

**MOTION**

That this House do extend upto the beginning of the Budget Session, the time for presentation of the Report of Joint Committee on Pesticide residues in and safety standards for soft drinks, fruit juice and other beverages."

Sir, I lay a copy each of the Bill and the Motion on the Table.

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**REPORT OF THE COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND SCHEDULED TRIBES**

**प्रो. रामबक्श सिंह वर्मा (उत्तर प्रदेश):** मैं अनुसूचित जातियों और अनुसूचित जनजातियों के कल्याण संबंधी समिति (तेरहवीं लोक सभा) के केन्द्रीय चिकित्सा संस्थानों में अनुसूचित जातियों और अनुसूचित जनजातियों के प्रवेश में आरक्षण सहित इन संस्थानों में अनुसूचित जातियों और अनुसूचित जनजातियों के लिए आरक्षण और रोजगार के संबंध में समिति के 65वें प्रतिवेदन (दसवीं लोक सभा) में अंतर्विष्ट सिफारिशों पर सरकार द्वारा की गई कार्रवाई के संबंध में समिति के 27वें प्रतिवेदन की एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ।

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**DISCUSSION ON THE STATEMENT BY PRIME MINISTER**

**श्री सभापति:** इस पर चर्चा आज 5 बजे से पहले-पहले पूरी करनी है। यदि माननीय सदस्यों की अनुमति हो तो हम लंच आवर को स्किप कर लें ताकि बाकी के लोगों को बोलने का अवसर मिल सके। दूसरी बात यह है कि सारी पार्टियों में जिस प्रकार से समय का बंटवारा संख्या के आधार पर किया जाता है वह मैंने किया है। आप चाहें पहले बतला दूँ। पहले कांग्रेस-आई को 56 मिनट, बी.जे.पी. 38 मिनट, टी.डी.पी.को 11 मिनट, सी.पी.आई.-एम को 11 मिनट, एस.पी.को 9 मिनट और नॉमिनेटेड को 11 मिनट है। नॉमिनेटेड को पहले अदर्स में शामिल किया जाता था। अब आप सब लोगों की इच्छा है तो मैंने आपका अलग से एक ग्रुप बना दिया है। उसमें आपको 11 मिनट मिलेंगे।

**श्री नीलोत्पल बसु (पश्चिमी बंगाल):** अगर इस पर 5 घंटे डिसकशन होगा तो हमको 11 मिनट से ज्यादा मिलेंगे।

**श्री सभापति:** नहीं, वह तो बढ़ा देंगे अगर ज्यादा बनता है।

**SHRI HANSRAJ BHARDWAJ (Madhya Pradesh):** Sir, I am grateful to you for giving me this opportunity to raise an issue which is agitating

the minds of the people of this country on a matter of public life and its probity. We were expecting the Prime Minister will demonstrate to the nation that he is serious to curb corruption. Sir, there are two facts which are admitted in this case. He was a Minister of this Government. Mr. Judev personally is a very nice man. He is a Member of this august House. But when it comes to the exposure, he walked into a five star hotel, being a Minister had the choicest drinks and then accepted money. While he was doing so, he was caught on a camera. It would have gone unnoticed but for some people who filmed this in a camera and reported it to the media.

SHRI BALBIR K. PUNJ (Uttar Pradesh): Who were those persons?  
...(*Interruptions*)...

SHRI SURESH PACHOURI (MADHYA PRADESH): You will get a chance... (*Interruptions*)...

Please do not disturb him.

श्री सभापति: आप बोलने दीजिए। आप उनको बोलने दीजिए।...(*व्यवधान*)...

SHRI HANSRAJ BHARDWAJ: I am coming to that... (*Interruptions*)... It is only a beginning. ...(*Interruptions*)... I am only making a beginning. I am submitting that I will come to who these persons are. ...(*Interruptions*)... Sir, we are dealing with a very important question. I am addressing this question to the Government and not to ourselves. The Government has a very heavy responsibility. The Cabinet Secretariat issues guidelines and instructions to all Ministers. They cannot accept hospitality like this in a five star hotel. That is also misconduct on the part of a Minister. Regarding going to a hotel and accepting money for whatever reason, various explanations have come from various important leaders on the other side. Public may or may not accept it. But the question is: Has it not been admitted that a Minister accepted bribe?'

[THE VICE-CHAIRMAN (SHRI RAMA SHANKER KAUSHIK) in the Chair]

I would put a question here. We must understand that law relating to public servants is very clear. There is an offence known as misconduct, criminal misconduct under Section 13(1) D, whoever being a public servant accepts anything other than his legal remuneration, it is presumed that he has accepted bribe and it is tainted money. And a presumption is raised that it is bribe money.

SHRI EKANATH K. THAKUR (Maharashtra): Sir, the hon. Member... (*Interruptions*)...

उपसभाध्यक्ष (श्री रमा शंकर कौशिक):आप बोलने दीजिए।...(व्यवधान)...

SHRI HANSRAJ BHARDWAJ: I am only submitting because the hon. Prime Minister for whom we have very high regard sought to mislead the House. I will read from the hon. Prime Minister's observation, "The decision to register a preliminary inquiry or a regular case or file a chargesheet is a decision taken by the CBI. The Government does not interfere in these decisions." Sir, it was on 16th November, 2003 when media reported this incident. On 10th December, when Prime Minister comes to this House, he only informs us that there was a preliminary inquiry which is going on. I am putting two straight questions to this Government. When money is accepted by the Minister, is the offence not complete? A preliminary inquiry should follow. An inquiry or investigation should follow to recover the tainted money, the case property, as we call it in legal parlance, and demonstrate it that here is the money which is recorded. But on the contrary, the whole BJP has been defending for one reason or the other that no doubt, money has been taken, it is for anti-conversion or for that matter it was used for any other purpose. Is this the sincerity of the Government to have an investigation made? What is in the preliminary inquiry going on? Whatever we have read in the statement, there is no mention by the Prime Minister on what evidence has been collected and what progress has been made. But what we read in the media is that they are going after those persons who detected this crime. A really unfortunate time has come when those people, who detect crime, are being hunted out. You know it very well that decoys are used to detect crime in corruption cases. Even the police use decoys. It is a time now when several cases are exposed by the media. Sir, today, investigative journalism holds the field. Are you going to say that you are going to hunt out the media? Are you going to hunt out the media? Then, you do not have a sincere desire to curb corruption. What the first thing you have to do is to find out as to who is the prime offender. The prime offender is the Minister. The money still lies in his pocket. We do not know where is the money, and he is allowed to give explanation and the entire Government and his whole party supports and says, "Oh! Brave man. Nothing has happened. Go on." This is what is our grievance.

[MR. CHAIRMAN in the Chair]

I feel the hon. Prime Minister, a man of experience and mature understanding, should have told us yesterday, "Well, I dismissed him from my Cabinet." He did a very fine thing. We were all very happy that the hon. Prime Minister has shown the guts, that he would not like a corrupt Minister to continue in the Cabinet even for one minute. What his agencies are going? What his party is doing? Surprising. Double standards? They are saying, "No, no. Don't go after Judev. Go after who got him on the camera." I will put it to you. You decide and have introspection and find out whether the CBI is doing what it should do. It should have immediately recovered the money and brought it to *malkhana* and then interrogated the Minister as to under what circumstances he had received that money. We should have known that in the statement. I am not bringing any other name into it. But, there is a design in use of the CBI. How many times we have levelled serious allegations against this investigative agency? From Advani's case, which is pending before the Supreme Court, to others, there is a brazen misuse of the CBI and courts after courts are being approached and the Government does not move.

Now, there is a second case. If money had been accepted by some of us, we would have been hounded up. But, now, since the man belongs to the ruling party and the agency is not doing a fair investigation, nothing is happening. What is the use of this statement? I would like the hon. Prime Minister to listen to us. He is the leader of the nation. This partisan use of the CBI is guddy-guddy for some time. But, the world is watching from outside that you condemn the corruption and then come to the House and give an assurance. I have very high regards for the hon. Prime Minister and for his words. When he speaks, we should take it seriously. But, this assurance has no meaning, whatsoever, because I will demonstrate to you that there is a design in keeping corruption under the carpet and hunting those who detect corruption out.

What happened to Tehalka boys? I do not know who those boys are. Perhaps, they may have been very sincere in detecting corruption in high offices. One of them was arrested in a wildlife case. FERA and FEMA agencies are hunting the other one. And, everybody knows that they are now fighting with these agencies.

Then, the Government did not agree for a CBI enquiry when the BJP's own President was found on tape accepting money. And, he said, "Yes. I did it for my party." You cannot do this. Once you accept money, other than your legal remuneration, it is bribe money. What happened to him? Escaped. No enquiry till today. Does this House not like to know what happened to Bangaru Laxman?

What happened to the Defence Minister? You may shout me down. But the fact of the matter is you did not institute a CBI enquiry because he was a powerful Minister of the Cabinet. He could shake your Government. He could wreck your Government. Therefore, the hon. Prime Minister did the wisest thing. He asked the tainted Minister to resign. That is why I say that I have regards for the hon. Prime Minister's propriety. But what happened after resigning? Investigation was not launched.

How his House was used by a woman; how liberty and access was given to the people offering money, for whatever purpose. The question is of probity in life. We do expect, as you preach, that probity in public life would be maintained. But nothing has been done. Justice Vankar Swamy, a decent fellow, headed a Commission of Enquiry. But they created such circumstances that he had to leave enquiry half way, and the Commission of Enquiry too. What is now being investigated. I am surprised what is being investigated today. Today, what is being investigated is, whether those tapes are genuine. Bangaru Laxman did not say that tapes were fake. But the CBI is not investigating this case. The tapes are being sent abroad for a joy ride. Go and enjoy a trip to England to see whether those tapes are fake or genuine. And those who detected this crime are fighting their litigation. What happened after a few months, the whole House knows, the whole nation knows. The Minister exerted pressure and the Prime Minister condoned corruption and brought him back in the *same...*(*Interruptions*). We are not putting a question to him. (*Interruptions*). You may like it or not. Is it not condonation of corruption? If we are sincere, and we have no double standards, I wish even today the Prime Minister to hand over the matter to the CBI or any other investigating agency. He cannot save the Minister for one day. But what is happening is, sometimes, you say that the CVC is wrong; sometimes, imputations are made on the CAG. So the institutions are being demoralised. What is expected from the CBI? The Vineet Narain Case demonstrated that it has been subverted by the Government, time and again. Therefore, when it comes to the statement of

the Prime Minister, it must inspire confidence not only from the Treasury Benches, But by us also. We are sizeable Members. We are, perhaps, the single largest party in the House. We are pained to see putting the corruption under the carpet, and condoning it. We want to respect the assurance of the Prime Minister. But what is happening is, there was a word used in the Second World War 'snafu', read in the reverse direction, not in the forward direction. So, they are using 'snafu'. Read the law in its proper perspective. Hon. Chairman, Sir, we have the highest regard for you. You had a very, very long public life. Have you ever seen investigating agencies being subverted to deliberately, and so designedly as this Government has done? Therefore....*(Interruptions)*.

SHRI S.S. AHLUWALIA (Jharkhand): Sir, you have allowed a discussion. ...*(Interruptions)*... Sir, you have allowed a discussion to clean the system, but not to defame the institutions ...*(Interruptions)*...

SHRI SURESH PACHOURI: You are putting words in his mouth. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Come out with a proof. ...*(Interruptions)*...

**श्री सभापति:** अहलुवालिया जी, ठहरिए... ठहरिए....। ...*(व्यवधान)*... मेरा आपसे एक निवेदन है, आप सुन लीजिए, ...*(व्यवधान)*... मैं आपको.... एक मिनट बैठिए। टॉलरेट करने का कोई प्रश्न नहीं है। जब आपको मौका मिलेगा, तब आप इनका जवाब दे देना। परेशानी क्या हो रही है? भारद्वाज जी, आप बोलिए।

SHRI HANSRAJ BHARDWAJ: Sir, I am very sorry, my good friend is again agitated. But I am not agitated. I am all right. ...*(Interruptions)*

**श्री सभापति:** भारद्वाज जी, मुझे तो डर लगा। जब ये बोलने के लिए खड़े हो गए तो मुझे डर लगा। मैंने सोचा दोनों को बैठा दूँ।

**श्री हंसराज भारद्वाज:** सर, मैं बड़ी मुश्किल से..*(Interruptions)* I had come into my own with a great difficulty, yesterday.

SHRI S.S. AHLUWALIA: Sir, he should not pass sweeping remarks.

**श्री हंसराज भारद्वाज:** सर, मैंने किसी के बारे में नहीं कहा है अगर कुछ कहा है तो आप प्रोसीडिंग्स से निकाल दीजिएगा। मेरी विडंबना यह है कि....

**श्री सभापति:** कि आपका कैसा हश्र हुआ है।

श्री हंसराज भारद्वाज: मैं किसी के खिलाफ नहीं कह रहा हूँ। I am only demonstrating, Sir, that an independent investigating agency should not be subverted for parties and purposes. The law should take its own course. So the best course would be, if you don't agree, say so on the floor of the House, "We don't want the offenders to be caught. You want the photographers to be caught; we want the journalists to be caught, and we want the complainants to be caught. If this is your perception of law, then you have it. I think, Dr. Singhvi will speak after me. Let him correct me, if I am wrong. The correct perspective in a bribery matter is that the abettor as well as the principal offender can be punished. That is, those who give bribe as well as those who take bribe can be punished. But at one point of time, that is, before the Criminal Law Amendment Act, 1952, only the bribe takers were punished, and, subsequently, this House decided that both should be punished. So, the first thing is to catch the thief, then, those who have abetted the crime should also be caught. But you are not catching the thief. You have not recovered the stolen property or the tainted money so far in this. It is, perhaps, more than three weeks now. I have not been able to understand what preliminary inquiries have been made. You are only waiting for this third fellow, the agent of an Australian company. But the Private Secretary is here. The Private Secretary's name, Mr. Rateria, is mentioned in the Prime Minister's statement. Well, he was the Additional Private Secretary. He will be able to tell the CBI under what circumstances his Minister accepted this money. That would make the matter clear. Thereafter, you can go after the person and know why he paid for this. You must have concern for those who pay the bribe. You see what happened in the recent case. Your own Law Minister laid a trap. You involved your Law Minister in that. Will you go and arrest him now? And I am told that even the Deputy Prime Minister was in the know of things when one of the persons, who was the former Chief Minister, was allegedly trapped on telephone. And if you apply the snafu principal here, you will understand that in frustration, you are using your Minister in laying the trap.

SHRI BALBIR K. PUNJ: Sir, I want to put only one question ...*(Interruptions)*.

MR. CHAIRMAN: I will not allow any question... *(Interruptions)*... Mr. Punj, I will not allow your question... *(Interruptions)*... It will not go on

[11 December, 2003]

RAJYA SABHA

record. Nothing will go on record. When you get your turn, you can speak.

**श्री हंसराज भारद्वाज:** अरे बोलने दो भाई, दो -चार और कहूंगा मैं।...(व्यवधान)...

Sir, I want to say that as there is a debate going on in the House, let us decide the principles once and for all. Who should be the proper person to lay the trap? I am not defending anybody. The matter is under investigation, let the law take its own course. But it is a fact; and it has come in the media that the Law Minister travelled from New Delhi to Raipur to lay the trap. Is it a fact or not? If that be so, then, was it proper? I put this question to the Prime Minister. In place of the CBI, will you send your Minister to trap the people? The proper course would be, use the police to arrest the person, use the Agency to locate the culprit. Therefore, ... (*Interruptions*)...

**SHRI S.S. AHLUWALIA:** Sir, with folded hands I want to seek a point of information from you... (*Interruptions*)...

**श्री सभापति:** आप मेरी बात सुन लीजिए।...(व्यवधान)...

**SHRI HANSRAJ BHARDWAJ:** Sir, I am concluding.

**SHRI S.S. AHLUWALIA:** Sir, when it was decided to discuss this matter, everybody in this House was interested to discuss corruption. Corruption is a black blot on our society. Shri Bhardwajji is a learned friend. He can speak on any subject. Let him speak. But in a symposium, in a debate, when we are discussing a particular subject, we should concentrate on that, so that we can give good suggestions to the Government and the Government agencies.

**श्री सुरेश पचौरी:** आपके दिमाग में नहीं आ रहा है।...(व्यवधान).... आपकी समझ में नहीं आ रहा है।...(व्यवधान)...

**श्री सभापति:** आप बैठिए, आप बैठिए।...(व्यवधान).... Shri Hansraj Bhardwaj ji has taken note your point,

**श्री एस.एस. अहलुवालिया:** अगर ये आज की दिक्कत को बढ़ाएंगे तो आगे और बहुत सारी बहस होने वाली है। इससे दिक्कत बढ़ेगी।...(व्यवधान)...

**श्री सभापति:** आप बैठ जाइए।...(व्यवधान).... बोलिए, बोलिए।



श्रीमती सरला माहेश्वरी (पश्चिमी बंगाल): ये धमकी दे रहे हैं। ... (व्यवधान) ...

श्री सभापति: कोई धमकी नहीं दे रहा है। ... (व्यवधान) ... आप सुन लो। ... (व्यवधान) ... सरला जी, यह कोई धमकी नहीं दे रहे हैं। ... (व्यवधान) ... आप बैठिए। कोई धमकी नहीं है। दोनों मित्र हैं। कौन सी भाषा बोल रहे हैं, ये दोनों समझते हैं।

SHRI HANSRAJ BHARDWAJ: I don't want to say anything. Sir, I am only saying that if you don't like my suggestions, I will conclude. But there are two matters. Sir, you have been a witness to this. We started debate on Tehelka. Some may have liked Tehelka operations, some may have not, but, nothing happened. Now, another incident, the Judeo episode, the unfortunate episode, has taken place. Nobody likes our public figures to be tainted like this. But it raises a serious question of public probity. It is in your own interest to demonstrate that you have come out clean. But there is a procedure and the same procedure should also be applied to this matter. But you are deploying distinctive and different methods of detection. Keeping with the assurances which were given in this House by the highly esteemed leader of the nation, they should demonstrate that he is sincere in punishing the guilty; but the frequent interventions by Shri Ahluwalia demonstrate that they are not sincere.

