

[22 December, 2003]

RAJYA SABHA

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

(I)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Salary, Allowances and Pensions of Members of Parliament (Amendment) Bill, 2003, as passed by Lok Sabha at its sitting held on the 22nd December, 2003."

(II)

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Indian Telegraph (Amendment) Bill 2003, as passed by Lok Sabha at its sitting held on the 22nd December, 2003."

Sir, I lay a copy of each of the Bills on the Table.

SHORT DURATION DISCUSSION

on the Fake Stamp Papers Scam in the country involving several thousand crores of rupees-contd.

SHRI R.S. GAVAI (Maharashtra): Mr. Vice Chairman, Sir, I will be very brief. Much has been said on the subject. Sir, I will be within the framework of the discussion. I do understand the limitations ...*(Interruptions)*...

THE VICE CHAIRMAN (DR. A.K. PATEL): You have ten minutes to speak.

SHRI R.S. GAVAI: Sir, I fully understand the limitations of the discussion on this particular motion. I do understand that the matter is *subjudice*, and, in some States like Maharashtra and Karnataka, investigations have been started, and, further investigations are going on. So, I do not want to cast any aspersions on anybody. But, at the same time, the stamp racket, mastered by Mr. Telgi, is, no doubt, deep-

rooted, and, its roots are being spread across many States of the country in general, and, Maharashtra, in particular.

From what has been exposed till today, it is observed and noted, that it is a great stigma on the Government machinery, administration, and, also on the public administration. Bureaucrats in general, and, unfortunately, police machinery, in particular, have been brought under the investigation and exposed, and, greater number of police officers in police administration seems to be involved.

Sir, I just want to put a query through this discussion. Originally, the matter was investigated by the Karnataka Government, and, to my knowledge, about 40 to 50 culprits have been booked, and, are in the custody. Due to the records of the investigation, done by the Karnataka State, made available to the Maharashtra Government, and, due to one Public Interest Litigation filed by a social reformer Mr. Anna Harare, the investigation has accelerated. In the police machinery of Maharashtra, which is known as reputed police machinery, unfortunately, many police officers are involved, and, they are under investigation, and, some of them are under police custody and judicial custody.

I am on the point that the stigma is on the political democracy, bureaucratic democracy, whosoever is the guilty should not be spared.

(THE DEPUTY CHAIRMAN in the Chair.)

What I tend to know is whether the Karnataka Government has discussed with the Central Government that the matter should be investigated by the Karnataka Police or it ought to be investigated by the CBI. To my knowledge, it was mentioned earlier that the police machinery is doing a good job in Karnataka and there is no need of having further investigation by the CBI. Forget, what I mentioned earlier about the unfortunate fate of the police machinery in Maharashtra. But the Special Investigating Team, headed by Mr. Puri, is doing a wonderful job. The retired police officers, Mr. Riberio and Mr. Soman appreciated whatever was done by the SIT of Maharashtra. The controversy is going on whether investigation ought to be done by the SIT alone or it should be referred to the CBI. It is true that neither the Karnataka Government nor the Maharashtra Government is reluctant to be investigated through CBI. As

per their earlier communication with the Central Government, it seems that they are not reluctant. But, in this respect, there are certain observations. Recently, the Bombay High Court, on Wednesday, dismissed the Maharashtra Government's application seeking the transfer of the inquiry into the fake stamp paper scam to the Central Bureau of Investigation. The matter will come up for hearing on January 16. Further, the court mentioned that without going into the merits of application, a Bench comprising Chief Justice C.K. Thakkar and Justice Abhay Oak said "It would not be appropriate to pass an order at this stage, since the matter of instituting a CBI probe was being heard by the Supreme Court". At the same time, two Public Interest Litigations were filed in the Supreme Court demanding a CBI probe. They will also be heard on January 5. It is a popular demand from Maharashtra Government that it should not be referred to the CBI and let it be investigated by SIT alone. The former Commissioner Mr. D.S. Soman and Mr. Julio Riberio and former Cabinet Secretary Mr. B.G. Deshmukh said if at all application is being heard in the Apex Court, they will also file a Public Interest Litigation. This is the legal position. The question is, "What is the stand of the Government of India"? In fact, it is co-related with the Home Ministry and Finance Ministry because the scam had hampered the economic situation of the nation and various States. So, we do want to know what is the stand of the Government of India keeping in mind the interest of justice, keeping in mind that no effort would be spared whether the investigation has started in Maharashtra by SIT or in Karnataka by SIT and will end in justice by a proper investigation or by referring it to the CBI.

Madam, the Government of India should amply make a stand very clear whether the SIT inquiry is sufficient to meet the interest of the investigation and do the justice, or whether it is to be referred to CBI. It is my only query and I am expecting answer from the Government of India. Thank you, Madam.

THE DEPUTY CHAIRMAN: The Short Duration Discussion on Fake Stamp Paper is over. The reply by the Minister would be tomorrow sometime whenever we can adjust it. Now, I have a statement to be laid by Shri Arun Jaitley, the Minister of Commerce on the WTO meeting at Cancun, Mexico.