

DISCUSSION ON THE WORKING OF THE MINISTRY OF HOME AFFAIRS

THE DEPUTY CHAIRMAN : The first speaker is Shri Pranab Mukherjee.

SHRI PRANAB MUKHERJEE (West Bengal): Madam Deputy Chairman, I thank you for permitting me to raise a discussion on the functioning of the Ministry of Home Affairs. Madam, from the very beginning of civilization, the principle, rather, the most fundamental responsibility of the State is, to protect its people. Even in the old treatise like Mahabharata, it was suggested by Pitamaha Bhishma in Shanti Parva. When Yudhishtira sought some advice how to rule the country or the kingdom which he won, the first advice given to him was that he is entitled to have a share of the produce of his subjects, but he is obliged to protect them. Even in the modern concept of the State, certain rights are considered to be inalienable, which no State can interfere with, and one such right is right to life, right to security, and the Union Home Ministry is primarily responsible for the whole country as a custodian to provide security to the people of this country. When I say so, I am fully aware of the Constitutional responsibility and the scheme of the Constitutional mechanism in which public order and enforcement of law are State subjects. But so far as the Union Government is concerned, Constitution specially entrusts the responsibility under Article 355 to protect each and every State from external aggression, and also, from internal disturbance. Madam Deputy Chairperson, if I take the hon. Home Minister and Deputy Prime Minister, in the memory lane almost 30 years back, when he happened to be the Leader of this House, and when the major amendment to the Constitution was brought, in 1978, -Janeshwar it was also a minister at that point of time - the phrase "internal disturbances" was deleted from Article 356 and from some other Articles. But under Article 355, it was retained, and it was retained to ensure that the Union, in cooperation with the States, can provide security to the people of this country. Having said that, the very preliminary question which comes to my mind is : Do we have an effective instrument to discharge these responsibilities? And for that, Madam, I would like to quote certain basic figures. We have more than 102 crores of people, living in an area, landmass, of 31,66,414 square kilometres. And what is the total number of police forces, which we have in this country? As per the records made available to us by the Bureau of Police Research and Development on 1st of January, 2002, the total number of police forces including the lathi-wielding police constable in the States - State Police. Civil and armed Police taken together are 14,93,321; Central Paramilitary Forces, 6,18,734; total, 21,12,055. That means, these

21,12,055 police forces, including about six lakh Central Paramilitary Forces, are to protect 102 crores o' people living in an area, landmass, of 31,66,414 square kilometres. And what does that mean? Per 100 square kilometres, just 47 police! Per one lakh population, it is 145 police personnel, *vis-a-vis* the West. I am using this word 'West' because we have the figeres that are there in the West for our size of population, comparable size of population. Even if we take Malaysia, it is 429 police forces per one lakh people; France 349; England 343. I am not going to the Russian Federation or Singapore, which has more than 1000. So, this is one inherent inadequacy with which we have to function. The second problem is that, if we just analyse the state of security for the last 10 to 15 years, we find there are five important segments, which are to be dealt with. One is the area of cross-border terrorism, aided and abetted by Pakistan. Second is the insurgent activities indulged in by a large number of organisations most of which have been declared 'outlaws' in the whole North-Eastern region. Third is the growing menace of the left-wing extremism which is spreading its tentacles, which was earlier confined to, or which, rather, originated from, a small village in Bengal, known as Naxalbari, and now it has covered the entire area, belonging to the large segments of Bihar, Jharkhand, West Bengal, Orissa, Chhattisgam, Madhya Pradesh, Andhra Pradesh, and even spreading to part of Maharashtia. And they are trying to contemplate, to create a compact revolutionary zone, and are establishing their contact with the Maoists in Nepal because there is the chicken-neck. The fourth and fifth areas of cncern, which are out of the social dynamics, are the caste conflicts and the communal conflicts which we are having.

Now coming to the area of cross-border terrorism. I would not like to take much time of the House because it has already been debated and discussed on a number of occasions. But I would only 'ike to quote para 1.29 of the Annual Report of the Home Ministry for the year 2002-03.-

The Government of India is determined, more than ever, to root out this scourge of terrorism and militancy and to restore peace and normalcy in the disturbed area..."

I have no quarrel with that observation. In the concluding part of that paragraph it is stated:-

"This stance of the Government has received unequivocal, positivesupport from the international community also. Already, India's lone fight against the forces of terrorism is becoming global."

Madam Deputy Chairperson, I am afraid, I cannot agree with the concluding part of the statement that our lone battle has become a global battle. I am afraid, it is not so. Had it been so, I would have been too glad. In this connection, I would most respectfully submit that when we were having a discussion on the floor of this very House, and the debate was replied to by the hon. Leader of the House, and the then Foreign Minister, Jaswant Singhji, I put to him a simple question-"What is Taliban regime?" Those were the days when the USA launched an attack against Afghanistan, Taliban regime in Afghanistan. The response of the hon. Minister was: "Taliban regime in Afghanistan is nothing but like a factory producing only terrorism, and if that factory manufacturing terrorism is destroyed, that takes India's concern of cross-border terrorism." Taliban regime has collapsed, but there is no respite so far as we are concerned, despite the fact that the institution which was manufacturing nothing but terrorism has been liquidated. Most respectfully I would like to submit that our perception of cross-border terrorism and the prollerns in Jammu & Kashmir is not equal to the perception of the major global powers. Had it been so. I am sure, the neighbouring "State, which is providing all sorts of logistic supports to cross-border terrorism, which is aiding and abetting cross-border terrorism, despite the solemn commitment made to the international community in the form of an address in January and March last year, would have been declared as a rogue State. But it was not done.

(MR. CHAIRMAN in the Chair)

Therefore, my point is, let us not live under an illusion. We shall have to fight .our own battle. It is a lone battle and we shall have to fight it. There is no doubt that in your determination to stamp out cross-border terrorism, the Government has received overwhelming support from every section of the House and all political parties in this country, and they would continue to do so. But, let us have no illusion that somebody is going to fight our battle. We shall have to fight our own battle.

In that context, Mr. Chairman, Sir, I would like to draw the attention of the hon. Home Minister to two major aspects. The first aspect is,, as I pointed out, is the inadequacy of the number of security forces, the coverage. In our political jargon and vocabulary, very often we use the term that we are spending a huge amount of money on police forces and security forces. It is not so. If my figures are correct and if I am wrong the hon. Minister may correct me-the total Budget of the State police forces, all the 28 States taken together, and the Central Paramilitary Forces, added together, for the yea"

2001-02 was less than one per cent of the GDP. The expenditure on police forces, including the entire paraphernalia has not been much. Therefore, the Government has rightly identified the areas of modernisation of the police force?. Modernisation does not mean simply raising new battalions, adding to the numerical strength of the forces. It requires equipment which will strengthen the striking power of the security forces and enhance the mobility of the security forces. It requires training and it also requires increase in number. What we find, while analysing the Budget of the Central Government, is that some progress has been made in respect of the Central Paramilitary Forces. But it is not adequate. I will give just one simple example. The ITBP is a highly sophisticated, elite force. They are to perform very difficult jobs in hostile terrains. Some restructuring has taken place. From four companies, they have gone up to nine companies. But the Force remains inoperative for want of supporting staff, including drivers. The areas where they are located are difficult terrains. There is no motorable road. They have to carry their provisions on the back of mules. Even these animals are not provided in adequate numbers. Therefore, merely by creating additional forces or additional companies, it is not possible to make them function more effectively because all the loose ends are not tied. We have to improve our intelligence set-up. I am glad that the Group of Ministers have made some major recommendations, though for obvious reasons it is not known to us what type of arrangements are being made by the Government. I presume that the Home Minister will take care of it. Intelligence collection is one of the most important functioning to provide security and to strengthen the security arrangements. For obvious reasons and rightly so; we do not bring the functioning of the intelligence agencies like the Intelligence Bureau under the scanner of public scrutiny. But, here, I would most respectfully submit to the Home Minister that he should, from time to time, take the House into confidence and whatever information he feels necessary to share with the House, to share with the public, he can do so, so that, at least, there are some checks. People will feel assured that the Union Home Minister or somebody in the Government is keeping a track and they are assuring that this vital organisation is discharging its responsibility in a proper manner.

Mr. Chairman, Sir, coming to the States, I am sorry to point out that the modernisation programme in the State is quite tight. I know that in many of the States, a large number of conferences have taken place; Home Minister has written to the Chief Ministers; Home Secretary has written to the Chief Secretaries; periodical conferences have taken place, but not much

improvement is seen because there is one major area of concern and that area is the mechanism of sharing the cost. Presently, the modernisation cost is borne 50 per cent by the Central Government and 50 per cent by the State Government.

Couple of months back, we had the privilege of discussing the State finances on the floor of this House and we found that whatever resources were available at the command of the State Government, a substantial part of it goes in meeting the salaries, pension, wages and interest payments. Perhaps, States do not have any function today except discharging these 3-4 items. I know somebody may point out that Centre does not have unlimited resources. I agree to that but my point is whatever you spend, if you spend hundred, if you spend two hundred, take the responsibility on yourselves, provide them the equipments, provide them the gadgets, provide them the equipments to enhance their mobility and striking power so that the pressure on the Central Para-Military Forces gets reduced. If it is not done, I am afraid - we have discussed this issue on earlier occasions also - there will be more and more pressure on the Central Para-Military Forces. The answer does not lie in creating more battalions, answer lies in improving the efficiency of the State Police Forces including its intelligence wing so that there is less pressure on the central agencies and after all, it is the job, it is the responsibility, constitutional responsibility of the State Government.

The present sharing mechanism is not a question of rationality; whether it is good or bad, but the fact remains that most of the Police Forces are becoming the first casualty because they are not providing the matching ..shares. Therefore, whatever resources you have, whatever resources you get, you spend it by providing them the necessary training equipments, because three objectives ought to be achieved. Firstly, the striking power of our security forces must enhance; secondly, their mobility must enhance and thirdly, their intelligence collection capacity must enhance and if it is not done at the State level, I am afraid, it will be extremely difficult for the Central Para-Military Forces to discharge their responsibility.

Now, I come to one specific area. All of us are aware of the problem of the North-Eastern Region. The whole of North-Eastern Region, except a few pockets - most of these areas, large number of areas and districts - are having problems. This morning the hon. Leader of the Opposition drew the

attention of the Government towards the fight between the two Tribes, *i.e.* Dimasas and Hmars in the Karbi Anglong and the North Cachar Hills District. The parent organisation, the NSCN, especially the NSCN (IM) group are also spreading their tentacles. We shall have to be careful. We welcomed it when the Government invited the NSCN (IM) group to come to Delhi from Bangkok and have a dialogue. We believe that the issues have to be resolved through dialogues and through talks. But, at the same time, we shall have to ensure that they do not take advantage of the good gestures shown by the Government by opening dialogues and using the ceasefire, as Some sort of coyerage to enhance their influences over the areas. It is no longer a question of the Greater Nagaland. They are raising this point for the last 50 years. But there is no limit. In two districts of Arunachal Pradesh, Tiraap and Cheselang they have carred on with their activities because some Wangchuk, Naga tribes live in those areas. I have already mentioned two districts of Assam which are under their influence. In fact, they are acting as some sort of an umbrella organisation. You have a dialogue With them, by all means and try to bring them back on the right track, on the mainstream. But, at the same time, we cannot lose our vigilance. We shall have to take note of whatever is happening. In our anxiety to avoid the problem of today, we should not create more problems for tomorrow. We all know that there are certain issues which cannot be resolved so quickly and so expeditiously despite our will. But the Government of India cannot and should not fail to discharge its responsibility to protect a State. Unfortunately, - I would not like- to mention the names of States - some of the State Governments in the North Eastern Region are .functioning for name's sake. Their writs do not run. Insurgents have taken over informally.

Recently, in *the Asian Age* of 13th April. I found that the NSCN (IM) group passed its annual budget. Just imagine, an organisation which was outlawed just a few years ago, *i.e.* the NSCN (IM), passes its annual budget. They are passing their annual budget on the Indian territory as if it is a State Government. The revenue is Rs. 18.79 crores which excludes the stipends which are to be provided to the armed cadres. Except the two very high ups, Mr. Issac Chifsi, and Mr. Muivah, - their stipends are not specified - others are entitled to have Rs. 30,000 per month. It varies from Rs. 1,500 to Rs. 30,000. I think the Secretaries to the Government of India would feel jealous because they are getting almost identical salaries. Let us have a discussion with them. Let us have a dialogue with them. Let us try to bring them back to the mainstream. This matter has already been brought to the notice of the

Government. When the February election in Nagaland was taking place, this was one of the conditions. They publicly declared that they would not interfere with the local elections. But, unfortunately, they did not keep their promise. I am constrained to point out that even our security forces which were deployed there to look into these aspects, did not discharge their responsibility. I would request the hon. Home Minister to look into these specific areas. . The next point on which I would like to draw the attention of the hon. Home Minister, I have pointed out one of the shortcomings in respect of this modernisation programme. Another shortcoming, which is coming to our notice, is in your funding pattern. As I mentioned to you, the State Governments' financial position, you are recouping, reimbursing the security-related expenditures, but there should be some advances. Instead of their spending and thereafter reimbursing it, I think, a mechanism should be evolved wherein some advances could be made on the pattern as the Union Finance Minister gives advances of the taxes to the extent of one-twelfth to the State Governments. Similar arrangement should be introduced so that the State Governments can effectively utilise those resources. Some area is being covered by these advances, but not the whole area. My point is that every security-related expenditure, at least, a part, one-twelfth of it, on the basis of approximate expenditure, because nobody can precisely say what would be expenditure for the full 365 days, but from the experiences of the past, some amount could be released in advance.

The last point on which I would like to draw the attention of the hon. Home Minister, which we have also debated, the point which I am talking today, is nothing new about it, everyone of us know it. The question is to muster courage, to have strong determination to put an end to it. One of the major reasons for the ineffectiveness of our police forces' administrative mechanism is politicisation. The Vohra Committee's Report is there, various expert group reports are there, unless we can take courage and prevent the politicisation of the permanent Civil Service, whether it is the police force or the administrative force, I am afraid our democratic structure cannot function, because that is the only effective instrument we have and if we find that with the change of political set-up, I do not like to mention the name of a State, there are States, where the average tenure of a District Superintendent of Police, and a District Collector is not more than six to seven months. And, nowadays, most of the districts have a population of more than one-and-a-half million. If the tenure of the most important civil servant like the District Magistrate and the DSPs is for six months to seven months, what type of

performance can you expect from those type of officers? can't you do something in this matter? Can't you consider giving a serious thought to the Administrative Reforms? If I remember correctly, in the mid 1960s, we established the Administrative Reforms Commission under the Chairmanship of Shri Morarji Desai. There is an Administrative Reforms Department, after all you are not administering land and water, you are administering people, the type of machinery, the type of system which you had in the 1950s and 1960s which could take care of 500 or 600 million people, which cannot be adequate to take care of more than one billion people today. Therefore, it is highly necessary - when it is available to us with the technological improvement, - for us to make major changes in these areas. I would most humbly and respectfully submit to the Government, through you, Mr. Chairman, Sir, that it is high time that we should think of setting up any Administrative Reforms Commission, to look into various aspects of it. Today, I read in the newspaper, of course, we will get an opportunity, if time permits, to have one important report in respect of delivering criminal justice expeditiously, on which, I think our legal luminaries, who are Members of this House, starting from Shri Fali Nariman to Shri Kapil Sibal and Dr. Singhvi, all of them will apply their minds and will have the opportunity of having a discussion. But, major reforms in our administrative set-up are called for and, therefore, it should not be delayed. With these words, Mr. Chairman, Sir, I thank you for giving me this opportunity of initiating a discussion on the functioning of the Home Ministry.

श्रीमती सरला माहेश्वरी (पश्चिमी बंगाल): सभापति जी, भारत सरकार में गृह मंत्रालय का स्थान कुछ-कुछ परम्पिता परमेश्वर की तरह होता है जिस के बारे में कहा जाता है कि वह कहीं नहीं है, लेकिन सर्वत्र है, सर्वव्यापक है। सभापति जी, यदि हम सिर्फ गृह मंत्रालय के दायरे में पड़ने वाले विषयों को ही देखें तो हमें समझने में देर नहीं लगेगी कि सिर्फ वित्त की तरह के कुछ मामलो को छोड़कर बाकी सभी मंत्रालयों के तार कहीं —न- कहीं गृह मंत्रालय से जुड़े हुए हैं। इसलिए अगर मैं यह कहूँ कि गृह मंत्रालय की समीक्षा का काम शायद सरकार की पूरी नीतियों की समीक्षा का काम है यानी गृह मंत्रालय की चर्चा करते हुए मैं रा0ज0ग0 सरकार के पूरे कार्यकलापों की समीक्षा करूँ तो भी कोई अतिशयोक्ति नहीं होगी, अनुचित नहीं होगा। सभापति जी, पिछले 5 वर्षों के रा0ज0ग0 सरकार के कार्यकाल को अगर हम देखें तो पाएंगे कि किस तरह तमाम समस्याओं को विस्फोट के कगार तक ले जाया गया और उसे देखते हुए मैं माननीय गृह मंत्री जी से यह पूछना चाहूँगी कि “कैसी मशालें लेकर चले थे तीरगी में आप, कि रोशनी थी वह भी सलामत नहीं बची”।

सभापति जी, हमारे देश की प्रमुख समस्याएं क्या हैं? सरकार की गलत आर्थिक नीतियों के अलावा आज हमारे देश के सामने जो प्रमुख समस्याएं हैं, जो प्रमुख सामाजिक समस्याएं हैं, जो हमारे देश की जड़ों को खोखला कर रही हैं, उनमें एक प्रमुख समस्या भ्रष्टाचार की समस्या है।

उसके बाद देश की एकता और अखण्डता के सामने सब से बड़ी चुनौती के रूप में खड़ी हुई सांप्रदायिकता और जातिवाद की समस्या है। इसके साथ ही आतंकवाद की समस्या है, जम्मू-काश्मीर क्षेत्र, उत्तर-पूर्व का क्षेत्र- जहां से आतंकवाद पनप रहा है और जो सीमा पार के आतंकवाद की क्रीड़ा भूमि भी है। इसी के साथ जुड़ा हुआ हैं अल्पसंख्यकों, अनुसूचित जातियों, जन-जातियों पर होने वाले अत्याचारों का सवाल, चुनाव की तरह की जनतांत्रिक प्रणाली में हो रही विकृति, न्याय प्रणाली में विलम्ब, न्याय प्रणाली में भ्रष्टाचार, आंतरिक सुरक्षा के नाम पर लाए जा रहे जनतंत्र विरोधी कानून और उन का दुरुपयोग-ये सारे सवाल ऐसे हैं जो घूम-फिरकर गृह मंत्रालय से जुड़े जाते हैं। इसलिए मैंने कहा कि गृह मंत्रालय सर्वत्र है, सर्व व्यापक है। सभापति जी, इन सभी मोर्चों पर पिछले 5 सालों में इस रा0ज0ग0 की सरकार का क्या रिकॉर्ड रहा है? क्या उन में से किसी एक भी समस्या का समाधान करने में यह सरकार सफल हुई है। सभापति जी, मुझे याद आती है जब पोखरन में परमाणु बम के धमाके किए गए थे। उस समय हमारे माननीय गृह मंत्री जी ने भी कहा था कि अब काश्मीर समस्या का समाधान आसान हो जाएगा और इन की पार्टी से जुड़े बहुत से लोगों ने कहा था कि उन के हाथ में कुंजी लग गयी है। उन्होंने पड़ोसी राष्ट्र को ललकारते हुए कहा था कि अब दो-दो हाथ कर लेने चाहिए, पर क्या हुआ ? हम सब ने देखा कि पोखरन में हुआ विस्फोट या परमाणु बम का धमाका काश्मीर समस्या का समाधान नहीं कर सका। उल्टे उसने काश्मीर के मामले में दुनिया की दूसरी बड़ी ताकतों को हस्तक्षेप करने का एक और बहाना जुटा लिया। इसके साथ ही इस पूरे प्रकरण में जो एक बात खुलकर हमारे सामने आई, वह यह कि सरकार की राजनैतिक विचारधारा क्या है? यह वह विचारधारा है, जो तनाव शैथिल्य और सांप्रदायिक सद् भाव में विश्वास नहीं करती बल्कि हथियारों की होड़ और सांप्रदायिक ध्रुवीकरण में विश्वास करती है।