DR. L.M. SINGHVI (Rajasthan): Mr. Chairman, Sir, I have listened with great attention to what my learned friend, the hon. Shri Bhardwaj had to say. I am very disappointed because I have always regarded him as a very constructive Parliamentarian. We were discussing and we were supposed to discuss the Statement of the Prime Minister. He has travelled as far as he could from the Statement of the Prime Minister. I ask myself and I ask the House, was it wrong for the Prime Minister to send the clippings of the papers to CBI? Was it wrong for him to ask Mr. Judeo to resign or to accept Mr. Judeo's resignation? What is there in this Statement which can be found fault with? I think. Shri Bhardwaj is looking for holes which are not there. I think it is important for us all to realise that what Mr. Bhardwaj said is quite correct. Both the receiver and the giver of bribe are criminally responsible. And, if that is so, why should anyone be interested in protecting the anonymity and the identity of one Mr. Rahul? That is the question I ask myself. How can Rahul's identity be established or brushed under the carpet unless the CBI looks into it, unless the CBI investigates? It is important that identity is established, not for harassing

anybody but for finding the truth. Let the House, as one man, unite in vigilance to face the problems of corruption in this country. For it is that canker which makes the discourse of our democracy indecent and cantankerous; it is that canker which we have to eradicate and we must all join together to eradicate that problem in the country. What did the Prime Minister say and what did he do? He took note of what is happening as he was bound to. He was clear in his mind, especially in his approach, objective in the steps he took, and there is not one step he took which could be flawed or faulted. It is very strange that those who say that both the receiver and the giver of the bribe, are responsible, would not like an investigation about the giver of the bribe, about the venue, about all those details. Surely, no one can be found fault with, no one can be convicted in our legal system without an inquiry. I must say, Mr. Chairman, is an inquiry, is an inquiry. This is all a semantic game that preliminary inquiry, investigation, all this leads to investigation, and all this may lead either to a charge or no charge. This is something in which we should all be united rather than be divided in the manner in which we are sought to be divided. Dr. Manmohan Singh, Shri Pranab Mukherjee, Shri Arjun Singhji, Shri Moti Lal Vora, Shri Bhardwaj are all very seasoned Members of this House in administration, and, surely, they would recognise that inquiries have to be held, that investigations have to be held. I remember, Sir, when I was in the Third Lok Sabha, there was a charge against a Member of the Cabinet of Pandit Jawaharlal Nehru. The first thing he did was to make a preliminary inquiry. Nothing actually happened in that case. But, I must remind my hon. friend that this is what the Prime Minister did, and this is what he was bound to do. He was duty-bound to do, and he has done it in order to uphold the integrity, probity, propriety and rectitude in our public life, and that is one issue on which we need to unite rather than merely find fault with whatever has been done. Picking holes is a game which pays no one. It is easy for me to pick holes in the past; it is easy for me to point out that this is what should have been done, and that is what was not done. But in a very constructive sense if I look at what has fallen from my friend, Shri Bhardwaj, I think of it as a supplementary to the initiative which has been taken by the hon. Prime Minister, and, as a supplementary to that initiative, it will serve a useful purpose. But it must be recognised that in these matters, we must look at the statement first of all. What

does the Prime Minister say? He says that the Government does not interfere in these decisions. Surely, the learned and hon. Members is aware of how the Supreme Court has put to leash, has put reins, on how the CBI has to function. Thanks to the Supreme Court and its intervention, the CBI is today an independent institution and is obliged to be an independent institution. Rather than talk of the subversion of the CBI, I would like the hon. Member to suggest how we reinforce CBI's independence, how this vigilant house may operate in order to create a situation where the house is seen as the upholder of integrity, probity and rectitude, and not as nit-picking on every little thing. We cannot allow the discourse of the nation on corruption to be trivialised. We need to make it a point of solidarity for all of us. Mr. Chairman, I think, it is important for us to recognise that the words used by the Prime Minister in his statement are "Appropriate Action"<sup>1</sup>, not this action or that action. Surely, it is for the CBI to come to a conclusion. The Prime Minister had no jurisdiction, I submit, to direct the CBI to register a case. If he had done this, we should have pointed out that in law, it is not for the Executive to give such executive instructions to the CBI. Therefore, the very suggestion that Shri Bhardwaj has made goes against the very soul of the independence of the CBI. We are in the business of nation-building. We are in the business of making sure that our institutions which we have created, the Central Vigilance Commission, the CBI, etc. are accountable. Sir, there is not one nook or cranny in this country, in this Republic, which is beyond accountability. There is judicial accountability, there is parliamentary accountability. And, I think, this statement of the Prime Minister fulfils a certain mission of accountability of the Government, not brushing it under the carpet but by accepting the resignation or causing the resignation to be accepted, and sending the papers for 'appropriate action'. Mr. Chairman, the words 'appropriate action' are to be noticed. I think, Shri Bhardwaj would have preferred to substitute the words 'for prosecuting such and such person'. That is not to be done. Surely, the Prime Minister would have acted without jurisdiction if he had said, 'do this to him, and do that to him.' That is not the function. If we want to secure the independence of the investigating agency, if we want to secure that integrity, propriety and probity of prosecuting agencies, we must unite in lending our unqualified and unstinting support to the Prime Minister's statement. Applause is due to him, not criticism. We

are, after all engaged in the game of promoting cynicism in public life. That cynicism will be the undoing of all other institutions, including the Parliament, democracy and the judiciary; and that cynicism, I submit, is not quite proper. We must try and see that institutions are reinforced. If the CBI is acting in a manner, which is not acceptable, or is not according to the norms and ethics of integrity, then we must call it to account, then courts must call it to account. And they did, the courts did, call it to account. We must understand that the independence of institutions is as vital as it can be; and to bring them down, to demoralise, to detract from their independence, would not serve the basic purpose that is in our minds. I think we all share this commitment, and I think it is important that in sharing this commitment, we discharge the heavy responsibility of which Shri Bhardwaj has spoken. That heavy responsibility lies not only on the shoulders of the Prime Minister and his council of Ministers, but on this House also, on all of us; and that heavy responsibility is to be discharged by all of us; in whatever case it arises. There is no double-speak in Prime Minister's statement. There is nothing but transparency. A straightforward, transparent statement is being called into question, and that would be sending the wrong signals, I submit, Sir, to the public at large. It is for the CBI, obviously, to choose the course of action, which it considers appropriate, and the words used by the hon. Prime Minister are, 'for appropriate action'. He cannot say, 'do this' or 'do that'. And if he did not say 'do this' or 'do that', can he be faulted? Because, if what my good friend, the hon. former Minister of Law, has suggested was to be done, then tomorrow another Prime Minister might also say, 'well do this' and 'do that'. And we would not like that. That would not be in consonance with the requirements of law.

Mr. Chairman, Sir, I wish to point out that there is not an iota of evidence with regard to the so-called subversion of CBI. What is in this case? All that has been done is to say, 'take appropriate action'. These reports I have received, please, consider<sup>1</sup>. And if he had not done it, he could have been wrong; and if he has done it, he deserves the approbation of the world at large. I think *Transparency International* would be listening to our debate, and I think our position goes many notches higher because the hon. Prime Minister has taken action to cause the resignation of a Minister to be accepted, and the Prime

Minister has taken action to refer it to CBI, and to see that anyone who is alleged or suspected to have been accepting a bribe, he should be dealt with in accordance with law.

Mr. Chairman, Sir, the hon. Member has agreed that it was the right course for the hon. Prime Minister to accept or to cause the resignation to be accepted. It is a very correct position that he has taken. But he speaks of harassment? What is the harassment? Has he given one single instance of harassment? If there is any harassment, we would all say that such harassment must cease. But if there is no harassment except in the imagination, a highly surcharged political imagination of people, then I think the suggestion is something to be regretted. But I would like to say this, Mr. Chairman—there are people who can help to identify one Mr. Rahul; there are people who can help to identify the venue where it all took place. And which all, as a very distinguished criminal lawyer—I have long experience and association with Shri Bhardwaj—he would recognise that for a conviction those details would be necessary. A prosecution without an iota of evidence would lead nowhere, and that is why I think the course that has been taken is the correct course.

Mr. Chairman Sir, we cannot afford to undermine the institutions that are the capital of the Nation. We cannot afford to be cynical. The cost of our cynicism will be heavy and punitive on the Nation's institutions, in terms of demoralisation, in terms of the counter productiveness of parliamentary proceedings and in terms of guiding the nation to take the right course. I suggest that we ought to remember Partington's elegant way of putting it. He said, "A cynic is one who knows the price of everything but the value of nothing." Of course a cynic is one who knows the price of everything and does not know the cost of cynicism. Price and cost are quite different. The cost of cynicism in matters of this nature can be felt indeed, Mr. Chairman, and that is why I rise to voice the view that the House showed an unstinting approbation to the statement of the Prime Minister and to say that we are one in dealing with the problem of corruption, and in fighting the monster of corruption, and eradicating the cancer of corruption in our country. We have started that battle from the top to deal with corruption with a certain political will, and we must apply that political will for that is the will not only of this House but that will of our nation. Thank you.

**SHRI RAMA MUNI REDDY SIRIGIREDDY (Andhra Pradesh):** Mr. Chairman, Sir, we are debating the Judev episode. The hon. Prime Minister has made a statement regarding this issue yesterday. In the screening of tapes, we saw him on 16th November. It was reported in the newspapers. On 17th, he tendered his resignation. The Prime Minister accepted it and sent it to the President of India. On 18th, it was referred to the CBI for preliminary investigation and further action.

Even after 54 years of independence, who is responsible for all these things? If the previous Governments, after the Independence, had combated corruption on the soil, they could be appreciated. This is the need of the hour. We have to combat corruption in all the areas. In every area, there is corruption. It is not only prevalent with politicians but also with bureaucrats, etc. Yes, even the district level officers were also caught by the ACB. There are so many incidents which have been reported.

Fighting corruption is the main agenda of my Party. Even for any election, corruption free administration is the main agenda of my party. Why? It is because of the fact that corruption is a hurdle in the development, efficiency and quality. So, even after 54 years of Independence, it is due to corruption only that we are losing the quality and efficiency in almost all spheres in developmental activities. We are coming to the House and discussing so many issues. We should not blame each other. The need of the hour is to debate exclusively on corruption also. The CBI is an autonomous organisation and an independent organisation.

**श्री रमा शंकर कौशिक (उत्तर प्रदेश):** श्रीमन् हाऊस में कोई कैबिनेट मिनिस्टर नहीं है।

**श्री नीलोत्पल बसु:** सर, यह तो समझा जा सकता है कि प्रधान मंत्री जी यहां नहीं है, लेकिन किसी भी कैबिनेट मिनिस्टर का न होना, मतलब इस स्थिति के बारे में, इस मुद्दे के बारे में सरकार की क्या दिलचस्पी है, यह बात दिखाता है।...**(व्यवधान)**...

**प्रो. राम देव भंडारी (बिहार):** भ्रष्टाचार के मामले में सरकार गंभीर नहीं है।

**श्री भारतेन्दु प्रकाश सिंहल (उत्तर प्रदेश):** यह बैठे है, जरा देखिए तो। ...**(व्यवधान)**...

**SHRI RAMA MUNI REDDY SIRIGIREDDY:** We have to give credit. We have to maintain the dignity and decorum of the CBI. Tomorrow,

whoever may come to power, we have to depend on the CBI for investigation. We have to correct the lapses and inefficiency. That being so, why have we to blame the organisation? This is the only organisation since Independence which is carrying out such investigation. This Government has referred the matter to the CBI.

We are discussing about population, water, roads and all these things. Comparing all these aspects, we have to discuss corruption also. We have to evolve a consensus. What are the defects prevailing in our system even after Independence? Why are such things happening in the political parties, in the bureaucracy, etc.? The Government has a lot of information. Even the Income-tax chiefs are caught by the CBI. The police officers are caught. Why have they chosen such types of officers? So, we have to discuss the matters prevailing at all levels. What are the lapses in selecting good officers for top positions? If we commit a mistake in selecting a top person, the entire sector will go in for corruption. So, my Party's view is that corruption is the root cause of everything. We have to debate the matter on the floor of the House for two or three days. There should be no other issue on such days. We have to debate it at all levels—village, block, district, the State and the Government of India levels. We have to give more thrust. The citizens of this country have to discuss corruption. Who is responsible? Which Party is responsible for it? This country was ruled by the Congress Party for so many years. Now, the NDA is ruling for the last five years. Why have they not taken steps to combat corruption? We have to discuss all these things without attributing motives to each other. If we attribute motives to each other, then it will continue for another fifty years. What are the remedies?

[THE VICE-CHAIRMAN (SHRI RAMA SHANKER KAUSHIK) in the Chair]

So, we have to think of innovative methods to combat corruption. We should not blame each other. The law will take its own course. Now, the Government has entrusted the case to the CBI. Previously also, many cases were entrusted to the CBI. This is not the first case of corruption that we are discussing on the floor of the House. Since Independence, many issues came up for discussion and they were debated on the floor of the House. They were entrusted to CBI. Some cases are disposed of and some are still pending with the CBI. The

CBI will take care of them and the law will take its course. That is the only way. So, we have to discuss, evolve a consensus and we have to find out innovative methods to combat corruption at all levels. So, further discussion is required on this matter and my Party firmly believes in that.

Now, we have many agencies in Andhra Pradesh also. We have been amending laws for the last four years there. We have been debating those laws and we have been taking opinion from the public also. We have strengthened the Vigilance Department and we have strengthened the Anti-corruption Bureau in Andhra Pradesh. Previously, the Anti-Corruption Bureau was having power to investigate people, but they did not have powers to arrest them. We have amended the law now. So, they can immediately arrest the people indulging in corrupt practices. Similarly, here also, we have to discuss, evolve a consensus and make good laws. In this way, we can prevent corruption. Now, corruption is deep-rooted everywhere in our country and everybody is talking about corruption. There is also no value for politicians and bureaucrats. To some extent, Judiciary is also blamed by the Chief Justice of India and others. This is the scenario of our country.

My Party's philosophy is to fight corruption at all levels. The issue should be discussed thoroughly on the floor of the House and this issue has to be discussed with the leaders of all the political parties in the country. This is the main issue according to my party and me. So, we have to allot sufficient time for discussing this issue on the floor of the House so that all the political parties can express their views freely and firmly, about the lapses and gaps in the laws. After the discussion, we have to evolve a consensus. Then only, we can combat corruption to a certain extent in our country. Thank you, Sir.

SHRI NILOTPAL BASU: Thank you, Mr. Vice-Chairman, Sir. It is a very important debate that we are having in this House on the basis of the statement which was made by the hon. Prime Minister yesterday. And, I have been trying to listen very carefully to all the speakers who have preceded me, and I think, I have enjoyed the debate. Particularly, I must mention that I always look forward to the interventions made by Mr. Singhvi, who is not here right now, because I think, I marvel at the way he manages to speak so much, yet not conveying anything. I also look forward because I always find myself ending up with addition to my vocabulary in English language, but, perhaps, very little else. Now, what



the debate is all about? Now, Mr. Singhvi was claiming and he was charging Mr. Bhardwaj that Opposition is trying to pick holes. I think it is very difficult to pick holes because there are only holes and nothing else. This statement by the Prime Minister is, perhaps, the most amusing piece of document I have really seen for a long-long time. And why is it so? Because it is all good to wax eloquence about platitudes, and, giving advice what the Opposition should do, and the Treasury Benches advising the Opposition that the only way to defend the institution is to ditto, is to tom-tom, what the Government is claiming. Now, Mr. Vice-Chairman, Sir, the two key paragraphs in the Statement are the fourth last and the third last, and, on which I will try to say something.

In the fourth last paragraph, it is stated, "It has been the policy of my Government that all allegations pertaining to corruption should be thoroughly inquired into. Accordingly, the CBI is inquiring into this whole matter and it would be premature to state anything till the inquiry is complete." In the third last paragraph, it is stated, "As hon. Members are aware, the CBI has full functional autonomy, and, under the recently enacted Central Vigilance Commission Act, the superintendence of the CBI in relation to offences under the Prevention of Corruption Act, has been vested by the Government in the Central Vigilance Commission.

Now, Sir, I will show with concrete example as to how nothing could have been farther from the truth. This is the stated policy of the Government. Sir, we know, in our jurisprudence also, that justice delayed is justice denied".

Now, I come to one of the major cases of corruption, which has been referred to on the question of Tehelka. What happened? On the basis of the evidence that was available, the Army took up the case, held Court Martial and within six months, they handed out punishment to those service officers whom they found having complexity in the whole thing.

But, what is the performance of the Government. The CBI is yet to file a charge-sheet against any of the accused who has been seen to be receiving money, and, we don't know as to when the Inquiry Commission is going to end. One of the persons who is accused, and, who had to resign, and, very gracefully, the Prime Minister had accepted his resignation, is back in the Council of Ministers, and, while the Commission's work is on, the Prime Minister tells us that nothing has been found against him. Now, can there be any gross mockery of the judicial system? Mr. Jethmalani is sitting here. He is one of the persons—I am very proud of him—who

contributed for the reinvention of the Tehelka group, which is now going to come out with a publication because not only was the justice denied but also major key journalists, financiers have been hounded-up.

Sir, am sorry to say that one of the financing companies, which is now registered with the New York Stock Exchange, whom the Joint Parliamentary Committee consisting of Members of both Houses of Parliament have given clean chit, and, SEBI has delisted them from doing business in the Indian Stock Market, and, the Prime Minister claims that we are very fair; we never flinch from inquiring into "things. Will the Prime Minister also tell us as to how long will this mockery go on? Mr. Bhardwaj has been quite charitable to the Prime Minister. He has great regards. He is a great man. But, I am sick and tired of the expression that he is a good man in bad company. I think, today, what is more abominable is not just the people of this country seeing on the television that a Minister is receiving money, but, what is outrageous is that the whole Government is involved in conducting, alongwith your Mission 2004, operation White Wash. And, by this statement, the Prime Minister's stand is exposed before the country, spearheading the Operation Whitewash. Now, the Prime Minister has said "I have forwarded these press clippings on 17th November, 2003". Yesterday, there was a press report in The Hindu. Sir, for paucity of time, I am not quoting, The Hindu says day before yesterday, for the second time, when the CBI had asked Mr. Dilip Singh Judev to report to them so that they could question, he gave them a slip; he did not attend. This is the preliminary inquiry going on. Today is the 11th of December. I mean, it is a shame that today we are starting our celebrations for the 200th session of this House and a Member of this House, who happened to be a Member of the Council of Ministers, had to resign and his resignation was accepted by the Prime Minister. He is under inquiry by the leading, premier investigative agency of this country, and he is not cooperating with the CBI. I do not expect this Prime Minister of give instructions to the CBI. I totally agree with Singhvi Sahab that it is not the job of the Prime Minister. But, why the CBI is moving in this manner? Why the CBI is moving in this manner? Why are they not hauling him up? Yes, there is a need for investigating the agency of so-called Rahul. But the fact of the matter is the ex-Minister received money, and, not only that, if the Prime Minister has sent press clippings and video clippings to the CBI, he should also have seen that Mr. Dilip Singh Judev on camera has accepted that he accepted money, और आजकल तो बी.जी.पी. में थोड़ा शत्रुघ्न

सिन्हा का ज्यादा प्रभाव आ गया है हिन्दी फिल्मी डायलाग का। वह डायलाग हमने भी सुना था कि- "पैसे खुदा तो नहीं हैं लेकिन खुदा से कम भी नहीं है" यह सब हमने भी सुना। तो इसीलिए...(व्यवधान)...

