरे हुए हैं, यह इनसे किसने कहा?...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I didn't stop him.

श्री अली अनवर अंसारी : भ्रष्टाचार के खिलाफ जो आन्दोलन हो रहा है, माइनॉरिटी के लोग उसके साथ हैं।...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please, please. आप बैठिए।

श्री रामविलास पासवान : अगर माइनॉरिटी के लोग डरे हुए नहीं हैं, तो ... (व्यवधान)...

श्री अली अनवर अंसारी : उन्हें डर दिखा कर आप वोट लेने वाले नहीं हैं। ... (व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please sit down.

श्री रामविलास पासवान : ठीक है। आप मत कीजिए। ... (व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please don't disturb.

श्री रामविलास पासवान : सर, मैं इसे वापस लेता हूँ। माइनॉरिटी के लोग डरे हुए नहीं हैं, माइनॉरिटी के लोग बहुत bold हैं।...(व्यवधान)... आप बैठिए, अब तो खत्म हो गया। यह हम नहीं कह रहे हैं, बाहर के लोग हैं, जामा मस्जिद के लोग हैं, सारे के सारे लोग कह रहे हैं। यदि आपको लगता है कि वे डरे हुए नहीं हैं, ...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please sit down.

श्री रामविलास पासवान : इसलिए हम यह कहना चाहेंगे कि जो भी रास्ता हो, वह parliamentary democracy के through हो, पार्लियामेंट के through हो। इसमें एक ही नहीं, केवल जन लोकपाल ही नहीं, बल्कि और भी बहुत से लोकपाल विधेयक आएंगे। अगर आप प्राइवेट लोगों को invite करेंगे, तो बहुत सारे ऐसे लोग हैं। अन्ना और अरुणा राय के संबंध में कहा गया, अरुंधती राय के संबंध में कहा गया, और भी बहुत सारे लोग हैं। सबके विचार करने के लिए parliamentary forum है, एक Standing Committee है, उसके पास आना चाहिए।

अन्त में मैं एक बात कहना चाहूंगा कि लीडर ऑफ दि ऑपोजीशन बहुत अच्छा बोलते हैं, अहलुवालिया साहब बहुत अच्छा बोलते हैं, लेकिन अहलुवालिया साहब, जब आप दिल्ली के कॉमनवेल्थ का मामला उठाते हैं, जब आप दूसरे राज्य, हरियाणा का मामला उठाते हैं, तो कृपया बिहार के भ्रष्टाचार को भी, जिसमें 67 हजार करोड़ का भ्रष्टाचार हुआ है...(व्यवधान)... BIADA में जो भ्रष्टाचार हुआ है...(व्यवधान)... मैं खत्म कर रहा हूँ...(व्यवधान)... मैं किसी का नाम नहीं ले रहा हूँ। हम अपनी बात खत्म कर रहे हैं, हम किसी का नाम नहीं ले रहे...(व्यवधान)... हम किसी का नाम नहीं ले रहे हैं...(समय की घंटी)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : बस हो गया, प्लीज़...(व्यवधान)...

श्री रामविलास पासवान : चाहे चारा घोटाला हो, मुख्य मंत्री का नाम आया है...(व्यवधान)... सारे के सारे जो घोटाले हैं, उनके ऊपर भी बोलना चाहिए। बहुत-बहुत धन्यवाद।

श्री रामचन्द्र प्रसाद सिंह (बिहार) : भ्रष्टाचार के मामले में अभी रामविलास जी ने कुछ बात कही, मैं तुरंत उन्हें उत्तर देने वाला था, लेकिन वह जा रहे हैं। आज सब जगह भ्रष्टाचार की चर्चा हो रही है और सबसे ज्यादा जो उंगली उठी है, वह राजनीतिज्ञों के ऊपर ही उठी है। देश में बिहार ऐसा पहला प्रदेश है, जिसने एमएलए फंड को खत्म किया है।

एक माननीय सदस्य : यहाँ 66,000 करोड़ का घोटाला भी हुआ था।

श्री रामचन्द्र प्रसाद सिंह : अभी उसके बारे में भी बताते हैं, तब आप सुन लीजिएगा...(व्यवधान)... यह पहला स्टेट है, जिसने एमएलए फंड को खत्म किया है। आप यह भी देख लीजिए कि जो एमपी फंड है, जब 1993 में यह पहली बार लागू किया गया था, तब उसका बैकग्राउंड क्या था? उस समय 73वें संवैधानिक एमेंडमेंट के बाद जब पंचायतों को पावर्स दी गईं तो लोगों को यह लगने लगा कि नीचे जो विकास होगा उसमें एमपी लोगों का योगदान क्या रहेगा। इसी context में 23 दिसम्बर, 1993 को उस समय के प्रधानमंत्री जी ने घोषणा की और दिसम्बर, 1993 से एमपी फंड को लागू किया गया।

आप सभी एंगल्स से देखिए कि क्या एमपी फंड कॉस्टीट्यूशनल है? आप बता दीजिए कि कॉस्टीट्यूशन में कहीं भी यह लिखा हुआ हो कि जो एमपी हैं, क्या वे कहीं भी Executive का काम कर सकते हैं? हम लोगों का काम कानून बनाना होता है, लेकिन आप लोग काम ले रहे हैं Executive का। आप जो भी रिकमेंड कर रहे हैं, वह पूरा का पूरा discretion पर है। आप रिकमेंड करते हैं कि यहां से वहां तक सड़क बना दी जाए, जबकि गांव के लोगों की इच्छा कहीं और सड़क बनाने की भी हो सकती है। इसलिए यह जो स्कीम है, जिसे आप 1993 के बाद से लाए हैं, उसके बारे में जरा आप गांवों और शहरों में जा कर पता कर लीजिए। हम लोगों के बारे में, नेताओं के बारे में जितना खराब परसेप्शन है, आप इसे मानें या न मानें, लेकिन उसमें बहुत बड़ा योगदान MPLADS का है। 2005 में एनएसी ने भी रिकमेंड किया था कि इसे समाप्त किया जाए। आप 10 दिसम्बर, 2003 का रिकॉर्ड निकाल लीजिए, उस समय माननीय प्रधानमंत्री जी लीडर ऑफ अपोजीशन थे और तब उन्होंने कहा था कि इसे खत्म कर देना चाहिए। लेकिन आज तक भी आप लोगों ने इसे खत्म तो किया नहीं है, बल्कि इसे दो करोड़ से पांच करोड़ कर दिया गया है।

जब बिहार सरकार ने केन्द्र सरकार को लिखा कि हमने अपने यहां पर इसे समाप्त कर दिया है, आप भी अपना एमपी फंड समाप्त करिए, तब यह कहा गया कि नहीं, हम इसे समाप्त नहीं करेंगे बल्कि आप इसे करवाइए। वे स्वयं यह जान रहे हैं कि इसमें पूरे के पूरे काम में कोई टेंडर नहीं होता है, आप इसे सीधा का सीधा बांट देते हैं...(व्यवधान)...

श्रीमती विप्लव ठाकुर (हिमाचल प्रदेश) : आप ऐसा करते होंगे।

श्री रामचन्द्र प्रसाद सिंह : हम नहीं करते हैं, हमने तो अभी दिया भी नहीं है...(व्यवधान)... पहले आप सुन लीजिए...(व्यवधान)... पहले आप सुन लीजिए...(व्यवधान)...

एक माननीय सदस्य : आप भ्रष्टाचार पर बोलिए।

श्री रामचन्द्र प्रसाद सिंह : यह भ्रष्टाचार ही तो है, इसीलिए तो मैं आपको बात रहा हूं।...(व्यवधान)...

श्रीमती विप्लव ठाकुर : आप यह क्या बोल रहे हैं?... (व्यवधान)...

श्री रामचन्द्र प्रसाद सिंह : मैं भ्रष्टाचार पर ही तो बोल रहा हूं। आप ज़रा पता करिए कि पब्लिक क्या कह रही है...(व्यवधान)... जब बाहर जाकर आप सुनेंगे कि पब्लिक क्या कह रही है, तब आप समझेंगे...(व्यवधान)... अभी मैं बगल के प्रदेश में गया था, पहले आप सुन लीजिए और सुनने का धैर्य रखिए...(व्यवधान)... वहां हमने पूछा कि आपके यहां MPLADS का क्या हाल है? उन लोगों ने कहा कि बिहार में तो बहुत अच्छा हो गया कि आपने एमएलए फंड खत्म कर दिया।

महोदय, एमपी फंड की हालत यह है कि अभी लोकल एमपी आए थे, वहां के प्रिंसिपल उनसे मिले और उन्होंने कहा कि हमें पांच लाख रुपया कमरा बनाने के लिए दिया जाए। उन्होंने कहा कि ठीक है, 50,000 रुपया दे दीजिए। उन्होंने 50,000 रुपया उनको दे दिया। जब वे उनसे चेक लाने के लिए गए, तो उन्होंने एक

लाख का चेक दिया और कहा कि आपने 50,000 रुपया तो हमें दिया था और 50,000 रुपया हम आपको और दे रहे हैं, इसके बाद अब काम करने की जरूरत क्या है।

जरा आप पब्लिक में जाकर पता कीजिए, क्योंकि आप यह समझ रहे हैं कि एमपी फंड से आपका बड़ा नाम हो रहा है। आप जरा पता कीजिए। जो स्टेट इसे नहीं करना चाहते, उन्हें आप फोर्स क्यों करते हैं कि वे भी इसे लागू कराएं। मेरा यह अनुरोध है कि बाहर एमपी लैंड स्कीम के बारे में, हम जन-प्रतिनिधियों के बारे में बहुत खराब इमेज बन रही है, इसलिए कृपा करके इसे समाप्त कीजिए। जब आप इसे समाप्त करेंगे तो बहुत अच्छा मैसेज जाएगा। बाहर जो लोग विरोध कर रहे हैं, वे समझेंगे कि जितने भी राजनैतिक लोग हैं, वे स्वयं समझ रहे हैं कि इसे समाप्त करना चाहिए। इसलिए अब इसे समाप्त करने का समय आ गया है, इसे अदरवाइज मत लीजिए, आप यह सोचिए कि 1993 से पहले क्या स्थिति थी।

मैं आपको बता दूँ, उस समय मैं भी जिले में डीएम हुआ करता था, उस समय के एमपीज़ से पता कर लीजिए कि डीआरडीए की गवर्निंग बॉडी में कितनी स्कीम्स एमपी की अनुशंसा से पास होती थीं। 1993 के बाद हुआ क्या है? वहाँ पर आपके जो भी अधिकार थे, आप जो मॉनिटरिंग करते थे, आपकी वहाँ पर एक साख थी। वहाँ विभाग के लोग आपसे डरते थे, लेकिन आज कोई नहीं डरता। अब वह क्यों नहीं डरता? आप किसको टेंडर दिलवाते हैं और कौन-सा काम सेलेक्ट करते हैं? इसलिए, आपकी इमेज वहाँ बहुत खराब हुई है। अगर आप इसे समाप्त कर देंगे, -- आप बिहार में जाकर देख लीजिए। वहाँ पब्लिक में बड़ी अच्छी image बनी है। लोग कहते हैं कि साहब, एम.एल.ए. साहब के जो चमचे थे या जो उनके ठेकेदार थे, अब उनकी कुछ नहीं चलेगी। बल्कि हम लोगों ने वहाँ एम.एल.ए. फंड खत्म किया, पैसा खत्म नहीं किया है। हम पैसा रखेंगे, उसका एक corpus होगा। ...**(व्यवधान)**...

श्री राम कृपाल यादव (बिहार) : बिहार में भ्रष्टाचार खत्म हो गया? ...**(व्यवधान)**... एम.पी. और एम.एल.ए. फंड खत्म करने से ...**(व्यवधान)**...

श्री एस.एस. अहलुवालिया : खत्म हो गया है। ...**(व्यवधान)**...

श्री रामचन्द्र प्रसाद सिंह : एम.पी. फंड यहाँ खत्म करना है। ...**(व्यवधान)**... एम.पी. फंड तो यहाँ खत्म करना है। ...**(व्यवधान)**...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Sit down. ...**(Interruptions)**... Sit down. ...**(Interruptions)**... What is this? ...**(Interruptions)**... This is not a market place. ...**(Interruptions)**... Don't do like this. ...**(Interruptions)**...

श्री रामचन्द्र प्रसाद सिंह : मैं उस बात पर आ रहा हूँ। ...**(व्यवधान)**... आपके ऊपर जो उंगली उठ रही है, ...**(व्यवधान)**... आपके ऊपर जो उंगली उठ रही है, उस पर मैं बोल रहा हूँ। ...**(व्यवधान)**...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : बैठिए, बैठिए। ...**(व्यवधान)**... आप लोग बैठिए। ...**(व्यवधान)**...

श्री राम कृपाल यादव : वहाँ का भ्रष्टाचार खत्म हो गया? ...(व्यवधान)... 67 हजार करोड़ रुपए का घोटाला ...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : रामचन्द्र प्रसाद सिंह जी, आपका टाइम ओवर हो गया है। अब आप बैठिए। ...(व्यवधान)... रामचन्द्र प्रसाद सिंह जी, अब आप समाप्त कीजिए। ...(व्यवधान)...

श्री अली अनवर अंसारी : आप भ्रष्टाचार की बात कर रहे हैं। ...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : अली अनवर जी, आप बैठिए। ...(व्यवधान)... You please conclude. ...(Interruptions)...

श्री रामचन्द्र प्रसाद सिंह : अभी घोटाले के बारे में ...(व्यवधान)... घोटाले के बारे में बहस करनी है तो हमसे बाद में बहस कर लीजिएगा। ...(व्यवधान)... आप पर तो घोटाले का मुकदमा चल रहा है। ...(व्यवधान)... आपके ऊपर तो मुकदमा चल रहा है।...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Shri Ramkripal Yadav, please sit down ...(Interruptions)... Shri Ali Anwar, please sit down ...(Interruptions)...

श्री रामचन्द्र प्रसाद सिंह : आप पर मुकदमा चल रहा है। ...(व्यवधान)... चारा घोटाले का मुकदमा चल रहा है। ...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Sit down. ...(Interruptions)... What is this? ...(Interruptions)... This is not a market place. ...(Interruptions)... Don't do like this. ...(Interruptions)...

श्री रामचन्द्र प्रसाद सिंह : मैं भ्रष्टाचार पर बोल रहा हूँ, रामकृपाल जी। आप इसे सुनने की कोशिश कीजिए। आप सुनने का धैर्य रखिए।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : सिंह जी, आपके छः मिनट्स हो गए। You conclude please.

श्री रामचन्द्र प्रसाद सिंह : सर, मेरा यह सुझाव है कि हम लोग आज इस बात का संकल्प लें कि हम MPLADS को समाप्त करेंगे, जिससे हम लोगों की जो इमेज पब्लिक में खराब हुई है, वह फिर से restore हो सके। किसी भी तरह से यह मत मानिए कि आपके कहने पर किसी जिले में काम नहीं होगा, वहाँ बिल्कुल काम होता है। ...(समय की घंटी)... इसलिए, हम लोगों को इस बात का संकल्प लेना चाहिए। इससे पब्लिक में हमारी इमेज अच्छी बनेगी।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : अब आप समाप्त कीजिए। You please conclude. ...(Interruptions)...

श्री रामचन्द्र प्रसाद सिंह : सर, मुझे एक बात और कहनी है। ...(व्यवधान)...

श्री के.बी. शणप्पा (कर्णाटक) : क्या सब-के-सब पैसे खा रहे हैं? ...(व्यवधान)...

श्री रामचन्द्र प्रसाद सिंह : मैं यह नहीं कह रहा हूँ कि सब पैसे खा रहे हैं ...(व्यवधान)... मैं public perception की बात बोल रहा हूँ। ...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Don't disturb. ...*(Interruptions)*... Why are you disturbing? ...*(Interruptions)*... It is only his view. ...*(Interruptions)*... It is only his view.

श्री रामचन्द्र प्रसाद सिंह: मैं यह नहीं बोल रहा हूँ कि सब पैसे खा रहे हैं। मैं तो public perception की बात बोल रहा हूँ। पब्लिक में यह perception है। ...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Mr. Ramachandra, your time is over. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*...

श्री रामचन्द्र प्रसाद सिंह: ठीक है, सर। मैं बैठ जाता हूँ। धन्यवाद।

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Now, Shri T.M. Selvaganapathi. ...*(Interruptions)*... आप बैठिए। ...*(व्यवधान)*... आप सब बैठ जाइए। ...*(व्यवधान)*...

श्री राम कृपाल यादव : एस.पी. और डी.एम. क्या बिना पैसे लिए पोस्टिंग करते हैं? ...*(व्यवधान)*... यह क्या है? ...*(व्यवधान)*...