सभापति जी, यही वजह है कि उसी कालावधि में हमने गुजरात में अल्पसंख्यकों का दिल दहलाने वाला कत्लेआम देखा। मेरे पास शब्द नहीं हैं और इसलिए मैं वली गुजराती के शब्दों का इस्तेमाल करना चाहूंगी, जिन्होंने कहा था कि मरहम नहीं है इसके जख्म का जहाँ में। आजाद हिन्दुस्तान में पहली बार हमने यह देखा कि कोई राज्य सरकार अपने पूरे लावलश्वर के साथ अल्पसंख्यकों के कत्लेआम में उतरी हुई थी। उस समय जब वहाँ के मुख्यमंत्री क्रिया-प्रतिक्रिया के सिद्धांत पर उस पैशाचिक हत्याकांड, उस नरसंहार को उचित ठहराने की कोशिश कर रहे थे तो उस समय हमारा गृह मंत्रालय क्या कर रहा था? उस समय माननीय गृहमंत्री जी उन मुख्यमंत्री को प्रमाण-पत्र बांट रहे थे कि उन्होंने तीन दिनों में स्थिति पर काबू पा लिया। वह तीन दिनों का समय सभापति जी, कितना लंबा था, वह आप जानते हैं। गुजरात का वह नरसंहार एक ऐसा नरसंहार था, जो हम सबको, चाहे इधर बैठे सदस्य हो या उधर बैठे सदस्य हों, जिनके पास एक संवेदनशील दिल है, एक धड़कता हुआ दिल है, एक संवेदनशील दिमाग है, निश्चित रूप से हिटलर के उन काले दिनों की याद दिलाता था जब यहूदियों पर अत्याचार किए गए थे।

सभापति जी, हिन्दुत्व की प्रयोगशाला बने गुजरात में यह सब आकस्मिक नहीं हो गया था, अचानक नहीं हुआ था। गृह मंत्री जी वहाँ आपकी पार्टी का राज था, बड़े ही सुनियोजित ढंग से अल्पसंख्यकों के खिलाफ नफरत के बीज बोए गए थे। गोधरा जैसे पैशाचिक कांड ने पहले से ही सांप्रदायिक बारूद पर खड़े गुजरात में पलीते का काम किया। मैं यह कहना चाहूंगी कि यह सब कैसे हुआ, क्यों कर हुआ? अगर हम इसका विश्लेषण करें तो क्या हम नहीं पाएंगे कि इन सबका सीधा संबंध संघ परिवार की उस बुनियादी विचारधारा से था, जिस विचारधारा में सभी अल्पसंख्यकों को

दोयम दर्जे का नागरिक बनाने और गुलाम बनाने के फासिस्ट उन्माद के जरिए हिन्दू राष्ट्र की स्थापना का सपना देखा जाता था? संघ परिवार की शब्दावली में यह फासिस्ट उन्माद उसी प्रकार सांस्कृतिक राष्ट्रवाद कहलाता है, जैसे हिटलर अपने नाजीवाद को राष्ट्रीय समाजवाद कहता था। वास्तव में देखा जाए तो यह सांस्कृतिक राष्ट्रवाद पाकिस्तान के द्विराष्ट्रवाद के सिद्धांत का ही एक प्रतिरूप है। यह तथ्य है कि आज जिन सावरकर की तस्वीर संसद के कक्ष में महात्मा गांधी की तस्वीर के ठीक सामने लगाई गई है, वही हमारे देश में इस द्विराष्ट्रवाद के प्रणेता थे और उन्होंने हिन्दुत्व शब्द का इस्तेमाल किया था। उन्होंने कहा था कि इस हिन्दुत्व का हिन्दू धर्म से कोई लेना-देना नहीं है। क्या यही वह सांस्कृतिक राष्ट्रवाद है, जिस सांस्कृतिक राष्ट्रवाद की चर्चा लगातार हमारे गृहमंत्री जी कहते रहे हैं? उन्हीं के शब्दों में, उन्होंने ही कहा था कि अगर अयोध्या के मुद्दे को हमने सांस्कृतिक राष्ट्रवाद के जरिए उठाया न होता तो आज हम यहां नहीं होते, जहां आज हम हैं। सभापति जी, मैं कहना चाहूंगी कि गुजरात के भयावह नरसंहार के बाद गृह मंत्री जी के जो बयान आए, उन बयानों पर वहां के नागरिक ट्राइब्यूनल ने यह कहा था, मैं क्वोट करना चाहूंगी “कि ऐसा लगता है जैसे आडवाणी जी बार-बार यह भूल जाते हैं कि वे एक संवैधानिक पद पर हैं, न कि संघ प्रचारक के पद पर”।

सभापति जी, संघ परिवार की विचारधारा में साम्प्रदायिक घुवीकरण ही सांस्कृतिक राष्ट्रवाद की लाक्षणिक विशेषता है। इसलिए इस पुरे काल साम्प्रदायिक तनाव को बढ़ाने वाले किसी भी मसले का समाधान हम नहीं देखते हैं। उल्टे हमने यह देखा कि इस काल में उन तमाम विषयों को जिनसे साम्प्रदायिकता का जहर फैलता है, जिनसे साम्प्रदायिकता भड़कती है, उन तमाम मुद्दों को उछाला गया। इस काम में सरकार ने अटॉर्नी जनरल तक के पद का दुरुपयोग किया। भारत की तमाम संवैधानिक संस्थाओं को जो लोग आज चुनौती दे रहे हैं और बड़ी बेफिक्री के साथ बयान बाजी करते हैं, उनके खिलाफ हमारे गृह मंत्रालय का क्या रवैया है? हमारा गृह मंत्रालय हमारे देश के संविधान के धर्मनिरपेक्ष आदर्शों के प्रति, इस राष्ट्र की राजनीति के जो कुछ बुनियादी मूल्य हैं, उनमें धर्मनिरपेक्षता बहुत बड़ा मूल्य है, लेकिन उस धर्मनिरपेक्षता के प्रति हमारी सरकार कितनी विश्वसनीय रही है, यह हम सब जानते हैं। मैं यह कहना चाहूंगी कि यही वह बुनियादी वजह है जो भारत में आतंकवाद के लिए जमीन तैयार करती है। आर0एस0एस0 विहिप आदि का हिन्दू सम्प्रदायवाद जहां अल्पसंख्यक साम्प्रदायिकता को हवा देता है, वहीं अल्पसंख्यक साम्प्रदायिकता से प्रेरित आतंकवाद पुनः बहुसंख्यक साम्प्रदायिकता को जन्म देता है। आज हमारा राष्ट्र, सभापति जी, साम्प्रदायिक ताकतों के इसी दुष्चक्र में फंसा हुआ है और दुर्भाग्य की बात यह है कि गृह मंत्रालय समस्या के समाधान की जगह शायद खुद ही समस्या बनता जा रहा है।

सभापति जी, अब मैं कश्मीर की बात करना चाहूंगी। कश्मीर सचमुच हमारे देश के लिए एक बहुत बड़ी चिंता और चुनौती का विषय है। कश्मीर हमारे देश की एकता और अखंडता का, हमारी धर्मनिरपेक्षता का, हमारी साझा संस्कृति का, हमारे संघीय ढांचे का प्रतीक है और इसलिए हमारे लिए एक बहुत ही अहम चुनौती है कि इस कश्मीर मसले का हल हम कैसे करते हैं। इस मसले के हल में जिस मंत्रालय की अहम भूमिका है, वह हमारा गृह मंत्रालय है। हमारा अनुभव यह बताता है कि कश्मीर की विधान सभा के पिछले चुनाव से पहले तक ऐसे कोई कदम नहीं उठाए गए जिनसे यह संभव हो या जिनसे यह लगता हो कि सरकार कश्मीर की समस्या के समाधान के लिए वास्तव में गंभीरता से आगे बढ़ रही है। सभापति जी, जब हमारे गृह मंत्री जी ने पदभार संभाला था

तो प्रिएन्टिव एक्शन की बातें की गई थीं, लेकिन हमने देखा कि प्रिएन्टिव एक्शन तो दूर की बात दुश्मन की सेनाएं हमारी सीमाओं पर आ गई और सरकार को खबर तक न लगी। हमारे बहादुर जवानों ने अपनी जान देकर इस देश की सम्प्रभुता की रक्षा की। सभापति जी, कश्मीर समस्या के समाधान की दिशा में बातचीत के लिए जो कदम उठाए गए, वे हम सब जानते हैं। पहले के 0सी0 पंत जी के नेतृत्व में कमेटी बनाई गई। वह कमेटी "नौ दिन चले अढ़ाई कोस" की कहावत भी चरितार्थ नहीं कर पाई। उसके बाद श्री जेटमलानी जी आए। अखबारों में हम उनके गरम-गरम बयान सुनते रहे, लेकिन जैसे ही चुनाव खत्म हुआ, उनके सारे अभियान भी खामोशी के साथ भूमिगत हो गए। अब एन0एन0 वोरा साहब आए हैं। हाल ही में प्रधान मंत्री जी कश्मीर गए, जो एक अच्छा संकेत है और वहां की सरकार ने भी इसे सराहा है। हम आशा करें कि कश्मीर की बर्फ पिघलेगी। लेकिन हमारे पुराने इतिहास को देखते हुए मेरी यह आशा भ्रम में पड़ जाती है कि क्या हमारे ये कदम सफल होंगे? क्या सरकार को यह सोचना नहीं चाहिए कि आखिर क्या कारण है कि आपके तमाम कदम कश्मीर के संबंध में असफल हो जाते हैं? कही इसके पीछे आपकी राजनीतिक विचाराधारा तो बाधा नहीं बन रही है?

सभापति महोदय, एक ओर जहां कहा जाता है कि तमाम पूर्वाग्रहों को छोड़कर, तमाम दुराग्रहों को छोड़कर हम वार्ता के लिए राजी हों, वहीं कश्मीर की स्वायत्तता के प्रश्न को बिना देखे, एक झटके में रद्दी की टोकरी में फेंक दिया जाता है। फिर से धारा 370 को हटाने की बातें की जाती हैं। क्या धारा 370 को खत्म करने की बातें करके, सांप्रदायिक ध्रुवीकरण की राजनीति करके आप कश्मीर के लोगों का दिल जीत सकते हैं? मैं समझती हूँ कि यही एकमात्र कारण है जिसके चलते आप कश्मीर के लोगों का दिल नहीं जीत पा रहे हैं।

श्री सभापति : आपका समय समाप्त हो गया है। आपके लिए 11 मिनट का समय था, अब 15 मिनट हो गए हैं।

श्रीमती सरला माहेश्वरी : मुझे 16 मिनट बताए गए थे। चार घंटे की डिबेट में मुझे 16 मिनट का समय दिया गया है। आप विराजमान हैं, मुझे उम्मीद है आप थोड़ी मेहरबानी करेंगे।

श्री सभापति : ठीक है, जल्दी खत्म कीजिए।

श्रीमती सरला माहेश्वरी : सभापति महोदय, मैं कश्मीर की चर्चा कर रही थी। मैं कहूंगी कि हम कश्मीर की समस्या का समाधान तभी कर सकते हैं। जब कश्मीर के लोगों की अस्मिता के सवाल को भारतीय अस्मिता के संदर्भ में देखते हुए उनकी स्वायत्तता को स्वीकारा जाए और लोगों का विश्वास अर्जित किया जाए।

सभापति महोदय, अभी यहां उत्तर-पूर्व की चर्चा हो रही थी। मैं उस चर्चा में नहीं जाना चाहती क्योंकि आप भी बार-बार समय का तकाजा कर रहे हैं लेकिन मैं यह कहना चाहूंगी कि त्रिपुरा जैसे छोटे से राज्य में भी आंतकवाद की गंभीर समस्या है। हालांकि वहां की सरकार अपनी

पूरी शक्ति के साथ इससे लड़ रही है लेकिन केन्द्र सरकार से जो मदद मिलनी चाहिए, वह मदद नहीं मिल रही है। हमारे पड़ोसी राज्य बंगला देश में आतंकवादियों के शिविर बने हुए हैं। हमें बंगलादेश के साथ बात करने की जरूरत है। जो कांटेदार बाड़ लगाने की बात है, मैं समझती हूँ कि गृह मंत्री जी इस ओर ध्यान देंगे।

सभापति महोदय, इसके साथ ही मैं यह कहना चाहूंगी कि कानून और व्यवस्था को बनाए रखने में असमर्थ सरकार ने आतंकवाद पर काबू पाने के लिए जिस तरह पोटा जैसे जनतंत्र विरोधी कानून को हमारे सामने रखा, वह ठीक नहीं था। वह कानून उन्होंने इस हठधर्मिता के साथ रखा कि हम हर हालत में पोटा लेकर आएंगे क्योंकि पोटा ही आतंकवाद को रोकने की रामबाण दवा है। इस सदन में वह पास नहीं हो सका तो संयुक्त बैठक बुलाई गई और पोटा पास हो गया। लेकिन उस पोटा का क्या परिणाम आज हम देख रहे हैं? उस दिन जब चर्चा हो रही थी तो गृह मंत्री जी ने हाथ झटकते हुए कहा कि मैं राज्यों की जिम्मेदारी नहीं ले सकता। हो यह रहा है कि इस पोटा जैसे कानून में आज 12 साल के बच्चे, 13 साल के बच्चे झारखंड जैसे राज्य में जेल की सीखचो के पीछे हैं।

सभापति महोदय, एक दूसरा मुद्दा मैं उठाना चाहूंगी, जिसकी मैंने पहले चर्चा की थी और वह है भ्रष्टाचार का मुद्दा। कांग्रेस के राज में हमने भ्रष्टाचार के कई किस्से सुने लेकिन उसके बाद इस सरकार के काल में तहलका के रूप में जो कुछ हमने देखा, उसमें तो राजनीतिक बेईमानी के सारे रिकॉर्ड टूट गए। हमने देखा कि किस तरह भ्रष्टाचार में डूबे हुए अपराधियों को, मंत्रियों को तो पनाह दी गई लेकिन वे लोग, वे पत्रकार जिन्होंने बड़ी ही निडरता के साथ, निर्भय होकर इसको उदघाटित किया था, उन पत्रकारों के साथ क्या सलूक किया गया? उस तहलका का क्या हाल किया गया? कश्मीर टाइम्स के उस पत्रकार इफ्तखार जिलानी का क्या कसूर था? सरकारी गोपनीयता कानून के तहत उसको 6 महीने के लिए जेल के अंदर बंद कर दिया गया और फिर उस पर से सारे इलजाम वापस ले लिए गए क्योंकि आपको कोई सबूत नहीं मिला। तमाम पत्रकारों ने, प्रैस काउंसिल ने आपसे बार-बार निवेदन किया कि यह सही नहीं हो रहा है। इसलिए मैं कहना चाहूंगी कि यह जो हो रहा है, यह बहुत ही गलत हो रहा है।

श्री सभापति: बस इतना ही कहिए।

श्रीमती सरला माहेश्वरी: सभापति महोदय, गृह मंत्रालय एक ऐसा मंत्रालय है जिसकी उपलब्धियों और विफलताओं का सीधा-सीधा सम्बन्ध इसे चलाने वाले नेतृत्व के राजनीतिक विचारों और दर्शन से जुड़ा है। संघ परिवार का दर्शन भारत के बाहुल्यतावाद के दर्शन का विरोधी दर्शन है। यह विविधता में एकता का विरोधी है। जो भारत के संघीय ढांचे को उसकी कमजोरी मानता है, जो धर्मनिरपेक्षता का मजाक उड़ाता है, आर्थिक मामलों में जो सरकार की भूमिका को गौण करना चाहता है ऐसी विचारधारा से प्रतिबद्ध भारत का गृह मंत्रालय कश्मीर और उत्तर पूर्व की तरह की समस्याओं का समाधान तो सभापति महोदय क्या करेगा, यह राष्ट्र को अयोध्या, धर्म परिवर्तन की

3.00 P.M.

तरह के साम्प्रदायिक सवालों से उलझा कर ही रख सकता है, गोधरा और गुजरात के तरह के जघन्य हत्याकांड दे सकता है, पोटा की तरह के जनतंत्र विरोधी कानून दे सकता है। इसलिए सभापति महोदय, मैं हमारे उप प्रधान मंत्री जी और गृह जी से यह निवेदन करना चाहूंगी कि यदि वास्तव में आप भारत में सरकार पटेल की भूमिका को आगे बढ़ाना चाहते हैं तो कृपा करके अपने पूर्वाग्रहों से, अपने दुराग्रहों से मुक्त होइए, संघ परिवार की संकीर्णता से मुक्त होइए और भारत जो है, हिन्दुस्तान जो है उसकी असलियत को, उसके जमीनी यथार्थ को समझिए, उस राष्ट्र की पीड़ा को समझिए, उस राष्ट्र के दर्द को समझिए। अगर आप उस राष्ट्र की पीड़ा और दर्द को समझेंगे तब आपको यह फर्क नजर नहीं आएगा। और इसलिए मैं उनसे यह निवेदन करूंगी कि- “अलग होती है हमेशा भाषणों की भाषा, लेकिन रोती मांओ और बहनों का दर्द एक होता है। अलग होती है वह भाषा जो जनगणना के रजिस्टर में दर्ज होती है लेकिन घर में उठते मरसियों की भाषा एक होती है”। इसलिए अगर आप एक संवेदनशील हृदय लेकर इस राष्ट्र की पीड़ा को समझेंगे, इस राष्ट्र के दर्द को समझेंगे तो जाहिर है उस दर्द से ही आपको उजाले की राह मिलेगी, रोशनी की राह मिलेगी और इस देश को एक जुट रख पाएंगे धन्यवाद

श्री जनेश्वर मिश्र (उत्तर प्रदेश): धन्यवाद महोदय, मैं आप तौर से गृह मंत्रालय की मांगों पर नहीं बोला करता हूँ। प्रणन दादा नहीं हैं। उनकी निगाह में यह बहुत महत्वपूर्ण विषय है। लेकिन मैं गृह मंत्री जी से क्षमा मांगते हुए कहूंगा कि मुझे यह निरर्थक विषय लगा। हिन्दुस्तान के 60 सैकड़ा लोगो का कही भी पुलिस से कोई सम्बन्ध नहीं। इसलिए मैं बार-बार जोर देता था कि कृषि मंत्रालय पर बोलने दें। सौ सैकड़ा लोगो को रोटी से संबंध होता है। हम खुद हैं इलाहाबाद में, 8-10 साल से जानते ही नहीं कि कौन कप्तान आया और कौन चला गया। कभी कोई बात पड़ी तो टेलीफोन कर दिया, इसके अलावा शक्ल से नहीं देखा। यह हमारी ही हिमाकत कही जाएगी कि इतनी कड़ी भाषा में बोल रहा हूँ। लेकिन मैं मानता हूँ कि यह कोई बहुत साधक विषय नहीं है और सच यह है कि हमने अपने मकान के सामने चाय की दुकान पर खड़े होकर देखा है कि एक बुढ़िया चाय पीने आती है, एक बच्चा बिस्कुट खरीदने आता है। वहां पार्लियामेंट थाने का कोई सिपाही या दरोगा नहीं रहता। वह बच्चा बिस्कुट खरीद कर जाता है, बगल में हम खड़े रहते हैं, मजबूत पहलवान खड़ा रहता है उसको डर नहीं लगता कि वह उसको मार देगा। बुढ़िया चाय पीकर चली जाती है, उसको डर नहीं रहता, पार्लियामेंट थाना नहीं है, होम मिनिस्ट्री नहीं है। संविधान की किताब भी वह नहीं जानती। जाब्ता फौजदारी ताजीरात हिन्द की किताब भी नहीं जानती। इंसान इंसान में अपने आप में एक इतना बड़ा सुलहनामा है जिसके सामने आपकी होम मिनिस्ट्री एक निरर्थक विषय लगती है। हम अपनी जिदगी खुद जिया करते हैं। हमारी जिदगी पर जब कभी खतरा आता है, यह 30-40 सैकड़ा लोग हैं। ये और कम होंगे। तब गृह मंत्रालय की जरूरत पड़ती है और जिदगी पर आए हुए खतरे के बारे में हमने कल या परसों इलाहबाद हाई कोर्ट के जज की एक टिप्पणी सुनी। उसने कहा “कोई भी सुरक्षित नहीं है”। इस पर सरकारी वकील ने कहा कि “This is too much” तो उन्होंने कहा कि “सही कह रहा हूँ। आप भी सुरक्षित नहीं हैं और हम भी सुरक्षित नहीं हैं”। यह हाई कोर्ट के जज ने कहा है। कल हम लोग इस सदन में चर्चा कर रहे थे कि एक माननीय सदस्य की जिदगी पर खतरा आ गया है लेकिन यह हाई कोर्ट का जज बोल रहा है। जिदगी पर खतरे आ रहे हैं। पहले जज की जिदगी पर खतरा महसूस नहीं होता था। मंत्री, नेता मारे जाते थे, जज के लिए सिक्योरिटी का इंतजाम भी नहीं किया जाता था लेकिन अब हाई कोर्ट का जज यह भाषा बोलने लगे कि हम भी सुरक्षित महसूस नहीं कर रहे तो हम चाहेंगे कि उसको आप जरूर