**श्री प्रेम गुप्ता (बिहार):** शत्रुघ्न सिन्हा जी को बोला जाए कि वे यह डायलाग बताएं।

**श्री नीलोत्पल बसु:** तो इसीलिए यह डायलाग भी चलेगा और सी.बी.आई. की इन्क्वायरी भी चलेगी और प्रधान मंत्री भी आकर बोलें कि किसी को नहीं छोड़ेंगे, यह दोहरी बात तो नहीं चल सकती।

[THE DEPUTY CHAIRMAN in the Chair]

I would like to know from the Prime Minister, he has not made, whether he has any opposition to or reservation about sting operations, because in Tehalka or in Dilip Singh Judev case, the entire argument of the BJP and the Government is that the veracity of the videotapes must be checked. From this, one gets an impression that perhaps ...*(Interruptions)*

SHRI SWARAJ KAUSHAL (Haryana): It should be checked ...*(Interruptions)*

SHRI NILOTPAL BASU: I believe you also will have some time, and we will be enlightened with your ...*(Interruptions)*

SHRI SWARAJ KAUSHAL: What wrong has happened if it is being checked ...*(Interruptions)*

SHRI NILOTPAL BASU: I have no problem. I am asking about the stand of the Government that from the Operation Whitewash, embarked on this country and the people and their right to information, one gets an impression that the question is not about corruption, but it is about hounding out the whistle blower. And there, I have problem, because again, this Government has only hypocrisy to speak for itself. The debate that is going on on the murder of Satendra Dubey, an IITian graduate, an engineer, in the road project ...*(Interruptions)*

SHRI BALBIR K. PUNJ: Also mention that it happened in Bihar. ...*(Interruptions)*

SHRI NILOTPAL BASU: Wherever it happened ...*(Interruptions)*

SHRI PREM CHAND GUPTA: What Bihar has got to do with this?  
...(Interruptions)

प्रो.राम देव भंडारी: क्या हुआ बिहार में? शर्म नहीं आती है आपको पूरी दुनिया देखती है।  
...(व्यवधान)... आपको शर्म आनी चाहिए।

श्री नीलोत्पल बसु: भंडारी जी, छोड़िए ना।

श्री बलवीर के. पुंज: बिहार में हुआ है यह।

SHRI PREM CHAND GUPTA: Why Bihar only? It was in India.

प्रो.राम देव भंडारी: आपको यह कहते हुए शर्म नहीं आती है। उनको पूरी दुनिया ने रुपये लेते हुए देखा है।...(व्यवधान)...

श्री नीलोत्पल बसु: भंडारी जी छोड़िए।...(व्यवधान)...

श्री बलवीर के.पुंज: यह बिहार से हुआ, बिहार से।...(व्यवधान)...

श्री प्रेम गुप्ता: ये हिन्दुस्तान में हुआ।...(व्यवधान)... यह हिन्दुस्तान में नहीं हुआ क्या?

Why Bihar only? ... (Interruptions) It happened in India. ... (Interruptions)

श्री नीलोत्पल बसु: आप छोड़ दीजिए।...(व्यवधान)...

प्रो. प्रेम गुप्ता: जब यह सेंट्रल गवर्नमेंट की एजेंसी है why did you protect it?...(interruptions)

उपसभापति: प्लीज बैठ जाइये।...(व्यवधान)...

श्री नीलोत्पल बसु: छोड़ दीजिए। छोड़ दीजिए।...(व्यवधान)...

SHRI PREM CHAND GUPTA: Why did the PMO leak the letter?  
...(Interruptions)

THE DEPUTY CHAIRMAN: Please, take your seat. ... (Interruptions)

प्रो.राम देव भंडारी: प्रधान मंत्री जी के यहां से लेटर लीक हुआ इसलिए उसकी हत्या हुई है।...(व्यवधान)...

श्री नीलोत्पल बसु: आप उसको छोड़िये। इश्यु डायवर्ट हो रहा है।...(व्यवधान)...

उपसभापति:नीलोत्पल जी, टाइम का ध्यान रखिए।...(व्यवधान)...

श्री नीलोत्पल बसु:सवाल यह है कि...(व्यवधान)...

Madam, I am aware of the time and I am also aware of the fact.  
...(Interruptions)

SHRI BALBIR K. PUNJ: Then he should have mentioned it that it happened in Bihar. ...(Interruptions)

SHRI NILOTPAL BASU: Madam, I think this is too much. Earlier, Mr. Ahiuwalla and Mr. Singhvi were almost dictating us what we should speak to uphold the dignity of this great institution of this country. Now, Mr. Punj wants me to be more specific as to where it occurred. But my point is not Bihar, It could be ...'(Interruptions)..

SHRI S.S. AHLUWALIA: We cannot discuss it here. ...(Interruptions)...

SHRI NILOTPAL BASU: Madam, I do not think you have permitted him to speak. ...(Interruptions)...

श्री एस.एस.अहलुवालिया: मैडम, ये बिहार को कह रहे हैं।...(व्यवधान)...

श्री नीलोत्पल बसु:हमने ऐसी बात नहीं कही।...(व्यवधान)...

प्रो.राम देव भंडारी:बिहार को बदनाम करने वाले कौन हैं? ...(व्यवधान)... \*बिहार को बदनाम करने वाले आप लोग हैं।...(व्यवधान)...

SHRI NILOTPAL BASU: Madam, this only exposes the hypocrisy of the Treasury Benches, मैडम, जो कुछ करना है\* शब्द से आप कर लीजिए।...(व्यवधान)...

श्री एस.एस.अहलुवालिया: मैडम, यह अनपार्लियामेंट्री शब्द है...(व्यवधान)...

श्री नीलोत्पल बसु:मैं अहलुवालिया जी को कहता हूँ कि उनकी थोड़ी उम्र ज्यादा हो गयी है इसलिए यह सब अहलुवालिया जी को शोभा नहीं देता है।...(व्यवधान)...

SHRI BALBIR K. PUNJ: Can any part of India be called a\* ? Is it fair?

श्री सरला माहेश्वरी:यह किसने कहा है? ...(व्यवधान)...

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\*Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN: I will look into the record and see if he has called it. If it is so, then I will remove it. Now, go ahead. Please, do not disturb him.

श्री प्रेम गुप्ता: मैडम, बलबीर पुंज साहब मामले को डायवर्ट करना चाहते हैं ...*(व्यवधान)*...

THE DEPUTY CHAIRMAN: I only want to say one thing. We have constraint of time. So, please, speak to the point ...*(Interruptions)*

SHRI NILOTPAL BASU: I have not been allowed to speak. ...*(Interruptions)* You are not protecting me. I will just conclude.

SHRI PREM CHAND GUPTA: Madam, they want to divert the issue. Mr. Basu should be given some more time. ...*(Interruptions)*

THE DEPUTY CHAIRMAN: He is capable enough to speak within his time or even in less time. So, do not underestimate Mr. Basu.

SHRI NILOTPAL BASU: Madam, you stop these interruptions. I am capable enough to take care of myself. ...*(Interruptions)*

THE DEPUTY CHAIRMAN: Yes, I know. Let him take care of himself.

SHRI NILOTPAL BASU: My point is that on this whole issue of Satyendra Dubey's murder and the public debate that has been taking place in the media, Government's position is there should be a Whistle-blowers Act to protect the whistle blowers; and what we have seen in the case of Tehalka and in the case of Shri Dilip Singh Judev is that more emphasis is being put on the veracity of the tapes, not on the people who are caught during the act of a wrong doing. ...*(Interruptions)* That is my problem. My problem is not about the CBI checking the veracity of the video tapes.

SHRI BALBIR K. PUNJ: Your entire case is based on the tapes only and if you do not authenticate the tapes ...*(Interruptions)*

श्री नीलोत्पल बसु: मैडम, ये रनिंग कमेंटरी चला रहे हैं। मैडम, आप इनको ऐसा करने से मना करिये। ...*(व्यवधान)*...

उपसभापति: बलबीर पुंज जी, समय की कमी के कारण हम लोग लंच आवर नहीं कर रहे हैं इसलिए कृपया आप अपने समय में बोलियेगा। आप डिस्टर्ब मत करिये। ...*(व्यवधान)*... ऐसा दोनों तरफ से होता है। लेकिन मैं अभी एक तरफ देख रही हूँ। नीलोत्पल जी, आप जल्दी बोल लीजिये।

श्री नीलोत्पल बसु: एक भी शब्द...(व्यवधान)...

उपसभापति: आप उनको डिस्टर्ब करेंगे तो वे उतना ही ज्यादा टाइम लेंगे। फिर आपको टाइम कम पड़ जायेगा। आप कृपया कनक्लूड कर दीजिए।

श्री नीलोत्पल बसु: मैडम, जो हमारा टाइम इन्होंने ले लिया है उसमें तो हम बोलेंगे ही।

उपसभापति: ज्यादा टाइम नहीं लिया है थोड़ा-बहुत लिया है। मैं काउंट किया है। आप जल्दी से बोलकर खत्म कीजिए।

श्री नीलोत्पल बसु: मैडम ठीक है।...(व्यवधान)...

श्री कृपाल परमार (हिमाचल प्रदेश): मैडम, इन्होंने\* की बात कही है।

उपसभापति: अच्छा अब आप\* की बात से बाहर निकलिये। Let us get out of the and go to the heaven.

SHRI NILOTPAL BASU: Madam, I charge this Government of trying to make us believe that instructions by the Government are given in black and white, in written documents. I think nobody in this country will believe that the Government operates and instructs its agencies, functioning under them, through only written statements! I just want to find out from the Prime Minister, on this Ayodhya case when we had made a categorical charge that the CBI has manipulated ... (Interruptions) प्राइम मिनिस्टर का स्टेटमेंट है, इसलिए मैंने पढ़ दिया...(व्यवधान)... थोड़ा लास्ट पैराग्राफ...(व्यवधान)...

एक माननीय सदस्य: बीजेपी के दफ्तर में है।...(व्यवधान)...

श्री नीलोत्पल बसु: प्राइम मिनिस्टर बोलते हैं...(व्यवधान)...

THE DEPUTY CHAIRMAN: Mr. Nilotpāl Basu, will you, please, conclude now?

SHRI NILOTPAL BASU: No, I will not.

THE DEPUTY CHAIRMAN: You have to.

SHRI NILOTPAL BASU: They are not allowing me to speak. ... (Interruptions)...

उपसभापति: आप बैठिए प्लीज़।

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\*Expunged as ordered by the Chair.

[11 December, 2003]

RAJYA SABHA

SHRI NILOTPAL BASU: You are not protecting me! And they are not allowing me to speak!

THE DEPUTY CHAIRMAN: Even without the interruptions, your time is over.

SHRI NILOTPAL BASU: No.

THE DEPUTY CHAIRMAN: Yes. I have seen the record. I don't speak out of my head.

SHRI NILOTPAL BASU: Madam, I am telling this, I have pointed out that when Mr. Chairman was reading out the time allocation that we have a five-hour debate...

THE DEPUTY CHAIRMAN: Four hours.

SHRI NILOTPAL BASU: Five hours.

THE DEPUTY CHAIRMAN: Four hours.

SHRI NILOTPAL BASU: We have a five-hour debate.

THE DEPUTY CHAIRMAN: I am sorry, the Members dispute the time which is written, printed on my paper! If you want to discuss it for ten hours, I have no problem. But it should be decided.

SHRI NILOTPAL BASU: Madam, I have a five-hour ...*(Interruptions)*...Madam, I want to point out...*(Interruptions)*... You see the record. The Chairman said 'from twelve to five'. And that means five hours. I can make out from that.

THE DEPUTY CHAIRMAN: But that doesn't mean that you can speak all the time, five hours *बोलिए*।

SHRI NILOTPAL BASU: No, I am not speaking. I have been disturbed, and you are not asking these Members who are taking my time, to keep quiet.

THE DEPUTY CHAIRMAN: I am. I think you are not hearing. I am asking them to keep quiet...*(Interruptions)*...

SHRI SURESH PACHOURI: They don't listen to you.

THE DEPUTY CHAIRMAN: Sometimes, you also don't listen to me!



SHRI NILOTPAL BASU: I am, therefore, referring to the Prime Minister's statement that CBI has full functional autonomy, and I am challenging that on the basis of facts. The statement made by the erstwhile CBI Director, Mr. Sharma, whose statement is identical to that of Arun Jaitley who made that statement here in this House that CBI will not refer it to the Special Court in Lucknow and all the seven hundred evidences which the CBI itself has selected to prove the complicity of the Deputy Prime Minister of this Government, that will not be taken on board. Is that functional autonomy? I have no soft corner for Mr. Jogi, and I think there will be a very few people in this House to shed tears for him. Prosecute him, if you know. You should. It should be done. But why do you have a certain approach towards Jogi and another kind of approach towards Judev! If you are opposed to sting operations, why are you not taking on board the fact that Mr. Kashyap and Mr. Pandey have gone on private channels saying that the Deputy Prime Minister knew about all this? And the Law Minister was proudly presenting to the whole nation the tape!...(Interruptions)... And he says that the President of the BJP also knows about sting operations. ...(Interruptions)... Nobody has a soft corner for Jogi. ...(Interruptions)... इसलिए मुश्किल है मैडम...(व्यवधान)...

THE DEPUTY CHAIRMAN: What is this? ...(Interruptions)...

SHRI NILOTPAL BASU: Therefore, we cannot have... (Interruptions)... But CBI under this Government has been used as a tool to defend their own people and to denigrate and decimate the Opposition,

THE DEPUTY CHAIRMAN: Please conclude now. ...(Interruptions)... Please don't interrupt. Let him conclude.

SHRI NILOTPAL BASU: Therefore, a Joint Parliamentary Committee be formed with a definite time frame so that it can go to the absolute heart of the truth. Thank you, Madam.

THE DEPUTY CHAIRMAN: Okay. I have to announce because somebody wrote a wrong calculation. Our procedure is that we finish first up to AIADMK, and then go back, not half-way through, because there are many more speakers, and I have the names of some speakers from other parties, which are eight in number. So I call, after Shri Nilotpal Basu, Shri Shahid Siddiqui.

SHRI KAPIL SIBAL (Bihar): Madam, my name is next.



them. You are not addressing them. You are addressing the Chair. (Interruptions)... You should know the procedure. (Interruptions)... Don't look at them. You address me. (Interruptions) प्लीज बैठ जाइए। बोलिए, सिद्धिकी जी!...(व्यवधान)... बरोट जी, आप बैठ जाएंगे कृपा करके? बोलिए।

شری شاہد صدیقی: میٹم، یہ سرکار ہمیشہ سے اپنے غلط کام کو دوسرے غلط کام سے جسٹی فائی کرتی آئی ہے۔ یہ 84 کے دنوں کا نام لیتے ہیں کہ گجرات کے دنوں کو جسٹی فائی کرنے کے لئے۔ یہ جوگی کا نام لیتے ہیں، جو دیو کو جسٹی فائی کرنے کے لئے۔ یہ پچھلے کرپشن بتاتے ہیں اپنے کرپشن کو جسٹی فائی کرنے کے لئے۔ قانون کے یہ دو پیمانے نہیں چلیں گے اور اگر چلیں گے تو پھر دیش میں جنگل راج ہوگا اور دیش میں ایمانداری سے راج نیتی نہیں چل سکتی۔.....مداخلت.....

†श्री शाहिद सिद्धिकी: मैडम, यह सरकार हमेशा से अपने गलत काम को दूसरे गलत काम से जस्टिफाई करती आई है। ये 84 के दंगों का नाम लेते हैं गुजरात के दंगों को जस्टिफाई करने के लिए। ये जोगी का नाम लेते हैं। जूदेव को जस्टिफाई करने के लिए। ये पिछले करप्शन बताते हैं अपने करप्शन को जस्टिफाई करने के लिए। कानून के ये दो पैमाने नहीं चलेंगे और अगर चलेंगे तो फिर देश में जंगल राज होगा और देश में ईमानदारी से राजनिति नहीं चल सकती।...(व्यवधान)...

THE DEPUTY CHAIRMAN: He said, "jungle raj". (Interruptions)... I don't know whether it is unparliamentary or not. (Interruptions)...

श्री शाहिद सिद्धिकी: मैडम, जंगल राज पार्लियामेंटरी है।...(व्यवधान)...

THE DEPUTY CHAIRMAN: Now, can we go back to the normal discussion, please? (Interruptions)...

श्री एस.एस.अहलुवालिया: महोदया, ये वनप्रथा का अपमान कर रहे हैं और कह रहे हैं कि जंगलराज होगा।

उपसभापति: अच्छा, बोलिए।

श्री एस.एस.अहलुवालिया: मैडम, आप इनसे कहें कि जरा शिष्ट भाषा का प्रयोग करें।

उपसभापति: आप भाषण कीजिए। शाहिद सिद्धिकी साहब, आप बहुत अच्छे जर्नलिस्ट हैं। अच्छा बोलिए।

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†Transliteration of Urdu speech.

شری شابد صدیقی: میڈم ڈپٹی چنرمین 'جنگل راج' بہت ہی سبھے شبد ہے اور میں نے یہ کہا کہ جنگل راج بن سکتا ہے۔ اگر یہ پیمانے رہیں گے، اگر آپ اس طرح سے چلیں گے تو جنگل راج بن سکتا ہے۔ میڈم انکی سمجھ میں اگر کمی ہے، اگر یہ میری بات کو سمجھ نہیں پا رہے ہیں تو اس کا علاج میرے پاس نہیں ہے۔ اگر یہ صاف، اسپیشل بات جو کہ پولیٹکی سائنس میں، کانسٹی ٹیوشن اسمبلی میں استعمال ہوتی ہے۔۔۔

By giving the explanation you are wasting your time. You

ap سبھا پتی: اب یہ سب آپ کے ٹائم میں جو ہو رہا ہے۔  
speak on the subject, please.