श्री रामचन्द्र प्रसाद सिंह : वहां कोई पैसा लेता है? ...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Shri T.M. Selvaganapathi, are you here? ...*(Interruptions)*...

श्री राम कृपाल यादव : मैं बहुत कुछ बोल दूंगा। आप चुपचाप बैठ जाइए। ...*(व्यवधान)*... मैं बहुत कुछ बोल दूंगा। ...*(व्यवधान)*... आप क्या बोलिएगा? ...*(व्यवधान)*... हम आपके बारे में बहुत कुछ जानते हैं।

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Shri T.M. Selvaganapathi, you please speak.

SHRI T.M. SELVAGANAPATHI (Tamil Nadu): Hon. Vice-Chairman, Sir, at the outset, I would like to thank the hon. Members of this august House for agreeing to take up the vexed issue of Sri Lankan Tamils tomorrow which we have been pressing for discussion for almost a month. The land of Lord Buddha has been converted into a slaughter house of human beings. Lakhs and lakhs of Tamil women have been rendered widows. That was the reason why we have been agitated and made a walk-out. I thank the House for agreeing to take up the issue tomorrow.

Now, I come to the core issue of discussion today. Sir, this august House is not deliberating the issue of corruption for the first time. We have been deliberating this issue right from the inception of this Parliament which is the temple of democracy. It has been going on and on. The public perception and mood of the public today is diverted against the politicians. There is large-scale loot in the bureaucracy right from the beginning of the career to the retirement of the official. Corruption is there at the political level. Judiciary is also not spared. The corporate world

and even the media are not exceptions to it. We are not discussing the NGOs. Under the garb of public service, they have been amassing crores and crores of rupees from the foreign hands. Are we discussing foreign funding to NGOs? We hear information that Lehman Brothers from America are funding the institutions here. There are also the names Walmart from America, Coca-Cola and even the Indian corporates, in order to knock out the structure of our democracy, people have been funded today. Sir, why is it occurring? It is occurring because the overall confidence in the establishment is shaken today. We, the political parties, are divided. We throw mud on each other. That is what the House is witnessing today. Once we are divided, we all know that the very structure of democracy, the foundation of our institutions, is knocked down. Today, some people have gone to the extent of questioning the supremacy of this Parliament which is the law-making authority. What we see outside today is that every Tom, Dick and Harry is questioning the very basic structure of our democracy. Sir, it is an irony, and also a fact, that whoever comes to power in this country, whether at the Centre or in the States, there is only one agenda in their mind, that is, to target the opposition party and other political parties; be it SP, be it BSP, be it RJD, be it DMK. This is a coalition era wherein the regional parties are arm-twisted by big brotherly attitude. This is what we have been witnessing years after years. Once you weaken the regional party, you weaken the democracy. Sir, today, the politicians are projected as the only evil doers and sinners. Sir, we cannot ignore the public mood on this issue of corruption. It is in a boiling situation. That is the reason why a handful of failed bureaucrats and police officers have hijacked the mood of the public. It is we who had to garner the issue and set the house in order, but we failed. We should admit that and we should wake up to the situation today. Therefore, we have taken up this discussion today. Sir, we have to rise to the occasion. It is unfortunate that the house of hon. Prime Minister of this country, Dr. Manmohan Singh, who is known for his probity in public life, has been targeted, and houses of some of the MPs have also been targeted. Who is responsible for this? Who is behind this? Who is instigating these people? I am surprised to note that none of our leaders have condemned this dastardly act. Even the Prime Minister's house was targeted. I fail to see why no one even from the Treasury Benches took up this issue. It is because we want to score some political advantage. This is where our fault lies. Unless we are united, we cannot fight this menace. This is my humble submission. Sir, today, some of the hon. Members were referring to 2G, questioning the first-come-first-serve policy of the Government. Sir, there is something, which I would like to remind the respected and learned Members who raised this issue. Who adopted

this policy? Who gave up the policy of auction of allotment of spectrum? Where did it emanate from and in whose regime? Is it not a fact that this started way back in 2000 when the auction was given up with the slogan that the public welfare is paramount to the revenue generation? The revenue generation was not important for the Government. Therefore, this change of policy, which was accepted by the Cabinet, was followed continuously for ten long years, and, we are to be blamed for all that! This is one issue on which we have been targeted. Sir, unless the guilt is proved in any case. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude. ...*(Interruptions)*

SHRI T.M. SELVAGANAPATHI: Sir, unless the guilt is proved, the presumption of innocence prevails. *(Interruptions)* We strongly believe ...*(Interruptions)*... One more minute, Sir. *(Interruptions)* Justice will prevail ultimately.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The time is over. ...*(Interruptions)*

SHRI T.M. SELVAGANAPATHI: Sir, here, I would like to make a point. Sir, the media in this country is playing havoc on the politicians. They file the FIR, they conduct the trial, and, they pass the judgement. It is because of the presumption created by the media the innocents are targeted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude.

SHRI T.M. SELVAGANAPATHI: The victim of such target is our hon. Member of Parliament, who was sitting in this House, from our Party, ...*(Time-bell rings)*... where even the CBI of this country has been taken for a ride.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no. Please.

SHRI T.M. SELVAGANAPATHI: If there is a casual observation by the court, they get scared and implicate people without evidence.

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

SHRI T.M. SELVAGANAPATHI: What is the evidence cited? Sir, it is pending in the court. Sir, justice will prevail. They say because the hon. Member was shown in a TV...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please.

SHRI T.M. SELVAGANAPATHI: Continuously, she has been targeted. ...*(Interruptions)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You have made your point. Please sit down.*(Interruptions)*....

SHRI T.M. SELVAGANAPATHI: Is it the evidence on which...*(Interruptions)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Time is over. Please sit down.
....*(Interruptions)*

SHRI T.M. SELVAGANAPATHI: Sir, coming to the Lokpal Bill...*(Interruptions)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You have already taken more time.
...*(Interruptions)*

SHRI T.M. SELVAGANAPATHI: Sir, one more minute please.*(Interruptions)*... Sir, it is on the Lokpal Bill. The Party Leaders have already gone for the All-Party Meeting.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Please conclude. ...*(Interruptions)*

SHRI T.M. SELVAGANAPATHI: Sir, what have we been discussing? We are not discussing the Lokpal Bill. The issue is that this is not the end of the tunnel. We need a strong Lokpal. Our Party's considered stand is, and, our leader has made it clear, that the Prime Minister has to be included. ...*(Time bell rings)*... What is the reason that the Chief Ministers of the States are included? It is because our leader knows that we will be targeted on the score just because the Prime Minister is not included. That is what is happening today. They are targeting the Prime Minister...*(Interruptions)*...We should have taken this step earlier.*(Interruptions)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay. That is all. ...*(Interruptions)*.. Please.

SHRI T.M. SELVAGANAPATHI: The funding of elections, and, all that has to be taken into consideration. We need to have a holistic approach. ...*(Interruptions)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Okay. You have made your point. Next speaker.

SHRI T.M. SELVAGANAPATHI: It is a complex issue, and, the mood of the public must be understood. Law should be carried forward to see that this menace is put to an end. Thank you very much.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, hon. Commerce Minister, Shri Anand Sharma would like to intervene.

THE MINISTER OF COMMERCE AND INDUSTRY AND THE MINISTER OF TEXTILES (SHRI ANAND SHARMA): Thank you, Mr. Vice-Chairman. Sir, the issue which the House is discussing is agitating the minds of our people, the Members of the Parliament, the Members of the public,

and people from different vocations, whether in the National Capital or any other States. There has been an informed debate, a reasoned debate, second in the last few days that the nation is witnessing, wherein the Members of the Parliament addressing issues which are of concern to the entire country.

A few days ago, this august House had a debate, which had ensured that the pristine glory of the Rajya Sabha, which has been respected for its debates and discussions, was restored in the minds of the people, particularly, at a time when there has been, by default or design, a campaign to malign, to denigrate the institutions, which have been assiduously built by the people of this country after the Independence. And, each institution is being questioned in one manner or the other. So, we have to bear in mind that the backdrop which has been referred to by the Leader of the Opposition, I was listening very attentively to him, and also by Shri Sitaram Yechury, the backdrop in the immediate context of the agitation but overall the issue as such. It is true that there is a need to further improve upon the institutional framework to set up a Lokpal which is strong. But merely setting up of an institution perhaps may not be an answer to all the problems. There is no denial, nor can there be any justification that this should be delayed. But, at the same time, there are processes and procedures which the Leader of the Opposition had referred to, which the Parliament has to follow. It is not a question of which draft. We know about the processes. It is important for everyone to remember particularly for those who are participating in this discourse which is becoming loud and shrill. I would like to say that the process as such has to be inclusive and democratic. The process has to be fair. India is a country of 1.2 billion people, multi-lingual, multi-religious people. It has richness of its diversity. In a democracy, which the founding fathers of the Indian Republic gave to us after a long struggle for India's independence, their collective wisdom is reflected in the Constitution which is supreme. Let there be no doubt or debate on that. It is the supremacy of the Constitution which deserves to be honoured and protected. That is why this House has a responsibility. The Constitution was given to us, after debates spreading over more than two years, by the Drafting Committee which was chaired by none other than Dr. Bhimrao Ambedkar, Babasaheb Ambedkar. At that time, we had stalwarts; we had leaders like Jawaharlal Nehru, Maulana Azad, Sardar Patel. But they had an inclusive process of the framing of the Constitution. It is very easy to fault institutions but we cannot fault the wisdom and the great minds who had given this to us. But, at the same time, I would like to share this. We all were born, many of us of my generation privileged to be born in a free India, a country which could take its decisions, make its choices. Only our forbears knew what it was without that freedom. When we make these decisions, we

also have to bear in mind that there is a responsibility. The Constitution has given us rights, the Fundamental Rights enshrined in the Constitution, Right to Expression, Right to Life, Right to Reputation, Right to Equality, Equality before Law, all these are rights which are protected by institutions in the fine balance and separation of powers which our Constitution has ensured. But no rights, to my mind, come without a sense of responsibility. If we have certain privileges and rights, if every citizen has entitlements, there is also a paramount responsibility towards the Republic of India to protect its dignity, to protect this country's honour. We have seen in recent months and years — and what is happening is not something new — that the projection of the shrill discourse is as if India is a country where only scams and scandals take place.

Sir, I would like to say that people have that right. We respect that right. We have been in opposition; we are in Government. We have been in Parliament; and we have been out of it. This is the beauty and strength of democracy. Those who are sitting on the other side, my esteemed friends, including the Leader of the Opposition who initiated this discussion, have been on the Treasury Benches as Ministers of the Cabinet of the Republic of India. Therefore, we have to have an atmosphere, we must work together to build an atmosphere where we can talk to each other, where we can speak together when it comes to national interest.

Sir, I believe that dissent is a democratic right. We talk of the right to dissent. But it also brings some responsibility that is to listen to others who have differing viewpoints. On this particular issue, a number of suggestions have come. There is a draft which the Government has submitted. There is another draft of Jan Lokpal Bill which Shri Anna Hazare and his committee have prepared. There is another draft by another noted and much respected activist in this country who has also dedicated her life to causes which are close to the people's heart, particularly those who are oppressed and who need empowerment. I am talking of Aruna Roy and her draft. It is this institution in which the sovereignty of the people of India is vested and which will consider everything and then come to a conclusion of giving the country a strong Lokpal Bill.

Sir, I agree with what was said by the Leader of the Opposition that there is angst; it is manifestation of public anger. It is not something which has happened overnight. It is not a new virus which has spread. It has been there and it is a matter of concern and shame too whether in India or in other countries of the world. I am not concerned about what ranking we have. I am not concerned whether it is 87th or 85th or whether 85 other countries are above us. The issue is that we should give to our people an environment which is free of this cancer of corruption. That is what the Prime Minister's commitment has been.

Everybody has talked about the Prime Minister and I am not getting into merits or demerits of it. The fact is that the Prime Minister did say it and what was discussed in the Cabinet is in public domain. But this issue is now in the domain of the Standing Committee and it should address that. Just to correct one misperception, whether the Prime Minister of the country or the Ministers are immune, the answer is a firm 'no.' There are due processes. Every member of the Government is covered under the Prevention of Corruption Act. So for those who think that in our country we don't have laws and institutions to take action against acts of commission and omission, I am afraid there are many.

I would like to mention one thing that how this issue is as such and it is manifested in which manner. This is the daily interface which a citizen has whether in a village, or in a *muffasil* town, or in a metropolis with what he or she perceives to be the Government whether it is a revenue official, or a tehsildar, or a patwari, or a tax inspector, or it is the administration, or whether it is the justice system. That is where the common man feels that there has to be action at every level. It is not only corruption in high places. Corruption in high places has to be acted upon. And it's being acted upon in the past also and even now. But, it is that corruption which is hurting the common man, which is hurting the citizens. It is also the institutions, the implementation. We have every law in the book to refer to, provided there is implementation. Today, fingers are being pointed, questions are being raised whether it is about the judiciary or what was referred to the other day and today by the Leader of Opposition and other colleagues in this House. References have also been made to the media.

Now, these are important institutions. They are three pillars and media is the fourth pillar when it comes to the functioning of the constitutional democracy. Now, each of the pillars has to be strengthened. If there is a need of repair, there should be repair. But, this House, when we talk of the country, cannot be strong with any of these pillars getting corroded. To say that one is better and that in one section corruption is tolerable and it should be excluded and the other should not be, that may not be a fair comment. These are noble professions which inform people, which empower people. The legal profession is meant to ensure that justice is given to the people.

Now, over the years, like it has happened in various other spheres, it is the greed and commercialisation which has corroded the systems, the noble professions. And we leave to them as to how to improve, how to correct. There is many a suggestion which have been made that who should be within the ambit of the Lokpal. I feel every one. Why should we leave out any sector which contributes either to formation of capital or is a business activity where there are private holdings, where commercial services are rendered, where funds are received or funds

are dispersed? Yesterday, some colleagues were talking to me in the corridor that there are suggestions that we should keep out NGOs, we should keep out corporate houses and we should keep out the media. Of course, the Parliament, as an institution, has to take a view. If this issue has to be addressed, this entitlement to be excluded must not be asked for, nor claimed and nor given to anyone. I am not going to refer to any names or issues which have been raised here. It's true that when any scam takes place, particularly in which fingers are raised in the direction of the Government or individuals, it does cause both anger and disgust and we should not, therefore, be selective. Yes, today, there is anger. If there were Commonwealth Games allegations or alleged 2G scam, we cannot prejudge matters which are *sub judice*. We leave it to the judiciary. But, one thing India must make clear as we are discussing this is that we are a country in which due processes of law exist and they are effectively implemented. If there are corporate frauds, action has been taken. My mind goes to many corporate scams and frauds in the world. Major corporates and multinationals went down overnight; employees were not saved. I will not name and shame the country or the multinational, but, there was one which came to India also — the Enron. When the entire deal was signed, when this Parliament was debating a vote of confidence, Enron collapsed. Its employees were not paid; its executives were humiliated. In India, recently, Satyam scam took place. The Government intervened. It was this very Prime Minister, this very Government. Those who were alleged perpetrators are in prison. An independent Board of Directors was put in place; and in a transparent manner the company has changed hands. More than 40,000 jobs were saved. Satyam became Satyam Mahindra. I am just giving this as an illustration that if there is an act of commission and omission, there is action also. When people saw in the age of electronic media with their own eyes that somebody was caught during a sting operation they were disgusted. But both the Houses of Parliament rose to the challenge, took action to ensure that the dignity and the majesty of these institutions were protected. Similarly, when there are images of political leaders, heads of political parties taking money, it does not send a good message. There is a long list of what happened. There were references to black money. There were references earlier also. Honourable Members of this House may kindly recall when there were allegations about a new route, Mauritius was adopted for money laundering, we were then on the other side of the House, a big debate took place. We also know how this country was disgusted when there was a grand clearance sale of many of the assets of the country. We also know that our soldiers fought very bravely. Subsequently there was deficiency in the purchase of the armaments; and also in the purchase of weapons for the marchers. But I am not getting into

that discourse because today this House has once again demonstrated that the Parliament can rise, can have a debate which cuts across party lines on issues which concern our people. Therefore, this discourse must be national. There cannot be a partisan discourse to address this challenge. We have to come together. This is our country. This is not one India which belongs to the Indian National Congress or the UPA and another India which belongs to my friend, Sitaram Yechury's party or Ahluwaliaji's party. This belongs to all of us. This country's image is the image of all our people. If the image is tarnished, if an impression is created that this Republic does not have institutions to address the cancer of corruption, after 63 years of India's independence, we do not have the rule of law, I do not accept it. I hope my fellow colleagues here from all the parties would strongly condemn any attempt to lower the dignity of this country, the sovereignty of the Parliament and the Constitution of the Indian Republic. We should also not allow, with all respect to the people who have a fundamental right to protest, to dissent, to question, to debate, attempts to replace democracy by lynch mob. It is not a comforting thought when we see on T.V., when we read in the newspapers; the time has come for students to hit the streets. These are our children, school children, college students.... Those who are sitting, whether in administration, whether in Judiciary, whether in State Legislatures or in Parliament, also have their families, their relations. They are also connected. After all, are we a part of that civil society or not? Are we the citizens of India or not? The answer is 'yes'. We are not excluded from that. We must, therefore, remember that we, as representatives of the people, have the first duty towards the people of India, but, at the same time, Members of Parliament, it won't be right if a call is given to gherao the Members of Parliament, to gherao them irrespective of who is an MP and who is a Minister. Parliament listens. Parliament has to listen, in a democracy, to the people. But, at the same time, it must be made clear that Parliament can take no dictation. Parliament cannot take dictations. Even Government cannot dictate to Parliament even if a Government has majority. We all have to bring important legislations together. That is why there is a procedure which all of us are familiar with. The Bill is introduced; the first reading; it goes to the Committee; the second reading; the final reading; even up to that stage, amendments can take place. So, my urging would be, let this House collectively appeal to our people that we are listening; we are concerned, and this Parliament will Act. Give us a strong Lokpal Bill accommodating the views, the recommendations made by all; not an exclusive process, but an inclusive process where all those who have worked and given their valuable inputs, feel that they have been a part of the process; not that a large number feel that they have been excluded. For each one of them, it is our duty to ensure that they get their fair share and what we do will

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resonate in this country and convey a strong message that India as a functioning, Constitutional democracy has the strength and the resilience to address any crisis. And we should also tell our people, our children and our citizens that there is no need to take a path which will undermine Indian democracy and the Indian State; believe in the system; believe in the Constitution; we have delivered; we shall deliver. Thank you, Sir.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you very much. Now, Shri Debabrata Bandopadhyay.