देखिएगा। असल चीज यह है कि जिन फोर्सिज के बल पर आप गृह मंत्रालय चलाते हैं, अभी एक सर्वे रिपोर्ट निकली है, उस सर्वे रिपोर्ट को जब हमने पढ़ा तो उसमें दिया है कि भ्रष्टाचार के मामले में पुलिस नम्बर एक पर है। स्वास्थ्य विभाग को नम्बर दो पर कहा गया है, सुषमा जी होती तो हम जरूर इशारा करते। अखबारों में हमने यह पढ़ा है और हम चाहेंगे कि इसको आप जरूर पढ़िएगा। पुलिस का जवान ऐसा क्यों हो गया? जब भर्ती होता है तो हमारे गांव का बेटा होता है, शहरी ताल तिकड़म भी नहीं जानता है। वह वर्दी पहनने के बाद क्यों बिगड़ गया? हम यह सोचना शुरू कर दें। उसकी जिंदगी में जलालत है। हम लोगों को कई सिपाही मिल जाते हैं। वे रोते हैं और कहते हैं कि हम काम नहीं कर पाते हैं। एक—दो बार यूनिशन बनाने की इन सबने कोशिश की, आपकी दिल्ली में भी की थी लेकिन सुप्रीम कोर्ट में आप लोगों ने मुकदमा फंसा दिया। उन लोगों की यूनिशन अब नहीं बन सकी। वे लोग भी आदमी हैं, उनको भी तकलीफ होती है, उनका कोई संगठन होना चाहिए जिसके माध्यम से वे आपसे या किसी से बात कर सकें। हमने उनकी तकलीफ देखी है। कई सिपाही हमसे आकर बोले हैं सभापति महोदय, कि हमें कप्तान के बच्चे को साइकिल पर स्कूल छोड़ने जाना पड़ता है कई सिपाही हमसे आकर बोले हैं कि नहाने के बाद कप्तान साहब की मेम साहब की साडी भी मुझे बाथरूम में धोनी पड़ती है। यह जलालत की जिंदगी है। वे गरीब के बेटे हैं। हम नहीं कहते सब कप्तान ऐसा चाहते हैं। लेकिन पद पाने के बाद आदमी आदमी को जो अहम हुआ करता है, हर महकमें में होगा, यह इंसान की कमजोरी है। हम चाहेंगे कि इस कमजोरी को दूर करने के लिए जो पीछित वर्ग है उसको राहत देने की कोशिश करनी चाहिए। इसकी सार्वजनिक सुनवाई नहीं हो सकती। आपके सामने तो वह कप्तान के सामने शिकायत नहीं कर सकता, आई.जी., डी.आई.जी. तो छोड़ दीजिए। जो पूरी पुलिस महकमे की बनावट है, यह दोषपूर्ण है। फिर वह भ्रष्टाचार नहीं करेगा तो क्या करेगा, जो तंदुरुस्त वातावरण में निकलता है, उसका दिमाग तंदुरुस्त होता है और वह ईमानदार होता है। जो खराब वातावरण में निकलेगा, उसका दिमाग खराब होगा और वह बेईमान होगा। यह जरूर नोट कीजिएगा। इसलिए जिस ताकत के बल पर, जिन फोर्सिज के बल पर आप काम कर रहे हैं, वे बड़ी दुर्दशा की हालत में आज है। यह हमने कई बार कहा, आपके अफसरों से भी कहा कि उनकी दुर्दशा जरूर दूर करें। सिक्योरिटी और इंटरनल सिक्योरिटी की तरफ प्रणव बाबू ने इशारा भी किया है। एक तो पाकिस्तान का प्रायोजित आतंकवाद है जिसकी हरकत से एक बार यह पार्लियामेंट भी थर्रा गयी थी, तब हमने नेता के मुंह से सुना था कि अब की हम आर-पार की लड़ाई लड़ेंगे। हम जानते थे कि शब्दों से कुछ नहीं होता है और कविता बनाने से कुछ नहीं होता है। बात जैसी की तैसी पड़ी रह गयी। एक बार हम लोग भी थर्रा चुके हैं और बुरी तरह थर्रा चुके हैं। लगता था कि हम ही लोगों पर हमला था। पहले जो चेयरमैन साहब थे वे निकलने वाले थे, शायद वे ही शिकार हो जाते। हम संसद में बैठे हैं। हम ही सुरक्षित नहीं हैं। गृह मंत्री जी, आपके मकान के बारे में हमने पढ़ा कि आपके विभाग के लोगो ने लिख दिया कि जिस मकान में आप रहते हैं, वह मकान सुरक्षा की दृष्टि से ठीक नहीं है जल्दी ही इन लोगो ने सलाह दे दी कि बढ़िया और सुरक्षित मकान आपको दिया जाए। मुझे दुख हुआ। अगर भारत का गृह मंत्री असुरक्षित है तो जनेश्वर मिश्र कैसे सुरक्षित रह सकता है? हमने तो एक पुलिस का सिपाही भी नहीं लिया है अपनी अर्दली के लिए लेकिन हम जानते हैं, हमको कोई मारेगा नहीं। हम घूमते रहते हैं और हम यह भी जानते हैं कि आपको भी कोई मारेगा नहीं। जनता के बीच में रहिए, अपने को असुरक्षित महसूस मत कीजिए। आपकी अफसरशाही आपके दिमाग को भयभीत बनाने की कोशिश कर रही है। रवीन्द्र नाथ टैगोर ने कहा था—

“चित यथा भयशून्य उच्च यथा शीश”

अर्थात् जिसका चित्त भय शून्य होता है उसका सिर ऊंचा हुआ करता है। मुझे दुख के साथ कहना पड़ता है कि इस समय हम भारतीयों के चित्त को भयपूर्ण बनाने की साजिश चल रही है, जिसको मैं चाहता हूँ कि आप बंद कराएँगे।

(उपसभापति महोदया पीठासीन हुईं।)

अहलुवालिया साहब बैठे हैं। माननीय सदस्या ने एक दिन इस सदन में "मनुवादी" शब्द का इस्तेमाल कर दिया था। इन्होंने और इनके मित्रों ने बहुत शोर मचाया कि इसको वापस लो। मैं चुपचाप सुन रहा था। आज अखबार में पढ़ा कि संसद मनुवादियों के हाथ में आ गई है, हमको इससे चोट लगी। चोट यह लगी कि एक वर्ग विशेष के बारे में हम लोगों के बारे में यह राय दी गई कि हम उनके दुश्मन हैं, जबकि हम ईमानदारी से बताएं-हम उनके दोस्त हैं, और जो बोल रहा है, उससे भी ज्यादा दोस्त हैं। एक घृणा पैदा की गई पूरी संसदीय प्रथा के बारे में। मैं नहीं जानता कि इस पर किसी सदस्य ने प्रिविलेज मूव किया है या नहीं लेकिन यह तो संसद की अवमानना हो गई कि हम लोगों को कह दिया गया कि हम सब के सब मनुवादी हैं—संसद मनुवादियों के हाथ में आ गई है- इस तरह का अनर्गल प्रचार अगर होने लगेगा, बातें निकलने लगेंगी तो कोई शासन-व्यवस्था ठीक से चल नहीं सकती है। मैं जानता हूँ कि जब आपसे ठीक से सत्ता नहीं संभल पाई तो आपने, बड़े कमजोर चित्त की जो निशानी है—"चित्त यथा भयशून्य उच्च यथा शीश"- यह जरूर याद रखकर आपने एक सख्त कानून बना दिया। विपक्ष कहता रहा और इस सदन में तो उसने पूरी तरह से कहा कि इसका दुरुपयोग होगा। हम तो जानते थे, हम डी.आई.आर.में मीसा में, प्रिवेंटिव डिटेन्शन में, पता नहीं कितने कानूनों में कई बार बंद रहे लड़कपन के दिनों में—जब हम एम.पी. नहीं होते थे सब की बात है। हम तो जानते थे कि दुरुपयोग होगा। कोई कलेक्टर नाराज होगा, हमको बंद कर देगा। हमसे सेक्रेटरी नाराज होगा, कड़ा तो हम बोलेंगे ही क्योंकि हम जनता की बात करते हैं तो हलकी भाषा तो नहीं बोलेंगे, उसको बुरा लग जाएगा, उसके अहं को चोट लगेगी, हमको जेल भेज देगा। हम जानते थे और कई बार जेल भेजा गया हमको। हम जानते थे कि इसका दुरुपयोग होगा और दुरुपयोग सामने आ गया।...(समय की घंटी)...मैडम, कुछ अभी समय है न?

उपसभापति: समय तो ऊपर हो गया है।

श्री जनेश्वर मिश्र : तब आपने देर में घंटी क्यों बजाई?

उपसभापति: मैं आपका जुमला बीच में काटना नहीं चाह रही थी।

श्री जनेश्वर मिश्र : दो-तीन मिनट और ले सकते हैं?

उपसभापति: दो मिनट ले लीजिए।

श्री जनेश्वर मिश्र: आप बड़ी कंजूसी कर रही हैं।

उपसभापति: यह आज ही शाम तक खत्म करना है, रिप्लाइ भी आज ही करना है।

श्री जनेश्वर मिश्र: हम ज़रूर सहयोग करेंगे, जल्दी ही खत्म कर देंगे।

एक अजीब किस्म का सख्त कानून पोटा संयुक्त अधिवेशन में आपने पास करवा लिया, आज उसका दुरुपयोग हो रहा है। आपकी तरफ से आश्वासन दिया गया कि आतंकवाद और राष्ट्रद्रोह के अलावा किसी पर इसका इस्तेमाल नहीं होगा। राज्य सरकारें आपके हाथ में नहीं हैं, आपका कहना नहीं मानेंगी। आपने पुनरीक्षा के लिए कोई कमेटी बनाने का आश्वासन दिया लेकिन उसके बाद भी आदमी तो जेल में ही रहेगा। इंसान की सबसे बड़ी कीमत उसकी नागरिक आजादी हुआ करती है कि वह स्वतंत्र रूप से घूम सके। आज आम आदमी डरा हुआ है कि पता नहीं कब हम बंद कर दिए जाएं और इससे भ्रष्टाचार फैला है। हमने अखबार में पढ़ा है कि अमरीका वाले आप पर डोरा डाल रहे हैं और अभी आप अमरीका जाने वाले हैं। उनकी यह धारणा बन गई है कि बुढ़ापे के कारण अटल जी अब आगे नहीं चल पाएंगे और अगर दोबारा सत्ता मिली तो आप ही प्रधानमंत्री होंगे। इसलिए वे आपके स्वागत की विशेष तैयारी करेंगे। वे कोशिश करेंगे कि आप मुशर्रफ से बातचीत कीजिए। आप लोगों ने यहां यह ऐलान किया है कि जब तक पाकिस्तान समर्थित आतंकवाद समाप्त नहीं होगा, मुशर्रफ से कोई बातचीत नहीं होगी। हालांकि अटल जी कश्मीर में अपनी जुबान से बोलकर ढीले पड़ गए हैं। आपसे मैं कहूंगा कि संसद में आकर आपको फिर यह कहना पड़ेगा कि हमने जो उस समय कहा था गलत था, ज़रूरत पड़ेगी तो हम बात करेंगे। हम लोग मान लेंगे कि अमरीका के दबाव में आप कह रहे हैं। दबाव में भी सरकारें काम करती हैं और जिन सरकारों को बड़े देशों से पैसा लेना होता है तो बिना दबाव में एक मिनट भी चल नहीं सकती है। वह मैं जानता हूँ लेकिन जब आतंकवाद पर आप चिंता करते हैं तो आतंकवाद दो तरह का होता है—एक आतंकवाद तो मजबूत का होता है और एक आतंकवाद कमजोर का होता है। ओसामा बिन लादेन का आतंकवाद कमजोर का आतंकवाद था और बुश का आतंकवाद जब अफगानिस्तान की तरफ चला तो वह मजबूत का आतंकवाद था। जब वह इसका की तरफ चला तो वह मजबूत का आतंकवाद था। मजबूत का आतंकवाद एक आदमी को लक्ष्य बनाकर कि इसको मारने चल रहे हैं, चलता है और कमजोर का आतंकवाद कहीं बम फैंककर, कहीं गोली चलाकर दहशत पैदा किया करता है। हिन्दुस्तान के अक्लियत के लोगों की बार-बार शिकायत की जाती है कि इनमें आतंकवादी बहुत आ गए हैं। ये बहुत आते हैं तो...(समय की घंटी)... कहीं बम फोड़ दिया करते हैं। एक मिनट मैडम। लेकिन मुम्बई से एक लड़का निकला था पिस्तौल लेकर, तो एक आदमी को मारने की नीयत से आया था और वह महात्मा गांधी था, उसको गोली मार दी। हिन्दुस्तान में हिन्दू तादाद के हिसाब से मजबूत हैं। मजबूत एक आदमी को लक्ष्य बनाकर मारता है और कमजोर कोई हरकत कर देता है कि आतंकवाद हो जाए। यह फर्क आप दिमाग में नहीं रखेंगे तो आतंकवाद मजबूत का भी होगा। हमारे दोस्त प्रणब मुखर्जी, हमारे नेता हैं इन्होंने कहा था कि इस समय कई जगह आतंकवाद चल रहा है। एक तो यह सीमा पार आतंकवाद है और दूसरा इन्होंने गिनाया जिसको वाम आतंकवाद कहते हैं। वह तो जमीन का झगड़ा है। भूमि सुधार कानून आजादी मिलने के बाद इतना गंदा बना। उत्तर प्रदेश को छोड़कर के हिन्दुस्तान की तीन चौथाई आबादी के पास एक इंच जमीन भी नहीं रह गई है। किसान किराए पर जमीन लेता है, खेती करता है। खेती सूख जाती है तो या वह आत्महत्या करता है या उसका बेटा बंदूक उठाता है। अगर आतंकवाद को खत्म करना है। आन्ध्र से लेकर कर्नाटक होते हुए महाराष्ट्र तक तो भूमि सुधार कानून में संशोधन करना पड़ेगा। जो पूर्वोत्तर का आतंकवाद है, यह क्षेत्रीय विषमता का आतंकवाद है। नदी के कारण, कुदरत के कारण वे तरक्की नहीं कर सके। हम जानते हैं कि जो सूबा जितनी तरक्की करता है, खजाने से उतना ही रुपया मांगता है, खासतौर से

आन्ध्र और कर्नाटक। लेकिन लोक कल्याणकारी राज्य जो दिल्ली में है, जो जितना पिछड़ा है उसकी उतनी ही मदद करनी चाहिए वरना यहां के आतंकवाद से आप कभी भी मुकाबला नहीं कर पाएंगे। केवल वामपंथी आतंकवाद ही नहीं होता, दक्षिण पंथी आतंकवाद भी होता है। अगर आन्ध्र प्रदेश से लेकर और महाराष्ट्र तक बम आतंकवाद है तो अहमदाबाद में दक्षिण आतंकवाद है, दक्षिण पंथी आतंकवाद भी होता है। मैं गृह मंत्रालय से निवेदन करूंगा कि इन विषयों पर गंभीरता से सोचें। हम को समय कम मिला था, हम कहीं भी कटु होने की कोशिश नहीं कर रहे हैं। लेकिन देश जिस हालत में जा रहा है, शायद दस-बीस साल के बाद हम लोग छोड़कर चले जाएंगे तो अपने बच्चों को बहुत खराब देश देकर जाएंगे। इसलिए मैं प्रार्थना करूंगा कि जो भयानक समस्याएं हैं और खासतौर से आप से, निजी तौर से जब आप अमरीका में जाएंगे तो आपका बहुत स्वागत होगा लेकिन आप उन सभी के जाल में मत फंसिएगा, सब बड़े बदमाश होते हैं। बहुत-बहुत धन्यवाद।

DR. V. MAITREYAN (Tamil Nadu) : Respected Madam Deputy Chairperson, I rise on behalf of the AIADMK, to place our views. The major emphasis of the Home Ministry is on internal security, terrorism and cross-border terrorism. The hon. Prime Minister of our country, Shri Atal Bihari vajpayee, is very fond of annual musings. We have read about his Kumarakom musings, Goa musings, and what not. On 1st January 2002, in his annual musings, he devoted a great deal of attention to terrorism; not surprising, but natural, considering the fact that hardly two weeks earlier, the country had witnessed one of the worst attacks on the pillars of democracy. So, Vajpayee ji expressed his resolve that we shall triumph against terrorism. And lest some people should confuse the country between terrorism and freedom movement, the Prime Minister goes on to expand his views. He mentions, "where the path of the terrorist diverges sharply from that of the idealist and the revolutionary is in the choice of the means he employs. Because of his murderous ways, his intolerance, and his extremism, he expels himself from the pale of humanity and descends to barbarism. To allow such barbarians to succeed, even partially, even in a single corner of the world, is to invite danger for the whole civilized humanity." It is with this preamble to root out terrorism, that the Government of India brought the POTA Act. and it was passed. During the POTA debate, the hon. Union Law Minister, Shri Arun Jaitley, spoke eloquently on the need for bringing in the POTA Act. He said, and in fact, he cited the assassination of one sitting Prime Minister and one former Prime Minister. Mr. Jaitley argued, in fact, that terrorists like Rajiv Gandhi's killers, needed a law that was tougher than TADA. This, he said, was because under TADA, causing communal disaffection was a defining feature of terrorism, which did not apply to the LTTE. To quote Mr. Jaitley, "The saddest judgement in this regard was in the case of the assassination of Shri Rajiv Gandhi. The Supreme Court said the LTTE wanted to take revenge. They killed him. So, where is any disaffection

between communities? Therefore, TADA was not made out even when Rajiv was assassinated." By the Government's own admission, then, POTA was made more stringent than TADA in order to better prosecute those like the killers of Rajiv. POTA was made so stringent that it brought in its ambit not just terrorists like Rajiv's killers, but those that backed them in any way, including providing funds and attending meetings held in their support. Accordingly, as per the POTA Act of 2002, a copy of which I have here, 32 militant organizations have been named as banned terrorist organizations. I shall just give the sequence of events. Who killed Rajiv Gandhi - a suicide squad of the LTTE. Who masterminded the killing - LTTE chief, Velupillai Pirabhakaran. Who in India is the best-known champion of the LTTE and Pirabhakaran.

SHRI C. P. THIRUNAVUKKARASU (Pondicherry) : Let him make allegations on the basis of record. Simply saying that is responsible for everything is not correct.

DR. V. MAITREYAN : Please, do not worry. I am quoting.

SHRI C. P. THIRUNAVUKKARASU : You say it on record that' is motivated.

SHRI S. S. AHLUWALIA (Jharkhand) : Madam, first of all,* is a Member of the other House. ...(*Interruptions*)... Please, Dr. Maitreyan, you must withdraw your words, because you should not mention the name of a person who is an hon. Member of the other House.

DR. V. MAITREYAN : Even if i do not mention the name of the person, the whole country knows who is who.

SHRI S. S. AHLUWALIA : Dr. Maitreyan, that is a matter which is sub judice, it is lying in the Court. Let them decide what is the fate of the Member. But why discuss it here?

THE DEPUTY CHAIRMAN : I understand that.

* Expunged as ordered by the Chair.¹

SHRI C. P. THIRUNAVUKKARASU : Nowhere has it been mentioned that he has been accused of this case. Dr. Maitreyan must speak on record. Madam, nowhere he has said that. He is accusing him. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN : Okay. Whatever it is, we are not mentioning the names. ...*(Interruptions)*... I tell you one thing more. First of all, a person who is a Member of the other House, we do not take his name. Secondly, anyone who is not here to defend himself, we do not take his name. And thirdly, if a matter is before the Court, we do not refer to that matter in the House. You can make your point. You can make your point in a general way, but please don't identify any people because they are not here to defend themselves. When others are going to defend them, I would not allow them. So, you better restrain yourself.

DR. V. MAITREYAN : But certain facts have to be quoted, Madam.

THE DEPUTY CHAIRMAN : Facts, but not individuals. ...*(Interruptions)*...

DR. V. MAITREYAN : Some 'xyz' leader whom the country knows. ...*(Interruptions)*... And who is this 'xyz' leader? ...*(Interruptions)*... He is the leader of a party which is part of the 24 constituents of the ruling. NDA Government. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Your name is there, Mr.Thirunavukarasu. You will also be speaking.

DR. V. MAITREYAN : I will not intervene when he speaks. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN : One thing more. Please abide by your time. I know when the Tamil Nadu discussion takes place, it can take over the whole day. Now we have other parties also.

DR. V. MAITREYAN : I request you, Madam, to consider me in the same way as you consider the other speakers.

[22 April, 2003]

RAJYA SABHA

THE DEPUTY CHAIRMAN : I did. I gave you two-three minutes. So, you.- please go two-three minutes ahead!