شری شابد صدیقی: میڈم، میں یہ کہنا چاہتا ہوں کہ جو دیو صاحب جو رنگے ہاتھوں پکڑے گئے، انکے خلاف ایف-آئی-آر۔ نہ کر کے جوگی کے خلاف ایف-آئی-آر۔ کی گئی۔ چلئے، آپ نے یہ ٹھیک کیا لیکن جو دیو کے خلاف ایف-آئی-آر۔ درج کر کے ان کو گرفتار کر کے کیوں نہیں پوچھ لیا جاتا کہ کون تھا آپ کو دینے والا؟ یہ کہتے ہیں کہ پہلے یہ پتہ لگاؤ کہ دینے والا کون تھا؟ تو آپ اس کو گرفتار کیجئے، اس سے پوچھئے کہ کون تھا دینے والا تم کو رشوت؟ انہوں نے اس بات کو قبول نہیں کیا بلکہ اس سے بڑا گناہ انہوں نے یہ کیا کہ اپنے اس گناہ کو چھپانے کے لئے جو باتیں انہوں کہی ہیں، وہ بڑی شرمناک ہیں۔ دیش کے لئے بہت شرمناک ہے۔ انہوں یہ کہا کہ یہ پیسہ میں رسد کے لئے لے رہا تھا۔ کس بات کی رسد؟ کہ کنورزن کو روکنے کے لئے جو فوج بنائی ہے، اس کے لئے مجھے جو رسد چاہئے، اس رسد کے لئے میں یہ پیسہ لے رہا تھا۔ ٹیلی ویژن پر انہوں نے یہ بات کہی ہے میڈم۔۔۔۔۔مداخلت۔۔۔۔۔

اپ سبھا پتی: ایلو والیہ جی، پلیز۔۔۔

شری شابد صدیقی: اس طرح کی شرمناک بات انہوں کہی انہوں نے مہاتما گاندھی کا نام لیا۔ انہوں کہا کہ مہاتما گاندھی برلا سے پیسہ لیتے تھے۔ انہوں نے اپنے آپ کو مہاتما گاندھی سے ملایا۔ یہ بہت ہی شرمناک بات ہے۔ اس کے باوجود یہ لوگ اس چیز کو کنڈم کر رہے ہیں، اس پر صفائی پیش کر رہے ہیں، کے اوپر اور اسکے لئے coalition مجھے شرم آتی ہے۔ آج پورے دیش میں سوالیہ نشان لگ گیا ہے ذمہ دار جو لوگ ہیں، جو رشوت لیتے ہیں۔ کیمرے کے آگے۔ چاہے وہ بنگارولکشمین ہوں، چاہے جودو ہوں۔ جب پیسہ لیتے ہیں تو ہمیں شرم آتی ہے آج سڑک پر جاتے ہوئے۔ آج عام ہندوستانی دیکھ رہا ہے کہ کس طرح سے یہ غلط کام ہو رہا ہے۔ اس کے بعد پردھان منتری اگر اس کو جسٹی فائ کرتے ہیں۔ سی۔ بی۔ آئی۔ کا نام لیا جاتا ہے لیکن سی۔ بی۔ آئی کے انسٹی ٹیوشن کو جس طرح سے برباد کیا گیا ہے پچھلے چار سالوں کے اندر، اسکی کوئی مثال نہیں ملتی ہے۔ جیسا ابھی نیلویل بسو جی نے کہا کہ کس طرح سے بابرئ مسجد کے معاملے میں سی۔ بی۔ آئی کومس یوز کیا گیا اور کس طرح سے آج مس یوز کیا جا رہا ہے۔۔۔۔۔مداخلت۔۔۔۔۔ آپ اتنا بھڑک کیوں جاتے ہیں، آپ سچائی سننے سے بھڑک جاتے ہیں؟ سی۔ بی۔ آئی۔ کے انسٹی ٹیوشن کو سراسر مس یوز کیا گیا ہے اور۔۔۔۔۔مداخلت۔۔۔۔۔

†Transliteration of Urdu speech.

†श्री शाहिद सिद्दिकी:मैडम, मैं यह कहना चाहता हूँ कि जूदेव साहब जो रंगे हाथों पकड़ें गए, उनके खिलाफ एफ.आई.आर. न करके जोगी के खिलाफ एफ.आई.आर. की गई। चलिए, आपने यह ठीक किया लेकिन जूदेव के खिलाफ एफ.आई.आर. दर्ज करके उनको गिरफ्तार करके क्यों नहीं पूछ लिया जाता कि कौन था आपको देने वाला? ये कहते हैं कि पहले यह पता लगाओ कि देने वाला कौन था? तो आप उसको गिरफ्तार कीजिए, उससे पूछिए कि कौन था देने वाला तुमको रिश्वत? उन्होंने इस बात को कुबूल नहीं किया बल्कि उससे बड़ा गुनाह उन्होंने यह किया कि अपने इस गुनाह को छुपाने के लिए जो बातें उन्होंने कही हैं, वे बड़ी शर्मनाक हैं। देश के लिए बहुत शर्मनाक हैं। उन्होंने यह कहा कि यह पैसा मैं रसद के लिए ले रहा था। किस बात की रसद? कि कनवर्जन को रोकने के लिए जो फ़ौज बनानी है, उसके लिए मुझे जो रसद चाहिए, उस रसद के लिए मैं यह पैसा ले रहा था। टेलीविज़न पर उन्होंने यह बात कही है मैडम।...(व्यवधान)...

उपसभापति:अहलुवालिया जी, प्लीज...

†श्री शाहिद सिद्दिकी: इस तरह की शर्मनाक बात उन्होंने कही और उन्होंने महात्मा गांधी का नाम लिया। उन्होंने कहा कि महात्मा गांधी बिड़ला से पैसा लेते थे। उन्होंने अपने आप को महात्मा गांधी से मिलाया। यह बहुत ही शर्मनाक बात है। इसके बावजूद ये लोग इस चीज़ को कंडोन कर रहे हैं, इस पर सफाई पेश कर रहे हैं। मुझे शर्म आती है। आज पूरे देश में सवालिया निशान लग गया है coalition के ऊपर और उसके लिए जिम्मेदार जो लोग हैं, जो रिश्वत लेते हैं कैमरे के आगे-चाहे वे बंगारु लक्ष्मण हों, चाहे जूदेव हों- जब पैसा लेते हैं तो हमें शर्म आती है आज सड़क पर जाते हुए। आज आम हिंदुस्तानी देख रहा है कि किस तरह से यह गलत काम हो रहा है। उसके बाद प्रधान मंत्री आकर उसको जस्टिफाइ करते हैं। सी.बी.आई. का नाम लिया जाता है लेकिन सी.बी.आई. के इंस्टीट्यूशन को जिस तरह से बरबाद किया गया है पिछले चार सालों के अंदर, उसकी कोई मिसाल नहीं मिलती है। जैसा अभी नीलोत्पल बसु जी ने कहा कि किस तरह से बाबरी मस्जिद के मामले में सी.बी.आई. को मिसयूज किया गया और किस तरह से आज मिसयूज किया जा रहा है ... (व्यवधान)... आप इतना भड़क क्यों जाते हैं? आप सच्चाई सुनने से भड़क जाते हैं। सी.बी.आई. के इंस्टीट्यूशन को सरासर मिसयूज किया गया है और ... (व्यवधान)...

श्री एस.एस. अहलुवालिया:मैडम, एक इंस्टीट्यूशन को बदनाम करने के लिए ये स्वीपिंग रिमार्क्स दिए जा रहे हैं। अगर उनके पास कोई प्रमाण हो कि सी.बी.आई. को विध्वंस करने की कोई कोशिश की गई है तो उसको सदन के सामने पेश करें। ये इस तरह का आरोप न लगाएं।...(व्यवधान)...

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†Transliteration of Urdu speech.

شری شابد صدیقی: میڈم، دیکھئے مسلسل لگاتار ہو کر بول رہے ہیں۔۔۔۔۔مداخلت۔۔۔۔۔ اور جو بات کہی جا رہی ہے اس کو سننے کو تیار نہیں ہیں۔ یہی رویہ انکا رہا ہے۔

†**श्री शाहिद सिद्दिकी:** मैडम, देखिए मुसलमान लगातार खड़े होकर बोल रहे हैं...(व्यवधान)... और जो बात कही जा रही है उसको सुनने को तैयार नहीं हैं। यही रवैया इनका रहा है।

**उपसभापति:** अच्छा आप अपनी बात कहिए, मैं सुनने को तैयार हूँ। आप बोलिए।

شری خان غفران زابدي: اگر کسی کی موت ہو جاتی ہے تو اس کے پریوار کے اشرتوں کو آپ نوکری دینگے یا نہیں دینگے، یہ سواہ ہے۔۔۔۔۔مداخلت۔۔۔۔۔

†**श्री शाहिद सिद्दिकी:** मैडम, मुझे आपका संरक्षण चाहिए। मैं अपनी बात कैसे कहूँ?

**उपसभापति:** आप अगर उधर देखकर बात करेंगे तो...(व्यवधान)... will listen to you.

شری شابد صدیقی: آپ میری طرف نہیں دیکھ رہی ہیں۔ آپ کریپہ میری طرف دیکھئے۔

†**श्री शाहिद सिद्दिकी:** आप मेरी तरफ नहीं देख रही है। आप कृपया मेरी तरफ देखिए।

**उपसभापति:** प्लीज, आप बोलिए, बोलिए।...(व्यवधान)... नहीं तो आपका समय भी खत्म हो जाएगा।

شری شابد صدیقی: میرا وقت تو ابھی شروع ہی نہیں ہوا ہے کیونکہ مجھے بولنے کا انہوں نے موقع نہیں دیا ہے۔

**श्री शाहिद सिद्दिकी:** मेरा समय तो अभी शुरू ही नहीं हुआ है क्योंकि मुझे बोलने का इन्होंने अवसर नहीं दिया है।

THE DEPUTY CHAIRMAN: That is my job, not yours.

†Transliteration of Urdu speech.

شری شاہد صدیقی: مجھے ابھی بولنے کا اوسر نہیں دیا ہے۔ میڈم میں یہ کہنا چاہتا ہوں کہ یہ جو جسٹی فیکیشن ہے۔ کرپشن دیش میں ہے تو کرپشن سے لڑنا ہے، کرپشن بری چیز ہے لیکن کرپشن کا جسٹی فیکیشن اس سے بھی زیادہ خطرناک چیز ہے۔ کرپشن سے آپ لڑ سکتے ہیں لیکن کرپشن کو جسٹی فائی کرے دیش کا پردھان منتری اور دیش کی سرکار تو پھر کرپشن سے لڑنا بڑا مشکل ہو جاتا ہے۔ آج جس طرح سے کرپشن کو جسٹی فائی کیا جا رہا ہے، آج جس طرح سے کرپشن کو بڑھاوا دیا جا رہا ہے۔ آج کرپشن میں مہاتما گاندھی کا نام استعمال کیا جا رہا ہے، مہاتما گاندھی کا نام کرپشن کو جسٹی فائی کرنے کے لئے استعمال کیا جا رہا ہے، یہ بہت ہی خطرناک اور .....مداخلت..... بھگت سنگھ کا نام لیتے ہیں یہ لوگ .....مداخلت.....

†**श्री शाहिद सिद्दीकी:** मुझे अभी बोलने का अवसर नहीं दिया है। मैडम, मैं यह कहना चाहता हूँ कि यह जो जस्टिफिकेशन है, करप्शन देश में है तो करप्शन से लड़ना है, करप्शन बुरी चीज है। लेकिन करप्शन का जस्टिफिकेशन इससे भी ज्यादा खतरनाक चीज है। करप्शन से आप लड़ सकते हैं लेकिन करप्शन को जस्टिफाई करे देश का प्रधानमंत्री और देश की सरकार तो फिर करप्शन से लड़ना बड़ा मुश्किल हो जाता है। आज जिस तरह से करप्शन को जस्टिफाई किया जा रहा है, आज जिस तरह से करप्शन को बढ़ावा दिया जा रहा है, आज करप्शन में महात्मा गांधी का नाम इस्तेमाल किया जा रहा है। महात्मा गांधी का नाम करप्शन को जस्टिफाई करने के लिए इस्तेमाल किया जा रहा है, यह बहुत ही खतरनाक और...(व्यवधान)... भगतसिंह का नाम लेते हैं ये लोग।...(व्यवधान)...

**श्रीमती सरला माहेश्वरी:** गंभीरता को खत्म किया जा रहा है। कृपया आप माहौल को सही करें ताकि सही ढंग से...(व्यवधान)...

**उपसभापति:** देखिए, ऐसा है अगर आप सही मायने में चाहते हैं कि एक मीनिंगफुल डिबेट हो और जो देश के करप्शन के लिए हम सबके दिलों में जो दुख है जैसा कि हम लोग जाहिर कर रहे हैं तो It is better that we have a meaningful debate, स्वीपिंग रिमार्क किसी ऐजेंसी पर लगाना या किसी व्यक्ति पर लगाना सही नहीं है।

You should discuss it in the spirit in which the discussion should take place in the House; otherwise, we will be disrupting each other and in the process the whole parliamentary system will be destroyed.

†Transliteration of Urdu speech.

"ختم شد"



†श्री शाहिदी सिद्दिकी: मैडम, मैं एक बात कह रहा हूँ कि अगर आप महात्मा गांधी का नाम लेकर, भगतसिंह का नाम लेकर करप्शन को जस्टिफाई करने की कोशिश करेंगे तो आप इससे करप्शन को दूर करने वाले नहीं हैं। आप देश के खिलाफ उन आइडियल्स को डिमोलिश करने का काम करेंगे, आप देश को यह बताने का काम करेंगे कि हम करप्ट हैं और हम इस हमाम में नंगे हैं, बाकी जितने भी हमसे पहले थे जिनको हम एक इज्जत और सम्मान देते हैं, वे भी इस हमाम में हमारे साथ शामिल हैं। यह बड़ी खतरनाक चीज है और आप यह जस्टिफाई करें, यानी वे मान रहे हैं। जूदेव जी ने तो बार-बार माना है कि हां, मैंने पैसा लिया है और वे मानते हैं कि इसलिए लिया कि मैं कन्वर्जन को रोकने का बड़ा भारी प्लान कर रहा हूँ। मैडम, यह बड़ी खतरनाक बात है, आप उसको कम्युनल कलर दे रहे हैं। करप्शन को भी कम्युनल कलर दे रहे हैं। यह एक बड़ी खतरनाक बात है। मैं तो आपसे यही रिक्वेस्ट कर रहा हूँ कि इन लोगों को, इस सरकार को बताया जाए कि करप्शन के बारे में दो पैमाने न अपनाएं, एक जोगी के लिए और एक जूदेव के लिए। दोनों के लिए एक ही पैमाना इस्तेमाल करें। अगर ये दो पैमाने इस्तेमाल करेंगे तो कानून की अपनी जो अहमियत है, अपनी जो वकत है, अपनी जो इज्जत है, अपना जो इकबात है, वह खत्म हो जाएगा। जब कानून का इकबाल नहीं होता तो मैं एक बात फिर कहूंगा कि किसी भी देश में किसी भी समाज में जंगल का राज होता है। कानून के दो पैमाने होते हैं तो लोगों को यह एहसास नहीं होता कि कानून में हमें बराबर सजा मिलेगी। हम यह मुसलमान देख रहे हैं। मैं तो कहूंगा कि गुजरात के अंदर हमने इस चीज को देखा है। हम मुसलमान इस देश में इस चीज को देख रहे हैं कि कानून के दो पैमाने इस्तेमाल कर रहे हैं...(व्यवधान)... आप सच्चाई सुनते ही भड़क उठते हैं। यह भी एक बड़ी खतरनाक बात है। यह लोकतांत्रिक बात नहीं है कि आप सच्चाई को सुनने को तैयार न हों। आप दूसरे आदमी को बोलने का मौका न दें और उसके बाद आप यह कहें कि साहब, हमारे नेता बहुत ही ज्यादा मान्य हैं, बहुत बाइज्जत हैं। उनके बारे में कोई शब्द नहीं कहिए। हम अटल जी की बड़ी इज्जत करते हैं। अटल जी के बारे में कोई बात नहीं कहना चाहते। लेकिन अटल जी जिस फौज को लेकर चल रहे हैं, बंगारू लक्ष्मण और देश की, और मेरे साथियों की, यह फौज कोई सही रास्ते पर ले जाने वाली नहीं है। जब फौज गलत हो तो उसका जो सिपहसालार है, उसका कमांडर इन चीफ है, उसकी नीयत और बातों पर भी सवालिया निशान लग जाता है। आज हमारे सामने यह सवाल है। इस सवाल पर हमें आज गंभीरता से बात करनी चाहिए और सोचना चाहिए और सरकार को ईमानदारी के साथ एक पैमाने अपनाते हुए जूदेव के खिलाफ कार्यवाही करनी चाहिए। उनके खिलाफ एफआईआर दर्ज करनी चाहिए। उसकी पूरी इन्क्वायरी करनी चाहिए और उन्हें गिरफ्तार करना चाहिए। एक मिसाल इस मुल्क में कायम करनी चाहिए कि जो लोग करप्शन कर रहे हैं, जो लोग खुले आम पैसा ले रहे हैं, जो पैसे को खुदा बता रहे हैं, जो देश की खानें बेचने की बात कर रहे हैं। जो कहते हैं कि मैं मुख्यमंत्री से कुछ भी करा दूंगा। बेचारे नवीन पटनायक जी का

नाम इन्होंने लिया कि जो चाहोगे करा दूंगा, जो चाहे खाने दिलवा दूंगा। जो इस तरह के काम कर रहे हैं उनके खिलाफ साफ-साफ पुलिस कार्रवाई होनी चाहिए। अगर नहीं होगी तो देश की जनता का विश्वास इस संविधान और कानून के इक्विलिटी रूल ऑफ लॉ पर से उठ जाएगा। बहुत-बहुत धन्यवाद।

SHRI KAPIL SIBAL: Madam, thank you for giving me this opportunity to participate in this debate on behalf of my party. I have been listening with rapt attention to the proceedings thus far. And, before I start, I just want to place on record of this House what happened in that episode that was printed on the 16th of November in the *Indian Express* because that will clarify some of the issues that have been raised in this House. It was not just that Judevi was alleged and seen to betaking money and saying, "खुदा तो नहीं है लेकिन खुदा की कसम खुदा से कम भी नहीं है" —it is not just that—something else happened before that which has perhaps, slipped the notice of many of my colleagues. There is a rustling of note, and Mr. Rateria tells the person who brings the note, "ऐसा मत करो प्लीज। आप रोज-रोज ऐसा करते हैं"। so it is not a one-time operation. It is a consistent conduct that is to be looked into by any investigative agency. This is not, perhaps, the first time that in Room No. 822 of Taj Mansingh that the money was taken. This conversation suggests that on a regular basis the money was being paid to Judevi. And for what wonderful purpose, I don't want to comment on it. The hon. Ministers and the Government are free to take money like this and say that they are spending it for charitable purposes. We have no problems on that. The people of this country will then deal with it. But this, Madam, is the reality. Now, having said that, Dr. Singhvi raised a most wonderful point, and I was absolutely amazed. He said, "Look, it is important to establish the identity of the person who gave the money." Yes, it is very important; I entirely agree with Dr. Singhvi. So, forget the CBI. We will assume that the CBI is not an expert body, that they know nothing about law. Take an ordinary man. If he looks at what has happened, he sees the tape; he sees somebody giving the money; that somebody's name is Rahul; he sees the Minister receiving the money; he hears Mr. Rateria saying, "आप रोज-रोज ऐसा क्यों करते हो?" so, what would be the immediate impulse of that ordinary man? He will pick

up the phone, ring up Mr. Judev and ask him, "Who gave you the money?" And, he would ask him: Why do you say "आप रोज-रोज ऐसा क्यों करते हो?" And the moment that happens, the identity of the person will be established. So, you don't have to conduct a complex, convoluted, preliminary inquiry, which the Prime Minister talks of in his statement, to find out the identity of the person, because the identity of the person who took the money is clear; I suppose, you don't doubt that. He is a public servant, He is not, under the Prevention of Corruption Act, entitled to take money and thus he is an accused. So, what is this preliminary enquiry meant to do? The identity of the public servant, who receives the money, who is an accused in this case, is not in doubt. So, why have you not registered an FIR? Please answer that question. Now, what is even more interesting and that also emerges from the Prime Minister's statement. This happened on the 16th of November. The Prime Minister made his statement on the 10th of December. In paragraph 4 of the Prime Minister's statement, this is what I read, "The CBI has also sent notices to both Judev and Shri Rateria, requiring them to appear before the CBI". What does this mean? It means, almost one month has passed, they have neither picked up the phone to find out nor have they asked Judev and Rateria to be before the CBI. So, what is the inquiry that is being conducted? That is why we said that there is cynicism in the people of this country because in the case of Jogi, within five days, without a preliminary inquiry, an FIR was registered. These are the double standards we are talking about. In the case of *Tehelka*, two-and-a-half years have passed, neither a preliminary inquiry nor an FIR! What is interesting...(Interruptions) That is why, Madam, when Dr. Singhvi was talking about in wonderful terms that the Prime Minister has said that what is wrong in saying that the CBI must take appropriate action. This is what is wrong. That in the case of Jogi, the appropriate action is FIR; in the case of Judev, the appropriate action is a preliminary inquiry and in the case of *Tehelka*, the appropriate action is neither an FIR nor a preliminary inquiry. That is the appropriate action that we are concerned about.