DR. K.P. RAMALINGAM: Sir, it is his maiden speech.

SHRI D. BANDYOPADHYAY (West Bengal): Mr. Vice-Chairman, Sir, I crave your indulgence to make my maiden speech. I was sworn in on 19th; Mr. Sitaram Yechury was also sworn in on the 19th. But it is his second term, but mine is the first one.

Sir, I rise here to say: Support the nation's mood and desire to have its Government, governance and the society free of any corruption. All of us are tired of it. My point is, my party, the All India Trinamool Congress, has already declared a war, a total war, against corruption. Our leader, in Kolkata, has abolished, for the information of the House, all the discretionary powers of all the Ministers that they have been traditionally enjoying for over the decades like — granting quotas, land this, that and other. I mean, it has totally abolished them as a first step that there should be transparency and accountability of what is happening in the Government. Therefore, Sir, we are fully supporting it. And I am very happy to hear that, for the first time, almost the entire House, irrespective of which party one belongs to, has come up with one voice that we must fight corruption and eradicate it. It is a learning process for me. I am very delighted. Mr. Vice-Chairman, Sir, there are levels of corruption. I am not going into the topology of corruption. It will take time. But there are levels of corruption. The corruption at the level of patwari is one thing and the corruption at the level of thanedar is another thing. But the corruption at very high level, at the stratospheric level of 2G or something or like it, is completely different. People of the country are more concerned with the cutting edge of the administration. Therefore, the administration, the police, the revenue and the administrative machinery as well as the other branches of the system required a reform. Putting one man against another is good. It is necessary. Inspection is necessary. But in the bureaucracy the accountability of the lower functionary is to the upper ones and the upper fellows always try to protect each other so that no

blame comes to them. As a result, you have corruption in the thana or tehsil or other places, and nobody cases out unless a scam breaks out. Therefore, what is required is that we must think very properly and quietly on how to improve our system of administration to make it more transparent and more accountable. The accountability of officers who exercise their authority on common man is towards their senior officers and not to the common man. Can we devise a system where the common man has a right to call in question for what he has done? That we don't have. That is the system which we must think of. Only having one Lokpal at the upper level will not solve the problem at the lower level. That is what we must understand.

Secondly, there is the whole question of judiciary. I have great respect for the judiciary. The well-known lawyer and hon. Leader of the Opposition, Mr. Arun Jaitley, has himself stated that some amount of check at the lower level of the judiciary is there, but as you go up the checks and balances vanish. So, we don't know what happens there. Therefore, there has to be another judicial reform, the National Judicial Commission or whatever it is. I am not going into it. There has to be reform in the judicial system. Therefore, there has to be a reform in the administrative system, in the judicial system and lastly in the electoral system through which all of us are here and which system is today highly cost intensive. It is impossible for a man or a woman without any means to fight any election either to the State Legislature or the Parliament. It is impossible. Therefore, can we think of an electoral reform whereby the funds for meeting the expenses would be given by the Election Commission to the parties for fighting the election and one does not have to depend on the largesses of corporate houses or some sources unknown? This is why these three types of reforms are required.

I would next come to the main issue. ...*(Interruptions)*... Is my time over?

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): No. You please continue.

SHRI D. BANDYOPADHYAY: The next question which has already been referred to is our neo-liberal economic system. There is a spate of scams. There were scams earlier also. The Mundra scam was there. The level of those scams is tiny — looking at it, these people would laugh why Mundra scam happened — when compared to the volume of the scams that are taking place now. It looks that all these scams are taking place because big money bags have taken control somewhere. Somewhere they are controlling us. This has become more rampant and more acute after the new economic liberal system came into being. There are good points in it. From the inspector raj to a free economy is a great transition. But if this great transition creates another problem for the economy it is very dangerous. I will just quote a small quotation

from Abraham Lincoln. In 1864, Abraham Lincoln, the 16th President of the United States, wrote a speech and I quote:

“I see in the near future a crisis approaching that unnerves me and causes me to tremble for the safety of my country.... Corporations have been enthroned and an era of corruption in high places will follow...”

“....and the money power of the country will endeavour to prolong the reign by working upon the prejudices of the people until all wealth is aggregated in a few hands and the Republic is destroyed.”

He spoke about it more than 150 years ago. What we are witnessing, Sir, is almost the same as the prophetic statement that Abraham Lincoln made. Today we are having the same problem. It is a problem of money power; controlling the levers of State power. How do we go about it, I do not know. I only know this much that unfettered market economy requires to be leashed; it has to be regulated. How you regulate it, I have no idea. But it has to be regulated.

My last point is, there are three-four versions of the Lokpal Bill. There is a Private Member's Lokpal Bill here; there is a Government Lokpal Bill in the Lok Sabha; there is the Jan Lokpal Bill of Shri Anna Hazare and his team and then there is the Lokpal Bill of Shrimati Aruna Roy. Now four Lokpal Bills are floating in the public domain. It is time, Sir, as there is a consensus in the House, that all these Bills and any other suggestion should be looked into properly and let us make a Bill which takes out the best of all these drafts to make the Lokpal a really good institution. But nothing should be done to undermine the very basis of our Constitution or the very basis of the Parliamentary democracy. Everything has to be done within the confines of the Parliamentary democracy. If anything happens outside, people have a right to shout and they should shout. They have a right to shout and they will shout. But they have no right to destabilize either the Parliament or any other institution of our country. Therefore, my Party will give all-out support to any move for total eradication of corruption. Thank you.

श्री वीर पाल सिंह यादव (उत्तर प्रदेश) : उपसभाध्यक्ष जी, हम लोग भ्रष्टाचार पर चर्चा कर रहे हैं। इस समय भ्रष्टाचार जितनी तेजी से बढ़ा है, अगर हम लोग तीस साल पहले जाएं, तब यह भ्रष्टाचार बहुत छोटा था। जब हम लोग पढ़ते थे, तब भ्रष्टाचार केवल पटवारी, पुलिस और प्रधान तक सीमित था। हम लोग कहते भी थे कि देश में तीन ही भ्रष्टाचारी पुलिस, प्रधान और पटवारी। भ्रष्टाचार यहीं तक था, लेकिन इसके बढ़ते-बढ़ते आज संसद भी इसकी चपेट में आ गई है। हम लोग यह बात तो कहते हैं कि संसद पर किसी को उंगली नहीं उठानी चाहिए, हमारे अधिकारों की तरफ, हमारी गरीमा की तरफ किसी को उंगली उठाने की जरूरत नहीं है, मगर जिन लोगों ने संसद की गरिमा को तार-तार किया है, हम लोगों को उनके ऊपर भी उंगली उठानी

चाहिए। संसद में कोई भी भ्रष्टाचार हुआ, बगैर अदालत के फैसले के उस पर कभी कोई कार्रवाई नहीं हुई। पहले संसद पर कोई भ्रष्टाचार का आरोप नहीं लगाता था, सांसदों को बड़ी इज्जत और आदर के साथ देखा जाता था, जो लोग राजनीति में थे, उनको इज्जत और आदर के साथ देखा जाता था, लेकिन आज क्या है? आज आप लोग ए.सी. फर्स्ट में सफर करते हैं, अगर आप ट्रेन के साधारण क्लास के डिब्बे में कुर्ता और पायजामा पहनकर सफर करो तो आप लोगों को मालूम हो जाएगा कि आम लोग नेताओं पर कितनी टीका-टिप्पणी करते हैं। यह भ्रष्टाचार केवल यहीं नहीं है। जहाँ भ्रष्टाचार है, उस तरफ कोई नजर नहीं उठा रहा है। माननीय उपसभाध्यक्ष जी, यहां तक कि हम कॉलेज में दाखिला करवाने जाते हैं, चाहे इंजीनियरिंग में हो, चाहे मेडिकल में हो, 40 लाख से 50 लाख रुपए तक रिश्वत ली जाती है। क्या यह भ्रष्टाचार नहीं है? अस्पताल में बच्चा पैदा होता है। वहाँ सर्टिफिकेट के लिए जाओ, तो उसमें भी पैसा दो। क्या यह भ्रष्टाचार नहीं है? मरीज के लिए बेड तब मिलता है, जब वहाँ के डॉक्टर और कर्मचारी पैसा ले लेते हैं। भ्रष्टाचार तो हिन्दुस्तान की नस-नस में समा गया है। इसका समाधान इन चर्चाओं से नहीं होगा। यह चर्चा एक बार नहीं हो रही है। जब से मैं इस राज्य सभा में आया हूँ, तब से मैं भ्रष्टाचार पर 15वीं बार चर्चा सुन रहा हूँ। सभी सांसद खूब चर्चा करते हैं, मगर इसका हल क्या है, यह किसी के पास नहीं है। इसलिए उपसभाध्यक्ष महोदय, इसके हल की तरफ जाना पड़ेगा।

महोदय, मेरे दिमाग में दो सुझाव आ रहे हैं। इस पर सरकार और विपक्ष, सब लोग मिल कर विचार करें। पहली बात, चुनाव से हम सभी लोग रूबरू होते हैं। आज गरीब का बेटा कोई एमएलए या एमपी बनने का ख्वाब नहीं देख सकता है। चुनाव में कितना धन लगता है, कितना पैसा खर्च होता है, यह तो लोक सभा और विधान सभा में जो लोग जाते हैं, उनसे पूछिए। सबसे पहले तो चुनाव का खर्च सरकार को वहन करना चाहिए। जब चुनाव में सांसद और विधायक को पैसा खर्च नहीं करना पड़ेगा, तो मैं समझता हूँ कि उसका दिमाग भ्रष्टाचार की तरफ नहीं जाएगा, कम हो जाएगा।...(समय की घंटी)... सर, एक सुझाव रह गया है, मैं एक मिनट में अपनी बात खत्म कर दूँगा।

दूसरा, अगर इन कानूनों से भ्रष्टाचार खत्म हो जाता, तो हिन्दुस्तान में किसी का कत्ल नहीं होता, क्योंकि हमारे यहाँ धारा 302 है और उसमें फाँसी की सजा है। हिन्दुस्तान में किसी एससी/एसटी पर जो अत्याचार होता है, वह अत्याचार एक पर भी नहीं होता, क्योंकि देश में एससी/एसटी के लिए कानून है। देश में किसी भी विवाहिता को जलाया नहीं जाता, क्योंकि Dowry Act है। इसलिए इस विधेयक और इस चर्चा से भ्रष्टाचार खत्म नहीं होगा। जो लोग ईमान बेचने वाले हैं, वे इसका कोई-न-कोई तरीका निकाल ही लेंगे। इसलिए मेरा निवेदन है कि हमारे पास कानून है, इसी का कड़ाई से पालन करना पड़ेगा और इच्छा शक्ति मजबूत करनी पड़ेगी। हमें पहले अपने आपको सुधारना पड़ेगा और उसके बाद सबसे कहना पड़ेगा। आपका बहुत-बहुत धन्यवाद।

श्री राम कृपाल यादव : उपसभाध्यक्ष महोदय, मैं आपके प्रति आभार व्यक्त करना चाहता हूँ। कि आपने मुझे अत्यन्त ही महत्वपूर्ण चर्चा पर बोलने की अनुमति दी है। महोदय, मैं यह मानता हूँ कि आज पूरे देश में भ्रष्टाचार एक बड़ा अहम सवाल हो गया है और इससे पूरा देश त्रस्त है। मैं यह भी मानता हूँ कि भ्रष्टाचार केवल हमारे देश तक सीमित नहीं है। यह समस्या, यह प्रॉब्लम पूरे विश्व के स्तर पर है। और मैं समझता हूँ कि

ऐसे कई देश हैं, जहां हाल के दिनों में भ्रष्टाचार को लेकर परिवर्तन हुआ है। आज जो माहौल पूरे देश के पैमाने पर खड़ा हुआ है, हम लोग उसकी तह में जाने की कोशिश नहीं कर रहे हैं। मैं यह मानता हूँ कि भ्रष्टाचार किसी एक संस्था में नहीं है। भ्रष्टाचार तो पूरे देश के हर तंत्र में, हर जगह पर व्याप्त है, इसीलिए लोगों में बेचैनी है।

मैं आदरणीय अन्ना हजारे जी का बहुत सम्मान करता हूँ, उनके प्रति मेरे मन में बहुत आदर है। आज उनका जो एजीटेशन चल रहा है, लोग इकट्ठे हो रहे हैं, उसका कारण यह है कि एक ऐसा सवाल लेकर अन्ना हजारे जी ने लोगों में इस आंदोलन को शुरू किया है, जो हर एक के दिल को छूने का काम कर रहा है। लोग यह अहसास कर रहे हैं कि ये हमारी आवाज़ को बोलने का काम कर रहे हैं। मैं यह बताना चाहता हूँ कि आज खास तौर पर राजनेताओं पर पूरी दुनिया का, पूरे देश का फोकस है। इसमें हम सब लोग हैं, चाहे सदन में इस ओर बैठने वाले सदस्य हों या उस ओर बैठने वाले सदस्य हों। आज इस प्रकार का माहौल क्रिएट किया गया है कि सबसे करप्ट राजनेता हैं, राजनीतिज्ञ हैं, पॉलिटिकल पार्टिज़ हैं। आज इस सिस्टम से लोगों के विश्वास को हटाने की कोशिश की जा रही है।

महोदय, यह संकेत और यह प्रयास जो आज किए जा रहे हैं, इनके माध्यम से लोकतांत्रिक व्यवस्था के सामने चुनौती खड़ी करने की कोशिश की जा रही है, सिस्टम को ब्रेक करने की कोशिश की जा रही है। मैं यह समझता हूँ कि आज करप्शन का फोकस केवल राजनीतिक पार्टियों तक सीमित रखने का हर संभव प्रयास किया जा रहा है। करप्शन हर तरफ है, करप्शन हर जगह है, लेकिन उसकी चर्चा कहां होती है?