DR. V. MAITREYAN : So, who is this 'xyz' leader? He is the leader of a party which is part of the 24 party-coalition Government run by the NDA. In June, 2002, this 'xyz' leader spoke in a public meeting in Madurai. Madam, I am telling all this because this is very important; this pertains to an issue, not to an individual. He said, "I supported the LTTE yesterday. I am supporting the LTTE today. ...*(Interruptions)*...

SHRI C.P. THIRUNAVUKKARASU : Madam, that matter is *subjudice*. He cannot raise it here. ...*(Interruptions)*...

SHRI FAU S. NARIMAN (Nominated) : Madam, he cannot refer to a matter which is *sub judice*. ...*(Interruptions)*...

DR. V. MAITREYAN : ' Madam, because there has been a talk about the misuse of POTA.

THE DEPUTY CHAIRMAN : A matter which is *sub judice* is not going to be on record.

DR. V. MAITREYAN: Pardon me.

THE DEPUTY CHAIRMAN : I have my own way of doing things. I can always remove things from the record. But why do you like me to subject you to such torture? Why don't you restrain yourself?

DR. V. MAITREYAN : No, I am not saying anything. ...*^Interruptions)*...

THE DEPUTY CHAIRMAN : I say, "Any matter which is *sub judice*, you should not talk about, any individual who is not here to defend himself, you should not talk about.

DR. V. MAITREYAN : Madam, there is so much of talk, both inside and outside the Parliament, about the misuse of POTA. I have to defend my party definitely. Even that right cannot be taken away from me in the House.

THE DEPUTY CHAIRMAN : But nobody is saying anything in the House about that. If nobody is saying anything about that,..(*Interruptions*)...

DR. V. MAITREYAN : So many people have spoken in the past in the same House also about the misuse of POTA. Then I have to defend my party. If you don't want me to talk about that, I will sit down; no problem ...(*Interruptions*)...

SHRI C.P. THIRUNAVUKKARASU: Madam, he should speak properly ...(*Interruptions*)...

DR. V. MAITREYAN : I sit down; no problem. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN Will you please sit down Mr. Thirunavukkarasu? I have your name. I would be very happy if you speak when I will call your name. Let the hon. Member speak when he is to defend his party. Okay.

DR. V. MAITREYAN: "I supported LTTE yesterday, I am supporting LTTE today, and I will be supporting LTTE tomorrow, in future also." If application of POTA in this is not correct, what else can be the correct application of POTA? I go one step more. Again, a Minister in the Government is part of both the Houses. So, I don't think there should be any problem in that. The Minister in the NDA Government had openly supported the banned LTTE in various public meetings and press conferences in Tamil Nadu. In fact, the Chief Minister of my State, Madam Jayalalitha ji, had written to the Prime Minister, quoting various meetings which the Minister had addressed. I can only name a few. On 5th June, 2002, I am talking about Chennai; 7th July, at Ghennai; 11th at Mumbai Airport; 12th, at Coimbatore; 19th, at Vellore; 20th, at Madurai. I can go on quoting on and on ...(*Interruptions*)... He has said that his party would continue to support Tigers and will not be cowed down by any threat from the State Government. I only point out that the speeches made by the concerned Minister - I am not naming the Minister; everybody knows, - and the leader of a party - are neither occasional nor accidental; they are regularly preaching and enlisting support for LTTE.

DR. FAROOQ ABDULLAH (Jammu and Kashmir) : Why?

DR. V. MAITREYAN : I will come to that; I have already said that.

...(Interruptions)... Madam, there is a case in the Supreme Court. So, I will not go into the details of it, but only thing I will say. The Central Government filed a counter-affidavit-in the Court. Probably, since it is a counter-affidavit, they thought it is prudent to counter their own first counter-affidavit and filed another counter-affidavit. I would call the first counter-affidavit as "affidavit-A" and the second counter-affidavit as "affidavit-B". Affidavit-A means, actual and affidavit-B means', ...(Interruptions)... Madam, I should not mean the word. ...(Interruptions)... I repeat affidavit-B. ...(Interruptions)...

SHRI S.S. AHLUWALIA : Madam, should we discuss all these matters?
...(Interruptions)...

THE DEPUTY CHAIRMAN : No, we should not. ...(Interruptions)...

DR. V. MAITREYAN : I am not going into the details. ...⁴(Interruptions). . We want to know the stand of the Government.
...(Interruptions)...

SHRI C.P. THIRUNAVUKKARASU : We are discussing a matter which is *sub judice* and not relevant at all. ...(Interruptions)...

DR. V. MAITREYAN : I am not going into the merits of the case.
...(Interruptions)... I am not going into the merits of the case. ...(Interruptions)...

THE DEPUTY CHAIRMAN : Just one minute. ...(Interruptions)... Please sit down. ...(Interruptions)... I will look into it. (Interruptions)... Please take your seats. ...(Interruptions)...

DR. V. MAITREYAN : I have not said anything which is *sub judice*.
...(Interruptions)... I have not gone into the merits of the case. ...⁵(Interruptions)... I am only mentioning about the affidavit. ...(Interruptions)... Again, I am being Interrupted. I will not speak, Madam. ...⁶(Interruptions)...

SHRI B.P. SINGHAL (Uttar Pradesh) : ..It has no relevance.

DR. V. MAITREYAN : It has relevance. That is why I am mentioning it.
...(Interruptions)'...

*Exp*unged as ordered by the Chair.

THE DEPUTY CHAIRMAN : In any case, I go strictly by the time. Your time is over. ...*(Interruptions)*:-

DR. V. MAITREYAN: If you think so, Madam, I will withdraw. No problem. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN : No. Just listen to me. One should not behave the way in which you are behaving. The thing is that a matter, which is in the court...*(Interruptions)*...

SHRI N. JOTHI (Tamil Nadu):- The other day the Chair said ...*(Interruptions)*....

THE DEPUTY CHAIRMAN : Please* sit down. I am not answering you. ...*(Interruptions)*... Please take your seat. I don't know about the day which you are talking about. ...*(Interruptions)*... Every day we are sitting here. ...*(Interruptions)*..

SHRI N. JOTHI : The other day the Chair said, "The judges are good enough to take care of themselves and they will not take note of this matter" ...*(Interruptions)*..,

THE DEPUTY CHAIRMAN : I don't know who said it and when it was said and in what context. It has no reference to the context. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... Will you please sit down? ...*(Interruptions)*...

SHRI N. JOTHI : How could the Government file a counter-affidavit? ...*(Interruptions)*...

THE DEPUTY CHAIRMAN : Will you sit down? What are we discussing?

DR. V. MATREYAN: The misuse of POTA. ...*(Interruptions)*... I am speaking on the Demands for Grants of the Home Ministry...*(Interruptions)*...

THE DEPUTY CHAIRMAN : Just one minute. *(Interruptions)*... Mr. Ahluwalia, will you please sit down?...*(Interruptions)*... Mr. Ahluwalia, let me handle this. Please sit down. ...*(Interruptions)*... Would you mind sitting down? ...*(Interruptions)*... I know you are very active. But let me handle this. ...*(Interruptions)*... Just one minute, please. I want peace in the House. We are discussing about the working of the Home Ministry. ...*(Interruptions)*... Just one minute. We are not discussing about the conduct of the judges, or, the

matter in the court. *...(interruptions)...* Please keep yourself out of the court and keep yourself out of the affidavit. Nothing should be mentioned. You only discuss about the working of the Home Ministry. *...(Inteirptions)...* Don't mention the affidavit, it is not going on record. *...(Interruptions)...* It is not going on record. *...(Interruptions)...*

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu) : Madam, I am on a point of order. I refer to rule 238. Rule 238, namely, Rules to be observed While speaking, says that a Member while speaking shall not (i) refer to any matter of fact on which a judicial decision is pending. *...(Interruptbns)....*

DR. V. MAITREYAN : Madam, Ayodhya issue is pending in the court. *...(Interruptbns)...* How many times have we discussed it? *...(Interruptbns)...* How many times have we discussed about the Ayodhya issue? *...(Interruptions),..*

THE DEPUTY CHAIRMAN : Mr. Virumbi, I am not allowing it. *...(Interruptbns)...* Mr. Virumbi. I am not permitting it. *...(Interruptbns)...* But he should take note of it. *...(Interruptbns)...* Why are you talking about other issues? *...(Interruptions)...* Why are you going to the court? *...(Interruptbns)...*

DR. V. MAITREYAN : I am talking about the functioning of the Home Ministry. *...(Interruptions)...* No less a person than the Attorney-General of the country says that the change of affidavit was due to the mistake by a junior official of the Home Ministry. *...(Interruptions)...*

SHRI N. JOTHI : Madam, ...

THE DEPUTY CHAIRMAN : Are there two speakers from your party? *...(Interruptions)...* Now, you please sit down. *...(Interruptbns)...* Let him speak...*...(Interruptions)...* Who is going to speak? *...(Interruptbns)...*

DR. V. MAITREYAN : I am speaking, Madam. *...(Interruptbns)...*

THE DEPUTY CHAIRMAN : Then, Mr. Jothi, will you please sit down? He does not need your support. *...(Interruptions)...*

DR. V. MAITREYAN : No less a person than the Attorney-General says that the change of affidavit was necessary because of a clerical error or mistake made by a junior official of the Home Ministry. *...(Interruptbns)...*

SHRI S.S. AHLUWALIA : Madam, should we discuss it or not? *...(Interruptions)...*

DR. V. MAITREYAN : I am not discussing about the merits of the case. I am discussing about the mistake made by a Home Ministry official. ...*(Interruptbns)*...

SHRI C.P. THIRUNAVJKKARASU : Madam, all this is not relevant. ...*(Interruptbns)*... Nothing should go on record. ...*(Interruptions)*...

DR. V. MAITREYAN : All that I want to point out is...

SHRI NILOTPAL BASU (West Bengal) : Madam, I have one simple question. Since Shri Ahluwalia is supposed to be the Chief Whip of the BJP or the entire House, I just want to put to him one question. I would like to know whether both these parties are supporting the Government. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA : Why do you worry about it?

SHRI NILOTPAL BASU : I want to clear my confusion. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN : This is not concerning the debate. ...*(Interruptions)*... You can ask him in the Lobby, not in the House. Please sit down. Anything said without the permission of the Chair will not go on record. I will also reduce it from the time allotted.

DR. V. MAITREYAN : Madam, I am only saying...*(Intterruptbns)*...

THE DEPUTY CHAIRMAN : Now, please get out of POTA.

DR. V. MAITREYAN : Madam, POTA is very much there to stay in this country. Madam, the NDA Government maintains the position that "terrorism" cannot be justified as 'freedom struggle'. When Mr. Musharraf equates terrorism with freedom struggle, India cries foul. But when this-xyz leader speaks for the banned LTTE organisation, then the NDA Government vacillates on the meaning of the law and says that it has been misused. Imagine a similar situation where some leader stands out in the Kashmir Valley, or. in the capital city of Delhi and says that he is a supporter of Lashkar-e-Taiba, will the Government of Jammu and Kashmir keep quiet or will the Government of India keep quiet if somebody says that I am a supporter of Lashkar-e-Taiba? ...*(Interruption)*...

THE DEPUTY CHAIRMAN : Now, please conclude your speech. It is over. I cannot allow because there is a lot of cross-talking.

DR. V. MAITREYAN : Madam, I have known the hon. Deputy Prime Minister for a very very long time. He is a person who takes special pride in

[22 April, 2003]

RAJYA SABHA

saying that they are a nation-first party. As a student of Medical College in 1977 I have heard the speech of Shri Atal Bihari Vajpayee Ji speaking at the Kasturchand Park, Nagpur. Those words are still ringing in my ears. हम गलतियां जरूर कर सकते हैं , लेकिन बेईमानी नहीं कर सकते। But by changing the affidavit, they have done exactly the same, by mortgaging the national pride.

THE DEPUTY CHAIRMAN : Now your time is over. Now, you please conclude. The time is already over.

DR. V. <MAITREYAN: Madam, now I will come to non-controversial things.

THE DEPUTY CHAIRMAN : Officially, your time is over. Now, Mr. C.P. Thirunavukkarasu. Now, I have another problem of DMK and you please don't interrupt.

श्री सुरेश पचौरी(मध्य प्रदेश): मैडम, यह माननीय सदस्य होम मिनिस्ट्री पर बोलेंगे और वह माननीय सदस्य अपनी होम मिनिस्ट्री के निर्देशन पर बोल चुके हैं। ... (व्यवधान)...

THE DEPUTY CHAIRMAN : I do not know why AIADMK Member and DMK Member come one after another. I will have a put a buffer pa,1y, that is, RJD, in between. So, please note it, in between, you put RJD.

DR. V. MAITREYAN : Madam, same yardsticks which were followed for me, the cases which are in the court are *sub-judice*. I would expect a fair deal from the Chair.

THE DEPUTY CHAIRMAN : Sure, sure, as much as fair you were.

SHRI S. VIDUTHALAI VIRUMBI : Madam, thank you very much for having accepted all the things he said.. (Interruptions)...

THE DEPUTY CHAIRMAN : Mr. Virumbi, why are you putting oil on the fire. Already, I am trying to extinguish it. Please take your seat.

SHRI C.P. THIRUNAVUKKARASU : Madam, there are four pillars for a State. These are Legislature, Judiciary, Executive and the Press. I would like to say about the press in regard to what happened recently in Tamil Nadu. I would like to quote from *The Hindu* dated 17th April. It states, "In another development, the Madras Union of Journalists, the Chennai Press Club, the Journalist Action Group in a joint memorandum to the Governor said that the

Tamil Nadu Government had by invoking POTA. ...(*interruptions*)...

SHRIMATI S.G. INDIRA (Tamil Nadu) : Madam, it is *subjudice*.

. SHRI C.P. THIRUNAVUKKARASU : Madam, I am mentioning only the facts. I am not going into the law.

THE DEPUTY CHAIRMAN : Let me tell you one thing. There are so many legislations which govern the functioning of the Ministry of Home Affairs. POTA is not the only one. Why can't you just leave POTA and speak on the working of the Ministry of Home Affairs?

SHRI C.P. THIRUNAVUKKARASU : I will come to that after finishing this particular matter.

THE DEPUTY CHAIRMAN : What is that? Please let me know it.

SHRI C.P. THIRUNAVUKKARASU : It says, "By invoking POTA in the case, grossly misused the law intended only to tackle terrorism. An unlicensed gun, ammunition and a TNLA pamphlet were shown to have been seized by the police from Mr. Gopal".

THE DEPUTY CHAIRMAN : He is talking about Mr. Gopal.

DR. V. MAITREYAN : The matter is *sub judice*...(*Interruptions*)...

THE DEPUTY CHAIRMAN : Now, don't make a fun of sub judice matters'. ...(*Interruptions*)... Please sit down. Can you go back to your authorised seat so that I will have less noise coming to my side?

DR. V. MAITREYAN : It is *sub judice* matter. He should mention it without taking his name. Mr. Gopal is not here to defend himself.

THE DEPUTY CHAIRMAN : Don't make a fun of it. What are you talking about?

SHRI C.P. THIRUNAVUKKARASU : The journalist was arrested after the recovery of arms in his possession, which were planted.

DR. V. MAITREYAN : I object to it. ...(*Interruptions*)...

SHRI C.P. THIRUNAVUKKARASU : It was recovered from his possession. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN : Let me put the record straight. I may take some time of the House. But I must put the record straight. Whatever you speak in this House, you speak with great responsibility because as a Member of Parliament you have taken an oath of the Constitution. Secondly, we are governed by certain rules. If you say something over here, I will permit that if it is substantiated. Can you substantiate that those arms were planted? You cannot. *...(Interruptions)...* I am not saying it in your favour. You also come under that. I am saying it for everybody. Anything which you cannot substantiate, please do not make a mention of it. It is for your own good. I am here today. I may not be here tomorrow. But you are a Member of Parliament. The Member of Parliament should speak with great sense of responsibility because this becomes news. This can create a problem in the country because irresponsible statement which is not substantiated can create a kind of misunderstanding in this fragile structure of our country which we have today and the kind of terrorism we are facing. I request you to be within those parameters.

SHRI C.P. THIRUNAVUKKARASU : Madam, I have not said that I saw them planting arms and ammunition. I read this in a newspaper. *(Interruptions)*.

DR. V. MAITREYAN : Madam, Do we go by the newspaper reports? He should authenticate it.

SHRI C.P. THIRUNAVUKKARASU : I will authenticate it. *...(Interruptions)...*

DR. V. MAITREYAN : Madam, he himself is a lawyer.

THE DEPUTY CHAIRMAN : I know he is a lawyer. One more thing. When anybody quotes from a newspaper, he has to tell which newspaper he is referring to. If you are going to quote something which is not authenticated, I am not going to accept it.

SHRI C.P. THIRUNAVUKKARASU : I am saying this with responsibility. I am quoting *The Hindu* of 17.4.2003. It says, "The police discovery appeared aimed at facilitating the slapping of the POTA on him".

DR. V. MAITREYAN : Madam, it is not the view of *The Hindu*. It is a view of a group of journalists. *(Interruptions)*.

SHRI S. VIDUTHALAI VIRUMBI : He did not say that it is the view of *The Hindu*. It is a matter which had appeared in *The Hindu*.

SHRI N. JOTHI : It is a representation which was given to the Governor. *The Hindu* has reported it.

SHRI C.P. THIRUNAVUKKARASU : The journalist also said, "The police action was the 'latest twist in a long-standing effort to intimate Gopal and his journalists for their reporting on Veerappan and his gang whom the police had been hunting for several years". My submission is, if we cannot talk about the person who is arrested under POTA, nothing can be discussed about POTA at all.

DR. V. MAITREYAN : That is what I stated when I was speaking.

THE DEPUTY CHAIRMAN : You did not. Nobody said that you cannot discuss POTA. The question was, in which manner you discuss it and what part of POTA you are going to discuss. ...*(InterruptbnsK.. Please take your seat You can discuss POTA because POTA was passed by Parliament. The question is what I was not allowing you to speak was the matter which is relevant to the court. Any matter, whether it is POTA or any other law, if anybody is booked and the matter is before the court of law, then we are not allowing it to be referred here... (Interruptions)...* Any matter, which is related to court, is not part of the record...*(Interruptbns)...* There is no point. Are you a lawyer, or, a doctor?...*(Interruptions)...* Now, please do not waste other Members' time because I have got other Members' names who want -to speak.

SHRI C.P. THIRUNAVUKKARASU : Normally, in Tamil Nadu, arrest was made only in the midnight. The midnight arrests have been prohibited in D.K. Basu's case and in spite of that, Nakkeeran Gopal was arrested in midnight, Stalin was arrested in midnight. ...*(Interruptions)...*

SHRI N. JOTHI : He was arrested at 7 p.m., which is not midnight... 00000000000000000000000000000000*(Interruptions)...*

SHRI C.P. THIRUNAVUKKARASU : Then, Madam, recently- on 7th March, 2003...*(Interruptions)...*

SHRI S.VIDUTHALAI VIRUMBI: That is what I said, Dr. KarunanigVii, M.K.Stalin were arrested in midnight after 12 o'clock and at 1.30 a.m. ...*(Interruptions)...*

THE DEPUTY CHAIRMAN : Please, I fail to understand. ...*(Interruptions)...* Mr. Virumbi, please take your seat, otherwise I am moving

on to the next speaker. Because, this country does not mean only Tamil Nadu or DMK or AIADMK, this country means rest of the States too. If there is a problem, some Member wants to speak; if there is a problem in the North-East or in the entire country, somebody else wants to speak, please don't make the discussion in this House as if there is no problem anywhere, except Tamil Nadu. You are diverting from your own statement. Please stick to your statement.

SHRI C.P. THIRUNAVUKKARASU : I request the hon. Home Minister and the Central Government to take appropriate actions and maintain law and order situation in Tamil Nadu,...(*Interruptions*)... and also throughout the country....(*Interruptions*)....in Kashmir and also safeguard the Constitution. To cite a few examples, on 7th March, 2003, the Madras High Court Chief Justice lambasted the Tamil Nadu Government for not providing adequate..*(Interruptions)*...

SHRI N. JOTHI : How is it relevant? Is it a Home Ministry matter?
...(*Inter/uptiOns*)...

SHRI C.P. THIRUNAVUKKARASU : I am referring to a statement made by the Chief Justice ...

THE DEPUTY CHAIRMAN : No statement of a Chief Justice. Make your own statement.

SHRI C.P. THIRUNAVUKKARASU : ...for not providing adequate staff...(*Interruptions*)... I am telling how it is relevant.

THE DEPUTY CHAIRMAN : I feel really sad.