Now, remember, Madam, the hon. Prime Minister was the one who originally said, "My Government believes in zero per cent tolerance towards corruption". I remember those words. I was thrilled

in my heart that here we have a man who is going to stand up to standards in public life. What do I see at the end of the five-year term? Warm embraces towards all those who are corrupt; a 100 per cent tolerance towards corruption. And, here is this man—I am not talking about myself because I had admired him for a long time—who was a colossus in the eyes of the public. He was a giant, when he came to the public life. Now, the ordinary man has started seeing him as no different from an ordinary human being. The Prime Minister has reduced himself, through this statement, and whatever this Government has done, to an ordinary human being. We don't expect the Prime Minister of this country to be just an ordinary human being. Don't let that happen.

The last sentence in his statement hurts me even more. He says, "I would like to assure this august House that the truth will soon be out and the law will take its course". Madam Deputy Chairperson, the truth is already out, and the law is taking another course. That is the reality of the situation. The Treasury Benches were really upset when we talked about the double standards of the CBI, and my good friend, Nilotpal Basu, was pointing that out. I have, and I will place before you, Madam, the statement of the Director of the CBI, who was dealing with this issue. It is pure literature, when we read it. What does he say? "When the Judev tape came to the CBI," to his notice, this is what the CBI Director says, "the investigations have started. We have asked the *Indian Express* for the video cassettes". You will see the similarity of the statement of the Director of the CBI with the statement of the Prime Minister. I am sure, that is coincidental; I am not saying that the Prime Minister has issued any instructions. Probably, the CBI Director thinks the same way as the Prime Minister. Then he is asked, why have you not started these investigations? He says, "Let us first get the tape, and after examining the tape, we will decide whom to talk to." Then, when another question was put to him, he said, "We have to find out whether it is a credible happening." So, he doesn't believe that Judev is Judev. Judev says he is Judev. But the CBI Director says, "No, I can't believe it. He may be somebody else." After all, that is a genuine fear in the mind of the CBI Director! Who knows? He says, "We have to find out whether it was credible happening or a sting operation, and whether something had been contrived. All these things are necessary." So, he is saying

the same thing which the Prime Minister is saying, "We have to find out who did it." He does not want to find out who received the money, but he wants to find out who did it. Wonderful, because he thinks like the Government. According to the CBI Director, "What was shown on television was unclear. We have no idea who is the gentleman offering the bribe?" Please pick up the phone and ask Judev, "Who offered him the bribe?" He is the best person to tell you. You don't need to investigate the rest of the country to find this out.

That will be a basic part of the investigation, it is a must to establish the unmasked mistakable identity of the person. That is exactly what the BJP has been saying to the public at large. The CBI Chief says, "The motive behind the operation also has to be investigated." This is the statement of the Director of the CBI, who says, "Before I do anything else, I must find out the motive of the operation."

We, Madam, have come far away from those days, when the issues of the motives were relevant at all. If motive was the criteria, could it ever had happened that the entire Watergate issue should have been before the people of that country? In Watergate, nobody asked the question: Who is deep throat? Nobody asked that question. Nobody asked this from Carl Bernstein Team. Nobody asked it of Bob Woodward. And they bugged what? The meeting of the National Committee of the Democratic Party. Yet, till date, we don't know who deep-throat was. The American public said: "First find out who deep-throat was, and then deal with President Nixon."

Are these the standards that we want to set in this country? I don't want to be legalistic, because I don't want to be legalistic in this House; but I just quote you two passages from two judgments of the Supreme Court. The Law Minister, of course, is the master of law, and he always gives advice. But this is what the Supreme Court says on tapes and on illegal searches, because, for example, if somebody has done this, it is .an illegal search. What does the Supreme Court say? It says, "In considering whether an evidence is admissible, the test is whether it is relevant to the matter in issue and, if it is relevant, the Court is not concerned with the method by which it was obtained."

This is the law of the country, and you are saying, "First tell me the method, then I will find out." The law says otherwise. I will give

you another judgment. This is a Privy Council judgment followed by Supreme Court 1985 3SCC 72. It is the same thing. It says, "Illegality of the search doesn't vitiate the evidence collected during such illegal search."

We will assume now that this entire search was illegal. But it doesn't take away the fact that Judev is an accused. It doesn't take away the fact that an FIR has to be registered. Then, why is the Prime Minister talking of an inquiry? The problem is political, the problem is not legal. Because, when elections are on, what were the statements made by the leaders of the BJP about Judev? Naiduji said, he is honest. He saw the tape, he saw him receiving money. But, Shri Naiduji, the President of the BJP said that he was honest. It was a vilification campaign, a conspiracy. This is what he said.

Mr. Jaitley said that the credibility of the video was doubtful. This is exactly what the CBI Director said, but contrary to the Supreme Court. Then what did Advaniji said? He said this. Describing allegations as a queer kind of a case — now it becomes a queer kind of a case,—"so far nobody knows what is the source of the recorded material." This is exactly what the CBI Director says. We do not say that he was giving instructions, but obviously, they were thinking alike. He said, "So far nobody knows what is sources of the recorded material. Even the newspaper that published it, is believed to have obtained it from a different source." Then, of course, how could they leave Judev? They needed him for campaign. So, what did they say? They said, "Judev remains an important star campaigner for us." So, the fact of the matter is that politically they could not afford to deal with Judev because they thought that it may have an adverse effect. ,So, the political game is clear — 'forget about corruption, forget about zero tolerance, what is the need of the hour is to win elections and we have no principles.' You have shown it. In the past five years you have shown how you have thrown principles into the dustbin. But you see the double standards. When it comes to Jogi where the man says, 'this is not my voice' — whether you believe it or not, that is another issue — what does the Law Minister say and I quote him, "We have tied up every angle of the case. ...(*Interruptions*)... We have tied up every angle of the case. A public servant has said on tape that he is prepared to offer bribe." The Judev tape case is a

case of offering bribe and taking it. Jogi tape is a case where he is prepared to offer bribe. This is a criminal act for which Jogi must go to jail." What kind of standards are these where the Law Minister says in one case, that if you are prepared to give an offer of bribe, you must go to jail, but in another case where the man has taken the bribe, there should be a preliminary inquiry. What are these standards? Please explain to us. At least the people of this country do not know. They want to be enlightened. Madam, the fact of the matter is that this country, the political establishment of this country—I do not want to sound partisan now — and all political parties have to actually deal with this very, very important issue as to how to reduce corruption in our country. Dr. Singhvi mentioned about Transparency International, which is an international watchdog on corruption, and we are at number 83 in the list of the Transparency International. What the Transparency International says is that India loses 1.3 per cent of its GDP on corruption every year. Seven billion dollars are lost by private business because they have to give bribe to public servants. So, you may save Judev one day, you may say save the Tehalka people one day. But the fact of the matter is that you are in the process not wanting, not showing the political will to deal with that issue. By issuing these statements, we have nothing else to do but to be cynical. If you remember, Dr. Singhvi said, "Why have you been cynical?" We have been cynical because you know the facts, you the persons who are guilty, the CBI knows it, you know it, your Ministers know it. You adopt different methodologies in different cases to suit your political purposes. That is why we are cynical. We do not want to be cynical. We want to cooperate with you. We have at no stage, no Member of the Congress Party has at any stage said, "We do not want an inquiry into who did it." We have not said it. So, please inquire into who did it because according to the CBI Director — and that is another statement I forgot to mention, Madam Deputy Chairperson — when he was asked a question, "Why are you finding out as to who did it?", his answer was and I quote because this is very important for my next point — he said, 'entrapment is an offence.' I heard the treasury benches just now saying, when my learned friend said that Advaniji and the Law Minister were involved in it, they said 'what is wrong with it?' ... (*Interruptions*). ...I heard that. Now, the CBI Director says, 'entrapment is an offence.' Has the CBI Director made Mr. Arun Jaitley and Mr. L.K. Advani an accused because if according to him, entrapment is an offence, then an FIR has to be registered against Mr. Advani and Mr. Arun Jaitley? So, either the CBI, in the case of Jogi, will say entrapment is not an offence or...

[11 December, 2003]

RAJYA SABHA

श्री बालकवि बैरागी (मध्य प्रदेश): जेठमलानी जी सहमत हैं?

SHRI KAPIL SIBAL: It is possible. He may say in the case of Jogi entrapment is not an offence. And, in Judge's case, it is an offence because it all depends on the thinking of the Government.

श्री प्रेम गुप्ता: दो तरह के कानून हैं।

SHRI KAPIL SIBAL: I remember the days when the CBI was after Mr. Lalu. Everyday there was an application in Court. We had to defend it on a daily basis. When it came to Tehelka, everyday, there was an application against either Global or Tehelka. There was no application against others. Mr. Jethmalani was defending them. He knows it well. I know how he went through. The fact of the matter is the Government, the treasury benches, the hon. Prime Minister, are not being sincere to the people of this country. I do not say that they are directly interfering in what the CBI is doing. But the public perception seems to be that either the CBI is more than willing to do what the Government wants it to do, or, the Government is through certain means, ensuring that the CBI is doing what it wants the CBI to do. There are only two possibilities. Therefore, when Dr. Singhvi said that we should be in the process of nation building, that is, precisely, what our point is. We should be in the process of nation building. And, through this process, do not destroy our institutions. I agree with Dr. Singhvi. You are through your double standards and your double speak, destroying the institutions of this country, whether it is judiciary or the Human Rights Commission or the Election Commission or any other institution. You are destroying them. You are even destroying the exalted office of the Prime Minister because he should not be seen to be an ordinary man. And, unfortunately, the people of this country, now, have recognised that this Government can give them no better. Thank you very much.

THE DEPUTY CHAIRMAN: Shri Ravi Shankar Prasad.

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI RAVI SHANKAR PRASAD) : Madam, I am, indeed, grateful...

श्री सुरेश पचौरी: कौन सा केस हाथ में लिया है?



श्री रवि शंकर प्रसाद: मैं हमेशा अच्छे केस ही लेता हूँ सुरेश भाई। I am indeed, grateful for giving me the opportunity to make my submissions on the statement of the hon. Prime Minister. It is very clear and categorical as to how the Government of India views the entire issue of corruption and that must be investigated fairly and properly. I have been listening to the speeches of the very eminent speakers from the other side of the House. I heard Bhardwajji speaking about the institutions and their degeneration. Since I was an activist, I got reminded of the Emergency days, I got reminded of the supersession of the judges of the Supreme Court, I got reminded as to what happened to the media, I got reminded of the whole lot of things that even a person like Lok Nayak Jaiprakash Narain had to move the High Court in Mumbai to get permission to sit under the sunlight when he was suffering from kidney ailment. A great experience, under the Congress rule of institution building, came to my mind when Mr. Bhardwaj was talking about the institutions. My friend, Mr. Nilotpal Basu, an eminent leader, talked as to how the CBI's autonomy is being completely compromised or bulldozed. As a political activist, I have been going to Bengal from time to time. Other parties have been making allegations, particularly in some parts of the rural Bengal. But, howsoever true the allegations would be, an FIR would not be launched if the party office says 'no', and, howsoever silly the allegations would be, an FIR would be launched if the party office says 'yes'...*(Interruptions)*...

SHRI K. RAHMAN KHAN (Karnataka): Are you justifying that?  
...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: I am not justifying. I am talking about Mr. Basu's record ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Let him speak ... *(Interruptions)*.. This is not fair... *(Interruptions)*. ..Please, let him speak ...*(Interruptions)*... He did not disturb anybody ...*(Interruptions)*...

SHRI A. VIJAYARAGHAVAN: Is the Minister saying this?  
...*(Interruptions)*... Has he got the evidence? ...*(Interruptions)*...

श्री सरला माहेश्वरी: मैडम, ...*(व्यवधान)*...

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

[11 December, 2003]

RAJYA SABHA

I am sitting here ...*(Interruptions)*... I never saw Mr. Ravi disturbing anybody ...  
*(Interruptions)*...

श्रीमती सरला माहेश्वरी:मैडम, ...*(व्यवधान)*... राज्य के बारे में जो यह बात कह रहे हैं, वह  
रिकार्ड में नहीं जानी चाहिए।...*(व्यवधान)*...

उपसभापति:एक मिनट। आप बैठिए।...*(व्यवधान)*...बैठिए, बैठ जाइए। He did not  
disturb anybody. Please, as Mr. Kapil Sibal ...*(Interruptions)*...It is not the  
question ...*(Interruptions)*... Let him speak ...*(Interruptions)*..The discussion is  
going on in a very proper manner. Now, please let him speak.  
...*(Interruptions)*... No, please keep quiet. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, so far as corruption is  
concerned, the great legacy of Congress Party in the last forty five years,  
starting from 50's to 60's to 70' to 80's is quite well known. Ever their Prime  
Minister had to suffer investigations in corruption cases, not only one Prime  
Minister, but two Prime Ministers. One Prime Minister got the rule bended  
when the Opposition leaders were in jail in order to remain in power.  
Therefore, the moral posturing, which emanates in brilliant English or  
sophisticated Hindi from that types, at times, makes one to reflect upon their  
duress in the Court, and there lies the double standards, which I would like to  
highlight. Madam, one issue has really distressed me. We are in power today;  
they can be in power tomorrow. That is the part of the democracy, but to make  
sweeping comments against any institution, is certainly not fair. The reason as  
to why I am making this statement is, the CBI was completely condemned in  
the wildest language possible. Is it fair? Kindly take one case. Here is a  
situation, where people are filing public interest litigations in courts after  
courts, wherein they have wanted that this case should go to the CBI. We  
daily see it in newspapers. Why is it happening? It is happening because there  
is a basic trust in the CBI. What is happening in the Telgi scam? Why is there  
a conscious reluctance on the part of the Congress Party, on the part of  
certain Chief Minister not to ... *(Interruptions)*...,Yes! Yes! *(Interruptions)*.What  
is happening in that ...*(Interruptions)*... Madam, what is happening in that  
matter? ...*(Interruptions)*...

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

He has a right to speak; you have a right to speak; they have a right to speak. Have patience to listen. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, I was listening to Mr. Kapil Sibal, a man of great gradation and powerful eloquence, about his treatise on corruption. He did not speak even a word about Telegi scam, involving rupees thirty thousand crores! .. *(Interruptions)*...Madam, what is this? I should be allowed to speak ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Never mind. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, I should be allowed to speak. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: I would like to say one thing. ...*(Interruptions)*..  
An this whole discussion, which I have been listening for about an hour, many corruption cases have been referred to. If every speaker had confined himself to the subject, which is under discussion today, I would not have said anything. But as everybody has a right to put his viewpoint through whatever example he wants to give, you should listen. What is wrong in it? ...*(Interruptions)*...He has a right to speak what he feels right. He is not going to speak what you want. He is after all in your opposition. So, he will speak what he thinks right. He is not going to speak your language. So, you have to have patience. When Mr. Kapil Sibal was making his point, he was listening to him. So, have patience to listen, now. Please keep quiet. This is not the way. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, the reason why I am being constrained to make this reference is, a constant reference came about double standards. Police officers had commented about implications of certain Ministers in some of the Governments, ruled by the Congress party, in the Telegi scam, involving rupees thirty thousand crores. What have been their standard? What about their double standard? And, this particular scam has larger ramifications — national as well as international. Obviously, plain common sense dictates that one State police cannot go to the entire depth of the conspiracy. You would really appreciate it. Therefore, at least, the Congress party should stop talking about double standards. Madam,

a lot of press statements have been referred to. This morning, I also read a press statement in the Hindustan Times about the Leader of Opposition in the Lok Sabha, Shrimati Sonia Gandhi. She has made a very curious statement. I would like to read that. It says, "Mr. Jogi had no business trying to use all kinds of means to split the BJP. That is why have suspended him." ...*(Interruptions)*.. Have patience! Have patience! Madam, there is an acknowledgement... *(Interruptions)*...

THE DEPUTY CHAIRMAN: Please listen ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: There is an acknowledgement by their leader that he was using all sorts of means to split the BJP. But the question I am putting is this. Why is this realisation now? Mr. Kapil Sibal ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Just one minute please ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Mr. Kapil Sabal talked of double standards. Here is a case where ...*(Interruptions)*... Madam, I should be allowed to speak. This is very unfair.

**उपसभापति:** देखिए यह सही नहीं है। आप किसी को बोलने नहीं दे रहे हैं।...*(व्यवधान)*...

SHRI RAVI SHANKAR PRASAD: Madam, I should be allowed to speak. I did not disturb anyone.

THE DEPUTY CHAIRMAN: Everyone has a right to speak in this House. They are elected to do that ...*(Interruptions)*...

SHRIMATI AMBIKA SONI (NCT OF DELHI): Madam, when Mr. Bhardwaj was speaking, they were all disturbing ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: No, no ...*(Interruptions)*... I was not there at that time. I would have stopped them ... *(Interruptions)*... If I were there on the Chair, I would have stopped *them*...*(Interruptions)*... A was not there in the Chair... *(Interruptions)*... I did not allow anybody to disturb Mr. Kapil Sibal when he was making the statement. What happened before that, when I was not in the Chair, I am not responsible for that ...*(Interruptions)*... Please listen to the speech. You have a speaker, he can reply. They can reply, you can reply. But let us have a meaningful discussion. He is making his point. Let him make his point. You make your point, whatever it is ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, I am grateful to you. Mr. Kapil Sibal talked about double standards. Now, see the double standards in the Judeo case and all the issues relating to Mr. Ajit Jogi. Based upon a spurious tape, under completely spurious circumstances, something comes in the newspaper about Mr. Judeo. He resigns. The Prime Minister accepts the resignation. He demands for a fair probe.

Here is a case of Mr. Ajit Jogi, who becomes a member of the IAS, based upon other caste consideration, who becomes a Member of Parliament, based upon other caste consideration, has charges framed against him by a court in Shahdol. Proceedings have been instituted against him questioning his caste status by a competent constitutional authority. Here is a case where Mr. Ajit Jogi writes a spurious letter to the Prime Minister. The Prime Minister sends it to the CBI. The CBI examines it, takes his statement and comes to the conclusion that a forged letter was deliberately used by Mr. Ajit Jogi. Three instances of proper proceedings against him coming to a logical conclusion after investigations! Yet, he was not even asked to resign. On the contrary, he was painted as the poster boy of the Congress Party for the election in Chhattisgarh. That is double standard. This is double standard. And they are lecturing us on double standards. It is something very truly astounding. And today when Mr. Ajit Jogi has become a liability—why I said it was a very curious statement—certainly, he would not have been dumped had he not really shown the courage to even use the name of Mrs. Sonia Gandhi on the tape ...*(Interruptions)*...