इसमें सबसे बड़ा दोषी मैं हम लोगों को मानता हूँ, जो यहां विभिन्न पॉलिटिकल पार्टिज़ के कार्यकर्ता हैं, विभिन्न पॉलिटिकल पार्टिज़ के नेता हैं। हम एक-दूसरे के ऊपर कीचड़ उछालने की कोशिश करते रहते हैं, लेकिन हम उसके समाधान में जाने की कोशिश नहीं कर रहे हैं। आज भी जो चर्चा हो रही है, मैं मानता हूँ कि निश्चित तौर पर सब लोग इस संबंध में चिंतित हैं, भ्रष्टाचार की जो बड़ी समस्या हमारे देश के सामने खड़ी हो गयी है। हर कोई चाहता है कि इससे मुक्ति मिले। लेकिन आज स्थिति यह है कि हम निष्पक्ष होकर, स्वतंत्र होकर विचार नहीं कर रहे हैं, हम केवल एक-दूसरे पर उंगली उठाते रहते हैं। जो बदनामी हुई है और जो स्थिति उत्पन्न हुई है, उसके लिए अगर कोई दोषी है तो हम विभिन्न पॉलिटिकल पार्टिज़ के लोग दोषी हैं।

महोदय, यह चिंता का विषय है। यह लोकतांत्रिक व्यवस्था कितने वर्षों के आंदोलन की उपज है। हमारा जो पार्लियामेंटरी सिस्टम है, हमारा जो संविधान है, आज उस संविधान, उस पार्लियामेंट पर भी प्रश्न उठाए जा रहे हैं। उस पर लोगों में अविश्वास जमाने की कोशिश की जा रही है। न जाने कितने वर्षों के आंदोलन के बाद और कितनी जद्दो-जहद के बाद यह लोकतंत्र हमें मिला है। कहा जाता है कि हमारी जो संवैधानिक व्यवस्था है, हमारा जो संविधान है, वह दुनिया का सबसे मज़बूत संविधान है। इस देश का लोकतंत्र सबसे मज़बूत है, लेकिन आज उसके ऊपर कई तरह के प्रश्नचिन्ह लगाए जा रहे हैं। उसके ऊपर अविश्वास व्यक्त किया जा रहा है। लोकतंत्र को तहस-नहस करने की कोशिश की जा रही है। यह ट्रेंड अगर आम लोगों तक पहुंचाने की कोशिश की जा रही है तो निश्चित तौर पर यह देश के लिए शुभ संकेत नहीं है।

हमारा लोकतंत्र कैसे मजबूत हो? आज हमारी लोकतांत्रिक व्यवस्था के ऊपर जो प्रश्नचिन्ह लगाए जा रहे हैं, जो उंगलियां उठायी जा रही हैं, कैसे हम उसको दूर करने का काम करें, इस बात पर हमें विचार करना होगा।...(समय की घंटी)...

आज लोकपाल बिल आ रहा है। यह लोकपाल बिल निश्चित तौर पर मजबूत हो और एक अच्छा कानून बने, इसमें सदन के किसी व्यक्ति को असहमति नहीं है। लेकिन क्या इस कानून के बनने से ही भ्रष्टाचार को हम अपने आपसे दूर कर पाएंगे? मैं समझता हूं कि यह एक बहुत बड़ा सवाल है। कानून तो पहले से हैं, लेकिन उसके बावजूद हमारे यहां से भ्रष्टाचार दूर नहीं हो रहा है। भ्रष्टाचार अब शिष्टाचारमय हो गया है। जब तक हम भ्रष्टाचार को खत्म करने का काम नहीं करेंगे, तब तक भ्रष्टाचार से इस देश को अलग नहीं किया जा सकता, लोगों का विश्वास नहीं जीता जा सकता। इसलिए हमें चाहिए कि हम दूसरे के ऊपर उंगली उठाने से पहले अपनी ओर देखने का काम करें...(समय की घंटी) अगर हम सब लोग अपने आप में सुधार करने का काम करेंगे, चाहे वह कोई भी तबका हो, चाहे कोई भी विंग हो, चाहे ज्युडिशियरी हो, चाहे पत्रकार हों, चाहे पॉलिटिकल सिस्टम हो, चाहे अधिकारियों के बीच में हो, लोकतंत्र की जो खूबसूरती है, उस खूबसूरती को बचाने के लिए...(व्यवधान)

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : अब समाप्त कीजिए।

श्री राम कृपाल यादव : हरेक को अपने आप में सुधार करने की जरूरत होगी। यह कहा जा रहा है...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : बस अब हो गया।

श्री राम कृपाल यादव : महोदय, मैं अंतिम बात कहकर अपनी बात समाप्त करूंगा। अन्ना हजारे की टीम में कुछ लोगों के माध्यम से यह कहा जा रहा है कि लोकपाल विधेयक में कई तरह की बातें आ रही हैं। हमें छोड़कर क्यों नहीं एनजीओ, क्यों नहीं पत्रकार, सबका समावेश इसमें लाना पड़ेगा...(व्यवधान)

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : बहुत ज्यादा हो गया है।

श्री राम कृपाल यादव : मैं समझता हूं कि आज निश्चित तौर पर जरूरत इस बात की है कि लोकतंत्र पर प्रश्नचिन्ह खड़ा करने की जो कोशिश की जा रही है...। आम masses को यह बताने का प्रयास किया जा रहा है कि केवल political parties के लोग ही भ्रष्ट हैं। इससे निश्चित तौर पर निजात दिलाना पड़ेगा, इसके लिए प्रयास करना पड़ेगा, नहीं तो यह देश के लिए शुभ संकेत नहीं है।

इन्हीं चंद शब्दों के साथ मैं आपके प्रति आभार व्यक्त करना चाहता हूँ कि आपने मुझे इस महत्वपूर्ण डिस्कशन पर बोलने का अवसर प्रदान किया। धन्यवाद।

SHRI M. RAMA JOIS (Karnataka): Mr. Vice-Chairman, Sir, thank you for giving me the opportunity to speak on this very important subject. During Quit India Movement, Mahatma Gandhi had given a slogan, 'करेंगे या मरेंगे', 'do or die'. Now, after six decades of

Independence, a situation has arisen that it has become necessary for the nation to wage a war against corruption, to win or die.

Confining to the topic of corruption prevailing in our country after six decades of Independence, the state of the nation is extremely perilous. The corruption tree is like an inverted one whose roots are at the top of, the administration, and it has spread to the branches and every part of the body politic. The common man is adversely affected in the matter of every one of his requirements—food, education, employment, health, etc. In respect of all other day to day requirements, and in respect of anything which he is entitled to by law, he has to bribe. For admission in schools or colleges or treatment in hospitals or in revenue offices or municipal offices for change of *khata*, and for everything, the citizens have to pay bribe. Without that, nothing moves. Further, even for transfer and postings in Government offices, including police officials, bribe is being taken by Ministers. Having paid a heavy bribe to Ministers, the officials turn to collect double or more than the double amount in the form of bribe; they feel justified in doing so. As corruption is rampant for admitting children in schools and colleges, parents, whose income from salary is low, feel justified in collecting bribe with the object of educating their children. To put it in a nutshell, whether the God is सर्वअंतर्दामी or not, the God is said to be सर्वअंतर्दामी, but now it is doubtful; but corruption is सर्वअंतर्दामी! Everywhere, corruption prevails.

Recently, I had been to Mysore where an old Ambassador is staying, he is about 100 years old—Shri Siddharta Achari. He said that he has visited several countries. He says, “Indians are honest in every other country except India!” That has become the fate of our conditions. While the corruption grew in and among the members of the Executive and even the Legislature, in the early decades of Independence, by and large, the Judiciary was free from charges of corruption except the fact that the ministerial officers’ of courts were not free from corruption. Now, the allegation of corruption has spread even against the judges. Just last week, we had to pass an impeachment motion against one of the judges.

The President, in her Speech on Fifteenth Lok Sabha on 4th July, 2009, made the following statement: “My Government is fully seized of the issue of illegal money of Indian citizens outside the country in secret bank accounts, which will vigorously be pursued and all necessary steps in coordination with the countries concerned will be taken.” The Supreme Court, in the case of the State of Madhya Pradesh versus Ram Singh has said, “Corruption in a civilized society is a disease like cancer. If not detected in time, is sure malignment to the whole polity of the country leading to disastrous consequences. Corruption is termed as a plague which is not only

contagious but, if not controlled, spreads like a fire in a jungle.” Its virus is compared with HIV leading to AIDS, being incurable. It had also been termed as royal thievery. The socio-political system exposed to such a dreaded communicable disease is likely to crumble under its own weight. Corruption is opposed to democratic social order. It is not only anti-people but is aimed and targeted against them. It affects the economy and destroys the cultural heritage. Unless nipped in the bud at the earliest, it is likely to cause turbulence — shaking the socio-economic political system in an otherwise healthy, wealthy and effective and vibrating society.”

Sir, we have seen how corruption has spread. I don’t want to go into the details. Even Members of Parliament, 11 MPs’ were found guilty in cash for questions case we know. According to the Transparency International, out of 106 countries, 55 are listed as corrupt, in which India is one.

Sir, Dr. A.P.J. Abdul Kalam, former President of India, while interacting with engineering students of Veeramata Jijabai Technological Institute at Matunga, Mumbai said, “Students should rise in revolt against corruption.”

Sir, it is very interesting to note that Mahatma Gandhi had written a letter on 24th January, 1922, 25 years before Independence. He said immediately after Independence that we are not going to get peace and happiness. But he said, “If education spreads throughout the country, from that, people would develop from their childhood, qualities of pure conduct, God-fearing, of love, Swaraj would give us happiness only when we attain success in that task. Otherwise, India would become the abode of grave injustice and tyranny of the Rulers.” Sir, this is what Mahatma Gandhi said in 1922. Education means what type of education? Swami Vivekananda said that you should give man making, character building education. But what we have given is, money making, character losing education. That is the position today. Who are corrupt? Education has spread very much. Thousands of colleges, institutions and should have been opened, and they are running. But who are corrupt? It is only the educated people who are corrupt. That means there is something wrong in the education system itself. Therefore, what should be done? There are two methods. One is punitive, punishing the offender; and another is preventive. As far as the preventive is concerned, Mahatma Gandhi’s concept of Ramarajya has been written by Shri C. Subramaniam in Bharatiya Vidya Bhavan’s journal. He states, “It is the prevalence of Dharma, which characterizes an ideal society. Such a society is possible only if the governance of the country is based on clear, efficient and transparent administration. In the past, the king was only symbol, but the ruler and administrator and the king had to observe the Dharma of the ruler functioning in a selfless manner for the prosperity, harmony and happiness of his people. This is

Gandhiji's concept of Ramarajya. Today, we are having responsible Governments. If the rulers do not observe Dharma, it will become Ravanarajya. We have to make a choice between Ramarajya and Ravanarajya."

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay.

SHRI M. RAMA JOIS: Just one minute, Sir. This is the most important thing. Sir, there is the doctrine of Trivarga. Unfortunately, nobody knows it. You take Ramayana, Mahabharata, Kautilya's Arthashastra, Manusmriti or any ancient literature. It is there Moksha is liberation from birth, that is the fourth. Forget Moksha. Dharma, Artha and Kama constitute Trivarga. Artha is money and Kama is desire. You must acquire money; you must earn money; you must satisfy your desires, provided it is not contrary to dharma. That is called Trivarga. "परित्यजेदर्थं कामौ यौ स्यातां धर्मं वदन्ती"। Now, we have completely धर्म को छोड़ दिया। "पैसा कमाओ और मजा करो", ...(*Time-bell rings*)... Sir, I have written a book on this. No less a person than Justice Krishna Iyer has given a foreword. I want to read this small paragraph and conclude. "Doctrine of Trivarga is an injunction to all human beings which directs - reject wealth and desire, which are contrary to Dharma, evolved from times immemorial. As Bharat Ratna C. Subramanyam has said in his celebrated book C.S. Speaks, there is a book published by Bhartiya Vidya Bhavan, that Trivarga is inseparable group of three, which constitute the warp and woof of our social system." "...but unfortunately, forgotten. This is the root cause for rampant corruption, financial and other crimes. Making money and fulfilment of desires by methods which are illegal and immoral has become the order of the day." Justice Krishna Iyer said, and that is most important, "Trivarga was not any occult science nor riddle... (*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): You are such a senior Member...(*Interruptions*)...

SHRI M. RAMA JOIS: "...wrapped in a mystery inside an enigma. It was basic to social order with worldwide validity. Trivarga comprising of three inseparable ideals, namely, dharma, righteous code of conduct, Artha, every type of wealth, and Kama, every type of desires of human beings as a permanent and effective solution for all human problems were put in the form of an injunction to all beings in one verse. Reject wealth and desires which are contrary to Dharma.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : Okay, that is okay. ...(*Interruptions*)...

SHRI M. RAMA JOIS: Manusmriti, Kautilya's Arthshastra and other classics governed the rulers and the ruled...(*Interruptions*)... Indeed, the rules of Dharma govern every sphere of

activity, every profession, and every avocation. The doctrine of Trivarga is enduring system of values holding good in the social , political domestic and international planes of human business.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : No, please. ...*(Interruptions)*...
(Time-bell) You are a very senior Member, what can I do? ...*(Interruptions)*... Okay, okay.

SHRI M. RAMA JOIS: Even S.B. Chavan Committee- I have given a note also — said this. Justice J.S. Verma's Committee has said this. The Supreme Court has said that unless you include cultural values in education merely making doctors and engineers ...*(Interruptions)*... We have eminent doctors and engineers but minus ethics. ...*(Interruptions)*... That is the problem. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : Please conclude. ...*(Interruptions)*... Thank you.

SHRI M. RAMA JOIS: Why has it happened? During the Freedom Struggle, there was selflessness. ...*(Interruptions)*... Everybody made tremendous sacrifice. Now, struggle for freedom was succeeded for power. Every one wants to become a Minister and make money. ...*(Interruptions)*... There should be purity in character. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : You are a very senior Member. ...*(Interruptions)*... So, I am conceding. ...*(Interruptions)*...

SHRI M. RAMA JOIS: You start today a character building system, after 30 years you are going to get the results. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : You are a former Chief Justice. ...*(Interruptions)*... Please, ...*(Interruptions)*... That is enough. ...*(Interruptions)*...

SHRI M. RAMA JOIS: Thank you very much.

SHRI RAJEEV CHANDRASEKHAR (Karnataka): Sir, thank you very much for allowing me to speak on this important motion. Sir, as you are aware, India is witnessing an unprecedented mobilisation of mind and people on the issue of governance and corruption and more specifically for the Lokpal institutiton which is being seen increasingly as a centrepiece of an architecture for a more transparent and accountable form of Government. So, this movement which we are seeing outside Parliament today, and some have criticised it in and outside the House, comprises millions of Indians all over the country and is remarkable by its non-violent and non-

political nature, most importantly, Sir, the most visible proof of people's participation and vibrancy of our democracy since Independence. Sir, I believe and I speak for myself as a representative of the people within Parliament, it is the beholden duty of all MPs to respond to the outpouring views and concerns voiced by our fellow citizens. But I accept the argument that we should do so in a responsible manner. Sir, let us be clear that corruption which is the focus of our debate today is a consequence of poor or absent governance. The Supreme Court itself has said that corruption is the worst form of human rights violation, corruption affects poor and rich equally and in most cases the poor suffer the consequences of corruption even more than the rich. Poor governance combined by profligate spending and welfare scheme after welfare scheme without even the faintest effort of linking to outcomes and objectives has created today what we see a thriving **ecosystem** of vested interests and corruption. Sir, the focus therefore needs to be on a holistic plan for governance reform and changing the way the Government works for its people and to bring in more accountability and cultural value and respect for public money and assets. Most of our Government institutions, the hon. Minister was referring to that, have long since been corroded through political interference and exploitation. These institutions need to be rebuilt and rebuilt with credibility like the judiciary and CAG that have made the country proud and we need other institutions to make the people of India confident and trust its government. In Webber's memorable words, "Building public institutions is like the slow boring of hard boards." It takes many, many years. Sir, the Lokpal that we are discussing is such an institution that the people look forward to get more confidence about governance and Government. I believe, Sir, instead of having a debate of Lokpal versus Jan Lokpal, we should be discussing what are the requirements of the Lokpal institution to be effective and to give people confidence. Let me lay out what I believe are the six requirements of a credible Lokpal institution. (1) The Lokpal should be independent. It should be independent from the Government and should not be interfered by the Government. (2) The Lokpal should have adequate investigative powers. (3) The Lokpal should have adequate financial resources and must not depend on the Government for finances. (4) Lokpal should be able to investigate in confidentiality so that people who are accused of crimes have the opportunity to prove their innocence before they are indicted. (5) The Lokpal should be manned by professional, well trained and proper investigators so that again there is no opportunity for misuse of the institution. Let me end by saying this: If you apply these six criteria, and, I say this with all the force at my command, the Jan Lokpal Bill is closer to what the people would be more confident in. I do not subscribe to the Jan Lokpal Bill completely and I accept the argument being made by many wise Members of this House that the Jan Lokpal Bill is constitutionally incompatible in many ways. Sir,

let us be very clear. A strong Lokpal institution and a strong law is the biggest deterrent to corruption and the law's objective is a deterrent to corruption. This is an unprecedented opportunity. Sir, let me end by saying, this is an unprecedented opportunity for the Parliament to establish that it is hearing the voices and responding to the concerns of the people by having a debate on a Lokpal Bill and a Lokpal institution that gives him the confidence that corruption and governance shall be reformed. Thank you.