SHRI C.P. THIRUNAVUKKARASU : Imposition of President's Rule under Article 360 of the Constitution is meant for a situation whereby the financial stability of a State is threatened. The failure of the State to allot sufficient fund for not filling judicial posts speaks of scant respect shown by the Government to the judiciary in open court...(*Interruptions*)...

THE DEPUTY CHAIRMAN : Now, I would withdraw everybody's speech, I would withdraw your speech and other speeches too. (do not want this kind of rumpus on a serious discussion. We are having a serious

discussion in the country. We are having a serious discussion on the responsibility of the Ministry of Home Affairs towards the entire country. The way you hijack the whole thing to Tamil Nadu is not fair. I am not allowing it...*(Interruptions)*... I am not joking. I am very serious about it. And it is within my powers to withdraw your speeches totally if you are not serious about the discussion...*(Interruptions)*... No; you too were not serious. And, you should not interrupt when the Chair is telling you something sensible. I am requesting you to get out of the Tamil Nadu discussion and talk about the Home Ministry. There are other senior Members who want to speak.

SHRI C.P. THIRUNAVIKKARASU : I will finish, Madam.

Madam, the Chief Justice...*(interruptions)*...

THE DEPUTY CHAIRMAN : We are not going to discuss the Chief Justices here. You talk about the Home Ministry. The Chief Justices do not come under the Home Ministry.

SHRI C.P. THIRUNAVUKKARASU : I am coming to the subject. Madam, I may be permitted to come to the subject.

The CBI was constituted in the year 1941 to make an inquiry into the supply of materials during the World War II and, subsequently, the Special Police Establishment was established to go into the defects of the Departments of the State Governments as well as the Central Government and the functioning of the public sector banks. Nowadays, the CBI is making inquiries into cyber crimes, wild life crimes, and crimes, relating to narcotics, arms and ammunition, antiques and other matters. And, as regards the disposal of cases by the CBI, I would like to say that in 2000, 1,116 cases were registered and 1,129 cases were disposed of; in 2001, 1,105 cases were registered and 1,203 cases were disposed of; and in 2002, 1,159 cases were registered and 1,137 cases were disposed of. Out of these, as regards the rate of conviction, 71 per cent were convicted in the year 2000, 78 per cent in the year 2001 and 69 per cent in the year 2002. Madam, as far as convictions are concerned, we know the practices in the lower court. There is conviction on admission and conviction on trial. If a person makes an admission of the case, he is convicted. I want to know how many cases have been convicted on admissions because at the fag end of the year, that is, in the month of December, the CBI pressurises the advocates saying, "You please ask your

client to make an admission. We will impose fine and release the accused." So, how many cases have been convicted on admission and how many cases have been convicted on trial?

There is another pathetic situation prevailing and that is with regard to disposal of cases. The situation is that the public prosecutors with the CBI are less in number. This is because there are a lot of posts lying vacant. Out of 67 posts of Senior Public Prosecutors that have been sanctioned, 14 posts are lying vacant. And, the number of posts sanctioned of Public Prosecutors is 96, but the vacant posts are 34. And, 41 posts of Additional Public Prosecutor have been sanctioned and the vacant posts are 22. So, because of the lack of adequate number of public prosecutors, the trial cases are not being taken up in the trial courts. So, I would request the Home Ministry to take immediate steps to fill these gaps. Suitable persons with eminent qualifications are available. Only when these posts are filled, can the CBI discharge their duties effectively and can there be quick disposal of cases..

As regards our jails, the condition is so pathetic and there is total negligence on the part of the State Governments. Now, let my colleagues not react since I have referred to 'State Governments'.

THE DEPUTY CHAIRMAN : Don't look at them.

SHRI C.P. THIRUNAVUKKARASU : It is the duty of the State Governments to maintain proper health and sanitary conditions in jails. These are our jails, and they are not in any foreign country. And, the prisoners do have their fundamental right to go to the Court and ask for remedy. So, the jail authorities should be directed to pay proper wages, proper sanitation and sufficient food for those people. ...*(Interruptions)*... But the Government of India...*(Time bell)*... Just one minute, Madam.

THE DEPUTY CHAIRMAN : You started at 15.40...*(Interruptions)*...

SHRI C.P. THIRUNAVUKKARASU : Now, several cases are pending before the CVC regarding sanctions. So, the CVC should take immediate steps to issue sanction orders for prosecution in those cases. Further, about the CVC, it has been reported that in regard to disposal of matters pertaining to disciplinary actions like suspension, revocation of orders or prosecution, it takes a lot of time, and that charge sheets have been pending before the CVC for

several months. So, I request the Government of India to take immediate steps to expedite those matters.

Lastly, I would like to stress that hereafter we, in India, should not tolerate the POTA.

THE DEPUTY CHAIRMAN : Okay. The last remark will not go on record.

SHRI B.P. SINGHAL : Thank you, Madam, for giving me this opportunity to express my thoughts on the working of the Home Ministry. Shri Pranab Mukherjee initiated the debate and he made some very salient points. When discussion about the working of the Home Ministry starts, everyone has in mind the policing of the country, and it invariably shifts to police conduct, especially civil police conduct, which is a State subject. One hon. Member even went to the extent of citing a survey report saying that the most corrupt of all the Government functionaries is the Police. I would like to put on record a particular survey that I made when i was in service. There was a seminar, having about 650 people in the hall, and I said that the general belief was that the Police was rude, abusive, callous and corrupt, and nobody's respect means anything in the eyes of the Policeman. I asked how many people subscribed to this view about the police. Madam, all the 650 hands got raised. Then, I asked how many of them had personally experienced instances of such conduct on the part of the Police. Only 13 hands were raised. I then asked, how many of them had received information about these very instances of such conduct from friends or relatives whose statements they trusted totally. I askeo them to raise their hands. 26 hands were raised. I told them, this was the reality; that was the perception. So, in this House, I venture to suggest to my hon. colleagues that we should not go by perceptions, and that we should be hard on facts. Another thing struck me when I was hearing some of the hon. Members in the Opposition. The way they were speaking, it appeared as if the Home Ministry started functioning only in 1998 when this Government had come in. That is the kind of impression that is sought to be created. *...(Interruptbns)...* Madam, this Government got the Home Ministry, which has been functioning since 1947, and this Government has to carry the legacy, both

* Not recorded.

4.00 P.M.

good as well as bad, of whatever has been happening in the past. Whether it is Kashmir, whether it is the North-East, whether it is the communal riots or whether it is the caste divide, these developments have been taking place from 1947 onwards. In fact, communal riots have been taking place even before that. Every political party of today has had the opportunity to run the Government at some point of time or the other; but these problems have not been solved by any of them. Suddenly, comments are made that you have not done this' and 'you have not done that' as if the Home Ministry came into being only after this Government came to power.

Madam, I am very proud to say that the Home Ministry has been functioning like a human dynamo. The Kashmir issue has been there for years; but, for the first time, there is some semblance of internal peace. In fact, even before the elections, a time had come when the tourist traffic, which is the best indicator of whether there is peace or not, had increased tremendously, almost coming to the normal level, after which suddenly the influx of terrorists started, rather harshly. One of the biggest achievements of the present Government in Kashmir has been the elections that were conducted and which drew accolades not only from within the country, from every political party, but even from observers who had come from outside for judging the impartiality of the election process. This is not to say that the earlier elections were partisan. Nevertheless, as perceptions can be varying, this election has been perceived to be a free and fair election. Effective policing was done and elections were taken to have been fairly conducted.

Then, the next step that the Government has taken is about the Centre's interlocutor, Shri N. N. Vohra. This Government has been making very frantic efforts ever since it took office to open dialogue with all possible sections to have peace in Kashmir. The Government is very conscious of the fact that the Kashmiri people want peace, and they want peace before anything else because they are sick of violence- which has been taking place over the last almost fifteen years or more. The hon. Prime Minister has already announced a very big package - whether it is roads, communications, railways, textiles, promotion of woollens and carpet industry, or promotion of silk industry and so on. Very effective steps have been announced. For agro-exports, eco-restoration and border area development, very significant moves have been

made. We have all aimed at improving the economic well-being of the Kashmiri people. The Home Ministry has taken special steps to augment the effectiveness of the J&K Police and the forces that are operating there. Then, we have the Special Operations Group which is fighting against the terrorists. A package of about Rs.25 crores for the next five years has been announced to augment their effectiveness. There are the local village defence committees. A package of Rs.5 crores, to be spent over the next five years, has been announced to augment their functioning and effectiveness. SLRs and better rifles are going to be provided to those members of the Village Defence Committees. That is going to be the bulwark to effectively combat the terrorists that come in from across the border. There is an extra Rs.8 crores that have been sanctioned by the Home Ministry for the welfare of the J&K Police. It is well known that all the expenses incurred in connection with the security are hundred per cent borne by the Home Ministry. Same is the case with the North East. Hopefully, the parties which are in touch with the Kashmiri people whether they are getting their support from Pakistan or whatever, they are also becoming conscious of the fact that the people of Kashmir want peace and they cannot take on an attitude which threatens the peace of this great State of ours.

So far as the North East is concerned, that has been festering for years now. I think the fact that Pranabji told about the budget of the NSCN is quite shocking. But, I think, note will have to be taken of the fact that they are trying to run a parallel Government and that has to be taken note of and frustrated effectively by certain methods. Nevertheless, the Government in the last year has taken some peace initiatives, had a ceasefire with the NSCN in 1997. Of course, we have had peace talks with them and hopefully, they will culminate into something positive. There have been peace talks, peace initiatives with the Bodoland Liberation Tigers, with the United Peoples Democratic Solidarity and with Dima Halan Daogah and peace prospects with the ULFA are also somewhat looking up. Diplomatic initiatives have been taken with the Government of Myanmar, the Government of Bhutan and with the Government of Bangladesh from where insurgents are coming in without notice. These three border areas are providing shelter, training camps as also the resources to the insurgents.

DR. FAROOQ ABDULLAH : What about Nepal?

SHRI B.P. SINGHAL : Weil, Nepal is not quite on the map yet.

DR. FAROOQ ABDULLAH : I had been the Chief Minister of the Jammu and Kashmir State.

SHRI B.P. SINGHAL : They have got centres. That is true.

DR. FAROOQ ABDULLAH : The ISI is very active there.

SHRI B.P. SINGHAL : Yes, it is active. You are right there. Nepal is becoming almost an *akhara* for international forces. Nevertheless, these initiatives have been taken and this is a no mean achievement, considering the past we have had since.

On the communal situation, yes, Godhra was a big slur not only to the Government but also to the nation. In fact, every communal riot that takes place, I have always maintained throughout my service, is a black spot on the forehead of our country, and these riots must be nipped. But, if Godhra had not occurred, Madam, the total communal riot incidents in the present year would have been well below the number that took place even last year or a year before. There has been continuous decline in the incidents of communal riots and casualties since this Government took over. Barring Godhra, which is, of course, terrible, nothing else happened. The efforts of the Government to provide help to the States to combat communal riots have proved effective. After Godhra, the ISI and Pakistan, perhaps, thought that they could spark off yet another riot by restoring to in the Raghunath Temple or in the Akshardham Temple or even by killing Haren Pandya. These are provocative acts aimed at creating communal tensions and communal riots within the country. I would thank the Hindu community that it did not react to these horrible incidents and there was sanity all around.

SHRI SURESH PACHOURI : But his father is reacting.
...(Interruptions)... Haren Pandya's father is reacting.

SHRI B.P. SINGHAL : That is different. ...(Interruptions)... The CBI has already found the accused. So, whatever his father says, maybe, ...(Interruptions)... You see, everybody has his own perceptions. But that need not be the truth. The CBI is finding the truth about it and whatever is there that will come before all of us. So, we need not give a lot of emphasis on perceptions which do not have solid base to be firmed on.

The Home Ministry, Madam, has taken note of the increasing awareness of protection of human rights. A Human Rights Commission has

been appointed and it has directly linkage with the Security Forces. It can take up any case and examine whether anywhere human rights have been violated. Regarding modernisation of police forces which was very rightly emphasised by hon. Pranabji, Rs.700 crores were spent in the year 2002-03. It is a pity though that only 73 per cent of the money that was given to the States was utilised. I think what Pranabda has said is that the States are not able to take money because they could not spend their share. Now they are clamouring for 75 and 25 proportion in the share. I wonder if the Home Ministry can do it. Well, it will be very welcome for the States. But I would like to go with Pranabda that whatever has to be spent in the States, must be given in the form of actual equipment for better communication, for better firepower and for better intelligence gadgets and for mobility and transport. It should be done directly. Let them spend money on their buildings because that is also a part of the modernisation plan. But on the equipment part, I think, it will be a good thing if the Ministry of Home Affairs provides the material rather than money because as Mr. Pranab Mukherjee has said, this money just goes into some other channels and it does not reach the Department that is supposed to be served by the Central assistance.

Madam, a lot of spadework has been done in the making of multipurpose identity cards. I think it is not too early that this proposal has now come to a stage where it is being implemented as a matter of pilot project in 13 States and 26 sub-Districts. This should have been taken up much, much earlier specially in the border areas when the infiltration started because that is the only surest proof of fixing whether a person is an original resident or a migrant. The migration has been a problem particularly from Bangladesh. I would urge the Home Minister to cover the border Districts with Bangladesh all along whether it is West Bengal or Tripura or any other State. This must be covered in the first phase of these identity cards. The pilot projects have been launched in Tamil Nadu, Andhra Pradesh, Goa, Pondicherry and Delhi. I think these States could jolly well wait because there is no particular migration coming into these States. But border States must be given priority and at least the entire district of all the border States must be provided with these identity cards in the first phase.

About the internal security side, it is a very happy thing that the Narcotics Bureau has been brought under the Home Ministry because narcotics and terrorism are closely related. It will bring in better coordination in their efforts. There has been a lot of talk inside and also outside the Parliament

about the misuse of the POTA. I do not know how people come to a judgement about the misuse without getting the verdict from the court which is dealing with that particular case. Misuse of any law can be said only if a court decides that it has been misused. Otherwise, every law, even the IPC, can be misused. People can say that this has been misused and that has- been misused. Madam, law has been misused in Rajasthan. It is for the courts to decide whether law has been misused. Whatever is taking place in Rajasthan is completely beyond the pale of law and a total fascism is taking place there. But, I would venture to stop here and wait for the verdict of the courts whether the action that has been taken by the Government of Rajasthan against a section of the people and the leader of that section is legal. But, I would, certainly, appeal to the hon. Members not to start blaming the use of POTA even before any court of law has, convincingly, brought out, at least, one case of misuse. Till then, it is advised to hold back their criticism and wait for the verdict of the court.

श्री बालकवि बैरागी (मध्य प्रदेश): आप राजनाथ सिंह जी से पूछ लो ।
...(व्यवधान)...

श्रीमती जमना देवी बारूपाल (राजस्थान): राजस्थान में जो किया , बहुत अच्छा किया है । ... (व्यवधान)...

श्री भारतेन्दु प्रकाश सिंहल: मुझे जो कहना था, मैं कह चुका, अब आपको जो बोलना हो, अपने समय में बोलिएगा । Madam, am I correct?

THE DEPUTY CHAIRMAN : Yes.

SHRI B.P. SINGHAL : Then, please tell him.

THE DEPUTY CHAIRMAN : Yes. You are correct. You continue your speech because your party's time has not exhausted.

SHRI B.P. SINGHAL : Madam, regarding disaster management, I would say that the whole Ministry has been restructured. A division has been created for disaster management...(Interruptions)... I do not know what the hon. lady Member is trying to say.

THE DEPUTY CHAIRMAN : If her name is listed in the list of speakers, I will allow her to speak.

SHRI 8.P. SINGHAL : Disaster management teams are being created at the village level because, when disaster strikes, no Central team can effectively do a job to alleviate the sufferings of the people. So, a scheme has been devised to have disaster management teams to go right down to the village level and once they are in place, at least, in every village, some people would know whom to look upto for help at the time of disaster.

Madam, disaster mitigation education has been started in technical education. The CBSE and the NCERT have also been advised to include this in the syllabus of some classes to make the children aware of what actions can be taken, what kinds of disasters that we face, etc. That kind of training or education, I am sure, will prove very useful.

Coming to the prisons, I would submit that it is a State Subject. Nevertheless, the Ministry of Home Affairs has taken note of the very terrible situation prevailing in almost all States. Overcrowding is almost rampant in every State. As such, the Central Government Scheme for Modernisation of Prisons has been initiated and a five-year Non-Plan expenditure to the tune of Rs. 1,800 crores has been earmarked for modernisation and increasing the capacity of our jails.

So far as the Delhi Police, which relates to us, is concerned, well, very special steps have been taken to augment the capability and the effectiveness of the police. Computerisation has been done at the police station level and upgradation of the training facilities have also been done. Upgradation of communication network has taken place. Separation of crime investigation is being done to prevent delays in crime investigation.

There is, then, the new, Metro Rail Police which has come into place. The Delhi Police has shown a consistent decline in the crime incidence since 1998 down to 2002. There has been a consistent decline in the crime graph of Delhi. We also feel that. Sometimes, figures can be manipulated. But, it is not so easily possible in Delhi where people are very alive and well aware in case they are not attended to.

The Ministry of Home Affairs has successfully conducted the Census. It was heart-warming to see that though we say that everywhere failure has been taking place, I would venture to inform the Members, things have not been as bad. I am not talking of the achievements of this Ministry; I am talking of the achievements from 1991 to 2001. The Census information shows that

permanent housed families rose from 41.7 per cent to 51.8 per cent in 10 years from 1991 to 2001. Houses having taps increased from 32.3 per cent to 36 per cent. Usage of electricity increased from 42.4 per cent houses to 55.9 per cent houses. This shows a degree of prosperity that has been taking place, at least, in the country all over.

So far as LPG is concerned, I would like to say that it is primarily due to the efforts of the present Petroleum Minister that the number of LPG users went up from 12 millions in 1991 to 34 millions. So, there has been a complete story of very creditable achievements.

Before I take my seat, I would like to draw the attention of the House towards two very significant points made by hon. Pranab Mukherjee. Firstly, he said that average stay of Superintendent of Police - he didn't name the State - was about seven months. In 1983, I had calculated the figures of the average stay of officers from DIG down to Station Officers. The stay of DIGs was 14 months, SPs was 10 months, and the Station Officers was 6 months. That was the average stay at that time. This malady, this politicisation of Police started almost simultaneously with our Independence. Every Government that is coming to power has wanted the Police to do what they want, not exactly what the law desires and as such those officers who tried to stand on their own by claiming that the law says this and this cannot be done, they were promptly transferred. So, the backbone of the Executive was broken several years back and today we are getting the worst state of the administration. I am in total agreement with hon. Pranab Mukherjee that the system has to be changed, and if necessary, Parliament should make laws to, at least, fix the tenure of officers not of districts, but, at least, the Director General. The Dharamveera Committee Report is still accumulating dust. A first class system of appointment of DG was given, and I would urge the Dy. Prime Minister, at least, now - because this voice is coming from all across - we must heed the country's call and let that particular recommendation be implemented. If the DG's tenure is secure, the tenure of all other functionaries will automatically get secured because the officers draw their strength from DG. But when the DG is insecure, then the officers look up to those authorities in whose hands their future lies. If a local MP is going to determine whether I stay in the district or not, I am not going to bother about piG, or IG, or even the DG. I will only bother about that-MP because if he gets disturbed, my children's education will get disturbed, and that is incidentally one of those things where the most sturdy officers also care in because you can tolerate the hurts that are given to you, but when your children are hurt, it hurts far too deeply. And this has been

the main reason and the main basis on which the backbone of the Executive was smashed several years ago. This needs to be set right, and I am in total agreement with Shri Pranab Mukherjee on this point. I have already said that I am in total agreement with Shri Pranab Mukherjee about spending the Central grant for modernisation of the State Police directly. The third thing to which Shri Pranab Mukherjee has made a reference, is about politicisation. It has reached proportions, which are now hurting every one, and I am glad that there is a sentiment going around, and every one who is responsible for the future of this nation, believes that this has to be set right. Hopefully, the Home Minister will take steps to put that Dharam Vir Commission's report in place so that this malady could be rectified in the shortest period of time. Thank you.