SHRI RAJU PARMAR: No, No ...*(Interruptions)*...

SHRI SURESH PACHOURI: Please show the document where he used the name ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: If you list a discussion on Mr. Ajit Jogi's case, then, definitely, his name will come. So, if you are doing this, then, you are pre-empting that is should not be discussed. So, let him speak, सुनिए तो।...*(व्यवधान)*... No; no...*(Interruptions)*...He has a right to speak.

SHRI RAJU PARMAR: He is quoting our Leader...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, I did not complete ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: You complete your speech ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Then, I should be allowed to complete my speech...*(Interruptions)*...I should be allowed to speak...*(Interruptions)*...What is this? ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Yes, he is quoting, I know ...*(Interruptions)*... Many names have been quoted...*(Interruptions)*...Hon. Members, I have been ...*(Interruptions)*...

श्री सुरेश पचौरी: उन्होंने कहा कि नाम यूज किए हैं बताइए!...*(व्यवधान)*...

श्री एस.एस.अहलुवालिया: मैडम, सच्चाई कड़वी लगती है!...*(व्यवधान)*...

उपसभापति: अहलुवालिया जी, आप बैठिए। You please sit down ...*(Interruptions)*... Take your seat, please ...*(Interruptions)*... बोलिए, आप अपना भाषण कम्प्लीट करिए।

श्री सुरेश पचौरी: मैडम, मैं आपके जरिए माननीय सदस्य को कोट करना चाहता हूँ कि वे डोक्यूमेंट बताएं जो इस केस के संदर्भ में अजीत जोगी जी ने सोनिया जी का नाम बताया है। कृपापूर्वक बताइए!...*(व्यवधान)*... आप एक सम्मानित मंत्री हैं। गलत ...*(व्यवधान)*... ऐसा नहीं होता है!...*(व्यवधान)*...

उपसभापति: माननीय सदस्य आपसे कुछ सवाल कर रहे हैं। आप जवाब दे दीजिए...*(व्यवधान)*...

श्री सुरेश पचौरी: महोदया, उसमें उनके नाम का उल्लेख नहीं है आप गलत बात कह रहे हैं!...*(व्यवधान)*...

SHRI RAVI SHANKAR PRASAD: Madam, should I say something? ...*(Interruptions)*...

उपसभापति: आपसे सवाल किया है। आप से कुछ पूछ रहे हैं। आप जवाब दे दीजिए। उनकी कुछ क्वेरीज हैं उनका आप जवाब दे दीजिए।

SHRI RAVI SHANKAR PRASAD: Madam, the discussions have come on television a number of times. ... *(Interruptions)*... We have watched it. ...*(Interruptions)*... Mr. Pandey, specifically, asked Mr. Ajit Jogi, "has it Sonia Gandhi's support?" He said, he will, certainly,

ensure that. What are you talking about? It is a matter of investigation  
...(Interruptions)...

AN HON. MEMBER: Madam, he is misleading the House  
...(Interruptions)...

श्री सुरेश पचौरी:मैडम, मेरे पास उस टेप का ट्रांसक्रिप्ट है। मैं माननीय मंत्री जी को बताना चाहता हूँ कि वह गलत बात कह रहे हैं।...(व्यवधान)...

उपसभापति:आप बैठ जाइये।...(व्यवधान)...

श्री रवि शंकर प्रसाद:ठीक है।...(व्यवधान)...

श्री सुरेश पचौरी:उस टेप का ट्रांसक्रिप्ट मेरे पास है। उसमें उनके नाम का उल्लेख नहीं किया है। यह गलत बात है।...(व्यवधान).... इन्होंने उनके नाम का उल्लेख करके ...(व्यवधान)...

उपसभापति:सुरेश पचौरी जी, ...(व्यवधान).... एक मिनट। आप बैठिये।...(व्यवधान)...

श्री सुरेश पचौरी:मैडम, जो गलत बात कही है उसको रिकार्ड से निकाला जाये।...(व्यवधान)...

उपसभापति: आप बैठ जाइये।...(व्यवधान)....can speak with one person at a time. Mr. Suresh Pachouri, I can hear you; you don't have to shout..  
...(Interruptions)...

श्री सुरेश पचौरी:लेकिन मैडम, ये जो गलत कह रहे हैं क्या इसको सिद्ध करेंगे?  
...(व्यवधान)...

THE DEPUTY CHAIRMAN: Please sit down...(Interruptions)... Please take your seats, all of you. Mr. Pachour, your Party has been allotted time. You are most welcome...(Interruptions)... Just one minute...(Interruptions)... You can mention, whatever you want to mention, about it ... (Interruptions).. .If everybody gets up, I am not going to answer...(Interruptions)...Please sit down..I am talking to one person, not to everybody...(Interruptions)... आप बैठ जाइये।...(व्यवधान)....Please take your seats...(Interruptions)...Please take your seats...(Interruptions)...You cannot speak...(Interruptions) आप बैठ जाइये।...(व्यवधान)...

श्री सुरेश पचौरी: लीडर ऑफ अपोजीशन के नाम का जिक्र उस टेप के संदर्भ में करना गलत है जो कि उस टेप में है ही नहीं।... (व्यवधान)... मैडम, जो बात उस टेप में है ही नहीं उसको या तो रिकार्ड से विलोपित करें या वे रिकार्ड में अपने शब्द वापस लें... (व्यवधान)...

THE DEPUTY CHAIRMAN: Just one second. I will look into the record and see, please sit down. I cannot say more than that ... (Interruptions)... I will look into the record what has been said ... (Interruptions)...

श्री एस.एस. अहलुवालिया: मैडम, क्या सुरेश पचौरी जी से टेप के ट्रांसक्रिप्शन को सही मानते हैं? ... (व्यवधान)...

श्री सुरेश पचौरी: इसमें सही या गलत की क्या बात है।... (व्यवधान)...

THE DEPUTY CHAIRMAN: I will look into the record. If there is anything, I will see later, not now... (Interruptions) आप भाषण करिये।... (व्यवधान)...

श्री एस.एस.अहलुवालिया: वहां से पूछे बगैर कोई काम नहीं होता है। वहां से पूछे बगैर कोई काम नहीं होता है। यह सर्वविदित है।... (व्यवधान).... वहां कोई काम होता ही नहीं है? ... (व्यवधान)...

شری خان غفران زابدي "اثر پردیش": یہ بات بولنے کی جگہ نہیں ہے۔۔۔ مداخلت۔۔۔

† श्री खान गुफरान जाहिदी (उत्तर प्रदेश): यह \* बात बोलने की जगह नहीं है।... (व्यवधान)...

उपसभापति: आप बैठ जाइये। प्लीज सिट डाउन। \* शब्द अनपार्लियामेंट्री है and it will not go on record. I will look into the record... (Interruptions)... I told you that I will look into the record., (Interruptions)...

श्री सुरेश पचौरी: पूरे टेप में जोगी जी ने सोनिया गांधी का नाम नहीं लिया है।

उपसभापति: आप बैठिये। I said, "I will look into the record." Please sit down... (Interruptions)... After my assurance that I will look into the record and see what has gone into it, please listen to him. Let him finish, because we are not having even lunch hour and you are not allowing people to speak... (Interruptions)...

† Transliteration of Urdu speech.

\* Expunged as ordered by the Chair.



SHRI NILOTPAL BASU: Madam, I have to say something.

THE DEPUTY CHAIRMAN: Is it a point of order?

**2.00 P.M.**

SHRI NILOTPAL BASU: No; it is not a point of order, but I want to seek some clarification. We have been here for quite some time..

SHRI RAVI SHANKAR PRASAD: Madam, I have not yielded...  
(Interruptions)...

SHRI NILOTPAL BASU: Madam, can we make a statement which is, actually, incorrect and get away with it?... (Interruptions)...

**श्री सुरेश पचौरी:** पूरे टेप में जोगी जी ने सोनिया गांधी का नाम नहीं लिया है।

**उपसभापति:** आप बैठिये। I will see to it. What is right and what is wrong, I am not aware of anything. I don't have any letter. I will look into the record and see... (Interruptions)... Please sit down... (Interruptions)... I said, I will look into the record, why are you making so much confusion about it?... (Interruptions)...

**श्री एस.एस.अहलुवालिया:** मैडम, श्री सुरेश पचौरी जी बार-बार कह रहे हैं कि टेप की ट्रांसक्रिप्शन उनके पास है। क्या वे उसको ऑथेंटिक मानते हैं? ...(व्यवधान)... क्या वे ऑथेंटिकेट करेंगे कि वह टेप सही है? ...(व्यवधान)...

**श्री सुरेश पचौरी:** तहलका कांड में अटल जी का नाम दस बार आया। हमने उनका नाम नहीं लिया है।...(व्यवधान)...

**श्री एस.एस.अहलुवालिया:** क्या आप कहते हो कि टेप सही है? ...(व्यवधान)...

**श्री कपिल सिब्बल:** तहलका टेप में अटल जी का नाम कई बार आया है। इसके बारे में हमने उनके नाम का उल्लेख कभी नहीं किया।...(व्यवधान)...

THE DEPUTY CHAIRMAN: Will you please sit down? ... (Interruptions)... I promise, that I will look into the record... (Interruptions)... Please sit down. ... (Interruptions)... I will look into the records. ... (Interruptions)... This is the only way I have. ... (Interruptions)... I cannot tell it off-hand. ... (Interruptions)... I have no other way. ... (Interruptions)...

श्री प्रेम गुप्ता:आपके सामने बोले हैं। आप क्या रिकॉर्ड देखेंगी? ...(व्यवधान)... लीडर ऑफ दी आपोजीशन का नाम लिया जाए, प्रधानमंत्री का नाम लिया जाए ...(व्यवधान)... यह गलत बात है।...(व्यवधान)...

THE DEPUTY CHAIRMAN: No; I am sorry. ...(Interruptions)... Please sit down. ...(Interruptions)... I have no other way except to look into the records and see what is wrong and what is right. ...(Interruptions)... I cannot say anything without looking into the records. ...(Interruptions)... बैठिए, बैठिए, I will look into the records. Please sit down. ...(Interruptions)...

SHRI MOTI LALVORA (Chhattisgarh): Let him apologise or let him withdraw his words. ...(Interruptions)...

THE DEPUTY CHAIRMAN: I will look into the records and see. ...(Interruptions)... I will look into the records. ...(Interruptions)... Please sit down. ...(Interruptions)... Until and unless I see the records, I cannot say anything. ...(Interruptions)... बोलिए, बोलिए

SHRI RAVI SHANKAR PRASAD: Madam, I leave it to your judgement. ...(Interruptions)...

SHRI PRANAB MUKHERJEE (West Bengal): Madam, I would just like to make a small submission. Mr. Ravi Shankar Prasad has said that the tape mentioned the name of the Leader of the Opposition. Whether he has stated it or not, that you can verify from the record. But it is being challenged that in the record, there is no mention of her name. Therefore, if the Minister makes a wrong statement, and if it is found that it has gone on record, then he should either authenticate that 'what I have said is correct', or, he should apologise to the House for misleading the House. ...(Interruptions)...

श्री एस.एस.अहलुवालिया:सुरेश पचौरी जी, आप आर्थेटिकेट करिए कि सही है या नहीं।...(व्यवधान)... आप इसे आर्थेटिकेट करा...(व्यवधान)...कौन माफी मांगेगा? ..(व्यवधान)... जोगी जी कह रहे हैं कि टेप नहीं है, आप कहते हो कि वह टेप है, कौन सी सच्चाई है? वह बताओ सदन को।कौन सी टेप की बात कर रहे हैं? ...(व्यवधान)...

उपसभापति:आप बैठ जाइए ना।

SHRI PRANAB MUKHERJEE: It is not a matter of questioning. Even the Minister is taking the risk of breach of privilege. If the matter is not factually correct, he should either say that 'I am quite sure that my information is absolutely correct', and what you are saying is wrong, or, he should say that 'my information is not correct.' The question is what he has stated is on the record of the House. The question is, what he has stated, whether that is correct or not. If the Minister is quite sure of his facts, he should say, "Yes; I stand by it", and we will accept it, and if he says that 'No, I will verify my information,' he can say it, or he should *(Interruptions)*...

युवा कार्यक्रम और खेल मंत्री (श्री विक्रम वर्मा): आप सोनिया गांधी शब्द सुनकर खड़े हो जाते हैं।...*(व्यवधान)*...आगे भी तो सुनिए।...*(व्यवधान)*... आप उनको बोलने ही नहीं दे रहे हैं।...*(व्यवधान)*... आप बोलने तो दीजिए।...*(व्यवधान)*...

THE DEPUTY CHAIRMAN: Now, after what Mr. Pranab Mukherjee has said, I think everybody should sit down. I will give an opportunity to Mr. Ravi Shankar Prasad to say what he wants to say.

SHRI RAVI SHANKAR PRASAD: Madam, I was stating that the entire tape has been played on television channels a number of times. I have stated that the contents thereof have also come in the newspapers. I just spoke one sentence, and, thereafter, I was interrupted. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Let him finish. ...*(Interruptions)*... No; no; this is not correct. ...*(Interruptions)*... If Mr. Pranab Mukherjee wants him to speak, why are you objecting? I do not understand. I have asked him to give his explanation. Let him give,

SHRI RAVI SHANKAR PRASAD: Madam, I have only stated that what I was saying was that because in the nature of conversation, the name of Shrimati Sonia Gandhi came. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: I will look into the records. ...*(Interruptions)*... I will look into the records. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, this is what ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: I will look into the records. ...*(Interruptions)*... Mr. Pranab Mukherjee, I will look into the records as to what he has said. If he has said anything ...*(Interruptions)*...

SHRI PRANAB MUKHERJEE: If he has said so, what is the corrective measure? ...*(Interruptions)*.... if he misleads the House, what is the corrective measure? ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: I will look into the records as to what he said...*(Interruptions)*...

श्री प्रेम गुप्ता:मैडम, ये माफी मांगे पूरे देश से और इस हाऊस से भी।...*(व्यवधान)*...

SHRI PRANAB MUKHERJEE: He is misleading the House. The only relevant sentence here is that 'Mr. Ajit Jogi took the name of Smt. Sonia Gandhi.' The contention is that Mr. Ajit Jogi did not take the name of Smt. Sonia Gandhi. The Minister should authenticate what he has said, that Mr. Ajit Jogi took the name of Smt. Sonia Gandhi. If he says that he stands by it, I will accept it. If he says, 'no' and 'I am talking of the entire tape recorder', we are not concerned with that. We are concerned with only one sentence, which has been recorded on the tape recorder of the House that 'action was taken against Mr. Ajit Jogi when he mentioned the name of Smt. Sonia Gandhi.' The contention is that Mr. Ajit Jogi did not take the name of Smt. Sonia Gandhi. If you have the records, if you possess any record supporting that Mr. Ajit Jogi took the name of Smt. Sonia Gandhi, let the record be placed before the House. That is the correct procedure.

श्री प्रेम गुप्ता:किसी का नाम लेना ठीक नहीं है मैडम।...*(व्यवधान)*...

THE DEPUTY CHAIRMAN: Now, one second, please Can you sit down? Because, we have to solve this problem. We cannot go ahead with the problem going on there. I said that Mr. Pranab Mukherjee wants him to make a clarification as to what he really said, if there is any dispute in what he said and what he is saying now, I would look into the records and see what can be *done*...*(Interruptions)*... I told you that, I cannot go beyond that. I would go through the records. I don't have any other way to check.

श्री प्रेम गुप्ता: मैडम, अभी देखिए।

THE DEPUTY CHAIRMAN: Not अभी। अभी कभी नहीं देखते हैं। ऐसा कभी नहीं हुआ है। हाऊस ऐडजॉर्न करके देखेंगे।...(व्यवधान)... I cannot and we have not done it. I would see the records. I promise, I would see the records if there is a contradiction in what he has said and what is recorded. I will see the records...(Interruptions)...

श्री एस.एस.अहलुवालिया:मैडम, इनका डबल स्टैंडर्ड एक्सपोज़ हो गया है।...(व्यवधान)... मैडम, इनको बहस नहीं चाहिए।...(व्यवधान)...

THE DEPUTY CHAIRMAN: Let him speak. Let him finish. ...(Interruptions)...

श्री एस.एस.अहलुवालिया:मैडम, यह तो सर्वविदित है।...(व्यवधान)... हम लोग वही बात मानते हैं।...(व्यवधान)...

श्री खान गुफरान जाहिदी:मैडम, इस पर अभी फैसला होगा।...(व्यवधान)...

THE DEPUTY CHAIRMAN: Please, wait a minute ...(Interruptions)... Please, take your seat. Somehow, we have to solve this problem of what he said and what he did not say. What Mr. Pranab Mukherjee says is that आप लोग बैठ जाएंगे तो अच्छा लगेगा। मैं बोलूँ और आप खड़े रहें तो कितना खराब लगता है। अच्छा नहीं लगता है। I am just trying to run the House in a peaceful manner. And let us do it, because we have to find a solution. It is not that there is not going to be an impact at all the time. We have to continue with the discussion in the House. Now, what Mr. Pranab Mukherjee said is that if what the Minister has said is part of the record, then he wants either the Minister to authenticate what he has said, or, I can only find out whether there should be any authentication done only when I listen to the tape and see what is there on the records. Because, I have no other way...(Interruptions)... Please, do not interrupt me because I want to run this House peacefully. This is the solution that I can offer and help you in finding out. That is one thing. Secondly, Mr. Pranab Mukherjee said that 'you should get up and say what he said do you accept it or not', the latter part I would take care of. But the other part is 'do you take it or not?' There are two controversies - one what Mr. Mukherjee and others are saying and the other is what he is saying. The problem will be solved after checking all the records together.

श्री प्रेम गुप्ता:मैडम, हाउस में किसने कहा है, वेरीफाई कीजिए।...(व्यवधान)... आपके सामने इन्होंने स्टेटमेंट दी है। आप हाउस की एडजोर्नमेंट करें।...(व्यवधान)...

THE DEPUTY CHAIRMAN: I have a solution. I will not adjourn the House because we don't have enough time. I can do one thing. ...*(Interruptions)*... Just one second. आप लोग सुनना भी नहीं चाहते। do not understand what is your problem. I am trying to help. ...*(Interruptions)*...

श्री प्रेम गुप्ता:आप हाउस को एडजोर्न करिए।...(व्यवधान)... पास्ट में भी यह हुआ है। आप रिकॉर्ड देख लें।...(व्यवधान)...

THE DEPUTY CHAIRMAN: Please sit down. You are not helping. ...*(Interruptions)*... Please sit down. Ambikaji, just a minute. I would rather go and see the record and get somebody to run the House. I will not adjourn the House ...*(Interruptions)*... We do not have enough time. ...*(Interruptions)*... I will ask Shri Santosh Bagrodia to take the Chair and continue the discussion....*(Interruptions)*. ..We cannot stop; others have not spoken. ...*(Interruptions)*... Shri Ram Jethmalani has to speak and many others have to speak. I will not stop. ...*(Interruptions)*... Never mind. I will go and see the record. ...*(Interruptions)*... I will see the record. Nobody is denying. I am not denying the request to see the record. I will. But if I have to see the record, I will have to go. If I go, then somebody has to take the seat because the House has to run. Mr. Bagrodia, please come. The House is not going to be adjourned.

[THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA)] in the Chair]

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): What do we do? Please bear with me. ...*(Interruptions)*... Do you want to say something? Everybody should sit down.

श्री सुरेश पचौरी:उपसभाध्यक्ष महोदय, माननीय सदस्य जो केन्द्रीय सरकार में मंत्री भी है जब ये अपनी बात कह रहे थे तो इन्होंने इस बात का उल्लेख किया कि जब अजीत जोगी जी ने टेप में सोनिया गांधी जी का नाम लिया, उस बात को लेकर उनके खिलाफ कार्यवाही की गई है। मैंने आपके जरिए उनसे यह निवेदन किया था मेहरबानी करके बात को तोड़-मरोड़कर प्रस्तुत न किया जाए। अजीत जोगी जी ने श्रीमती सोनिया गांधी का नाम इस टेप में नहीं लिया है।

जिस संदर्भ में आप यह बात कर रहे हैं या तो आप इसको संशोधित कर लें नहीं तो इसे सुनकर कार्यवाही से विलोपित किया जाए। जब माननीय सदस्य दो बारा खड़े हुए तो इन्होंने संदर्भ से हटकर दूसरी बात कहनी आरंभ कर दी। मैं आपके जरिए इस सदन के समक्ष यह बार प्रस्तुत करना चाहता हूँ कि हम किसी भी विषय पर जो चर्चा करते हैं, वह गंभीरता से करनी चाहिए और इस सदन की यह परंपरा रही है कि किसी भी ऐसे सदस्य के नाम का उल्लेख नहीं करना चाहिए जो इस सदन का मेम्बर नहीं है। दूसरा यह है कि यदि वह मेम्बर नहीं है तो खास तौर से ऐसे संदर्भ में जिससे उसकी प्रतिष्ठा पर प्रश्नवाचक चिह्न लग जाए, वह बहस नहीं होनी चाहिए। मैं आपके जरिए माननीय सदस्य से अनुरोध करना चाहता हूँ कि टेप को लेकर जिस संदर्भ में चर्चा हो रही थी तो इन्होंने श्रीमती सोनिया गांधी के नाम का उल्लेख किया। या तो ये अपने शब्द वापस ले लें और नहीं तो सदन की कार्यवाही से विलोपित तो किया ही जाए और अपनी गलत बयानी के लिए इस सदन को गुमराह करने के लिए क्षमा याचना करें।...(व्यवधान)...

SHRI SATISH PRADHAN (Maharashtra): I have a point of order.

THE VICE-CHAIRMAN: (SHRI SANTOSH BAGRODIA): Speak only on this limited issue.

श्री सतीश प्रधान: महोदय, हम इसके ऊपर बात कर रहे हैं जबकि चेयर ने इस संदर्भ में एक निर्णय दिया था कि जो भी यहां वक्तव्य हुए हैं, वे स्वयं जाकर पूरे सुन लेंगी और उस विषय पर जो भी निर्णय होगा, वे देंगी। चेयरपर्सन जब चेयर पर थी तो यह निर्णय देने के बाद वे अंदर देखने के लिए गई हैं। जब तक इस विषय पर वहां से कोई निर्णय नहीं आता है तब तक दोबारा इस विषय के ऊपर चर्चा करना क्या योग्य होगा?

श्री प्रेम गुप्ता: मान्यवर, इस हाउस का प्रेसिडेंट रहा है और पार्ल्ट में यह हुआ है। अगर किसी ने गलत नाम लिया है तो हाउस में वेरिफिकेशन होने के बाद ही हाऊस प्रोसीड किया है। जब उपसभापति जी यहां बैठी थी तो उनके सामने नाम लिया गया है। इस तरह से...(व्यवधान)...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): आपका नम्बर गया...(व्यवधान)...

श्री प्रेम गुप्ता: यह गंभीर मामला है, इसको लाइटली नहीं लिया जा सकता, इस तरह से एक-दूसरे का \* नाम लेकर बदनाम किया जाता है, इस चीज को रोकना होगा। आप पहले इसकी तसल्ली कीजिए कि इन्होंने क्या कहा था। अगर इन्होंने गलत नाम लिया है तो या तो उसे कबूल करें, माफी मांगें, इस हाउस और देश से, या फिर इस चीज का फैसला करें। पहले इस टेप को वैरीफाई किया जाए, उसके बाद आप हाउस को चलाइए, ऐसे हाउस नहीं चलेगा।

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): बोलिए कपिल जी।

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\*Not recorded.

SHRI KAPIL SIBAL: Sir, I just wanted to mention that in the past, I remember myself having participated in one of the Ayodhya debates. I made a statement. I quoted somebody; they challenged that and the House did not function for about one hour, and then the House was adjourned to verify what I had quoted for twenty minutes, and after verification, the House was continued. So, there is a precedent in the past and I would suggest that instead of carrying on this controversy, just adjourn for twenty minutes, come back and we will be able to function.

श्री संघ प्रिय गौतम (कृषि और ग्रामीण उद्योग मंत्रालय के राज्य मंत्री): उपसभाध्यक्ष महोदय, उपसभापति महोदय ने दो आदेश दिए हैं। एक तो यह आदेश है कि मैं रिकार्ड को जाकर चैक करूं उसके बाद वे अपना आदेश देंगी और दूसरा आदेश दिया है कि यह हाउस चलेगा। हाउस चलाने का मतलब है कि चर्चा जारी रहेगी। हाउस चलाने का मतलब यह नहीं है। इसलिए चर्चा जारी रखी जाए, रवि शंकर प्रसाद जी को बोलने दिया जाए...(व्यवधान)...

श्री राजू परमार: गौतम जी, यहां पर भी गवर्नमेंट का...(व्यवधान)...

श्री संघ प्रिय गौतम: कभी-कभी तो बोलते हैं जरा सा...(व्यवधान)...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): मंत्री जी आप मुझे सिर्फ यह बताइए क्या यह जरूरी है कि जो कोई भी मैम्बर बोलता है वह ऑथेंटिक होना चाहिए। है न? अगर एक लिमिटेड, खाली जो प्वाइंट इन्होंने रेज किया है उसके बारे में आप बोलना चाहें only that, not general discussion ...(Interruptions)...

SHRI SWARAJ KAUSHAL: It is being decided inside...(Interruptions)... That is why the Deputy Chairperson has gone inside...(Interruptions)...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): कौशल साहब आपने तो चांस मांगा ही नहीं, आप बोल रहे हैं...(व्यवधान)... Kaushalji, you are speaking out of time. ...(Interruptions)...

SHRI SWARAJ KAUSHAL: Why do you refer to Shri George Fernandes so many times...(Interruptions)...

श्री प्रेम गुप्ता: जॉर्ज फर्नान्डीस \* है।

श्री विक्रम वर्मा: इन्होंने जो जॉर्ज फर्नान्डीस जी के बारे में बोला है उसे रिकार्ड से बाहर निकाल दीजिए। उसे रिकार्ड से निकाल दिया जाए।

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): \* शब्द अनपार्लियामेंट्री है। अगर कहीं यूज हुआ है तो डिलीट हो जाएगा। \* शब्द अनपार्लियामेंट्री है। वर्ड \* को आप काम में नहीं ला सकते हैं

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\*Expunged as ordered by the Chair.



...(व्यवधान)... एक मिनट सब बैठ जाइए, सुरेश जी का प्वाइंट ऑफ ऑर्डर सुनने दीजिए  
...(व्यवधान)...

श्री सुरेश पचौरी: प्वाइंट ऑफ ऑर्डर है...(व्यवधान)...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): एक मिनट प्वाइंट ऑफ ऑर्डर है ...(व्यवधान)..., मुझे प्वाइंट ऑफ ऑर्डर सुनने दीजिए...(व्यवधान)... प्वाइंट ऑफ ऑर्डर But, the point of order gets the precedence.. (Interruptions) Please let him speak first.. (Interruptions) बोलिए सुरेश जी...(व्यवधान)...

SHRI SURESH PACHOURI : Sir, we have a point of order... (Interruptions)... उपसभाध्यक्ष जी...(व्यवधान)...

प्रो. रामबख्श सिंह वर्मा: इन्हें क्षमा मांगनी चाहिए...(व्यवधान)...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): प्वाइंट ऑफ ऑर्डर की बात है ...(व्यवधान)... अगर आप पार्लियामेंट्री प्रोसिजर नहीं समझ सकते तो मैं कुछ नहीं कर सकता he has raised a point of order. Let me listen to his point of order... (Interruptions)

प्रो. रामबख्श सिंह वर्मा: क्षमा मांगनी चाहिए...(व्यवधान)...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): \* लिए मैंने कहा है कि it will not go on record. I have said that मैंने कह दिया है \* वर्ड रिकार्ड में नहीं जाएगा, और क्या चाहते हैं आप...(व्यवधान)...

have already given a ruling that word\* will not go on record. What more do you want? (Interruption) आप मंत्री हैं, प्वाइंट ऑफ ऑर्डर है। I have to listen to the point of order first. The Point of order gets precedence in Parliamentary procedure. मैं नियम से चलूंगा The rule says that I have to listen to the point of order first.. (Interruptions) Please sit down और कोई बात रिकार्ड में नहीं जाएगी। till I listen to the point of order. Nothing will go on record till I listen to the point of order.

श्री सुरेश पचौरी: माननीय उपसभाध्यक्ष महोदय, यह सदन जो है, यह सदन...(व्यवधान)...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): एक मिनट, एक मिनट...(व्यवधान)... एक मिनट।

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\* Expunged as ordered by the Chair.

श्री सुरेश पचौरी: उपसभाध्यक्ष महोदय, आपने मुझे अनुमति प्रदान की है।... (व्यवधान)...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): एक सैकंड, एक सैकंड सुन लेने दीजिए। ... (व्यवधान) ... आप लोगों में से एक बोलें।... (व्यवधान) ... आप लोग क्या चाहते हैं, यह हाउस चले या नहीं चले? ... (व्यवधान) ...

कई माननीय सदस्य: चले।

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): तो आप एक आदमी बोलिए, आप सब क्यों बोल रहे हैं।... (व्यवधान) ... मैं पहले क्या करूं, मुझे मालूम ही नहीं, मैं समझ ही नहीं रहा हूँ कि आप क्या चाहते हैं।... (व्यवधान) ...

श्री सुरेश पचौरी: उपसभाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है।... (व्यवधान) ... उपसभाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है और कृपापूर्वक आपने मुझे अनुमति प्रदान की है।... (व्यवधान) ... यह सदन, यह ... (व्यवधान) ... यह सदन हमेशा परंपरा और नियमों से चलेगा।... (व्यवधान) ... उपसभाध्यक्ष महोदय... (व्यवधान) ... क्या प्वायंट ऑफ ऑर्डर भी नहीं कहने देंगे।... (व्यवधान) ... क्या सारे नियमों और प्रेसीडेंट्स को ताक पर रखेंगे।... (व्यवधान) ...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): अच्छा, एक बार बैठ जाइये, आप बैठ जाइये।... (व्यवधान) ...

श्री सुरेश पचौरी: सर, आपने मुझे अनुमति प्रदान की है।... (व्यवधान) ...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया): एक मिनट बैठ जाइये। एक मिनट बैठ तो जाइये। क्या मुझे भी नहीं सुनना है? ... (व्यवधान) ... एक मिनट बैठ जाइये। एक मिनट बैठ जाइये, आप भी। आप भी बैठ जाइये।... (व्यवधान) ... The point is very clear. All of you want this House to run or you do not want this House to run. This has to be followed by the procedures.

SHRIEKANATH K. THAKUR: Mr. Vice Chairman, Sir... {Interruptions}...

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): Will you please let me speak? Please, sit down. I am willing to listen to every Member who is sitting here. I have no problem. But if all of you start speaking at one time, it will be impossible. At the moment, there is a point of order. Please let me listen to the point of order. I will listen to both of you. Please, have patience. But, if you do not want to have

patience, then you can go on shouting. I will either adjourn the House or I will sit down. Please, sit down. आप बैठ जाइये, दो मिनट।...**(व्यवधान)**... अगर आप ट्रेजरी बेंचेज़ पर बैठ करके हाउस को नहीं चलने देना चाहते हैं तो यह आपकी मर्जी है।...**(व्यवधान)**...

**स्वास्थ्य और परिवार कल्याण मंत्री तथा संसदीय कार्य मंत्री (श्रीमती सुषमा स्वराज):** उपसभाध्यक्ष महोदय, ये बताएं इनका क्या प्वायंट ऑफ ऑर्डर है।

**उपसभाध्यक्ष (श्री संतोष बागड़ोदिया):** बोलिए, अब आप बोलिए।

**श्री सुरेश पचौरी:** पहले ही अगर आप उठ जातीं तो सब चुप हो जाते।

**उपसभाध्यक्ष (श्री संतोष बागड़ोदिया):** अच्छा, अब और कुछ मत बोलिए। you restrict yourself to the point of order only and not makes a long speech.

**श्री सुरेश पचौरी:** यह सदन या तो रूल से या परंपरा से या पुराने घटनाक्रमों से चला है। माननीय उपसभाध्यक्ष महोदय, 30 मई, 1967 को जब श्री शीलभद्र याजी हजारी रिपोर्ट पर अपनी बात कह रहे थे, तब उन्होंने लोक सभा के एक सदस्य श्री राम मनोहर लोहिया के संबंध में कुछ बातें कही थीं, जो आपत्तिजनक थीं। उस विषय में तत्कालीन पीठासीन अधिकारी ने यह निर्णय दिया था, जिसका मैं उल्लेख करना चाहूंगा। मैं कोट करता हूँ,

"Members should not make any allegations against Members of Lok Sabha, or, allegations which they cannot substantiate."

माननीय रवि शंकर प्रसाद जी ने लोक सभा की सदस्या, जो लोक सभा में विपक्ष की नेता भी हैं, उनके विषय में बेबुनियाद और असत्य बात कही हैं, जिसे वे सबस्टैंशिएट नहीं कर सकते हैं। या तो वे इस हाउस में सबस्टैंशिएट करें या अपने शब्द वापस लेते हुए क्षमायाचना करें। या अपने शब्द वापस लेते हुए क्षमा-याचना करें क्योंकि उस [उपसभापति महोदय पीठासीन हुईं] समय पीठासीन अधिकारी ने यह रूलिंग दी थी कि would like to add that it would be a good rule to observe that Members of one House should not use the freedom of speech ....**(Interruptions)** to make allegations or charges against Members of the other House इसलिए या तो उन्होंने जो बात कही है, उसे वे सबस्टैंशिएट करें या इस सदन से गलत बयानी के लिए क्षमा-याचना करें। यह सदन की परंपरा रही है।...**(व्यवधान)**...

**उपसभापति:** आप कृपया बैठ जाइए। इसका एक ही सॉल्यूशन है...**(व्यवधान)**... एक मिनट आप क्या कह रहे हैं?

**श्री सतीश प्रधान:** मैडम, जब आप यहां नहीं थीं तो मैंने एक पॉइंट ऑफ ऑर्डर किया था...(व्यवधान)...आप निर्णय देकर गयीं थीं कि यह सदन चालू रहेगा और इस विषय में जो चर्चा चल रही है, उसे देखने-सुनने के लिए आप गयीं थीं। तो दोबारा उसी विषय पर सदन में चर्चा होने की आवश्यकता नहीं है। जब तक आप आकर बात नहीं करतीं तब तक उस पर चर्चा होने की आवश्यकता नहीं है। फिर भी वहीं विषय बार-बार उठाया जा रहा है। अभी पचौरी जी ने पॉइंट आउट किया...(व्यवधान)...

THE DEPUTY CHAIRMAN: Please, now don't fight ...*(Interruptions)*... Now, please let us not make this discussion a ridiculous discussion. I went inside to look at the tape, because I had to look at the tape from the tape-recording section. When there was so much of noise, I had to come back. I requested everybody, and we discussed it with Pranab ji also, I promise that I will look at the record as soon as it comes. But, let us continue...*(Interruptions)*

**श्री प्रेम गुप्ता:** आप फिर वही बात कह रहे हैं।

**उपसभापति:** इस के अलावा दूसरी बात ही नहीं है। जब तक हम सुनेंगे नहीं cannot authenticate anything till I hear it myself. I am not such a person that I will say anything either under this side pressure, or that side pressure or your pressure. I will have to look at the tape, hear the tape, look at the record and then only I can say. But, meanwhile, let us continue the discussion, because there are many people, this side and that side, who have to speak. I will look at the record. Mr. Ravi Shankar Prasad, could you please ascertain what you said earlier, because you are the person who was making the statement? Could you exactly say what you had said earlier on the floor of this House? Could you please repeat it?

SHRI RAVI SHANKAR PRASAD: I will say one thing very clearly. As a Member of this House and as a Minister of the Government of India, I know Parliamentary decorum. The reason as to why I am stating so, when I was hearing my friends on the other side, did they not name Mr. Advani; did they not name Mr. Arun Jaitley who was not present here? All sorts of allegations were made. Why are they not being framed? ....*(Interruptions)*

**उपसभापति:** सुन तो लीजिए, आप बाद में कहना चाहें तो कहिए, लेकिन उनकी बात तो सुन लीजिए। Confusion starts when we don't have the patience to listen to others ....*(Interruptions)* प्लीज, आप भी चुप रहिए।

डा. अबरार अहमद (राजस्थान): मैडम, उन्होंने जो कहा, वह दोबारा कहलवा दें।... (व्यवधान)...

SHRI RAVI SHANKAR PRASAD: What I stated is that all the sins of Mr. Jogi were condoned. And, when this happened, he sought to split BJP by all means. I stated, the problem of Mr. Jogi was that even Sonia's name came and is it not a fact ... (Interruptions). Please, please, I just said one sentence and I was interrupted. I sat down. I was not even allowed to complete my sentence. And, Madam, therefore, I ... (Interruptions)

THE DEPUTY CHAIRMAN: Let him complete his sentence. You are not even allowing him ... (Interruptions)

SHRI K. RAHMAN KHAN: Let it be compared, what he said earlier and what he said now.

SHRI RAVI SHANKAR PRASAD: And, Madam, again, even second time, I stated that since the reference of Mrs. Sonia Gandhi came in the tape, that became his undoing. That is all. What is this *hungama* about" And, I stand by that ... (Interruptions)

SHRI RAJU PARMAR: What he said earlier, is there on the record.

उपसभापति: अभी आप बैठिए।... (Interruptions) Now, there is a dispute. Okay. There is a dispute as to how to ascertain whether he is changing his statement or not. Adjournment of the House is the last resort that we should have. Many a time discussion goes on. If he has said something, as Mr. Mukherjee has said, he will have to authenticate it or it will go to the Privileges Committee. It does not mean the House is not going to run forever. The House is going to run. He is not the only Member of this House. There are many other Members in this House. Their right to speak has to be registered also. That is why I went inside to see the record. You people should continue the discussion and after I looked into the record, I would come back and tell you whether it is there or not.