SHRI NARESH GUJRAL (Punjab): Sir, the huge response that Shri Anna Hazare is receiving today is a manifestation of the anger and frustration of our people with corruption, both in high places as well as in their daily lives. People are sending us a loud and clear message to take corrective steps and legislate effective laws to eradicate this cancer. Sir, mere legislation will not do. We need to improve governance and put in place a strong Reform Agenda. Sir, I wish to emphasise on only four points.

[THE VICE-CHAIRMAN (DR. E. M. SUDARSANA NATCHIAPPAN)
in the Chair]

First, we must reduce discretionary powers at all levels, be it granting of mining licenses, change of land use from agriculture to housing to commercial, grant of environmental clearances or even a tendering process for Government contracts, be it income tax, sales tax, excise, labour or registration of property. In every Government Department, there are too many discretionary powers because our laws and rules are not clearly defined. We must improve this. Sir, we have seen in recent times how Air India has been destroyed systematically. Five chief executives were changed over five years only because of someone's whims and fancy. Again, in Highway Authority of India, six Chief Executives were changed because of political interference. Sir, BSNL and MTNL are losing thousands of crores while the private sector is making money. Why? All this is happening because we have completely demoralized our higher bureaucracy. We are destroying what Pandit Nehru once called the steel frame of our country. Secondly, Sir, we need to strengthen our institutions and usher in Governance reforms at all levels. A society stays sane if there is respect for law. Our hon. Prime Minister once said, “सरकारें इकबाल पर चलती हैं” — majesty of the law. Sir, for that, people have to fear the law. Unfortunately, there is no such fear left today. In fact, there is an incentive to be corrupt, because you know that if you are caught cases will go on for 20 years and nothing will happen. Sir, for this, we have to blame, both our investigation process as well as the Judiciary. Lakhs of cases, today, are hanging fire for decades. Yet, 30 per cent of the vacancies in the High Courts are not filled. I wonder, sometimes, why we cannot appoint new judges in a transparent manner. If we cannot find new judges, why cannot we give 5 year contract to those who are retiring? Let them carry on. Why

cannot judiciary function in two shifts? Why two-month long summer vacation for the judiciary when a poor man cannot get justice? The huge backlog has to be cleared expeditiously.

The CBI has lost all its credibility. It is a tool in the hands of the Government of the day. I remember, the day when my father became Prime Minister, the following day so many leaders from various parties were at his house. I mistakenly thought all these people were there because he was popular. But, basically, they all came to request him to interfere, put pressure on the CBI so that these people are saved. That is how the CBI is functioning. Sir, whoever heads the CBI, the CVC and all such bodies, once they retire, he should not be tempted with post-retirement jobs.

Sir, many colleagues have talked of election funding. I say with deep regret, today, irrespective of where we sit, no political person thinks that he is a leader unless he has a plane or helicopter at his disposal during elections. 'Simple living' has gone out of our lives. So, we need to seriously introspect. Sir, elections have become such an expensive proposal. Where is this money coming from? Is it clean money? If we want clean money to come in, as the hon. Leader of the Opposition said today, just giving a cheque to a political party is not enough. We should incentivize the corporations; give them weighted deduction. If a company gives Rs. 1 lakh to a party, allow them to write off Rs. 1.5 lakh from their expenses account. This way, they will not give black money. They will only give white money.

Lastly, we have to bring in transparency at all levels. Recently, in Punjab — my State — we hired 70,000 teachers with the help of our universities, because the State Public Commission was notorious for corruption. Not one finger was raised. We hired people in lower judiciary and police. Again, we have done this with the help of judiciary and civil society and, again, there were no complaints at all. Sir, we have introduced e-tendering for all Government contracts. Finally, we have enacted the Right to Service Act to cover 20 basic services. If an officer delays or harasses a common man, money will be cut from his salary and he will be penalized. If other States were to follow our example, I am sure, the common man will be benefited.

Sir, in the end, I would say that people are impatient and will not wait indefinitely. Collectively, we must read the writing on the wall and act now even if we have to extend this session or call a special session of Parliament next month. Thank you.

SHRI PAUL MANOJ PANDIAN (Tamil Nadu): Thank you very much, Sir.

Sir, we have seen a series of scams that surfaced in recent months and their cost dimensions for the country have really created a feeling of intense anger against the establishment. Sir, this anger has manifested in a larger turnout of people, especially men and women, in support of Civil Society Movement against corruption. The country is at the crossroads. The angry Indians are outraged with 2G, the CWG and the magnitude of loot is mind-boggling. The need of the hour is to curb corruption. There were several mechanisms; there were several enactments for the purpose of curbing corruption. We know that the Prevention of Corruption Act was enacted in 1947. An amendment was made in 1988. And, by virtue of the judgement of the apex court, the Central Vigilance Act was also enacted. Now, we are about to enact the third legislation. The Bill has been circulated. I had a cursory glance at the Lokpal Bill. Sir, I would like to make my comments with regard to the Bill. The Leader of the Opposition made it very clear today that the public are the best judges. The public takes good decisions. The people take good decisions against corruption. Yes, Sir, it is true. It is evident from the fact that in the recently held elections to the Tamil Nadu Legislative Assembly people voted against corruption. They voted against the erstwhile corrupt Government and voted Madam Puratchi Thalavi, Dr. Jayalalitha, as the Chief Minister of Tamil Nadu. ...*(Interruptions)*...

SHRIMATI VASANTHI STANLEY (Tamil Nadu): Sir, ...*(Interruptions)*...

SHRI T.M. SELVAGANAPATHI: Sir, ...*(Interruptions)*...

SHRI PAUL MANOJ PANDIAN: Sir, with regard to the Bill... ...*(Interruptions)*... Sir, with regard to the Bill... ...*(Interruptions)*...

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Please stick to the Bill. ...*(Interruptions)*...

SHRI PAUL MANOJ PANDIAN: Yes, Sir. I will make my submissions. ...*(Interruptions)*... Sir, with regard to the Bill I would like to make some comments. ...*(Interruptions)*.. With regard to the Bill I would like to make some comments. ...*(Interruptions)*...

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Please stick to the Bill. ...*(Interruptions)*... Kindly don't mention the names. ...*(Interruptions)*...

SHRI PAUL MANOJ PANDIAN: Sir, I will make some comments regarding the Bill which was circulated to me. ...*(Interruptions)*...

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Please sit down. ...*(Interruptions)*...

SHRI PAUL MANOJ PANDIAN: I will make some comments with regard to whatever is stated in the Bill. ...*(Interruptions)*...

SHRI N. BALAGANGA: Sir, ... *(Interruptions)*...

THE VICE-CHAIRMAN (DR. E. M. SUDARSANA NATCHIAPPAN): Allow your Member to speak. ... *(Interruptions)*...

SHRI PAUL MANOJ PANDIAN: Sir, with regard to the Bill on which I had a cursory glance... *(Interruptions)*...

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Please sit down. ... *(Interruptions)*... Please sit down. ... *(Interruptions)*... He has come to the next point now. ... *(Interruptions)*... Please sit down. ... *(Interruptions)*...

SHRI PAUL MANOJ PANDIAN: Sir, with regard to the Bill I want to state that when there are two enactments like the Prevention of Corruption Act and the Central Vigilance Act, there is no mention in the Bill about the Central Vigilance Act. What if a person gives a complaint under the Prevention of Corruption Act, then, to the CVC and then approaches the Lokpal? What is the mechanism? Who has to investigate it? Who has to take action? What happens when there are parallel proceedings? It has to be taken note of. With regard to the Commission of Inquiry Act, the Bill says that once a proceeding is initiated under the Lokpal, no State Government can appoint a Commission of Inquiry. Is it not infringement on the States' powers?

Sir, in the same Bill we have seen that there are provisions with regard to registration of FIR. They say that the investigating officers have powers. Sir, an Investigating Officer has the power of arrest, search and seizure. In this Bill is there any mention about the powers of arrest? Even if a person is arrested, where will he be produced? Will he be produced before the Magistrate? Or, will he be produced before the Lokpal? It is not clear. When we bring a Bill, it has to be in consonance with the legal provisions. It has to be in consonance with the Constitution. So, with these comments, my submission is that an effective Bill/law/mechanism in order to curb corruption has to be enacted. We all know, Sir, that even courts cannot compel the Legislature to enact legislations or make Acts in this august House. Under these circumstances, we have to take note of that and establish the supremacy of this august House in order to curb corruption. Thank you, Sir.

श्री मोहम्मद अदीब (उत्तर प्रदेश) : थैंक्यू सर, मैं सबसे पहले तो लीडर ऑफ दि अपोजिशन और कांग्रेस की तरफ से सत्यव्रत चतुर्वेदी जी को मुबारकबाद देता हूँ कि उन्होंने अपनी पार्टी से ऊपर उठकर एक ऐसे मुद्दे पर बहस की, जिसकी सख्त जरूरत थी। आज पार्लियामेंट के बाहर जो कुछ हो रहा है, बहुत लोगों ने कहा कि वह करप्शन के खिलाफ है, मेरी यह समझ है कि वह करप्शन नहीं है, वह करप्शन के खिलाफ नहीं है, उसके खिलाफ कोई और मुद्दा है। अगर ऐसा कोई बिल लाया जा सकता है जहां करप्शन खत्म हो सकता है, तो जैसा कहा गया मेरे गांधी को मारा नहीं जाता, यह कानून मौजूद था, इंदिरा गांधी को शहीद नहीं किया जाता, कानून मौजूद था, मेरे चहेते प्राइम मिनिस्टर राजीव गांधी को कत्ल नहीं किया जाता, कानून मौजूद था।

लेकिन यह साजिश है, यह साजिश ऐसी है जिससे इस पार्लियामेंट और पार्लियामेंट की डेमोक्रेसी को तोड़ने का एक बहुत बड़ा मंसूबा है और इस मंसूबे के तहत ये सारे कारनामे हो रहे हैं। हम बहस तो कर रहे हैं लेकिन हकीकत यह है कि कानून से करप्शन नहीं जाता, समाज को सुधारने के बाद जाता है। हम अपने को करप्शन में पूरा लिप्त कर चुके हैं। इसमें कानून से क्या होगा? जैसा अभी सत्यव्रत चतुर्वेदी जी ने यह बात कही कि इसके बाद कोई और मंजर आएगा। आप जरा गौर फरमाएं कि टेलीविजन पर क्या होता है? यहां कैसे-कैसे टेलीविजन भी शुरू हो गए हैं जो अंग्रेजी के टेलीविजन हैं, 24 घंटे यह ही दिखा रहे हैं। सी.ए.जी. की रिपोर्ट एक नॉर्मल प्रोसीजर है। हर डिपार्टमेंट की रिपोर्ट आती है लेकिन उस रिपोर्ट पर पार्लियामेंट में बहस होने से पहले ही रात को उस पर टेलीविजन पर बहस होती है। इसी हाउस की लेडी मेम्बर जिसका एक छोटा बेटा मौजूद है, उसने सुप्रीम कोर्ट में कहा कि मैं आपके साथ कोआपरेट करूंगी, हर तरह की मदद करूंगी लेकिन मुझे मेरे बेटे के साथ रहने दिया जाए। कानून यह कहता है कि बेटे के साथ मां को रहने दिया जाए। लेकिन टेलीविजन पर जो पार्लियामेंट चलती है, उसने यह ज़हन बना दिया कि वह आज बच्चे के बगैर बेल लेने के लिए तैयार नहीं है और यह पार्लियामेंट खामोश है। इस पार्लियामेंट के रोज-रोज किसी ने किसी कीमत पर और किसी न किसी तरीके से हकूक छीने जाते हैं। आज यह अजीब तमाशा हो गया है। मैं जानता हूँ कि जो लोग यह तहरीक चला रहे हैं, किसी बच्चे से पूछ लीजिए कि सबसे ज्यादा भ्रष्टाचार कहां है? पुलिस में है। उसके बाद कहा है? इंकम टैक्स में है। इनके लोग आज यह तहरीक चला रहे हैं। यह चला रहे हैं वे लोग। मुझे अन्ना जी के बारे में नहीं मालूम है, लेकिन यह बताया गया कि बड़े नेक और शरीफ आदमी हैं। लेकिन उपसभाध्यक्ष महोदय, मैं आपसे पूछना चाहता हूँ कि कोई बुजुर्ग या किसी महात्मा से यह कहिए कि तुम हार्ट का ऑपरेशन करोगे और वह यह कहे कि मैं ही करूंगा, क्योंकि मैं बहुत बुजुर्ग हूँ और बहुत बड़ा पाक हूँ इसलिए हार्ट का ऑपरेशन मैं करूंगा। अन्ना जी को कानून क्या मालूम है। कानून यहां बनता है और फिर यह कहा जाए कि फलां तारीख तक करो, नहीं तो मैं जान दे दूंगा। यह हो क्या रहा है? आज हम लोग एक दूसरे के सिर्फ पीछे हैं। इसकी गरिमा कहां जाएगी। थोड़ा पीछे जाकर देखिए कि हिटलर बंदूक और तोप लेकर नहीं आया था। जब डेमोक्रेटिक सिस्टम कमजोर हो गया था तो हमने हिटलर को पॉवर दे दी थी और दुनिया जहन्नुम बन गई थी। यह सोचने का मुकाम है। हमको यह सोचना पड़ेगा कि हम इसकी अज़मत, इस कांस्टीट्यूशन की अज़मत और इस पार्लियामेंट की गरिमा को बचाकर रहेंगे या नहीं रखेंगे। यह हमारा कांस्टीट्यूशन है, जिसने हमको पूरी दुनिया में इज्जत के शिखर पर पहुंचा दिया है। यह हमारा कांस्टीट्यूशन है कि माइनोंरटी से मेरे मुल्क का प्राइम मिनिस्टर है। यह मेरा कांस्टीट्यूशन है कि माइनोंरटी का आदमी प्रेजीडेंट ऑफ इंडिया बना हुआ था और दो-दो बन गए थे। अगर हमसे यह छीन लिया तो हमारे पास बचेगा क्या। लेकिन मैं तो बराबर यह कहता रहा इधर से भी और उधर से भी, लेकिन मेरे साथ तो मुश्किल यह है, इसे बारे में एक शेर है कि:-

तंग नज़र ज़ाहिद ने मुझे काफ़िर माना,
और काफ़िर यह कहता कि मुसलमां हूँ मैं।

न ये सुनते हैं, न वे सुनते हैं, लेकिन हकीकत यही है कि यह मुल्क खतरे में पड़ गया है। अगर आप लोगों ने किसी तरह का कम्प्रोमाइज़ किया, मैं इस हाउस में ऐलान कर रहा हूँ कि 30 तारीख को, अगर यह बिल पास

کیا گیا، پارلیامینٹری سٹینڈنگ کمیٹی کو ختم کر دیا گیا اور اننا جی کا بیل لایا گیا، تو میں اس پارلیامینٹ سے خودا ہافیز کر لوں گا۔ اس شکر کے بعد کہ ایسی پارلیامینٹ میں بیٹھنے کی ضرورت نہیں ہے، جہاں کانون کو بلیک مینل کر کے سڈک پر بیٹھنے والوں کا ساتھ دیا جائے۔ بہت-بہت شکریا۔

[جناب محمد ادیب (اٹر پردیشن) (Mohd. Adeeb): تھینک یو سر، میں سب سے

پہلے تو لیڈر آف دی اپوزیشن اور کانگریس کی طرف سے سٹیہ ورت چٹرویدی جی کو مبارکباد دیتا ہوں کہ انہوں نے اپنی پارٹی سے اوپر اٹھ کر ایک ایسے مدعے پر بحث کی جس کی سخت ضرورت تھی۔ آج پارلیمنٹ کے باہر جو کچھ ہو رہا ہے بہت لوگوں نے کہا کہ وہ کریشن کے خلاف ہیں، میری یہ سمجھ ہے کہ یہ کریشن نہیں ہیں، وہ کریشن کے خلاف نہیں ہے، اس کے خلاف کوئی اور مدعا ہے۔ اگر کوئی ایسا بل لایا جا سکتا ہے جہاں کریشن ختم ہو سکتا ہے تو جیسا کہا گیا، میرے گاندھی کو مارا نہیں جاتا، یہ قانون موجود تھا۔ اندرا گاندھی کو شہید نہیں کیا جاتا، قانون موجود تھا۔ میرے چہنئے پرانم منسٹر راجیو گاندھی کو قتل نہیں کیا جاتا، قانون موجود تھا۔ لیکن یہ سازش ہے، یہ سازش ایسی ہے جس سے یہ پارلیمنٹ اور پارلیمنٹ کی ڈیموکریسی کو توڑنے کا ایک بہت بڑا منصوبہ ہے۔ اور اس منصوبے کے تحت یہ سارے کارنامے ہو رہے ہیں۔ ہم بحث تو کر رہے ہیں لیکن حقیقت یہ ہے کہ قانون سے کریشن نہیں جاتا، سماج کو سدھارنے کے بعد جاتا ہے۔ ہم اپنے کو کریشن میں پورا لپٹ کر چکے ہیں، یہ قانون سے کیا ہوگا۔ جیسا ابھی سٹیہ ورت چٹرویدی جی نے یہ بات کہی کہ اس کے بعد کوئی اور منظر آنے گا آپ ذرا غور فرمائیں کہ یہاں کیسے کیسے ٹیلی ویژن شروع ہو گئے ہیں۔ جو انگریزی کے ٹیلی ویژن ہیں، 24 گھنٹے یہی دکھا رہے ہیں۔ سی-ای-جی-کی]

† [Transliteration in Urdu Script.]