SHRI KAPIL SIBAL (Bihar) : Thank you, Madam. I rise to participate in the discussion on the working of the Ministry of Home Affairs. Now, when we talk of home affairs, the essence of the Ministry of Home Affairs is to provide security to the people of this country. When we talk about security, we talk about public perception. There is a public perception about security, and then, of course, there is the reality on the ground about security. I am afraid that as far as public perception and the reality at the ground level is concerned, there is a feeling in this country that people are insecure, both from within and from without. What better way is there to start than to refer to the public confession made by the Deputy Prime Minister on 13th January, 2003 in Guwahati? I quote. He said: "Security situation in India was "extremely grave"." Not like "emergency" but "like war". He further went on to say that leaders of India "are under threat all the time". He then went on to say that "one Lord Mount Batten was killed. There was a bomb attack on Margaret Thatcher. Given everything I know, I feel, I am alive only because of luck." This is on 13th January, 2003. What better certificate to give to the security situation in the country than given by the Deputy Prime Minister himself? It is unfortunate that the Deputy Prime Minister, who believes that this is the level of insecurity in this country, and makes a public confession of that fact to the people of this country, should also have the courage to either state that since 1998 when we first came to power for that magical period of 13 days for the first time, and thereafter, almost five years have come through, this has been the situation from 1998 to 2003. If he says so, then I wonder why the Deputy Prime Minister continues to hold the position and the portfolio of Home, after this public confession, and we are discussing, and my good friend, Mr. B.P. Singhal is giving a certificate when the Deputy Prime Minister has said to the contrary. The eulogy that you have today put on the record of this House about the great performance of this Government is entirely contrary to what the Deputy Prime Minister has said.

Now, why is this situation? Let us analyse what, it is. ...*(Interruptions)*... One is the disturbance from outside. And the Deputy Prime Minister has been talking about it for a long time. He has been talking about activities of the ISI, cross-border terrorism. I remember, since 1998, he has been talking about hot pursuit, having a pro-active role in Jammu & Kashmir; going after them. He has been giving lists to the United States that I want these 19 people who are terrorists. At least, I want one of them to be brought to India.' He has been telling the United States, you tell Musharraf not to indulge in cross-border terrorism'. And this has happened now almost for five years! And what has the United States done? Nothing. They have turned a deaf ear to our pleading, and we do not have the courage to deal with the situation ourselves. Recently, when this incident took place in Kashmir - what a tragedy it was - obviously, we were concerned that when somebody else is fighting in Iraq, why should we disturb the peace? Rather than being worried about how do we solve our problems from within, we were worried about taking action because somebody from without might be disturbed. It is very interesting to note that the Deputy Prime Minister also lauded the efforts of George W. Bush. He said, when the attack was taking place in 9/11, and three planes were attacked, George W. Bush had issued orders saying that the plane which was carrying a hundred civilians should be attacked by the US force itself to ensure that another building is not attacked in Washington. And I quote what he said. He said, "this willingness to take a hundred or so civilian casualties what this would have entailed was an example of 'a democracy, which is not soft'." The US was willing to take the lives of a hundred of their own civilians, to send a message to the world that 'we are not a soft State!' What did this Government do in Kandahar? Just the opposite! They said that they wanted to save the lives of those civilians. I am not against it. But you laud George W. Bush for what he did in Washington, and you just do the opposite elsewhere. The fact of the matter is, Madam, that in the last four and a half years, you have demonstrated to the world that you are a soft State; that you cannot combat terrorism from without; that you do not have the courage; that you do not have a game-plan. And, therefore, Pakistani intruders come into our country, whether it is at Akshardham, or at the Raghunath temple, or from anywhere else, and we are not able to respond. From months, and from years, we have been saying, 'we will not talk to you unless you stop cross-border terrorism.' And then, suddenly, for the first time in 15 years, our Prime Minister goes to Kashmir and out of the blue, says just the opposite! Now, we are happy that we should talk to Pakistan; that is the view of the Congress Party. But at least, you must be consistent in your policies. What is the point in saying for the last one year that

we are not going to talk to them, and suddenly, out of the blue, saying that we are ready to talk?! What has changed? Has cross-border terrorism come down? Have the innocent people been stopped from being killed? Has the wailing of widows stopped? What has changed?! The fact of the matter is, Madam, that there is no policy to deal with cross-border terrorism. We have similar situations from across the border, from Bangladesh, where certain terrorists, terrorist organizations are being given help. The relationship with our neighbours, with whom we had wonderful relations over the years, has slowly deteriorated since 1998.

That is as far as the external situation is concerned. Let us come to the internal situation. Madam, as far as the internal situation is concerned, there is a feeling of deep insecurity within this country.

And the reason for that is that this Government is squarely responsible for giving an impetus to the communal forces of this country and to the castiest forces of this country. Every other day, the Sangh Parivar talks about building of the temple at Ayodhya. I remember, the other day, I wanted to quote the Supreme Court Judgment. * This House did not allow me to speak for one-and-a-half hours. ...*(Interruptions)*... A certain section of this House did not allow me to speak for one-and-a-half hours, saying that I was misquoting! What happened? The Supreme Court, ultimately, by unanimous judgment, said, and what it said, you know about it. The fact of the matter is that you are dividing the people of this country. The fact of the matter is that the foundations of a society, which can only be based on secularism, are slowly being eroded by you. The fact of the matter is that you want to divide and rule just as the British did. ...*(Interruptions)*...

SHRI B.P. SINGHAL : Madam, is he addressing the ruling party?

SHRI KAPIL SIBAL : Yes, this Government. ...*(Interruptions)*...

डा. फागुनी राम (बिहार): वे क्यों इंटरप्ट कर रहे हैं ?

SHRI B.P. SINGHAL : Is he addressing you?

THE DEPUTY CHAIRMAN : Yes, through me, he is addressing the ruling party.

SHRI KAPIL SIBAL : Yes, this Government. And that is the tact of the matter. And when an hon. Chief Minister who recognizes the infractions of the law, takes one of your leaders who represents and symbolises fascism in this country, takes him under his fold, you call the Chief Minister 'fascist'! We hope there are more Chief Ministers born in this country like the one in Rajasthan, to have recognized that people who will divide this country will not be tolerated.

SHRI B.P. SINGHAL : They go beyond law.

SHRI KAPIL SIBAL : At least, only those who first understand the law should make statements like this. And look what is happening in this country! Publicly, people are distributing particular kind of weapons which can be used as weapons of offence at any given point of time, in any communal divide, any communal situation. I asked the Minister of State for Home Affairs, the other day, - I remember I brought up the Trishul issue - he is sitting here in this House - I pleaded with him; I asked, 'Is the Government of India not going to ban Trishuls?' - because, we know of the fact that they are being distributed throughout in large numbers, just because there are some impending elections, coming-in November this year. The Minister of State for Home Affairs said, I am not aware of any such thing! We don't have any such information to that effect!" And this happened one-and-a-half months ago; I remember.

SHRI B.P. SINGHAL : Trishul, for your information, is within the Arms Act. It is not violative of *the...(Interruptions)...*

SHRI KAPIL SIBAL : It is for the Minister of Home Affairs....*(Interruptions)...* It is for the Minister of Home Affairs who is capable enough to say, 'Yes, we will allow Trishuls to be distributed in this country.' Let the Minister of State for Home Affairs have the courage to say that.

SHRI B.P. SINGHAL : Nobody is distributing anything which is illegal. *...(Interruptions)...*

SHRI KAPIL SIBAL : I would like the Minister of State for Home Affairs to say that, that they stand by the distribution of Trishuls. Let the people of this country know what they stand for.

SHRI B.P. SINGHAL : It is not a question of standing

tor...(Interruptions)...

SHRI SURESH PACHOURI Madam, when he was speaking, nobody interrupted. ...*(interruptions)*...

श्री बालकवि बैरागी (मध्य प्रदेश): या फिर आप गृह मंत्रालय का चार्ज ले लो ताकि आप बोल सको।

श्री सुरेश पचौरी: वैसे हर मंत्रिमंडल में आप ...*(व्यवधान)*...

श्रीमती जमनादेवी बारूपाल: सही बात हो तो ...*(व्यवधान)*...

THE DEPUTY CHAIRMAN : But even then, he won't be allowed to interrupt. He will only be replying! ...*(Interruptions)*... बोल लेने दीजिए, आपको भी इंटरप्ट नहीं किया है।

SHRI, KAPIL SIBAL : The fact of the matter, Madam, is ...*(Interruptions)*... The fact of the matter, Madam, is that the secular fabric of this country is being slowly eroded and destroyed, and what is being promoted is rank communalism for electoral gain, and this has created a sense of insecurity in this country, and without a sense of security there can be no economic development in this country; you will not get FDI, you will not get any joint ventures coming into this country. That is why you have *never* got more than two to three million dollars. That is why, your stock market, which was below three thousand in 1998, is now below three thousand in 2002-03. That is why you are not getting the kind of money that you should have got unlike China, because they are able to provide security, and you are not able to provide that feeling of security to the people of this country. And what a surprising thing! In a State where one community is being prosecuted under POTA, a whole lot of them are put under POTA, and against another community, no FIRs are allowed to be lodged! The people are being ghettoized. They are not allowed to go back to their homes. * They can't rebuild their business. They are moving to other areas. What kind of a State are we preparing for them? What is the impact on their minds? You yourselves are creating a situation where because of the insecurity of the people of this country, the consequences of which you are aware, you wish to use that situation for electoral gains. Unfortunately, you got some temporary success in one State, but were given a befitting reply in another State later. Yes, of course, we have the other kinds of violence in this country. In Bihar,

Andhra Pradesh, etc., the MCC, the PWG, etc., are there. You have got to deal with those problems. But this Government does not have a game plan. Instead, it started using harsh laws to deal with situations of this nature. My good friend just now said, "It has to be proved to show that POTA has been misused". Of course, my learned friend should know that in Jharkhand 38 cases of POTA, which were foisted on the people by the State Government, were withdrawn by that very Government. He knows about it. If a Government foists cases on people under POTA and withdraws them, is it not a proof of misuse of POTA? The Deputy Prime Minister said, for example, that one should not prosecute the journalist, that is, Iftikar Geelani, because it was not fair. It is this Government that imposed POTA on Iftikar Geelani and then withdrew it. It imposed POTA in the public interest and then withdrew it in the public interest.

SHRI NILOTPAL BASU : They imposed it in national interest.

SHRI KAPIL SIBAL : They impose it in the national interest and withdrew in the public interest. Then you say, we don't have any proof of it! You have proof of POTA being used in UP and you are aligning yourself with purely casteist forces in UP. The fact of the matter is that you are, by nature, undemocratic. This Government is, by nature, not liberal. This Government, by nature wants to disturb and destroy the peaceful fabric of this country. That is its philosophy. But, of course, it will not work in the ultimate analysis, because the people know what your agenda is. No matter, how much you try to distance yourself from those who support you. One of your leaders would say one thing supporting the Sangh Parivar and another would distance himself from the Sangh Parivar. You want to create this confusion in the minds of the people, but the people are clear in their minds.

Madam, there is only one last thing which I wish to say and that is the problem of the North-East. As we know, in January this year, talks were being carried out with an organisation which was prescribed under POTA. People were called from abroad; negotiations were held. What was given to them was a dream that may come true, because everybody knew that elections are round the corner. Not that alone, the Deputy Prime Minister said that there was a plan in his mind in respect of the settlement of the problem of the Nagas in the North-East. He said that there was a formula in his mind. I read somewhere that the Deputy Prime Minister should make it clear. The formula that he is thinking of- is a kind of amorphous and autonomous State for the Nagas,

unconcerned with the sensibilities of those in Manipur, Arunachal Pradesh and Assam. Why? Because the elections were round the corner. Now, they are hand in gloves with those people in running that Government. This kind of short-term measures will never pay. Ultimately, if you agree to an autonomous region there, how are you going to prevent it somewhere else?

SHRI B.P. SINGHAL : Madam, some very ugly insinuations are being made by the hon. Member. I take strong objection to that.

SHRI KAPIL SIBAL : It is my accusation and allegation that your talks with the leader Muivah were based on short-term political gains in the North-East. That is my accusation and I place it on record.

SHRI B.P. SINGHAL : I have objection to the hand-in-glove part.

SHRI KAPIL SIBAL : Yes, you are hand-in-glove. This is my opinion.

श्री सुरेश पचौरी: सिंहल जी, माननीय मंत्री जी के उत्तर देने के लिए भी कुछ छोड़िए। अभी उनको भी उत्तर देना है।

SHRI B.P. SINGHAL : I have to make an object ion. *.(Interruptions)...*

SHRI KAPIL SIBAL : Madam, it is time that this Government started believing in democratic values, it is time that this Government started believing in the unity of this country, it is time that this Government should not just vouch the concept of secularism but start believing in it. If they don't believe in any of these things, their end is very near.

श्रीमती जमनादेवी बारूपाल: मैडम, हम होम मिनिस्टर साहब से एक प्रार्थना करते हैं ... (व्यवधान)...

श्री भारतेन्दु प्रकाश सिंहल: *

THE DEPUTY CHAIRMAN : Anything said without my permission is not going on record, अहलुवालिया जी आप बोलिए ... (व्यवधान)...

श्री एस0एस0 अहलुवालिया : हां, यह बात सही कही आपने। आपने यह बात एकदम सही कही और राजस्थान के मुख्यमंत्री को जाकर कहिए ... (व्यवधान)...

श्रीमति जमना देवी बारुपाल:*

उपसभापति: अहलुवालिया जी, आप अपना भाषण करिए। ... (व्यवधान) ... अच्छा अब बोलने दीजिए। ... (व्यवधान) ... अब आप बैठ जाइए, बहुत हो गया। बस बैठिए। उनको बोलने दीजिए। उनका समय है।

श्री एस0एस0 अहलुवालिया : उपसभापति महोदया, हम गृह मंत्रालय की वर्किंग पर चर्चा कर रहे हैं। गृह मंत्रालय एक ऐसा मंत्रालय है जिसका फैलाव कन्याकुमारी से लेकर कश्मीर तक, और कच्छ से लेकर कोहिमा तक है। कभी-कभी तो हम यह फर्क भी नहीं बता सकते कि खाकी वर्दी में जो जवान कभी तस्करो से जूझता है तो कभी आतंकवादियों से जूझता है वह राज्य सरकार का कर्मचारी है या केन्द्र सरकार का कर्मचारी है। महोदया, पुलिस का काम था, शांति बनाए रखना, चोरी चकारी को रोकना और समाज में एक नियम के अंतर्गत व्यवस्था का पालन करना। पर वक्त बदला। वक्त के साथ-साथ माहौल बदले और वक्त के साथ-साथ नई चिंताधारा, भावना आने लगी। खासकार जो उग्रवाद, संत्रासवाद और आतंकवाद का जन्म हुआ है, यह एक नई पीढ़ी का वाद है जो न तो डिक्टेटरशिप को मानता है और न गणतान्त्रिक अधिकारों को मानता है। वह बंदूक की भाषा बोलता है, ग्रेनेड की भाषा बोलता है। आतंक की भाषा बोलता है और उस आतंक में दबाकर सरकार को उस तरफ चलने के लिए मजबूर करता है। पिछले तीन दशकों में हमने इसका प्रभाव बढ़ते हुए देखा है। सबसे पहले इसका प्रभाव नक्सलवाद के रूप में बढ़ा। महोदया, मैंने वे दिन देखे हैं जब सिपाही अपनी रिवाल्वर हाथ में या अपने होलस्टर में रखता था, सिपाही अपनी बंदूक कंधे पर लटकाकर रखता था पर एक जमाना आया जब डॉग चैन के साथ उसका रिवाल्वर बांध दिया गया। उसकी बंदूक भी डॉग चैन के साथ बांध दी गई। क्यों बांध दी गई? क्योंकि एक माहौल चला। नक्सलबाडी से, गोपीवल्लभपुर से नक्सलवाद का प्रारंभ हुआ सड़कों पर पुलिस की वर्दी पहनकर पुलिस वाला जब खड़ा होता था तो उसका खून होने लगा, उसके अस्त्र-शस्त्र छीने जाने लगे। एक नई परंपरा का जन्म हुआ। आतंक फैलने लगा। हमें उस वक्त जरूरत थी अपनी पुलिस को, अपनी पैरा मिलिट्री फोर्स को या अपने फोर्स को उस तरह की ट्रेनिंग देने की कि उससे कैसे कम्बेट करें। आज किन चीजों की जरूरत है? ये जो नए हथियार और आज का आतंकवाद है उसमें लिफ्ट ये लोग अनपढ़ नहीं हैं और न ही ये लोग गरीब हैं, जिनके पास पैसे नहीं हैं। ये आतंकवादी वे हैं जिनके पास आज दुनिया की सबसे अच्छी टेक्नोलॉजी उपलब्ध है। ये वे आतंकवादी हैं जो मास्टर डिग्री पास किए हुए हैं, एम बी.ए. पास हैं, इंजीनियर हैं। आपकी पूरी पुलिस व्यवस्था की वायरलैस टेक्नोलॉजी को फेल करने की क्षमता रखते हैं। जब इनके साथ हमारा टकराव हुआ, जब इन्हें रोकने की बात सोचनी थी तब हमारे भारत में उस तरह से हमारी फोर्स को मॉर्डनाइज करने की जरूरत थी। दुर्भाग्य से हम भटक जाते हैं। पुलिस पर तुरंत आरोप लगाते हैं। यह हमारी जहनियत है। मनुष्य की जहनियत है। हमारा एंटी एस्टीब्लिश्मेंट टेम्पारमेंट होता है। हम शासन करने वाले के विरोध में तुरंत खड़े हो जाते हैं। जब मेरठ और मलियाना में घटनाएं घटीं तो लोगों ने पी.ए.सी. की तरफ उंगली उठाई। जब जमशेदपुर और भागलपुर में घटनाएं घटीं तो बी.एम.पी. की तरफ उंगली उठाई गई। जब दिल्ली में चौरासी के दंगे हुए तो दिल्ली पुलिस के ऊपर उंगली उठाई गई। जब

* Not recorded

बॉम्बे में बम ब्लास्ट काण्ड हुआ तो बॉम्बे पुलिस पर उंगली उठाई गई। आखिर ये रिश्ते क्यों बिगड़ जाते हैं ? जनता के स्वार्थ, हित और सुरक्षा के लिए पुलिस बल बनाये गए हैं। पर यह विश्वास क्यों उठता जाता है? हमें क्यों ऐसा महसूस होता है कि अगर मैं थाने में जाऊंगा तो हो सकता है कि मुझे न्याय न मिले? मैं जहां जा रहा हूं वहां मुझे पूरी तरह से न्याय न मिले। मेरी बात न सुनी जाए। ऐसी भावना क्यों जागती है? इसमें परिवर्तन क्यों नहीं होता? क्योंकि हम कभी इन आंदोलनकारियों को कह देते हैं कि वे देश को स्वाधीन करने के लिए या अपनी स्वाधीनता के लिए आंदोलन में रत हैं, हम उन्हें फ्रीडम फाइटर के रूप में सम्मानित करने लगते हैं, कभी हम उन्हें पोलिटिकल एक्टिविस्ट कह कर उनका सम्मान करने लगते हैं।

महोदया, हमारे यहां आई.टी.बी.पी. एक अच्छी फोर्स है। हमारे माननीय नेता प्रणब बाबू जी आई.टी.बी.पी. के बारे में कह रहे थे। एक अच्छी फोर्स, इंडो-तिब्बतन बॉर्डर सिक्योरिटी फोर्स जो बनाई गई थी, उसको उस टैरेन में काम करने के लिए हर तरह की ट्रेनिंग दी गई थी। पर हमारा दुर्भाग्य क्या है, महोदया, कि जिस दिन इस देश की माननीय प्रधान मंत्री श्रीमती इंदिरा गांधी जी की हत्या हुई उस समय उनकी सुरक्षा में आई.टी.बी.पी. थी। जिन आदमियों को जो ट्रेनिंग, जिस काम के लिए दी है, उस काम से उठा कर जब हम उनको दूसरे काम में लगा देते हैं तो वे विफल होते हैं। वे अपने इम्तहान में फेल नहीं होते, लेकिन जब दूसरी जगह हम उनको लगा देते हैं, जिसके लिए वे ट्रेड नहीं हैं, तो वे विफल होते हैं। क्योंकि उनको सारी ट्रेनिंग एक नेटवर्किंग के थ्रू दी हुई है कि उसी नेटवर्क में, उसी ढांचे में उनको काम करना है। मैं आपको बताना चाहता हूं कि सारी दुनिया में आप घूम लीजिए, कहीं भी पुलिस की वर्दी वाला आदमी आपको नहीं दिखेगा, परन्तु पुलिस हर वक्त आपको देख रही होती है। किसी चौराहे की लाल बत्ती क्रॉस कर जाइए, फौरन दूसरे दिन नोटिस आ जाता है। हमारे देश में हम इसका निर्माण क्यों नहीं कर सकते? हमारे देश में इस तरह की व्यवस्था क्यों नहीं कर सकते? हमारे यहां इतना बड़ा पुलिस बल है। आज उनको उस तरह की ट्रेनिंग देने की जरूरत है। पर मैं उस चीज का पक्षधर हूं, महोदया, जब कभी मैं कश्मीर गया, लोगों से मिला तो लोगो ने अपनी गुहार की। उनकी गुहार के बाद और उनकी बात सुन कर मुझे दुख हुआ, तकलीफ हुई, आंखों से आंसू निकल आए। किंतु जब बीएसएफ के कैप में गया या सीआरपीएफ के कैप में गया या राष्ट्रीय राइफलज़ के कैप में गया और जब उन्होंने अपना हाल सुनाया तो एक दूसरी तकलीफ, दूसरा दर्द पैदा होता है कि किस तरह से वह आदमी राष्ट्र की रक्षा करने के लिए वहां पर बैठा है। वहां किस तरह से माइन बिछा कर, किस तरह से हथगोले फैंक कर, किस तरह से रॉकेट लांचर से रॉकेट फैंक कर, किस तरह से राकेट लांचर के थ्रू ग्रेनेड प्लाट करके हमारे कैंपों को टॉर्गेट बनाया जाता है, हमारे सुरक्षा बलों को टॉर्गेट बनाया जाता है। देशप्रेम की भावना से वे राष्ट्रीय सुरक्षा बल में भर्ती तो जरूर होते हैं, किन्तु जिन्दगी और मौत का जो फर्क है, वह हरेक इंसान में बराबर है। महोदया, उन चीजों को अगर देखा जाए तो हमारे सुरक्षा बलों ने पिछले कई वर्षों में बहुत अच्छे काम भी किए हैं। दिन-पर-दिन सुधार हो रहा है। पर आतंकवादियों का आतंक भी बढ़ रहा है। उनके टॉर्गेट भी बढ़ रहे हैं और उनके निशाने भी बढ़ रहे हैं। परन्तु दुख तो उस वक्त होता है जिस वक्त हम ही उनके खिलाफ बोलने लगते हैं।

महोदया, बहुत सारे वक्ताओं ने पोटा की बात की है। पोटा की बात करते वक्त कहा गया कि वह गवर्नमेंट एक ऐसी गवर्नमेंट है जो कि निर्दयी है, निर्मम है, सिविलाइज्ड नहीं है या सिविल लिबर्टीज़ को नहीं समझती है। मैं उनको बताना चाहता हूं कि इस सदन ने एक टाडा कानून भी पास

किया था। उस टाडा कानून के भाषण अगर पढ़े जाएं तो पता चलेगा कि उसी भाषा का प्रयोग है जो कि पोटा के बारे में प्रयोग की जा रही है । उस वक्त के विपक्ष के लोगों ने टाडा के खिलाफ भी ऐसे ही भाषण दिए थे। वह टाडा कानून आंतकवाद के नाम पर जब तक पंजाब के नौजवानों के खिलाफ लागू होता रहा तब तक तो किसी ने उसके खिलाफ आवाज़ नहीं उठाई । ... (व्यवधान)....