SHRI RAVI SHANKAR PRASAD: Madam, coming to the whole issue of corruption, a lot has been talked of... (Interruptions)

THE DEPUTY CHAIRMAN: Mr. Kapil Sibal, let him speak. Let us continue the discussion. (Interruptions)..

श्री प्रेम गुप्ता: मैडम, आप एडजोर्न करके टेप सुन लीजिए।...(व्यवधान)...

उपसभापति: नहीं, यह कोई तरीका नहीं है।...(व्यवधान).... यह कोई तरीका नहीं है, यह कोई तरीका नहीं है।...(व्यवधान)...

श्री प्रेम गुप्ता: मैडम, पास्ट प्रिसिडेंट है।...(व्यवधान)...

THE DEPUTY CHAIRMAN: The question is that we are discussing Prime Minister's statement regarding corruption. Now, when we are discussing an issue of this kind, what he has said and what he has not said, it can be ascertained only when I go and listen to the tape and see the record. Now, you think that you will stop the proceedings of the House and will not discuss the matter for which you yourselves have asked and the Prime Minister came to make the statement in this House. Is it fair? I am putting it to you. *(Interruptions)* Because people in the country are not...*(Interruptions)* These are the technical matters for which I take the responsibility and I will solve it. I ascertain it that I will do it. ...*(Interruptions)*...

उपसभापति: आप भी बैठ जाइए।...(व्यवधान).... बैठ जाइए।...(व्यवधान).... बैठ जाइए। अभी आपको बोलने दीजिए। आपके लीडर बोल रहे हैं। आप बैठ जाइए। I Let him finish. ...*(Interruptions)*...

SHRI PRITHVIRAJ CHAVAN (Maharashtra): Madam, why do not you ask him to withdraw his first statement? ...*(Interruptions)*...

SHRIMATI AMBIKA SONI: Madam, we have raised an objection not on the content of his speech, neither have we raised an objection because we do not want this debate to be continued. We asked for this debate. We do not want a Minister of the Council of Ministers of the Central Government to misinform the House. He has said very categorically and we all have heard that it is only because Shri Ajit Jogi used the name of Smt. Sonia Gandhi on the tape... *(Interruptions)* Madam, in the past, as Shri Suresh Pachouri has just said, there had been several instances when the House had been adjourned for only ten minutes for the Chair to find out as to what is the problem. This is a very important matter. *(Interruptions)*

श्री एस.एस. अहलुवालिया: आप आर्थेटिकेट करेंगे, जो भी कह रहे हैं।...(व्यवधान).... लिख के दो।...(व्यवधान)...

श्री सुरेश पचौरी:अहलुवालिया जी, हम बहुत सारी चीजें आर्थेटिकेट कर देंगे। बिना वजह गलत सलाह दे रहे हैं आप।...(व्यवधान)...

श्री एस.एस. अहलुवालिया:गलत सलाह आप दे रहे हैं।...(व्यवधान)...

उपसभापति:अच्छा, अब यह झगड़ा किस बात पर हो रहा है? ...(व्यवधान)...

How much time is wasted? Mr. Jethmalani, I am sorry you are the next speaker. What Mrs. Ambika Soni has said...(Interruptions) Please, sit down. ...(Interruptions)... Please, do not stretch my patience. (Interruptions) Please, take your seat. I know Mr. Abrar Ahmed how much time has being wasted many times before too, as Mrs. Ambika Soni has said. Now, how that can be ascertained? This is one person's word against another person's word. ...(Interruptions)...

SHRI PREM CHAND GUPTA: Madam, ajourn the House. It had been done in the past also. ...(Interruptions)...

THE DEPUTY CHAIRMAN: Only after seeing the records. Let the record and I will see to it. ...(Interruptions)... If you want me to adjourn the Hosue, I will adjourn it for the day. ...(Interruptions)... You cannot dictate to the Chair. ...(Interruptions)... If you do not want to allow, I will adjourn the House. I have no problem ...(Interruptions)... I said as soon as the tape came down, Mr. Chairman and myself would listen to it. If you trust your Chairman and myself, I will come back and let you know what happened. I have to listen to the tape. ...(Interruptions)...

SHRI PREM CHAND GUPTA: Madam, I have heard it. ...(Interruptions)...

THE DEPUTY CHAIRMAN: It will help because...(Interruptions)... Just one second. It will help... (Interruptions)....

SHRI PREM CHAND GUPTA: Madam, we have wasted forty minutes.

They will have it in ten minutes.

THE DEPUTY CHAIRMAN: Just one second. ...(Interruptions) ... You don't know how the Secretariat functions.

[11 December, 2003]

RAJYA SABHA

SHRI KAPIL SIBAL: Madam, I have a suggestion to make.  
...(Interruptions) ...

THE DEPUTY CHAIRMAN: Please, I have no arguments. You want to run the House, run it; if you don't want to run it, don't run it.

SHRI KAPIL SIBAL: I have a suggestion to make.

THE DEPUTY CHAIRMAN: I don't want to argue because I have no patience to go on and on for it. I will adjourn it; never mind. Don't have a discussion! It is up to you.

SHRI KAPIL SIBAL: Madam, I want to make a suggestion.

THE DEPUTY CHAIRMAN: Make a suggestion.

SHRI KAPIL SIBAL: The suggestion is that the hon. Minister can stand up and say, "you please verify it from the tape, and if it is found in the tape that I made certain statements, I will apologise to this House."

THE DEPUTY CHAIRMAN: Okay. That is what he said. ...(Interruptions)  
... Okey. Get up and say that.

SHRI RAVI SHANKAR PRASAD: But why should I apologise, Madam? I said I know my decorum. ...(Interruptions) ...The Leader of the Opposition is certainly there; she is entitled to have my respects. But the ghost question was with regard to a tape, and in the tape the reference of Mrs. Sonia Gandhi has come in a discussion between...(Interruptions) ...

SHRI KAPIL SIBAL: He is mentioning it again! ...(Interruptions)

SHRI SURESH PACHOURI: Withdraw it.

SHRI RAVI SHANKAR PRASAD: Why should I withdraw?  
...(Interruptions)... Why should I withdraw? ...(Interruptions)... What is this, Madam? ...(Interruptions) ...

SHRI PREM CHAND GUPTA: It is not a question of reference of Mrs. Sonia Gandhi.

SHRI PRANAB MUKHERJEE: If the hon. Minister would have used the words that in the tape there is a reference of Sonia Gandhi,



perhaps, all this rumpus would not have been created. If I heard the Minister correctly, the expression was, when Ajit Jogi took the name of Sonia Gandhi." We objected to those words. We did not object to the reference...(Interruptions)... Now, the Minister is shifting ...(Interruptions)...

SHRI KAPIL SIBAL: He does not want the House to run ...(Interruptions)... He does not want the House to run. ...(Interruptions)...

SHRI S.S. AHLUWALIA: What is wrong in it? He has taken the name of Sonia Gandhi ...(Interruptions)...

THE DEPUTY CHAIRMAN: Now let us go ahead. Let me again make my proposal; I will see the record...(Interruptions)... I will adjourn it. As 5 O'clock in any case, we have to adjourn it...(Interruptions)...

SHRI PREM CHAND GUPTA: He cannot take the House for granted. ...(Interruptions)... Adjourn the House, no problem.

THE DEPUTY CHAIRMAN: You order it and take a decision! ...(Interruptions)...

SHRI PREM CHAND GUPTA: Madam, we are prepared to sit till 10 O'clock, but you verify this point first. It will not take more than ten minutes.

THE DEPUTY CHAIRMAN: Let me find out how much time it will take. ...(Interruptions)... बैठिए। शोर मचाने से, चेयर के साथ झगड़ा करने से कोई फायदा नहीं है। मेरा कोई फायदा नहीं है। इधर से बोले, उधर से बोले। I am just a referee. I am feeling that once...(Interruptions)... Who said 'haa, haa, haa'? I want to find out who said that. ...(Interruptions)... You are laughing at what I am saying, that I am a referee; I have nothing to do with it...(Interruptions)...

श्री संतोष बागड़ोदिया: कोई नहीं बोला।

THE DEPUTY CHAIRMAN: You did; I heard it. Now I can say that I heard what you had commented. ...(Interruptions)... Forget it; sit down. Please sit down. ...(Interruptions)... I left the House to you to run. You did not run it. Please sit down. ...(Interruptions)...

श्री एस.एस. अहलुवालिया: कौन रिटायर कर जाएगा? टैम्पोरेरली कौन रिटायर हो रहा है?  
...(व्यवधान)...

उपसभापति: अहलुवालिया जी, आप बैठिए।...(व्यवधान)...

श्री खान गुफरान जाहिदी: हाऊस को गुमराह करेंगे वह, गलत बयानी करेंगे?  
...(व्यवधान)...

श्री एस.एस. अहलुवालिया: आपको पता नहीं है, आपको जब पता लगेगा तो आप भी वहीं कहेगे।...(व्यवधान)...

श्री खान गुफरान जाहिदी: नहीं नहीं, हम कभी ऐसा नहीं करेंगे।...(व्यवधान)...

श्री एस.एस. अहलुवालिया: अभी पता नहीं है, अभी ऊपर से निकल रही है बातें।...(व्यवधान)...

THE DEPUTY CHAIRMAN: Let us continue. Let him come and tell me when he will get the tape. His chap has gone to find out from the room.

श्री एस.एस. अहलुवालिया: मैडम, हिन्दु भारतीय नारी जैसे अपने पति का नाम नहीं लेती, कांग्रेसी भी अपने नेता का नाम नहीं लेते हैं।...(व्यवधान)...

उपसभापति: अभी यह झगड़ा करने से फायदा क्या है? ...(व्यवधान)... अभी यह छोड़िए, आगे जाने दीजिए We are wasting the time. ...(Interruptions)...

SHRI RAVI SHANKAR PRASAD: Madam, shall I proceed further? Coming to the other part of your speech, Mr. Kapil Sibal made certain legal points. ...(Interruptions)... Mr. Kapil Sibal in the course of his arguments made certain legal points. ...(Interruptions)... Let me make my point. ...(Interruptions)...

श्री राजू परमार: मैडम, दोबारा इन्होंने रिपीट किया है।...(व्यवधान)...

श्री सुरेश पचौरी: महोदया, मेरा आपसे अनुरोध है कि जो माननीय सदस्य ने कहा है उसे आप चेक कर लें।...(व्यवधान)...

THE DEPUTY CHAIRMAN: The Secretary-General said that he had asked them. They say, "It will take one and a half hour for the tape to come down." As it is taped on the spool, it has to be taped on a small tape and then they will send it.

SHRI PRAM CHAND GUPTA: We can meet after half an hour.  
...(Interruptions)...

THE DEPUTY CHAIRMAN: It is the Chief Parliamentary Reporter who said that. When we hear the tape, if what you are alleging that the had said comes on the tape, I assure you that whatever action this House is competent enough to take will be taken against the Minister. Is that enough assurance?  
...(Interruptions)... What do you want to do? ...(Interruptions)... What do you want to do? ...(Interruptions)... What is appropriate? ...(Interruptions)...

SHRI PREM CHAND GUPTA: We want to first verify it. (Interruptions)...

SHRI S.S. AHLUWALIA: Where is our freedom of expression?  
(Interruptions)...

THE DEPUTY CHAIRMAN: If they say he had misled the House...  
...(Interruptions)... let them make a privilege. ...(Interruptions)...

श्री एस.एस.अहलुवालिया: मैं जो बात कह रहा हूँ...(व्यवधान)... क्या वह पैगंबर का नाम है जो खराब हो गया।...(व्यवधान)...

THE DEPUTY CHAIRMAN: If he has violated the privilege of the House...

श्री सुरेश पचौरी:फ्रीडम ऑफ़ स्पीच का मतलब यह नहीं है कि आप जो मन में आए, वह बोलें...(व्यवधान)...

श्री विक्रम वर्मा: महोदया, मिनिस्टर ने sentence ही complete नहीं किया, केवल नाम लिया है...(व्यवधान)... उन्होंने sentence ही complete नहीं किया है, sentence complete किए बिना कैसे...(व्यवधान)...

उपसभापति: अच्छा, आप लोग बात करने में सीरियस हैं या मैं हाऊस को ऐडजॉर्न कर दूँ?

Completely? For the day?

श्री एस.एस.अहलुवालिया:उस टेप में है कि श्री वीरेन्द्र पांडे साहब, अजित जोगी जी से पूछ रहे हैं कि "क्या मैडम से बात कर ली है?" "हूँ, बात कर ली है...(व्यवधान)... मैंने कहा ना कि भारतीय नारी "हूँ और "हां में ही बात करती है...(व्यवधान)..."

उपसभापति: क्या बोला था ? आप बता दीजिए कि क्या बोला था...(व्यवधान)...

If one person says something against the other, I don't know what to do. ...*(Interruptions)*... आप बता दीजिए क्या बोला था?

श्री सुरेश पचौरी: जो बोला था, वह आप बताएंगी...*(व्यवधान)*...

उपसभापति: आप बता दीजिए। आप बताइए क्या बोला था?

You are disputing it. Then, you say. ...*(Interruptions)*...

श्री एस.एस.अहलुवालिया: आप यहां का टेप मंगा रहे हैं...*(व्यवधान)*... उस टेप की जब CBI इन्क्वायरी करेगी, तब बताएंगी कि क्या था, क्या नहीं था...*(व्यवधान)*...

श्री प्रेम गुप्ता: अहलुवालिया जी, अगर यही चलेगा तो सारे politicians, anticipatory bail पर होंगे...*(व्यवधान)*... आज आप करोगे, कल हम करेंगे...*(व्यवधान)*...

It is not a one-side traffic. Every politician will be on anticipatory bail. ...*(Interruptions)*... Please take it for granted because today you are using it and tomorrow they will use it. Take it for granted. *(Interruptions)*...

श्री एस.एस.अहलुवालिया: मैडम, यह भाषण खत्म हो...*(व्यवधान)*...

SHRI KAPIL SIBAL: Madam, may I say something? Several times the name of the Prime Minister has been taken. We never brought it up. This is not the right thing to do. Let us argue the matter. What is the point of saying what somebody said? *(Interruptions)*...

THE DEPUTY CHAIRMAN: Please. Why don't you listen to the Chair and allow the discussion to continue pending this problem? Come on, finish. *(Interruptions)*...

SHRI EKANATH K. THAKUR: I am a silent listener here. The Minister was not allowed to complete his statement. *(Interruptions)*...

उपसभापति: चलिए, रवि शंकर प्रसाद जी, अब आगे बढ़िए...*(व्यवधान)*... Go out of the tape. टेप से बाहर जाइए...*(व्यवधान)*...

SHRI RAVI SHANKAR PRASAD: Madam, let me say this only. My great friend, Sureshji, I never used any derogatory word against Soniaji and I repeat it. *(Interruptions)*...

अरे, मेरी बात तो सुनिए...*(व्यवधान)*...

श्री विक्रम वर्मा: क्या नाम लेने पर प्रतिबंध है? क्या देश में नाम भी नहीं ले सकते? या तो कांग्रेस यह प्रस्ताव पास कर दे कि हमारे अलावा कोई नाम नहीं ले सकते हैं...*(व्यवधान)*...

SHRI RAVI SHANKAR PRASAD: Madam, in the course of my entire speech and I am saying with full sense of responsibility, I never said any word against Mrs. Sonia Gandhi. ... (Interruptions)... Please listen to me. ... (Interruptions)... Listen to me. ... (Interruptions)...

उपसभापति: पुरी बात तो सुनने दीजिए... (व्यवधान)...

This is most unfair. ... (Interruptions)... This is most unfair. For forty minutes you have not been allowing the House to continue. Let him, at least, give his personal explanation. ... (Interruptions)...

SHRI RAVI SHANKAR PRASAD: Madam, what I said was, and I stand by it, that one of the reasons for the suspension of Shri Jogi was that a reference to Mrs. Sonia Gandhi came on the tape. That is all. ... (Interruptions)...

श्री विक्रम वर्मा: डिसकसन में नाम नहीं आया क्या टेप में। आप इंकार करेंगे क्या ... (व्यवधान) ... वे कह रहे हैं डिसकसन में नाम आया। यही बात तो कही जा रही है। ... (व्यवधान) ...

श्री सुरेश पचौरी: मैडम, इसको इतनी सहजता न से न लिया जाए। इसको गंभीरता से लिया जाए। इसकी सत्यता की जांच कर लीजिए। ... (व्यवधान) ...

SHRI RAVI SHANKAR PRASAD: Let me conclude. ... (Interruptions)... मैडम, क्या मतलब है। मैं सुरेश जी का बड़ा सम्मान करता हूँ, टेप की सत्यता के बारे में उनको डाउट है। जोगी जी कह रहे हैं कि टेप सही नहीं है। ... (व्यवधान) ... जोगी जी यह कह रहे हैं। ... (व्यवधान) ... जब मामला सी.बी.आई. के इन्वेस्टीगेशन में है। ... (व्यवधान) ... तो मेरे ख्याल में मेरे आदरणीय मित्र श्री सुरेश पचौरी जी उसको आर्थेटिक नहीं कर सकते। फिर क्या मतलब है। ... (व्यवधान) ...

श्री कपिल सिब्बल: तो फिर आप कैसे कह सकते हैं। ... (व्यवधान) ...

SHRI RAVI SHANKAR PRASAD: आप जुदेव के टेप को आर्थेटिक कर रहे हैं। ... (व्यवधान) ...

Are you authenticating Judev's tape? ... (Interruptions) ... Are you authenticating Judev's tape? Are you? You are not. ... (Interruptions) ... Let us have a meaningful discussion. It should be enough to conclude

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RAJYA SABHA

the matter. When I stated that, I did not say anything derogatory against Soniaji. Therefore, the matter should end there. ...*(Interruptions)*...

SHRI K. RAHAMAN KHAN: If you have said it, you should withdraw it.

SHRI RAVI SHANKAR PRASAD: Why should I? ...*(Interruptions)*... There is the name of Soniaji in the tape. ...*(Interruptions)*...

**कुछ माननीय सदस्यः\***

THE DEPUTY CHAIRMAN: Please go back. ...*(Interruptions)*...

I think nobody is in a mood. So I adjourn the House for half-an-hour.

The House then adjourned at forty-eight minutes past two of the clock.

The House reassembled at twenty-one minutes past three of the clock,

THE DEPUTY CHAIRMAN in the Chair.

**उपसभापति:** अभी तो टेप नहीं आया है। You people want that the House should be adjourned. Today, we have a function. If everybody is so tense and you want me to adjourn the House till 11 o' clock, I have no objection to it. We can continue the discussion. ...*(Interruptions)*...

**श्री संतोष बागड़ोदिया:** हम लोग सपोर्ट करते हैं।

**उपसभापति:** लेकिन वह नहीं चाह रहे हैं। उन्होंने तो मुझे हाउस ऐडजर्न करने के लिए मना किया है। आप लोग ऐडजर्न करने के लिए कह रहे हैं।...*(व्यवधान)*... The House is adjourned till 11 o' clock.

The House then adjourned at twenty-two minutes past three of the clock till eleven of the clock on Friday, the 12th December, 2003.

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\*Expunged as ordered by the Chair.