رپورٹ ایک نارمل پروسیجر ہے۔ ہر ڈیپارٹمنٹ کی رپورٹ آتی ہے لیکن وہ رپورٹ پارلیمنٹ میں بحث ہونے سے پہلے رات کو اس پر ٹیلی ویژن پر بحث ہوتی ہے۔ اسی ہاؤس کی لیڈی ممبر جس کا ایک چھوٹا بیٹا موجود ہے، اس نے سپریم کورٹ میں کہا کہ میں آپ کے ساتھ کرو-آپرٹ کروں گی، ہر طرح کی مدد کروں گی لیکن مجھے میرے بیٹے کے ساتھ رہنے دیا جائے۔ قانون یہ کہتا ہے کہ بیٹے کے ساتھ ماں کو رہنے دیا جائے۔ لیکن ٹیلی ویژن پر جو پارلیمنٹ چلتی ہے اس نے یہ ذہن بنا دیا کہ وہ آج بچے کے بغیر بل لینے کے لئے تیار نہیں ہے اور وہ پارلیمنٹ خاموش ہے۔ اس پارلیمنٹ کی روز روز کسی نہ کسی قیمت پر اور کسی نہ کسی طریقے سے ہمارے حقوق چھینے جاتے ہیں۔

آج عجیب ٹمائٹ یہ بھی ہو گیا، میں جانتا ہوں جو لوگ یہ تحریک چلا رہے ہیں، کسی بجے سے پوچھ لیجنے کہ سب سے زیادہ بھرپور چار کہاں ہیں؟ پولیس میں ہے۔ اس کے بعد کہاں ہے؟ انکم ٹیکس میں ہے۔ وہ ان کے لوگ آج یہ تحریک چلا رہے ہیں۔ یہ تحریک چلا رہے ہیں وہ لوگ۔ مجھے انا جی کے بارے میں نہیں معلوم ہے، لیکن یہ بتایا گیا کہ بڑے نیک اور شریف آدمی ہیں۔ لیکن اب سبھا ادھیکش مہودے، میں آپ سے پوچھنا چاہتا ہوں کہ کوئی بزرگ یا کسی مہاتما سے یہ کہنے کے تم ہارٹ کا آپریشن کرو گے اور وہ یہ کہے کہ میں ہی کروں گا، کیوں کہ میں بہت بزرگ ہوں اور بہت پاک ہوں اس لئے ہارٹ کا آپریشن میں کروں گا۔ انا جی کو قانون کیا معلوم ہے۔ قانون یہاں بنتا ہے اور پھر یہ کہا جائے کہ فلاں تاریخ طے کرو، نہیں تو میں جان دے دوں گا۔ یہ ہو کیا رہا ہے؟ آج ہم لوگ ایک دوسرے کے صرف پیچھے ہیں۔ اس کی گرما کہاں جائے گی۔ تھوڑا پیچھے جکر دیکھنے کہ ہٹلر ہندو اور توپ لے کر نہیں آیا تھا۔ جب ڈیموکریسی سسٹم کمزور ہو گیا تھا تو ہم نے ہٹلر کو پاور دے دی تھی اور دنیا جہنم بن گئی تھی۔ یہ سوچنے کا مقام ہے۔ ہم کو یہ سوچنا پڑے گا کہ ہم اس کی عظمت، اس کانسٹی ٹیوشن کی

عظمت اور اس پارلیمنٹ کی گرما کو بچا کر رکھیں گے یا نہیں رکھیں گے۔ یہ ہمارا کانسٹی ٹیوشن ہے جس نے ہم کو پوری دنیا میں عزت کے شکر پر پہنچا دیا ہے۔ یہ ہمارا کانسٹی ٹیوشن ہے کہ مانٹارٹی سے میرے ملک کا پرانہ منسٹر ہے۔ یہ میرا کانسٹی ٹیوشن ہے کہ مانٹارٹی کا آدمی پریزیڈنٹ آف انڈیا بنا ہوا تھا اور دو-دو بن گئے تھے۔ اگر ہم سے یہ حق چھین لیا تو ہمارے پاس بچے گا کیا؟ لیکن میں تو برابر یہ کہتا رہا ادھر سے بھی اور ادھر سے بھی، لیکن میرے ساتھ تو مشکل یہ ہے، اس بارے میں ایک شعر ہے کہ:

تنگ نظر زاہد نے مجھے کافر مانا

اور کافر یہ کہتا کہ مسلمان ہوں میں

نہ یہ سنتے ہیں، نہ وہ سنتے ہیں، لیکن حقیقت یہی ہے کہ یہ ملک خطرے میں پڑ گیا ہے۔ اگر آپ لوگوں نے کسی طرح کا کمپرامائز کیا، میں اس ہاؤس میں اعلان کر رہا ہوں کہ میں 30 تاریخ کو، اگر یہ بل پاس کیا گیا، پارلیمنٹری اسٹینڈنگ کمیٹی کو ختم کر دیا گیا اور انا جی کا بل لایا گیا، تو میں اس پارلیمنٹ سے خدا حافظ کہہ دوں گا۔ اس شکرے کے بعد کہ ایسی پارلیمنٹ میں بیٹھنے کی کیا ضرورت ہے، جہاں قانون کو بلیک میل کر کے سڑک پر بیٹھنے والوں کا ساتھ دیا جائے۔ بہت بہت شکریہ۔

DR. CHANDAN MITRA (Madhya Pradesh): Thank you, Sir. I will be brief because many of the points have already been made, particularly by the Leader of the Opposition, Shri Arun Jaitely, and other Members have also contributed. So, there are not too many things to add, but I want to place today's debate in a context.

Sir, this is not the first time that Parliament is debating corruption, and, I am sorry to say, this would not be the last time that we are debating corruption. But, today, we are discussing it in a particular context. We have seen over the last ten days the kind of crowds that have been assembling and the kind of enthusiasm and excitement that has been dominating the streets of Delhi. One can blame television, one can blame the media that they have exaggerated or that

† [] Transliteration in Urdu Script.

5.00 P.M.

they have overdone it, but you cannot ignore the fact that there is a genuine feeling of angst and anger against the system and an entire generation has now taken to the streets because they feel that their grievances are not being addressed. It is, largely, also true that it is an urban disconnect, more than in any other part of the country. But, Sir, just because people live in the cities, are they not citizens of India? Don't they too have their rights? You can call it a middleclass uprising. According to estimates, today, the middle-class population is 267 million, that is, 26.7 crores, which is almost equal to the population of the United States of America. If there is a certain feeling that their voices are not being heard, they are not getting opportunities, they do not have a proper grievance redressal system, is it wrong on their part to feel that? You have a particular situation here. Only last week, it appeared in the newspapers that in a medical college in Mumbai, a seat was sold for 1.71 crores of rupees; Rs.1.71 crores for a seat in a medical college! You can very well imagine the kind of doctors that will be turned out by that kind of a college where they have to pay this much in order to gain admission. What have we done to provide opportunities for our youth, which has done so well? India leads the world in IT revolution. Our scientists, doctors and engineers are amongst the best in the world, but what have we done to create infrastructure, technical infrastructure, social infrastructure, to fulfil the aspirations of the youth. Maybe, the urban youth is not the biggest vote bank. I am afraid that the politics of vote bank has blinded governments. I do not wish to name any particular party, but the politics of vote bank has blinded governments into taking a particular course of action by which people feel neglected, their grievances are not addressed and their opportunities have dried up.

Sir, unfortunately, the mood of the country and the mood of the young boys and girls was totally misread by the entire administration. Whether you blame the Delhi Police or anybody else, — various organizations have been named — whomsoever you may blame, you cannot take away the fact that the Government changed its position so many times in the course of the last ten days that the anger of the people multiplied, and we are paying the price for that. If a gun is held to our heads and we are told to pass this Bill by the 30th and dispense with the Standing Committee, and if this demand is finding resonance, you must step down and go and talk to the people. People say, “हम ठीक तो कह रहे हैं; why do you want to discuss it in Committee after Committee and take months for this? We are not prepared to wait?” Sir, April 11 was the day when the previous agitation ended at Jantar Mantar. Today, we are here on 24th August. In between what was happening? Why is there so much delay? It will be good if all the good points

of these bills that have been presented like Government's Lokpal Bill, Anna Hazar group's Jan Lokpal Bill and Aruna Roy NAC's third version are incorporated. What prevented us from doing all this? The Jan Lokpal Bill was in public domain. Before coming out with Government's version, these points could have been incorporated. Unfortunately that rigidity caused stalemate, but I hope that it will be resolved. The scale of corruption in the country has become mind-boggling. Another major grievance of people today is that there is hardly ever any conviction for corruption. Sir, there are 29 Acts in this country against corruption including the Prevention of Corruption Act. How many persons, politicians, bureaucrats, policemen, etc., have actually been convicted and sent to jail for corruption? And yet corruption has been a major factor. Sir, I speak with some authority because in 1998 I wrote a book called 'The Corrupt Society' published by Penguin. Now somebody asked me are you going to do a follow up. I said whatever I wrote nearly 14 years ago is all valid even today. So, we took no steps and we tried to crack down on petty corruption. Just a few days ago, a DTC bus conductor was sentenced to two years jail for mal-appropriation of Rs.10 because he did not give a ticket to a person. People have swindled — mind boggling the figures are — Rs.1.7 lakh crores, Rs.60,000 crores and Rs. 90,000 crores, what happens to them? Does anything happen to them? When trial goes on, they are given bail. What a tragedy on the day when the biggest tax evader in India's history, one Hasan Ali, was granted bail by a High Court, Shri Anna Hazare was sent to jail. If this is the kind of contradiction that happens and if this is the kind of double standard that we adopt, are you surprised that the young are angry and are you surprised that the people have a sense of right or wrong? What the entire system is doing? I am not only blaming the Government; what the entire system is doing is wrong. Sir, this is a huge wake-up call. My friend, Shri Naresh Gujral, very rightly talked about the criminal justice system and how there are delays and delays in this entire matter. Sir, we have to holistically approach this issue. I think the entire establishment has to put its mind together to see what has gone wrong, understand the mood of the country and understand that people are angry. We need to be accountable. The Parliament and people cannot be pitted against one another. So, I appeal to everybody starting with the Government that this is a wake-up call. To the Government, this is a wake-up call; to the Parliament, to the political class, to the democracy, to the judiciary and to everybody, this is a wake-up call. We have to adjust this problem together which is why we are debating. I hope an appropriate and effective Lokpal Bill is passed by this House and we will take one further step in trying our best to try and control this hydra-headed monster, this cancer of corruption.

PROF. P.J. KURIEN (Kerala): Sir, in fact, I would have spoken earlier but I was in the Chair I could not speak. I am sure because of that reason you will not curtail my time which is due to my party. Everybody is given more time. I should, at least, be given my time. Sir, I am very happy over one thing that today in this House there was a serious discussion from all sides. Earlier, the other day also, when we were impeaching a Judge, there was a serious discussion. I think Rajya Sabha should function like that. Today, there was a little acrimony. That is okay. That adds some spice. But, today, there was a serious discussion and the tone was set by none other than the hon. Leader of the Opposition. He started the speech and he did not make a partisan speech. He gave a speech, the spirit of which was appreciated by everybody on this side and on that side. After that also, speakers from this side and that side, including the hon. Minister, kept the standard of the discussion at a high level. The hon. Leader of the Opposition said that corruption is a national issue, not a party issue. And, the hon. Minister has said and committed in this House that the Government will come forward with a very strong Lokpal Bill. Views of both were accepted by this House. And, this should be the way we should have discussion. Sir, corruption is a cancer eating into the vitals of our society. It is all prevalent, from top to bottom. If we see politicians, there are corrupt politicians. But, unfortunately, the perception is that all politicians are corrupt. I do not know who is responsible for that perception. To some extent, media is responsible. Whatever comes in media, be it a cartoon or a joke, everything is targeted at the politicians. We should blame ourselves also for that. There are good politicians also. There are also politicians who are not corrupt and they are in large numbers. Unfortunately, they are not being projected. Like in this House, if somebody makes a very good speech, that will not be published in the media. But, if somebody shouts here, his name will be published. I am not blaming the media but this is what is happening. There are good politicians also. If I start counting them, certainly they are more than the corrupt politicians.

But, corruption is all preventing; not only in politics. It is there in bureaucracy. There are a good number of bureaucrats who are corrupt. We should remember that some of the Ministers and politicians become corrupt only with the help of the bureaucrats, but corruption of the bureaucrats is ignored and only the corruption of the Ministers or the politicians are highlighted. Then, take the case of Judiciary. It was already mentioned here. The hon. Leader of the Opposition himself mentioned about it. A couple of years back, one of the former Chief Justices of India said that at least 20 per cent of the Judges were corrupt. It was at that time. Now, since corruption is increasing exponentially, today, it must be much more. There is also a lot of corruption in the corporate world. I think, the hon. Minister mentioned one or two examples.

Enron case was mentioned. Satyam Computers was mentioned. Corporate world abets corruption. They give lot of money to the politicians, who are willing to accept, in order to get something. So, they abet corruption. So, they cannot keep away and say that they are saints. Then, Sir, some NGOs are also corrupt. They take money from the Government. There is no accountability. They will not keep accounts. In this very House, when I asked a question about some NGOs, the hon. Minister here gave the reply that some NGOs are blacklisted because of corruption. Foreign funds are also coming. So, NGOs are also corrupt. Therefore, if they point finger only at the politicians, or, only at the Ministers, only at the political parties, I beg to disagree.

Now, my second point is regarding political parties. What is the main reason for corruption among political parties? It is our election system. Shri Sitaram Yechury, when he spoke, mentioned it. I agree with him and I hope everybody would agree. Our election system is the root cause for corruption because a lot of money is required for contesting election; not for the Rajya Sabha Members, but for the Lok Sabha elections. I am told that in Kerala, it is the least. In other States, I am told, it runs into crores of rupees. Where is this money coming from? It is all coming from corporate world, companies. Why do the companies give money? They do not give money without a *quid pro quo*. They give money to both sides because they do not know as to who will come to power. I remember, when I contested the Lok Sabha elections, one company man in my District gave me a contribution of Rs. 25,000/-. I was very happy that he gave me so much money because at that time, it was a big amount. I won the elections, and, after a couple of months, I came to know that he had given a same amount of contribution to the other contestant also. I asked him, “why did you do like that? I thought, you are my friend only but you are a friend of both of us.” He said, “how do I know as to who will come to power, and, therefore, I gave it to both of you.” This is the attitude of the corporate world. They give money only on the basis of *quid pro quo*. This is a fact of life. A suggestion was made by the Leader of Opposition, Shri Arun Jaitley, Shri Sitaram Yechury and also by some other Members that electoral reforms should be brought, State funding of elections should be considered. I think, it should be considered seriously, and, I hope that the hon. Minister, who is my good friend, will convey this to the hon. Prime Minister.

SHRI S.S. AHLUWALIA: You are saying that the Minister is your friend. It means, you are asking for favours. That is also a favour. He cannot be your friend. (*Interruptions*)

PROF. P.J. KURIEN: Now, Sir, I come to another point, which was also made by our hon. Member, Ramajois ji. I liked that point very much. What is the reason for this greed for may? See anybody. Those who are having millions, they want crores, and, those who are having crores, they want billions. Everybody is competing. This is greed. What is the reason? It has a huge problem in the society. Competition is there. It was said that liberalization is one reason for this. I would say that it is correct that liberalization has generated more wealth with the Government and also with the individuals. It has resulted in more wealth. Certainly, that can be one reason for corruption but blaming liberalization for all corruption is something which I cannot agree with.

It is not because of liberalization or because of generation of wealth. Had we not liberalized, what would have been our position. My friend Rajeeve is sitting here. We would have gone the Soviet way. The Soviet Union did not liberalize in time.