श्री जनेश्वर मिश्र: आवाज़ उठाई है ।

श्री एस०एस० अहलुवालिया : आपने अकेले ने ही उठाई होगी ।

श्री जनेश्वर मिश्र: नहीं, औरों ने भी उठाई है ।

श्री एस०एस० अहलुवालिया: सदन गवाह है कि जब पंजाब के नौजवानों को टाडा में गिरफ्तार किया गया तब किसी ने आवाज़ नहीं उठाई । आसाम के नौजवानों को गिरफ्तार किया गया, किसी ने उनकी बात नहीं उठायी, पर मुंबई ब्लास्ट के बाद जब राजस्थान , गुजरात और महाराष्ट्र में लोगो गिरफ्तार होने लगे तो हाहाकार मच गया। महोदय, वह हाहाकार देखने लायक था। बड़े अच्छे-अच्छे नेता जिन का मैं सम्मान करता था, जो वाक्यी साम्यवाद की बात करते हैं, पंथ-निरपेक्ष की बात करते हैं, धर्म-निरपेक्ष की बात करते हैं और सेकुलर भी हैं, वैसे लोग भी कह रहे थे कि इस कानून को बंद करो। महोदय, सब के बारे में कानून को बराबर एक नजर से देखना चाहिए । जब "टाडा" पास हुआ तो हम सत्ता में थे, इसलिए वह अच्छा था और जब "पोटा" पास हुआ , हम सत्ता में नहीं हैं, तो वह अच्छा नहीं है ।

श्री जनेश्वर मिश्र: आप किस टाइम में थे?

श्री एस०एस० अहलुवालिया : मैं तो दोनों टाइम था, मेरी बात छोड़िए।

श्री कपिल सिब्बल: आप ने उन नौजवानों की बात उठायी , जब आप सत्ता में थे? आप ने सदन में कभी बात उठाई ? आप अपनी सदन की स्पीच बता दीजिए ।

श्री एस०एस० अहलुवालिया: कपिल सिब्बल जी, आपको शायद पता नहीं है, आप उस वक्त शायद नई दिल्ली के चुनावों का दौरा कर रहे थे ।

श्री कपिल सिब्बल: मैं बाहर आवाज़ उठा रहा था क्योंकि मैं सदन का मेबर नहीं था, लेकिन आप बताइए कि आप ने कहां आवाज़ उठायी ?

श्री एस०एस० अहलुवालिया : मैं तो अभी भी उठा रहा हूँ । आप सुप्रीम कोर्ट की बार काउंसिल में हैं, आप देख लीजिए सुप्रीम कोर्ट की उन डेट पर मेरा नाम लिखा रहता है । ... (व्यवधान).... मैं डेट अभी तो नहीं बता सकता । आपको वह भी निकालकर दिखला दूंगा।

श्री कपिल सिब्बल: डेट नहीं, स्पीच बताइए ।

5.00 P.M.

श्री एस0एस0 अहलुवालिया: स्पीच तो बहुत सारी हैं। जब मैंने सत्ता के दलालों को, रक्षक को भक्षक कहा था, वह भी स्पीच इसी में है जिसे पढ़ने पर आपको तकलीफ होगी।

श्री कपिल सिब्बल : नहीं मुझे तकलीफ नहीं होगी।

श्री एस0एस0 अहलुवालिया: जब आप इस बात को उठा रहे हैं तो सोचिए कि “टाडा” के बारे में आपका क्या ख्याल था और “पोटा” के बारे में क्या ख्याल है? महोदया, अभी राजस्थान की एक माननीय सदस्या कह रही थी कि त्रिशूल धारकों को “पोटा” में क्यों नहीं बंद कर देते? वह राजस्थान के मुख्य मंत्री को कटें कि “पोटा” क्यों नहीं लागू करते? महोदया, “पोटा” का कानून पार्लियामेंट ने पास किया है और उसे राज्यों को लागू करना है। अब अगर कोई राज्य कानून लागू नहीं कर रहा है तो उस के लिए यहां पर गृह मंत्री कैसे जिम्मेदार है? महोदया, अभी एक माननीय सदस्य कह रहे थे कि एन0एस0सी0एन0 के लीडर उन के साथ “हैंड इन ग्लोव” है। आप सभी ने अखबार में पढ़ा होगा कि एन0एस0सी0एन0 के लीडर जब हिंदुस्तान आए तो उन्होंने प्रधान मंत्री जी से मुलाकात की, वह ऑफिसियल मीटिंग थी। उन्होंने गृह मंत्रालय से मुलाकात की, वह ऑफिसियल मीटिंग थी। अब वह राजेश पायलट के घर क्या करने गए? वह राजेश पायलट की विधवा पत्नी से मिलने क्यों गए? वह पिछले 20 साल से बाहर रहते हैं और 20 साल पहले राजेश पायलट का जन्म राजनीति में नहीं हुआ था, फिर क्यों गए मिलने और राजेश पायलट किस पार्टी के आदमी थे? आज हैंड इन ग्लोव की बात करते हैं। ... (व्यवधान) ... मैं यह नहीं कह रहा, यह तो टी0वी0 में, अखबारों में और रेडियो पर आया है। आप बताइए कि एन0एस0सी0एन0 के साथ फैसला करने वाले कौन थे और एन0एस0सी0एन0 से बात करने के लिए जो कमेटी बनाई गई थी, वह किस ने बनाई थी, किस सरकार ने बनाई थी? इस पर झांक कर देखिए कि किस सरकार ने वह कमेटी बनाई और उसको आप ने क्या “मैनडेट” दिया था और वह “मैनडेट” पूरा होते मीटिंग होनी थी कि नहीं होनी थी? उस बारे में सोच — समझकर बोलिए कि हैंड इन ग्लोव कौन है? हैंड इन ग्लोव कोई नहीं रहता, जो भी सत्ता में बैठते हैं, वह कुर्सी ऐसी ही है जैसा कि महाराजा विक्रमादित्य का पत्थर था। उस पत्थर पर जब चरवाहा बैठकर फैसला देता था तो पता लगा कि वहां वह विक्रमादित्य का सिंहासन था। भारत की कुर्सी प्रधान मंत्री पद की, गृहमंत्री पद की जो कुर्सी है, वह वैसे ही है, जो अपने निजी स्वार्थ में कोई फैसला नहीं करने देती। जब आप बैठे तो आप सही फैसला करें और जब कोई दूसरा बैठे तो वह गलत फैसला करे, ऐसा नहीं है। तंत्र वही है, शासन तंत्र वही है।

महोदया, मैंने तीन दशकों की बात की है और इन तीन दशकों में इनको तो सीखना चाहिए। हमने एक प्रधानमंत्री खोया है आतंकवाद के कारण, एक भूतपूर्व प्रधानमंत्री खोया है आतंकवाद के कारण, एक मुख्यमंत्री खोया है आतंकवाद के कारण। बेअंत सिंह जी के साथ क्या पुलिस नहीं थी? बुलेट प्रूफ कार थी उनके पास। अगर आज चर्चा करनी है तो इन सब चीजों पर चर्चा करने की जरूरत है। गृह मंत्रालय का हाथ कैसे मजबूत हो, इस पर चर्चा करने की जरूरत है। आपके नेता प्रणब जी ने अपनी जो बात की, सही बात की, सही मार्गदर्शन उन्होंने किया। अगर आज चर्चा करनी है तो जो आज चेलेन्ज देश के सामने है, उसका सामना कैसे हो, उस पर करें। दूसरे के गिरेबान पर हाथ डालकर उसके गिरेबान को खींचने की कोशिश न करें।

महोदय, आतंकवाद आज देश के समाने एक विकराल रूप लेकर खड़ा है। यह सिर्फ कश्मीर में ही नहीं बल्कि हर चौराहे पर इसने अपना रूप ले लिया है। मैं भुक्तभोगी हूँ और अपने दूसरे अकलियत के भाइयों से भी कहता हूँ कि आज वे भी भुक्तभोगी हैं, मगर घबड़ाने की जरूरत नहीं है। राष्ट्रवाद की भावना अगर दिल और दिमाग में है और निशाना निश्चित है तो फतह हमारी होनी है। फतह किसकी होनी है? फतह भारतमाता की होनी है, किसी पोलिटिकल पार्टी की नहीं। तो उस चीज को सामने रखते हुए हम गृह मंत्रालय की ताकत को जितना बढ़ाएंगे, उसमें नया आयाम लाएंगे उतना अच्छा होगा। सबसे बड़ी बात, सिर्फ किसी को पकड़ कर जेल में बंद करने की बात नहीं है, मगर वेलफेयर की बात करनी चाहिए कि किस तरह से हम इसमें सुधार ला सकते हैं। लोगों को जेल में बंद कर देने, सजा दे देने से ही सारा सोल्युशन नहीं होगा, उनको हम राष्ट्र की मुख्यधारा में लाकर किस तरह से उनका उपयोग कर सकते हैं, उसके लिए भी हमें सोचना चाहिए।

महोदय, पश्चिमी बंगाल में पंचायतों के चुनाव हो रहे हैं। करीब 58 लोग इस चुनाव में खड़े हुए हैं। इसी पंचायत से चुनाव लड़कर, फिर जिला परिषद में आते हैं और फिर एमएलए बनते हैं, एमएलए से एमपी बनते हैं। वोटर वही हैं, परन्तु आपको जानकर आश्चर्य होगा, वे मूकदर्शक हैं, वहां की स्टेट इलेक्शन कमीशन मूकदर्शक है, वहां की पुलिस मूकदर्शक है। आज क्या हो रहा है वहां? करीब बीस हजार लोगों को नोमीनेशन पेपर दाखिल नहीं करने दिया गया, जबरन लोगों को रोका गया, और तो और जिन लोगों ने पेपर दाखिल किए हैं उनके घरों में जाकर उनके घर वालों पर दबाव डाला गया है कि नोमीनेशन पेपर वापस ले। आपको शायद आज रात को या कल सुबह तक पता लग जाएगा। ... (व्यवधान)...

SHRI JIBON ROY (West Bengal) : Madam, he is discussing about the States. He is allowed to speak-, but I should be allowed to respond. ... (Interruptions)...

SHRI S.S. AHLUWALIA : Why? Are you representing the-West Bengal Government?

THE DEPUTY CHAIRMAN : No. Your party has already spoken. ... (Interruptions)... Please sit down. ... (Interruptions)... Please, take your seat. ... (Interruptions)...

SHRI JIBON ROY : He is at liberty to speak, but I should be allowed to respond. ... (Interruptions)...

श्री एस0एस0 अहलुवालिया: महोदय, मैंने अपनी बात शुरू जब की थी, तो मैंने उसी वक्त कहा था कि आतंकवाद, संत्रासवाद, उग्रवाद ... (व्यवधान) ... you represent all the things ... (Interruptions)...

SHRI JIBON ROY : Sometimes here, sometimes there. Sometimes there, sometimes here. ... (Interruptions)...

SHRI S.S. AHLUWALIA : I have the capacity to go here and there. You do not have the capacity to go here and there. ...*(Interruptions)*... It is your handicap, I cannot help you. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN : I do not understand the language. Please finish your speech, Mr. Ahluwalia. ...*(Interruptions)*...

श्री एस0एस0 अहलुवालिया: महोदया, मार्क्सवादी कम्युनिस्ट पार्टी के संत्रासवाद से मैं बहुत अच्छी तरह से अवगत हूँ क्योंकि प्राइमरी से लेकर वकालत तक मैंने बंगाल में पढ़ा है।

श्री जीवन राय: जब तक आप अपना बिहेवियर चेंज नहीं करोगे, कभी नहीं जीत पाओगे।

SHRI KAPIL SIBAL : I must compliment West Bengal for the good education that they have provided. ...*(Interruptions)* ...

श्री एस0एस0 अहलुवालिया: महोदया, यह एक नयी तरह का संत्रासवाद है। यह इनके मुखौटे को पूरी तरह खोलता है कि इन्होंने किस तरह से ...*(व्यवधान)*...

श्री जीवन राय: आप 30 सालों से कोशिश कर रहे हो, लेकिन खोल नहीं पाए। आपकी पोल खुल गई ...*(व्यवधान)*...

THE DEPUTY CHAIRMAN : Ahluwaliaji, please speak the language that I can understand.

श्री एस0एस0 अहलुवालिया: मैं उन्हें कह रहा हूँ कि अगर वह दूसरी भाषा में नहीं समझते हैं तो उनकी मातृभाषा में समझा देता हूँ ...*(व्यवधान)*...

THE DEPUTY CHAIRMAN ! Okay. -Now, ...

SHRI JIBON ROY : Madam, ...

THE DEPUTY CHAIRMAN : Please. ...*(Interruptions)*... Mr. Jibon Roy, will you please sit down?

SHRI JIBON ROY : He is speaking about my State, and it is the Council of States.

SHRI S. S. AHLUWALIA : Yes, it is the Council of States. That is why I am speaking about it.

SHRI JIBON ROY : If he is allowed to discuss the law and order situation in West Bengal, then I have the right to respond.

THE DEPUTY CHAIRMAN : No, you haven't. I have not permitted you. ...*(Interruptions)*...

SHRI JIBON ROY : Madam, I am on a point of order.

THE DEPUTY CHAIRMAN : I am not permitting you

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

THE DEPUTY CHAIRMAN : Mr. Ahluwalia, just keep quiet.

SHRI JIBON ROY : Madam, since this is a State subject, ...*(Interruptions)*...

THE DEPUTY CHAIRMAN : Will you sit down? That is my reply to your point of order. Let him complete. ...*(Interruptions)*... Please sit down. Please continue, Mr. Ahluwalia.

SHRI JIBON ROY : Madam, I should be allowed.

THE DEPUTY CHAIRMAN : No, I am not allowing you. Your party Members have already spoken.

SHRI JIBON ROY : I have not spoken.

THE DEPUTY CHAIRMAN : Doesn't matter. Your party has no time. Please sit down. Thank you very much.

श्री एस०एस० अहलुवालिया: महोदया, मैंने जब 3 दशकों की बात की थी ...*(व्यवधान)*...

उपसभापति: अब आप खत्म करिए। आप 3 दशकों से बाहर मत जाइएगा।

श्री एस०एस० अहलुवालिया: महोदया, मैं खत्म करने वाली बात कह रहा हूँ ...*(व्यवधान)*...

THE DEPUTY CHAIRMAN : If you are not going to be serious, then I

am going to close this debate. So, finish your speech so that we can finish the discussion today and have the reply tomorrow. There are still many Member who have to speak.

SHRI S. S. AHLUWALIA : Madam, when we are discussing the working of the Ministry of Home Affairs, we must talk about terrorism and what is the type of terrorism. And as I narrated in my speech earlier, I mentioned that it started in the name of Naxalism from Gopiballabhpur in Naxalbari.

श्री जीवन राय: अच्छा भाषण दे रहे थे आप ...(व्यवधान)...

श्री एस०एस० अहलुवालिया: वहां से शुरू हुआ लाल संत्रासवाद जो डेमोक्रेसी में विश्वास नहीं रखता। महोदया, वहां पर 21 मई को पंचायतों के चुनाव होने हैं। वहां पर 18 से 20 हजार लोगों को नॉमिनेशन पेपर्स फाइल नहीं करने दिए गए और ये कहते हैं कि हम डेमोक्रेसी का झंडा लेकर घूम रहे हैं। ये वहां मूक दर्शक हैं। जब इनको कहा जाता है कि वहां के चुनाव की व्यवस्था के लिए सेंटर से पैरा मिलिट्री फोर्स भेजी जाएगी तो ये कहते हैं कि नहीं। हमारे यहां जो कानून है, सेंटर और स्टेट रिलेशनशिप के अनुसार वहां पर कहा जाता है कि जब तक स्टेट रिविज़िशन न भेजे, सेंटर अपनी कोई फोर्स वहां नहीं भेज सकता। जब तक स्टेट न कहे, सेंटर वहां अपनी फोर्स नहीं भेज सकता और ये लोग जिस तरह से वहां पर ...(व्यवधान)...

श्री जीवन राय: कैंडिडेट हम सप्लाई करेंगे ...(व्यवधान)... आपके पास कैंडिडेट्स नहीं हैं तो हमसे बोलो, हम सप्लाई करेंगे ...(व्यवधान)... आप भी वैस्ट बंगाल में कंटेस्ट करो, पंचायत सीट पर भी आप हारोगे...(व्यवधान)... पंचायत चुनाव में भी आप हारोगे ...(व्यवधान)...

THE DEPUTY CHAIRMAN : Please sit down. ...*(Interruptions)*... Please sit down. This is a discussion on the working of the Ministry of Home Affairs. If he feels that some people have been terrorised, he is expressing his view. Your party had the time. You did express your view. Let us believe in democracy; that everyone has his own view point. ...*(Interruptions)*... Now, please... *(Interruptions)*... Now .don't... *(Interruptions)*... Now, please sit down. ...*(Interruptions)*...

SHRI JIBON ROY : Madam, we believe in democracy...

THE DEPUTY CHAIRMAN : What kind of democracy is it that do not allow me to speak? Please sit down. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... It will not go on record. ...*(Interruptions)*... What are you speaking for? You have got a habit to speak. ...*(Interruptions)*...

SHRI JIBON ROY:*

THE DEPUTY CHAIRMAN : Then you better not speak in the House. You better speak outside. Please Mr. Jibon Roy, people speak in this House for record, for posterity. If you feel that you don't want to speak for record, then you might speak outside. But don't disturb the House. *(Interruptions)* Please don't disturb the House. I say, 'don't disturb the House'. Don't comment. I have not allowed you. I have not permitted you. *(Interruptions)* Mr. Ahiuwalia, please conclude.

SHRI S.S. AHLUWALIA : I am concluding, Madam. जब सदन में मैं अपने उन लाखों, हजारों समर्थकों की यह बात ही नहीं उठा सकता कि उनके जो गणतांत्रिक अधिकार हैं बंगाल में सुरक्षित नहीं हैं और उसकी बात यहां पर उठाने पर ये लोग रोक-टोक करते हैं तो वहां क्या करते होंगे उन गरीबों के साथ मैं , यह तो जग जाहिर है ।...*(व्यवधान)*...

श्रीमती सरला माहेश्वरी: अगर पूरे हिन्दुस्तान में कही रोशनी दिखाई दे रही है तो बंगाल से रोशनी दिखाई दे रही है ।...*(व्यवधान)*...

श्री भारतेन्दु प्रकाश सिंहल: अब समझ में यह आ रहा है कि ...*(व्यवधान)*..

THE DEPUTY CHAIRMAN : Because there is no time. I have to finish the debate today itself, and there is a reply of the Minister. ...*(Interruptions)*... Mr. Ahiuwalia, please conclude. You have exhausted your time, चलिए बात खत्म करिए ।

श्री एस0एस0 अहलुवालिया: मैडम, ऑब्जेक्शन यह है कि ...*(व्यवधान)*...

श्री जीवन राय:*

श्री एस0एस0 अहलुवालिया: जीवन बाबू, जरा चुप रहिए । यह जो हमारे फॉर्मर-मेयर आफ कोलकाता..

THE DEPUTY CHAIRMAN : Now, don't discuss about him. I am not allowing. It is not going on record. Anything other than the Home Ministry is not going on record.

* Not recorded.

श्री एस०एस० अहलुवालिया: उन्होंने जो बात कही है,*

श्री दीपांकर मुखर्जी (पश्चिमी बंगाल):*

THE DEPUTY CHAIRMAN : Mr. Ahluwalia, you conclude your speech. ...*(Interruptions)*... Will you please stop it? No, I am not allowing you. Nothing is going on record, except the debate on the working of the Ministry of Home Affairs. Don't talk about other things. It will not go on record. It will not be reported. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA : You please ask them to stop giving the running commentary.

THE DEPUTY CHAIRMAN : It is not going on record. He is not bothered about that. If nothing goes on record, he is very happy. You don't worry about that.

श्री एस०एस० अहलुवालिया: महोदया, मैं सिर्फ इतना ही कहना चाहता हूँ कि पश्चिमी बंगाल में जो पंचायत के चुनाव हो रहे हैं और वह ...*(व्यवधान)*... महोदया, मैंने तो यही कहना है कि ये हालात सुधरेंगे कैसे? इसके हालात सुधारने के लिए मैं तो इस पर बोल चुका और उसके बाद मैं आपके माध्यम से गृह मंत्री से मांग करता हूँ कि पश्चिमी बंगाल की इस स्थिति पर सदन को अवगत कराएँ कि क्यों ऐसे हालात पैदा हो रहे हैं कि जो निरीह लोग पंचायत में चुनाव लड़ना चाहते हैं उनके पंचायत में चुनाव लड़ने के अधिकार छीन लिए गए, उनको लड़ने नहीं दिया जा रहा है। वोट डालने का अधिकार तो किसी को है ही नहीं। तो यह जो कब्जा किया हुआ है उससे मुक्त कराने की कब कोशिश होगी, यही मेरी आपके माध्यम से गृह मंत्री को निवेदन है कि वे सदन को अवगत कराएँ।

SHRI N. JOTHI : It is not only the DMK Members and the AIADMK Members but other Members also quarrel. ...*(Interruptions)*...

SHRI DIPANKAR MUKHERJEE : That is a wrong deputation. ...*(Interruptions)*... That is the problem.

THE DEPUTY CHAIRMAN : Let the lady Member speak. ...*(Interruptions)*...

* Not recorded .

SHRIMATI N.P. DURGA (Andhra Pradesh) : Madam for having given me this opportunity to speak on the functioning of the Ministry of Home Affairs. This is the first time that we are discussing about the working of the Ministry of Home Affairs after the attack on this great democratic institution on December 13, 2001, and attack on the WTO and Pentagon. We have discussed the overall internal security situation in the country earlier.

Now, the world's 'security map is changing rapidly and moving -towards unipolar world with a few countries dictating the course of action Iraq War is an evidence for this. The multilateralism of the U.N. mechanism is being marginalized and bypassed. This polarisation has a direct impact on our internal security, resulting in disturbance in the country. Madam, with your permission, I wish to concentrate only on some of the areas of the Ministry of Home Affairs.

Madam, there is no respite to us on cross-border terrorism and naxalite menace in the country. If you just look at the last year's incidents, this will become clear. There was an attack on Raghunath Temple 2002; Kaluchak killings took place in April, 2002; there was an attack on Akshardham Temple in September, 2002; there was an attack on the Amarnath Yatris in August, 2002. Last month, there was a massacre of the Kashmiri Pandits at Nadimarg, apart from umpteen Naxalite attacks and abductions. These are just a few incidents of what is happening in the country.

Madam, first I come to the Left Wing Extremism in the country. This has become one of the biggest problems to all the States, which are facing this menace. There are as many as 12 States and more than 50 districts in the country afflicted with naxalite problem. The problem is, earlier they used to limit their activities to some pockets of some districts. But, now, they are spreading their tentacles rapidly to other parts of India. By spreading to new areas, they are consolidating their old pockets.

[THE VICE-CHAIRMAN (SHRI SURESH PACHOURI) in the Chair]

The other important point is, they have the latest weaponry, communication systems and modern techniques in attacking. But, as the House is aware, the States are reeling under severe financial crunch and hence are not able to equip its police force effectively to root-out extremism. Here, with your permission, I would like to mention what the Government of Andhra Pradesh one of the affected States, is doing to reduce this problem. The

Government of A.P. has been persistently requesting the P.W.G. to lay down their arms and give up violent activities and join the mainstream. It is giving cash incentives and employment opportunities to the surrendered Naxalites. Last year, the State Government held three rounds of talks with the P.W.G. And, after these three rounds of talks, the State Government has decided to talk directly with the P.W.G. But, to utter surprise of the State Government and for the reasons best known to the Peoples' War emissaries, they withdrew as mediators. But, still, the Government is striving hard to bring them to the table to find out a permanent solution to this problem. The other point is, since the process of dialogue started on 5th June, 2002, the PWG committed 88 offences, including 70 killings and are involved in kidnapping for ransom in exchange of Release of their "Annas" - "brothers" who are in jails. Recently, they abducted four police officials. But, after strenuous efforts made by OUR Chief Minister, Shri N. Chandrababu Naidu, they released all the four police officials from their custody. He has been requesting and appealing to them to give up violence and has started exclusive schemes for Naxalites so as to help them to enter into the mainstream. These steps are bringing some change. So, to tackle this more effectively and efficiently, the State Government had submitted a project to the Government of India. There are some components in it. All the programmes that are envisaged under this project are meant for the welfare of Naxalites and the Naxalite-affected areas.

The State Government has requested for an allocation of Rs. 1,096 crores for taking up intensive and developmental activities in the tribal and Naxalite-affected areas. Hence, I request the Government of India to accede to this request sympathetically because it serves as a shot in the arm for the State Government to deal with the situation effectively and quickly. The other request made, by the State Government is to ban Nitro-Glycerin-based explosives and introduction of delayed action electric detonators and slurry-type explosives to prevent the dangers of landmine. Hence, I request the Government of India to ponder over this very seriously and immediately ban the Nitro-Glycerin-based explosives.

The Government of India has constituted a Co-ordination Cell in the Ministry of Home Affairs, headed by the Home Secretary, to tackle the menace of Left Wing Extremism. So, why cannot it take a similar initiative to engage the extremists in the process of a dialogue for a peaceful solution to the entire problem? I strongly suggest for constitution of this kind of machinery, so as to deal with the problem more effectively. I also strongly demand for

modernisation of police force by giving them the latest weaponry and communication systems, strengthening of police network, speedy disposal of cases and the immediate implementation of the POLNET Project. I think, so far, the Government of India has spent about Rs. 9 crores on this project. I would like to know how many police stations in this country are going to be connected, under this project, by the end of P003-04? The other problem is the States are not able to reach the root because of lack of specific intelligence inputs with it. I feel the Intelligence Bureau will play a greater role here. So, I suggest that the Intelligence Bureau, in co-ordination with the Bureau of Police Research and Development, has to draw a detailed action plan for training the State police personnel in the naxalite-affected States. Otherwise, the socioeconomic development of these States remain standstill.

Then, we have a foundation called the National Foundation for Communal Harmony in the Ministry. I do not know where the Foundation is and what it is doing. The main aim of this Foundation is to promote communal harmony in the country. I would like the hon. Minister to reactivate this Foundation and make the objectives of this Foundation more effective. I would also like to know from the hon. Minister as to what this Foundation has done during the last two years in maintaining communal harmony in the country.

Another most important role that the Ministry of Home Affairs has to play is de-politicisation of police force. For this, Padmanabhaiah Committee was constituted in 2000 to identify the challenges that police would face. The Committee had submitted its Report long back. What has happened to that Report? What measures that the Home Ministry has taken on the recommendations of the Committee? How many recommendations have, so far, been implemented? The House would like to know about it. Then, the recently held Chief Ministers' Conference on Internal Security has emphasized the need for structural reforms in police. I would like to know what are the structural reforms that the Ministry is thinking of in this force?

Sir, we have been hearing about setting up of the Federal Law Enforcement Agency in the Ministry of Home Affairs for sometime now to deal with certain categories of crimes, such as illegal immigration, drug trafficking, sedition, spread of dissatisfaction against the State, counterfeit currency, funding to terrorism, etc. I do not know what has happened to this idea. I request the hon. Minister to explain to the House as to what has happened to that proposal.

The Government of India has decided to issue the Multi Purpose Identity Cards to its citizens for quick identification and deportation of illegal migrants, apart from other socio-economic benefits. I understand that the Ministry has also identified some districts in some States. The Ministry has also identified some districts in Andhra Pradesh to start this project. I would like to be enlightened as to what has happened to that? Whether any action plan has been formulated for this purpose. If 'yes', what are the details of the plan. I would also like to know about the amount that has been allocated for this purpose in the current year *i.e.* 2003-04 for Andhra Pradesh and the districts that are going to be covered in 2003-2004 in A.P. I would also like to know whether any time-frame has been fixed to complete this project. If 'yes', the hon. Minister may kindly explain this.

So, Sir, there are some of the issues I wish to bring to the notice of the hon. Deputy Prime Minister for his benign consideration and necessary action. I request the hon. Minister to enlighten me on the queries raised by me while replying to the debate.

With these words, I once again thank you for having given me this opportunity to express my views on the working of the Ministry of Home Affairs. Thank you.

प्र० रामदेव भंडारी (बिहार): माननीय उपसभाध्यक्ष जी, मैं अपनी पार्टी राष्ट्रीय जनता दल की ओर से गृह मंत्रालय के कार्यकरण पर चर्चा में भाग लेने के लिए खड़ा हुआ हूँ। महोदय, इस मंत्रालय पर पूरे देश की सुरक्षा, देश की एकता और अखंडता, देश में अमन और शांति, साम्प्रदायिक सौहार्द और सद् भावना बनाए रखने की जिम्मेदारी है। यह अलग बात है कि सरकार अपनी जिम्मेदारों को पूरा करने में पूरी तरह विफल रही है। इस समय देश की सुरक्षा की स्थिति गंभीर और अत्यन्त चिंताजनक है। देश के सभी भागों में आतंरिक आतंकवाद है। जम्मू-कश्मीर में क्रोस बार्डर टैररिज्म, नार्थ ईस्ट में इन्सरजेंसी है। देश के कई राज्यों में एमसीसी, पीडब्लूजी जैसे वामपंथी संगठनों की हिंसक गतिविधियाँ हो रही हैं। इसके अलावा एक और बड़ा खतरा जो इस देश पर है, उन साम्प्रदायिक शक्तियों से है, जो देश में विभिन्न धर्मों सम्प्रदायों के बीच खून-खराबा, मार-काट कराकर अपनी रोटी सेंकना चाहती हैं। महोदय, संसद भवन पर आतंकवादी हमला हुआ, हमारे कई जवान शहीद हुए। यह देश उनकी शहादत को भुला नहीं सकता। हमेशा यह देश उन शहीदों को याद रखेगा। देश के दूसरे हिस्सों में भी आतंकवादी हमले हुए हैं। बार-बार सरकार इस देश को आश्वासन देती है कि आतंकवादियों पर नियंत्रण किया जाएगा, नियंत्रण किया जा रहा है। मगर एक के बाद एक घटना हो रही है। जम्मू कश्मीर में एक-एक दिन में चौबीस-चौबीस लोगो को मारा जा रहा है। सिविलियन्स मारे जा रहे हैं, फौजी मारे जा रहे हैं। ऐसा लगता है कि सरकार की इतनी ताकत लगाने के बावजूद भी कोई परिणाम नहीं निकल रहा है। चाहे वह देश के अंदर आतंकवादी कार्यवाही हो या जम्मू कश्मीर जैसे राज्यों में आतंकवादी क्रोस बार्डर टैररिज्म हो। महोदय, उत्तर

पूर्व के राज्यों में इन्सर्जेंसी का मामला पुराना भी है और किसी तरह से ऐसा नहीं लगता है कि कहीं से वह दब रहा है। वहां लगातार इंसर्जेंसी की कार्रवाइयां हो रही हैं। इसके अलावा जो बिहार, आन्ध्र प्रदेश जैसे राज्य हैं वहां एमसीसी, पीडब्लूजी जैसे संगठन लगातार हिंसक कार्यवाहियों में लगे हुए हैं। उन पर नियंत्रण करने की राज्य सरकारें कोशिश कर रही हैं। बिहार भी एक ऐसा राज्य है जिसके कुछ हिस्सों में इस प्रकार के संगठन सक्रिय हैं। बिहार सरकार अपनी क्षमता के अनुसार उन पर नियंत्रण कर रही है और उस क्षेत्र में जो डेवलपमेंट के काम हैं उनको भी आगे बढ़ाने का प्रयास कर रही है। लगातार सैन्ट्रल गवर्नमेंट से बिहार सरकार सहायता की मांग करती है। दूसरी सरकारें भी करती रही होगी तो केन्द्रीय सरकार या गृह मंत्रालय को जो राज्य सरकारों से उनकी आवश्यकताओं के अनुसार डिमांड्स आती हैं, उन पर भी विचार करना चाहिए और उन्हें भरपूर मदद करनी चाहिए। महोदय, मैंने अपने भाषण के प्रारम्भ में कहा था कि इस देश में आतंकवाद के अलावा एक दूसरी तरह का जो आतंकवाद पनप रहा है, यह है साम्प्रदायिक शक्तियों द्वारा पैदा किया जा रहा आतंकवाद। इस देश में कुछ ऐसे संगठन हैं जो विभिन्न धर्मों के बीच, विभिन्न संप्रदायों के बीच नफरत और घृणा फैलाते हैं। यह एक धर्म निरपेक्ष देश है। धर्म निरपेक्षता हमारे संविधान की बुनियाद है, इस देश की बुनियाद है। इन बुनियादों को खत्म करने के लिए ये सांप्रदायिक शक्तियां लगातार प्रयास कर रही हैं। हमारे घाव अभी भरे नहीं हैं। अभी ज्यादा दिन नहीं हुए जब गुजरात में इन सांप्रदायिक शक्तियों ने जो खून की होली खेली, हजारों बेगुनाहों का कत्लेआम हुआ, बच्चे बूढ़े, महिलाओं... (व्यवधान).....

श्री जयन्ती लाल बरोट (गुजरात): गुजरात को छोड़कर बात कीजिए। गुजरात में कोई खून की होली नहीं खेली.. (व्यवधान).....

प्रो. राम देव भंडारी: मैं जो कह रहा हूँ, क्या वह गलत है? .. (व्यवधान)..... यह वहां की होम मिनिस्ट्री का रिकार्ड है। मैं जो कह रहा हूँ क्या वह गलत है? .. (व्यवधान)..... आप बताइए कि मैं जो बता रहा हूँ वह गलत है? क्या वहां खून नहीं बहा? यही हजारों लोगों का खून नहीं बहा? आप लोगों ने कत्लेआम नहीं कराया? .. (व्यवधान).....

THE VICE CHAIRMAN (SHRI SURESH PACHO¹ JRI) : You please come to the point.

प्रो. राम देव भंडारी: इन सांप्रदायिक शक्तियों ने सत्ता में जाने के लिए, शासन में जाने के लिए, राज-पाट पाने के लिए गुजरात में निर्दोष लोगों का खून बहाया। अभी तीन-चार राज्यों में चुनाव होने वाले हैं। ये गुजरात का जो एक्सपेरीमेंट है उसे उन राज्यों में दोहराना चाहते हैं। अभी राजस्थान में त्रिशूल बांटे जा रहे हैं। त्रिशूल बांटने के कार्यक्रम में भड़काऊ भाषण, उन्माद फैलाने वाले भाषण दिए जा रहे हैं। महोदय, इस देश की अमन शांति, एकता और अखण्डता को इन उन्माद फैलाने वाली शक्तियों से, नफरत और घृणा फैलाने वाली शक्तियों से सबसे बड़ा खतरा है। इनके खिलाफ कार्रवाई करने की आवश्यकता है। नहीं तो वे हजारों निर्दोष लोगों को मारकर इस देश पर, इस राज्य पर शासन करना चाहेंगे।

महोदय, मैं राजस्थान सरकार को धन्यवाद देना चाहता हूँ कि उन्होंने प्रवीण तोगडिया को गिरफ्तार किया और जेल में बंद किया। मैं इसके लिए राजस्थान सरकार को धन्यवाद देना चाहता हूँ। ये वही लोग हैं जो राजस्थान में गुजरात का एक्सपेरीमेंट दोहराना चाहते हैं। राजस्थान की धरती को खून से रंग देना चाहते हैं। ऐसे लोगों की जेल के अंदर जगह है। ऐसे लोगों को जेल में बंद करना चाहिए जो धर्म के नाम पर, हिंदू-मुसलमान के नाम पर, सिख — ईसाई के नाम पर समाज को बांटना चाहते हैं, देश को बांटना चाहते हैं। ये देश के शुभचिंतक नहीं हैं, देश के सबसे बड़े दुश्मन हैं।

महोदय, होम मिनिस्ट्री के अंदर या सरकार के अंदर कुछ ऐसी एजेसियां हैं जिन पर देश की जनता को पूरा विश्वास रहता आया है। मगर यह सरकार दोहरा मापदंड अपना रही है। मैं बताना चाहता हूँ कि सरकार सी.बी.आई. को एक पोलिटिकल इन्स्ट्रुमेंट के रूप में इस्तेमाल कर रही है। हमारे दल के राष्ट्रीय अध्यक्ष श्री लालू प्रसाद जी के खिलाफ कई मुकदमे दायर किए गए। उन्हें जेल में भेजा गया। मुख्यमंत्री का जो आवास है उसे भी ढूँढ़ा गया लेकिन एक भी सबूत लालू प्रसाद जी के खिलाफ नहीं मिला। फिर भी लालू प्रसाद जी को कई बार जेल भेजा गया है। कोर्ट में मुकदमा चल रहा है। बिहार की जनता को पूरा विश्वास है कि लालू जी निर्दोष हैं और वे निर्दोष होकर छूटेंगे। महोदय, इस सरकार का सिर्फ एक सूत्री एज है। अगले साल लोक सभा का चुनाव आने वाला है और चार राज्यों में चुनाव हो रहे हैं।

उपसभापति (श्री सुरेश पचौरी): आप कन्फ्यूज करिए।

प्रो. रामदेव भंडारी: मैं कन्फ्यूज कर रहा हूँ, महोदय, बस एक मिनट की बात है। जिन-जिन राज्यों में चुनाव हुए हैं, उन राज्यों में जनता ने उन्हें पहले की तुलना में पूरी तरह नकार दिया है। अब ऐसा लग रहा है कि आने वाला चुनाव इनके लिए वॉटरलू साबित हो सकता है। इसलिए महोदय, इनका तो कार्यक्रम है कि पूरे देश में सांप्रदायिक ध्रुवीकरण हो, हिन्दू-मुसलमान के नाम पर भी ध्रुवीकरण हो। मगर इनका जो गेम प्लान है उसको इस देश की जनता जानती है। जब देश नहीं रहेगा तो ये किस पर राज करेंगे? देश की जनता बचेगी, देश के नागरिक बचेगे तभी वे देश भर में राज करेंगे। इसलिए मैं आपके माध्यम से इन्हें कहना चाहता हूँ कि यह एक धर्म निरपेक्ष देश है और आप अपने कार्यों से जनता के बीच जाएं। जनता अगर आपको या आपके कार्यों को पसंद करती है, तो आप फिर दोबारा आयेंगे। मगर देश को हिंसा की आग में झोंक कर, सांप्रदायिक खून की आग में झोंक कर, दंगा-फसाद की आग में झोंक कर, अगर आप राज करना चाहेंगे तो इस देश की जनता बर्दाश्त नहीं करेगी। धन्यवाद।

MESSAGE FROM THE LOK SABHA The

Appropriation (Railways) No.3 Bill, 2003.

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