SHRI P. RAJEEVE: You are not ready to learn from twenty years' experience.

PROF. P.J. KURIEN: Okay. So, liberalization was the need at that time. It saved our country from a great fiasco. It generated more wealth. Because of that, we can have so many programmes today. You have NREGA because of that; you have Old Age Pension because of that; you have NHRM because of that. Therefore, don't just blame liberalization and say that the whole trouble is because of liberalization. Naturally, it has generated wealth, and, proportionately, this corruption has increased.

But, what should be on style of life? What did Gandhi ji say? We should go back to Gandhi ji. He said to everybody, take things according to the need, and, not according to the greed. Today, everything is for greed. I am told when Gandhi ji in Asvam, in the morning, he was given two bottles of water for washing his hands, mouth. He used only one bottle, and, returned the second one. The servant went to him and asked, "Bapu ji, there was enough water. Why did not you use it?" Gandhi ji replied, "it is not the question of how much is available. It is the question of how much I need." So, everybody should take according to his need only and not according to the greed. I have been to Japan a couple of years ago, when I was the Minister of State for Industry. I was talking to the Managing Director of a big company. He casually talked to me. When he invited us for tea, I told him that we would come to his house. My Secretary was also with me at that time. He told me that we could not come to his house. When I asked him why, he told me that his house was very small. He was an MD of a big company. He told me that his house had only two rooms and one veranda. Look at the situation in India. There are palatial houses. The worth of some houses is Rs.50 crore or Rs.100 crore. I was told that in Mumbai

their worth is thousands of crores. Look at our extravagance in marriages. There is competition. Dr. Chandan Mitra talked about middle class. I tell you that the middle class is competing for big houses. In marriage also they are competing. The middle class is competing for buying gold. How is the price of gold going up? *(Interruptions)* Please sit down. *(Interruptions)* I thought I was a teacher. I am sorry. Let me complete. I am saying what I feel. I am not blaming anybody. I am only blaming us. Look at our extravagance in marriages. Can any poor man buy gold? This competition of wealth is being taken up by the middle class. This has to be controlled. Something has to be done. Otherwise, corruption will increase no matter whatever the Government do; and whichever Lokpal Bill it may bring, corruption will be on the increase because of this competition for amassing wealth. That has to be controlled. There should be adequate laws. Why do we need big houses? There can be a law to regulate big houses. There can be laws to regulate extravagance in marriages. Once upon a time there was a law in the country under which you could not spend huge money on a marriage. Crores of rupees are spent on marriages. I think laws should be brought to regulate all these things. This way system will correct itself and system itself will improve.

Second point is this. That is not enough. It is a question of basic character. There are some people who will not become corrupt whatever may be the pressure. How is it? The hon. Member, Shri M. Rama Jois, spoke about education. He quoted Swami Vivekananda. I agree with his view. The real purpose of education is character building. Today, there is no emphasis on character building. You only produce doctors and engineers. They only want to make money. You ask engineers about their aim. The answer will be to get a job and make money. Doctors are to serve. Honesty, integrity and patriotism are good values. Another reason behind corruption is lack of patriotism. If an officer or a politician is a patriot, I have no doubt in saying that he will not become corrupt.

Sir, you have given extra time to everybody. You have to give me also.

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): The party has already taken twenty minutes more than the time allotted to it.

PROF. P.J. KURIEN: Today, when I was in the Chair, I allowed extra time to everybody.

Character building has to come from education.

(MR. DEPUTY CHAIRMAN in the Chair)

For that, our syllabus should be revisited. I remember a story of Gandhiji when he was a student. He was writing the word “kattle”. He wrote the spelling of the word wrongly. Then the Inspector of the schools came. The teacher went and gave a hint to the student to copy it from the next student and correct it because the Inspector was there. Gandhiji did not do that. I learnt the lesson that whatever may be the pressure from higher ups, don’t do a wrong thing. They should be taught in the class. I will give one Talisman. Every Minister, every MP and every bureaucrat, before starting work should recite one *sloka* from the Bhagvat Gita. Every day do it. The Bhagvat Gita says, “Do your work, don’t expect anything.” Even the result of that work, don’t expect. ‘कर्मण्येवाधिकारस्ते मा फलेषु कदाचन’. What I am saying is that every Minister, every MP and everybody should write this. Every morning he should read, every morning he should recite. I am sure he will improve.

The second point I want to say...

MR. DEPUTY CHAIRMAN: Prof. Kurien, you ask everybody to sit down. Now, I am asking you to sit down.

PROF. P.J. KURIEN: I will finish. I also allowed more time to Members to speak. You are more benevolent. You are kind. Please give me three more minutes.

MR. DEPUTY CHAIRMAN: Two more Members are there to speak. Mr. Narayanasamy is waiting to reply.

PROF. P.J. KURIEN: Now, I will conclude. My request to the Government, all efforts should be made, whatever possible, to eradicate corruption.

This Government has taken the first step to enact the Right to Information Act. Everybody is ignoring that. That was an important step for transparency and helped in exposing corruption.

The second point is, as the hon. Minister has said, the Lokpal Bill would be effective. I do not want to say about this Lokpal Bill or the Jan Lokpal Bill. Whatever may be the Bill, it should be effective, it should have teeth to deal with corruption in the country.

So far as including the Prime Minister under the jurisdiction of the Lokpal Bill is concerned, that should be decided and discussed in the House. I have to say that it is hanging over the Prime Minister like a sword of Damocles. Is it good for the nation? We should think over it seriously. I am not taking a decision. But this House should seriously debate whether it should hang over the Prime Minister like a sword of Damocles.

Now one more point I want to say is that the Lokpal Bill is before the Parliamentary Standing Committee. Everybody and anybody can present their views. The Standing Committee would consider this Bill including the Jan Lokpal Bill. I am told that the Prime Minister has that the Jan Lokpal Bill will be first to Standing Committee said. The Standing Committee should consider that Bill also. But the final authority to decide which Bill is to be passed vests with the Parliament.

SHRI S.S. AHLUWALIA: Instead of speaking here, you should have gone to the all party meeting to give your valuable suggestions. Why are you wasting your energy here?

PROF. P.J. KURIEN: The supremacy of the Parliament cannot be questioned. The supremacy of the Constitution cannot be questioned. We are all bound by the Constitution. Nothing should be done to undermine the Constitution or the supremacy of the Parliament. Even the Executive is accountable to the Parliament. Therefore, whether this Bill or that Bill is to be passed, the final say is of this Parliament.

With these words, I thank you for giving me time and a little extended time also to speak on this issue.

MR. DEPUTY CHAIRMAN: Shri Sanjay Raut. ...*(Interruptions)*...

श्री कलराज मिश्र (उत्तर प्रदेश) : सर, बिल पर चर्चा नहीं हो रही है, यह तो भ्रष्टाचार पर चर्चा हो रही है। ...*(व्यवधान)*...

श्री उपसभापति : वह इससे related बिल पर बोले हैं।

SRI SANJAY RAUT (Maharashtra): Sir, we are discussing corruption, not Lokpal Bill. ...*(Interruptions)*... सर, हम सदन में भ्रष्टाचार पर चर्चा कर रहे हैं, लेकिन सभी सदस्य लोकपाल बिल पर बोल रहे हैं। अभी भी बिल आना है और लोकपाल बाद में आ जाएगा। लोकपाल से डरने की जरूरत नहीं है। जैसे एक जज को यहां खड़ा किया गया था, अगर उसने गलती की, तो वैसे ही उसको भी खड़ा कर देंगे। उसमें क्या है? देखिए, भ्रष्टाचार एक महत्वपूर्ण मुद्दा है, हम चर्चा कर रहे हैं, जब लोकपाल आएगा, तब आ जाएगा, लेकिन एक बात तो सही है कि आज पूरे देश में भ्रष्टाचार के खिलाफ एक आंदोलन खड़ा हुआ है। इस देश में पहले भी बहुत संघर्ष होते रहे हैं। खास करके इस देश में मंदिर, मस्जिद के ऊपर दंगे हुए हैं। जब प्याज की कीमत बढ़ी, तब भी प्रदर्शन हुए थे, जब टैक्स बढ़ा, तब भी संघर्ष हुआ, अगर किसी फिल्म को ban करने की बात आती है, तब भी तोड़-फोड़ होती है। लेकिन, आज़ादी के 65 साल बाद भी भ्रष्टाचार को लड़ाई का बड़ा मुद्दा नहीं माना जाता था और आज भ्रष्टाचार की लड़ाई बड़ा मुद्दा बन रहा है। आज भ्रष्टाचार के खिलाफ आबादी का बड़ा हिस्सा घर से निकल कर सड़क पर खड़ा है। मुझे लगता है कि इस लड़ाई को हमें

नजरअंदाज नहीं करना चाहिए। सवाल सिर्फ एक लोकपाल बिल का नहीं है या अन्ना हजारे के अनशन का नहीं है, आज आम जनता जिस परिस्थिति में जी रही है, संघर्ष कर रही है, सवाल उसका है।

सर, जन्म से मृत्यु तक भ्रष्टाचार ही भ्रष्टाचार इस देश में है। दोनों सदनों में भ्रष्टाचार, घोटाले की चर्चा होती है। आप बड़े-बड़े घोटाले सामने लाए - स्पेक्ट्रम घोटाला, कॉमनवेल्थ घोटाला, आदर्श घोटाला, चारा घोटाला, लेकिन गरीब जनता जो है, Middle Class जनता जो है, उनकी समस्या अलग है। उनको छोटे स्तर पर भ्रष्टाचार का सामना करना पड़ता है। उनके दाल-रोटी में भ्रष्टाचार है, लेकिन उसके बारे में कोई सदन में चर्चा नहीं करता है। जब हम बैंक मैनेजर से पढ़ाई के लिए लोन लेने के लिए मिलते हैं, तब उसको घूस देनी पड़ती है, Mid Day Meal में भ्रष्टाचार होता है, सड़क में भ्रष्टाचार होता है। मध्यम वर्ग की समस्या स्विस बैंक या काले धन से जुड़ी हुई नहीं है, लेकिन जिस भ्रष्टाचार का उन्हें सामना करना पड़ता है, वह सरकारी ऑफिस में है, तहसील में है, पुलिस में है, न्यायालय में है, राशन की दुकान में है और खास करके जो काला बाजारी है, आज यह देश में सबसे अहम मुद्दा है।

कांग्रेस वाले, यूपीए गवर्नमेंट जोर-शोर से कहती है कि हमने देश को ईमानदार प्रधानमंत्री दिया। जरूर दिया होगा, लेकिन उससे आम जनता को क्या फायदा होगा? जब ईमानदार व्यक्ति के हाथ में नेतृत्व सौंपा जाता है, तो उससे केवल व्यक्तिगत ईमानदारी की अपेक्षा नहीं होती है, बल्कि उससे यह अपेक्षा रहती है कि वह दूसरों को भी बेईमानी करने से रोके, लेकिन आज ऐसा नहीं हो रहा है। एक ईमानदार प्रधानमंत्री अब तक सबसे भ्रष्ट सरकार का नेतृत्व कर रहा है। भला ऐसी ईमानदारी किस काम की, जो भ्रष्टाचार को फलने और फूलने दे।

सर, मेरा सवाल छोटा सा है कि क्या ये सभी भ्रष्टाचार, जो छोटे स्तर पर हैं, लोकपाल आने से रुक जाएंगे? छोटा भ्रष्टाचार लोकपाल आने से नहीं रुकेगा। हमें भी सक्षम लोकपाल चाहिए, लेकिन सदन की गरिमा रहनी चाहिए। हम लोग, जो यहाँ बैठे हैं, हमने भी सदन के बाहर काम किया है, तपस्या की है, हमारे से बहुत बुजुर्ग लोग यहाँ बैठे हैं, ये कोई गुनहवार नहीं हैं कि आज लोग बाहर सड़क पर खड़े होकर हमारे खिलाफ नारे लगाएं, हमको गुनहवार बनाएं और हमको कठघरे में खड़ा करें। मुझे लगता है कि उसके ऊपर चर्चा होनी चाहिए। भ्रष्टाचार रोकने के लिए इस देश में और भी संस्थाएं हैं और हमने भ्रष्टाचार को रोकने की कोशिश भी की है। जैसे सीएजी है, सीबीआई भी है। यह ठीक है कि सीबीआई के ऊपर टीका-टिप्पणी होती है या आरोप लगते हैं। पुलिस है, जेपीसी भी है और सबसे ऊपर न्यायपालिका तथा संसद भी है। लेकिन, यह करप्शन कानून बनाने से खत्म नहीं होगा। जैसे, एक माननीय सदस्य ने यह कहा था कि समाज को सुधारने की जरूरत है। अगर समाज अपने मन से तय करेगा कि मैं करप्शन नहीं करूंगा, तो मुझे लगता है कि करप्शन कम हो जाएगा। आज बात ऐसी है कि अगर हम चोर को चोर कहते हैं, तो उसको गुस्सा आता है। आज एक चोर दूसरे चोर की तरफ उंगली दिखाता है। * कहते हैं कि मैं अकेला नहीं हूँ, मेरे साथ और लोग भी हैं।

...(व्यवधान)...

*Not recorded.

MR. DEPUTY CHAIRMAN: He is a Member of the other House. Don't take his name. नाम निकाल दीजिए।

श्री संजय राउत: मेरे साथ और लोग भी हैं। स्पेक्ट्रम घोटाले के * कहते हैं, प्रधानमंत्री को सब कुछ मालूम है।...(व्यवधान)...

श्री उपसभापति : नाम निकाल दीजिए।

श्री संजय राउत : उनको विटनेस बॉक्स में खड़ा करो, उनको विटनेस बॉक्स में बुलाओ। लेकिन, इसका मतलब इतना ही है कि चोर कहता है कि मैं चोरी कर रहा हूँ, डाका नहीं डाल रहा हूँ और डकैत कहता है कि मैं सिर्फ डाका डाल रहा हूँ, खून नहीं कर रहा हूँ। इसका मतलब यह हुआ कि सब लोग एक-दूसरे के गम्भीर अपराध की ओर उंगली दिखा कर अपने गुनाह को छोटा करने की कोशिश कर रहे हैं।

मैंने आज ही एक सर्वे में पढ़ा है कि 18 से 25 साल के युवाओं में भारत के लिए सबसे बड़ी चिन्ता का विषय भ्रष्टाचार है।...(समय की घंटी)... यही युवा पीढ़ी आज हमें रास्ते में मिलती है या आन्दोलन में दिखती है। हमें डर है कि अगर हम अपने आपको नहीं संभाल पाए, तो यह युवा पीढ़ी हमें रास्ते में पकड़ कर हमसे भी सवाल पूछेगी। वह हमसे जवाब माँगेगी। अगर हम भ्रष्टाचार के खिलाफ लड़ते हैं, तो हमें यह लड़ाई राजनीति से ऊपर उठ कर लड़नी चाहिए। यह सिर्फ एक पार्टी का सवाल नहीं है, बल्कि यह सभी पार्टियों और सभी सरकारों का सवाल है। चाहे वह सरकार हमारी हो, आपकी हो या राज्यों में किसी और पार्टी की हो, सभी को एक साथ बैठ कर भ्रष्टाचार के खिलाफ आवाज बुलन्द करनी चाहिए और ऐसा कानून बनाना चाहिए, जिसका हम भी आदर करें और उस कानून के साथ हम भी चलें। धन्यवाद।

SHRI KUMAR DEEPAK DAS (Assam): Thank you very much, Sir. I must thank my hon. colleagues for giving their valuable suggestions to eradicate corruption from the country. Our party, the AGP, wants eradication of corruption from every walk of life in this country. We want a comprehensive Bill to stop corruption. There should be no corruption at high places. There must be a missionary vision and motivation at the Government level so that corruption can be eradicated from all walks of life. We have some faith in the Jan Lokpal that has been presented by the Civil Society led by Anna Hazare which would be able to make a lot of difference in the present scenario and state of corruption. The Government has failed in all respects to stop corruption. Corruption has become part and parcel of the present Government. Even corruption is injected into the blood of the common people by their acts. There are Acts and laws. But all of them are obsolete. The common people are being forced to bribe for every thing. Take, for instance, services like public distribution system, medical assistance and water supply. He has

*Not recorded.

to bribe to get water at the right time to irrigate his agricultural land. Even for an IAY house one has to bribe in our country. It is shameful and it is the state of affairs in our country. Corruption has cast a shadow over our growth. We could have got a double-digit growth rate in India had we combated against corruption timely. Recently, the Supreme Court has called for an amendment to the Prevention of Corruption Act to deal with the malaise echoing public discourse in the country. Recently, the CAG directly implicated the PMO as well as the Chief Minister of Delhi. The PMO should accept the responsibility. But what we are seeing is that the Government Lokpal Bill has failed to include Prime Minister under its ambit.

Sir, price rise in our country is one of the products of huge corruption at the Government level and is the outcome of illegal tie up between concerned Government employees, Ministers and traders.

Public Interest Disclosure and Protection to Persons Making the Disclosures Bill, 2010 was tabled in Parliament. The Bill has not furnished any cogent reasons for excluding the Defence Forces and other agencies. The Government may alternatively consider setting up of a separate authority for those exempted agencies under the Bill and special laws may be enacted on the line of the USA.

I must say in support of the Jan Lokpal Bill that the proposed Government Lokpal Bill does not contain various issues that the civil society has demanded.

We, the Parliamentarians, are sitting over the Administrative Reforms Commission recommendations on the Lokpal Bill since 1966. The Lokpal Bill was suggested by the ARC in the year 1966. If the office of a Lokpal had been set up as far back as 1966, all these scams now appearing in the media regularly, would not have taken place.

Although corruption is a reality, it is not clear what a Lokpal can do that so many other anti-corruption bodies could not achieve, if allowed to function efficiently.

Sir, reform of political funding and reform of functioning of the Election Commission, including the present EVM system and the process of election are very necessary.

Corruption has damaged India's global image. We need a clear cut resolution so that this serious issue can be handled well for the bright future of our future generation as well as economic growth of the country. We must be able to address such epiphany of Indian distress.

We must not forget that the blight of corruption has started prejudicing the common people against democracy itself and this is a fatal question before us, we the Parliamentarians.

I hope the Government will take necessary action to eradicate corruption by coming forward with a comprehensive Lokpal Bill. Thank you.

SHRI V. NARAYANASAMY: Mr. Deputy Chairman, Sir, I am grateful to the hon. Members for this very good debate cutting across party lines. The issue relating to corruption, which has been daunting the nation, has been raised in this august House. The tone was set by the Leader of the Opposition. He talked about the concern of the people of the country on the issue of corruption and the measures which have been taken by the Government. He also said that the system has to be improved. Then some other hon. Members and senior Leaders, while speaking on this issue, have talked about corruption at the higher level, at the lower level and also in the Judiciary. To eradicate corruption in this country, there should be a concerted effort by the Central Government, respective State Governments, all stake holders, including the corporate sector. It should be a cumulative effort. I would like to submit that for curbing corruption several measures have been taken by the respective Governments, whether it is the UPA Government or the previous Congress regime or the NDA Government or the present UPA-1 and UPA-2.

Sir, the concern was shown, very recently, by the hon. Prime Minister, while addressing the nation from the ramparts of the Red Fort. The hon. Prime Minister said, and I quote: "Corruption manifests itself in many forms. In some instances, funds meant for schemes for the welfare of the common man end up in the pocket of the Government officials. In some other instances, the Government's discretion is used to favour a select few. There are also cases where Government contracts are awarded to the wrong people. We cannot let such activities continue unchecked." He further added, "It is essential that we consider these issues." By way of caution, he also said, "We cannot create an atmosphere by which the country's progress is put into question. Any debate on these matters should reflect the confidence that we can overcome these challenges." Therefore, he said, "I believe that there is not a single big step which we can take to eradicate corruption. In fact, we have to act simultaneously on all fronts." This is the approach which the hon. Prime Minister had also stated from the ramparts of the Red Fort. We should go step by step, because there is corruption even at lower places, whether it is water supply or electricity supply or in various other organizations at the State level. Also, at the higher level, in spite of

several legislations being put in place and checks and balances having been maintained, still, a lot more has to be done. The Lokpal Bill has been on the anvil for the last 40 years which the respective Governments had wanted to pass. Now, it has become a serious concern for everybody that the Lokpal Bill should be passed. I would like to mention instances where the Government has taken several steps for the purpose of improving the system to check corruption. In 1988, the Prevention of Corruption Act, 1947, was amended. To widen the purview of the Act, the scope of public servant was widened. It was amended to say that Government servants would include Ministers, Members of Parliament, Members of Legislative Assemblies, Members of Municipal Corporations, Members of State Co-operative Societies, and office-bearers of Non-Governmental Organisations that receive financial assistance from the Government. Secondly, at the time, when the 1947 Act was passed, it did not include a provision for prosecuting bribe-givers. Then, by this Amendment, they brought under its purview the demand to pay bribe. Accordingly, accepting bribe was made a substantial offence. Further improvements were made then during the NDA regime. The Prevention of Money Laundering Act was passed in 2002. This initiative was started because a lot of money was stashed abroad in the name of various organizations in fake names. Therefore, the NDA Government took the step, and this Act came into existence. Some more amendments were made after the UPA Government came into office. In 2005, the first major step was taken towards bringing transparency in the administration and to establish the right of the common man to get whatever information he wants. For this, the UPA Government passed the Right to Information Act, 2005. Today, we are seeing how people have been able to unearth corruption at various places. This Act is the root-cause for this. The credit for bringing this Bill goes to the UPA Government. Now, there are a lot of criticisms. But this Act has withstood the test of time, and it has been useful to the common people to expose corruption in this country. Now, we find that while implementing the Act, there are certain sections of people who try and prevent the Act from being enforced and prevent the information from being given to the people. Therefore, the Whistleblower's Bill was brought before this House. It was introduced in Parliament. Then, it went to the Standing Committee. The Standing Committee made its recommendations and, Sir, major recommendations came from the Standing Committee. Our Ministry is seized of the matter and we are going to place it before the Cabinet. We are trying to see to it that this Bill for providing protection to the whistleblower is passed in both the Houses of Parliament.

Then, Sir, cutting across Party lines, hon. Members stated that there should be serious consideration by the Government and also by various political parties of the issue of State

funding of elections. There should be system to review the funding of various political parties by corporate houses. Sir, the Companies Act was amended and the Income-Tax Act was amended for the purpose of streamlining the funding of various political parties by corporate houses. That system is still in vogue, Sir. Hon. Members made suggestions that there should be further improvements in this system and that there should be transparency in the funding of political parties by various corporate houses.

Then, coming to State funding of elections, Sir, I would like to state that the hon. Law Minister, Shri Veerappa Moily had organized regional conferences for eliciting the views of people from different sections of the society, intellectuals, political personalities and elected representatives on how to go about State funding of elections, on how to improve the electoral system, how to curb the use of money power in the electoral process and so on. The Government is very serious about it and looking for ways to see to it as to how to improve upon the Representation of the People Act, how to bring about different mechanisms within the ambit of the Constitution so that there can be free and fair elections in this country.

Sir, the third aspect of Government of India's efforts to ensure good governance in this country relates to the Second Administrative Reforms Commission of which the then Law Minister was the chairman. Sir, the Commission had made more than 1054 recommendations relating to good governance, transparency in administration, a transparent public procurement system and so on. Out of this, Sir, more than 654 or 655 recommendations have been accepted by the Central Government and implemented. Some of the recommendations which had been made by the Commission are in the process of implementation because they require the concurrence of the State Governments.

Sir, the other important step which our Government has taken is the signing of the Integrity Pact in relation to procurement of materials by various public sector undertakings and Government organizations. Today, more than Rs.2 lakh crores worth of purchases are being made by the public sector undertakings and Government organizations. Therefore, the Integrity Pacts are required to be signed by public sector undertakings for purposes of accountability.

Sir, the hon. Prime Minister took another step. He had formed a GoM on corruption. The hon. Finance Minister is heading that Committee. That committee has been given a mandate. Firstly, it will make suggestions for electoral reforms. Secondly, it will make suggestions for removing discretionary powers of the Ministers. Most of the discretionary powers about which

the hon. Members have been mentioning have to be removed. The GoM has been going into this issue and, ultimately, a decision has been taken by the committee to remove the discretionary powers of the Ministers.

Thirdly, as I said earlier also, there have been recommendations for bringing in a uniform policy on procurement of materials for the public sector units through the process of e-tendering so that there is transparency and so that there is no room for corruption. Anybody can question the process. For that, a sub-committee has been constituted and it has submitted its report and it is going to be implemented by this Government.

Then, Sir, about the mining policy, mining is a big issue which has been debated in this House and the other House too because there has been some political patronage, bureaucratic patronage in it, by which some people are becoming billionaires and millionaires at the cost of the common people. Therefore, the committee has been asked to go into it. The mining policy has been amended to bring in transparency, to bring in accountability—whether State Government or Central Government; as far as mining is concerned, it is a national asset. Therefore, there should be a proper pricing for the consumers, who get advantage out of it and it should be done in a competitive manner. That system also has been evolved.

Sir, from our Ministry, the Ministry of Personnel and Public Grievances, in order to reduce the pendency of corruption cases against bureaucrats, we have taken a number of measures. 71 special CBI courts have been sanctioned throughout the country, of which 54 have been assigned to go to fields. Then, various State Governments have been requested by our Ministry to constitute those courts so that cases are disposed of as early as possible; also, to see that the people who are involved in corruption are punished.

Another step that we have taken in the Department of Personnel is we have asked the IAS officers, about 4,600-odd officers in the country, to file immovable property returns; like the Prime Minister or even the President of India, the Ministers, the Members of Parliament, Members of the Legislative Assemblies, the Chief Ministers, and the Ministers in the States also should submit their property returns. Sir, I am glad to say that except 200-odd, all officers have submitted their immovable property returns; the details are in the public domain, in our DoPT, Government of India, website. We are going to take action against the officers who have not submitted their immovable property returns.

The next step we are going to take is to ask them to make public even their movable

properties possessed by them, as is done by others, the politicians and other public functionaries. This is another step that we are taking.

Apart from that, for the purpose of sanction for prosecution, it was taking years. Now, within three months, the sanction for prosecution is given and it is being monitored by the CVC and also by our Ministry. That step also is being taken by our Government.

Sir, there is one area which has been a grey area, that is, the private sector bribing public officials. Even foreign corporate houses who are coming here are bribing officials. Our people who go abroad also are bribed by foreign officials. To rope in those people and to take action against them, in compliance with the U.N. Convention Against Corruption, our Government brought in a Bill before this House to rope in the private sector also who are involved in public activities. The Bill has been brought before Parliament; it was introduced in Lok Sabha in the last Session and it has gone to the Standing Committee.

Sir, I would like to touch another important matter—the Judicial Accountability Bill. It has been a bone of contention here in this august House, as far as the Judiciary is concerned. A feeling has been expressed that the Judiciary too should be accountable. That Bill has been introduced now and it is in the domain of Parliament.

Sir, these are the measures which our Government has taken. Yes, still a lot more needs to be done. I am not saying that this is enough. We have to do a lot apart from what we have done. I agree with the hon. Members that it is not only the legislation which is going to solve the problem of corruption. There should be a concerted effort, there should be a will power, there should be a proper education to the people that for curbing corruption, we should all work together; it is not the party politics, whether the ruling party or the opposition parties.

Sir, coming to the final aspect of it—Mr. Ahluwalia is in a hurried mood. As far as the Lokpal Bill is concerned, it is a bone of contention. All the hon. Members have been raising the issue. Yes, the civil society was involved. Hon. Finance Minister was the Drafting Committee Chairman. A committee of five Ministers was there. It came to a conclusion. There are 40 basic principles given by the civil society. While drafting the Bill, 34 of the basic principles have been accepted by the Government and incorporated in the Government Bill. There are six areas of disagreement. I would like to say about the areas of disagreement, namely, whether there should be a single Act to provide both for the Lokpal in the Centre and Lokayukta in the States; should the Prime Minister be brought within the purview of the Act; should the judges of the Supreme Court and the High Courts be brought within the purview of the Lokpal Bill; should the conduct of the Members of Parliament while functioning inside the Parliament, speaking or voting in the House,

be brought within the purview of the Lokpal. Presently, the hon. Members' right is protected under article 105(2) of the Constitution of India. Then, Sir, whether article 311, giving opportunity to act against the Government employees, notwithstanding the members of the Civil Service of the Union or All-India Service or Civil Service of the State, or a person holding a civil post under the Union or a State be subjected to inquiry and disciplinary action, including dismissal, removal by the Lokpal, Lokayukta, as the case may be; whether the definition of the Lokpal should by itself exercise quasijudicial power. These are the five areas of concern. Sir, before the Bill was brought before the Parliament...

SHRI S.S. AHLUWALIA: There are 22 points.

SHRI V. NARAYANASAMY: The other issues are relating to screening committee, etc. These are all minor issues. ...*(Interruptions)*... I am telling about the major points.

SHRI S.S. AHLUWALIA: No; no. I will tell you about the major issues also. The major issues are: Prime Minister, judiciary, M.Ps., grievance redressal, CBI, selection of Lokpal members, and then, who will Lokpal be accountable to, integrity of the Lokpal staff, method of inquiry. Then, lower bureaucracy, Lokayukta, whistleblower protection, special bench in High Courts, CrPC amendment, dismissal of corrupt Government servants, punishment for corruption, financial independence,...

SHRI V. NARAYANASAMY: These are all combined.

SHRI S.S. AHLUWALIA: Prevent further loss, tapping of phones, delegation of power and NGOs and false and frivolous and vexatious cases, complaints. There are 22 items which are differing from the present Bill which has been introduced in the Parliament. We may have differences on different clauses. But there are 22 points. They are holding the all-party meeting. *(Interruptions)* शांताराम जी, एक मिनट, एक मिनट आप बैठ जाइए। There are 22 points, and they are going to discuss this matter. But as per the letter of the Prime Minister, they are going to involve some more civil society members and their views also. If I calculate that, then, there are 27 points of disagreement. So, it needs time. They are sitting. Let us pray that they come out with a unanimous decision.

SHRI V. NARAYANASAMY: Sir, there are certain areas where the Bills have already been introduced, and the hon. Member is also referring to that. Sir, after the introduction of the Bill, Shri Anna Hazareji is on fast. And the hon. Prime Minister has also appealed to him to end his

6.00 P.M.

fast and cooperate with the Government for the purpose of passing this Bill in Parliament. Now, the hon. Prime Minister has called the allparty meeting. They are discussing, as Ahluwaliaji has rightly observed. The all-party meeting is going on. They are going to decide the course of action on this issue. By consensus all the leaders will agree. But, Sir, I would like to submit that the Parliament is supreme. The Members of Parliament have got their rights and privileges. The parliamentary procedure, the Constitution of India, the rule of law has to be upheld by this Government. As far as we are concerned, Sir, Parliament is the only forum for passing the Bill. Parliament is the only forum where it can be debated, discussed and final solution can be arrived at. The Standing Committee is a mini Parliament. Sir, before that, the Drafting Committee was headed by the hon. Finance Minister. The civil society members gave their draft Jan Lokpal Bill to that Committee. That has also been referred. The Department of Personnel is the nodal Ministry. We forwarded the Jan Lokpal Bill also to the Standing Committee for its consideration. It is for the Committee to decide. As far as our Government is concerned, the hon. Prime Minister made it very clear that the Government has got open mind. The hon. Prime Minister also went one step further, as has been told by the hon. Members, that he wanted that the Prime Minister should also be included in the purview of the Bill. The hon. Prime Minister made it very clear also. Therefore, Sir, the Government, with the support of everybody, all the opposition parties' leaders, taking everybody into confidence, would like to bring the Lokpal Bill. The Lokpal Bill alone is not going to solve the problem of corruption. There are other enactments also. The hon. Members also mentioned about judicial accountability. There are certain other legislations which are with the Government, and cumulatively, they are going to solve the problem. Therefore, we need the cooperation of this House. I take this opportunity to appeal to Shri Anna Hazareji, through this august House, to end his fast and support the Government, support all of us to ensure that a strong and effective Lokpal Bill is presented and then passed by this House. Thank you. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No questions. ...*(Interruptions)*.. Every point is replied. ...*(Interruptions)*..

SHRI PIYUSH GOYAL (Maharashtra): Sir, only one clarification. ...*(Interruptions)*.. Sir, about the allocation of natural resources the Minister has said that they are coming out with a Bill which will bring transparency as the past system was wrong. ...*(Interruptions)*.. I want to know from the hon. Minister that thirteen billion tonnes of coal has been allocated in the last five years by this Government,...*(Interruptions)*..

MR. DEPUTY CHAIRMAN: That is a separate issue. ... (*Interruptions*)..

SHRI V. NARAYANASAMY: The Coal Minister will reply to that point. ... (*Interruptions*)..

MR. DEPUTY CHAIRMAN: Now, the discussion on growing incidence of corruption in the country has concluded. The House stands adjourned to meet at 11.00 A.M. tomorrow.

The House then adjourned at two minutes past six of the clock till
eleven of the clock on Thursday, the 25th August, 2011.